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Thursday, August 22, 1974  
Sravana 31, 1896 (Saka)

# LOK SABHA DEBATES

(Eleventh Session)



(Vol. XLIII contains Nos. 21 to 30)

LOK SABHA SECRETARIAT  
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**LOK SABHA**

Thursday, August 22, 1974/Śravana  
31, 1896 (Saka)

The Lok Sabha met at Eleven of the  
Clock

[MR. SPEAKER in the Chair]

**ORAL ANSWERS TO QUESTIONS**

MR. SPEAKER: Mr. Barman.

DR. RANEN SEN: Sir, Mr. Barman is not present. Similar questions are there. If Mr. Barman is not present, we may be permitted to put questions.

MR. SPEAKER: Don't throw such a fantastic idea to me because he is not here, I should bring him back or I should ask you to put the question.

SHRI S. M. BANERJEE: Sir, more than one name should be added. Otherwise this thing will happen

MR. SPEAKER: We do have it. That is only on identical questions that two names are added.

**Nationalisation of Private Sector Coal  
Mines in Bihar**

†

\*453. SHRI K. M. 'MADHUKAR':

SHRI NIHAR LASKAR:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government are considering a proposal to nationalise 100 coal mines in Bihar and other States

1801 F.S.—9

which had been left over in the private sector; and

(b) if so, when the final decision in this regard is likely to be taken?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). Information regarding coal leases and mines which are legally and illegally in operation in the private sector is awaited from the State Governments who have been requested to furnish the same without delay. Appropriate action will be taken after complete and authentic information has become available.

श्री कमला मिश्र 'मधुकर' : मंत्री महोदय ने जो जवाब दिया है कि वह बिल्कुल इवेमिव है क्योंकि एक तो उन्होंने यह कह दिया है कि यह स्टेट गवर्नमेंट का मवान है और दूसरे यह कहा है कि आंकड़े एक्त्रिन नहीं हुए हैं। मैं जानना चाहता हूँ कि क्या बिहार सरकार ने ऐसा प्रस्ताव दिया है कि नमाम ऐसी छोटी खानों का राष्ट्रीयकरण कर लिया जाये ? उन के संबंध में सरकार ने क्या विचार किया है ? साथ ही क्या इस बात का निर्णय लेने में आप पर कोई ऐसा दबाव पड़ा है, क्योंकि हमें मालूम पड़ा है कि इन छोटी खानों के मालिक आप से मिले हैं और मिलने के बाद दबाव डाला है कि इन का राष्ट्रीयकरण न किया जाय, तो क्या यह सही है और इस संबंध में आप बताएं कि केन्द्रीय सरकार का क्या विचार है ? कब तक यह होने वाला है ?

इस्वात और सततमंत्री (श्री के० डी० बालवीर) : कुछ तो जब यह सूचना मिली सरकार को तो बिहार सरकार ने कुछ



इतिनाए मागी गई हैं और हमें भी कुछ आश्चर्य है कि इन्लीगल माइनिंग कुछ ऐसी खानों में क्यों और कैसे हो रहा है ? लेकिन जिन खानों का नाम अभी कानून में नहीं आया था उन की मालिक तो स्टेट गवर्नमेंट ही है इसलिए जब वे सूचना एकत्रित कर वे देगे तभी कोई रास्ता निकाला जा सकता है । लेकिन ज्यादातर ऐसी माइन्स नहीं हैं ।

श्री कमला मिश्र 'अधुकर' क्या बिहार सरकार को केन्द्र सरकार रिमाइन्डर्स दे रही है ताकि बिहार सरकार जल्दी से जल्दी आप के पास इस की प्रस्तावना कर दे कि राष्ट्रीयकरण इन खानों का कर लिया जाय ?

श्री के० डी० मालवीय यहाँ में रिमाइन्डर देने का सवाल नहीं है । अभी यहाँ बिहार के मुख्य मंत्री आ रहे हैं । एक तिथि भी निश्चित हो गई है जब उन के साथ इन सभी विषयों पर विचार कर लिया जायेगा ।

क माननीय सदस्य कब आ रहे हैं ?

श्री के० डी० मालवीय : अब वह तिथि नहीं निश्चित है अभी

अध्यक्ष महोदय इन को मही तिथि बना दीजिए ताकि ये घेराव बन्दे ।

श्री के० डी० मालवीय वह 28 29, 30 में मे किसी दिन हा सकता है इसी महीने में ।

श्री हरीकिशोर सिंह : केन्द्रीय सरकार को इस बात की सूचना कब मिली कि गैर कानूनी तरीके से माइनिंग हो रहा है बिहार के अंदर कोयला खदानों में और कब बिहार सरकार को भारत सरकार ने लिखा ? उस का जवाब कब तक आने की अपेक्षा रखते हैं ?

श्री सुखदेव प्रसाद जहाँ तक सूचना का सवाल है यह दो महीना पहले ही मिली है और ज्यादा हो मिली है त्यों ही एक आफिसर वहाँ गए डेपूट कर दिया गया है जो कि स्टेट गवर्नमेंट से कांटेक्ट कर के और पूरी इन्फार्मेशन ले कर आएगा ।

श्री हरीकिशोर सिंह आप ने कहा कि दो महीना पहले सूचना मिली है । आप ने कब राष्ट्रीयकरण किया और दो ही महीना पहले सूचना क्यों मिली ?

श्री सुखदेव प्रसाद राष्ट्रीयकरण का सवाल अलग है और इन्लीगल माइनिंग का प्रश्न अलग है । मैं थाड़ा सा बलीअर कर दूँ कि बहुत छोटी-छोटी माइन्स ऐसी सैंकड़ों की तादाद में जो कि एक्सप्लायटेशन की दृष्टि से बहुत प्राफिटेबल नहीं है । इसलिए उन पर माइनिंग करना बहुत उचित नहीं होगा । लेकिन कुछ ऐसी हैं जिन में एकाध का भाग भी मैं बना दूँ—एक भस्मांग माइन है जो कि 1 मिलियन टन की है और दूसरी 50 हजार टन की है इस तरह की दो माइन्स ऐसी हैं जिन का कि इन्लीगल माइनिंग हो रहा है । बाकी और पड़ो हई है बीस जिन का कि कोई लोड नहीं दिया गया है और इस की इन्फार्मेशन जैमे हो मिली है बिहार सरकार ने उसी दम तुरन्त यहाँ से एक आफिसर वहाँ मुकदमा किया गया है । वह सारी इन्फार्मेशन इकट्ठी कर के आएगा और इस में इस का नेशनलाइजेशन किस तरीके में किया जायेगा यह देखा जायगा ।

श्री बलकिशोर सिंह : क्या सरकार का ध्यान समाचार-पत्रों में प्रकाशित इस समाचार की ओर गया है कि जिन काइ-नाइट की खानों को राष्ट्रीयकृत कर इण्डियन एल्यूमिनम कारपोरेशन, जो कि राष्ट्रीयकृत कारपोरेशन है, के जिम्मे कर दिया गया था, उन को बिहार सरकार किसी



प्रभाव में आ कर अब राष्ट्रीय शक्त क्षेत्र में प्रयोग करना चाहती है।

**श्री सुखदेव प्रसाद :** यह प्रश्न इस प्रश्न में नहीं उठता है, यदि माननीय सदस्य प्रयोग प्रश्न पूछें तो मैं उस का जवाब दे सकूंगा।

**श्री रामाबतार शास्त्री :** क्या यह सच है कि बिहार के मयाल परगना जिले में इस तरह की खाने काफी संख्या में है तथा जिन के बारे में बिहार के ट्रेड यूनियन लीडर श्री चतुरानन्द मिश्र, एम० एल० ए० ने आप को पत्र भी लिखा है...

**अध्यक्ष महोदय :** यह मयाल इस में कहा पड़ा होता है ?

**श्री रामाबतार शास्त्री :** मैं बिहार के बारे में कह रहा हूँ। मैंने वह खत पढ़ा है—मयाल परगने में इस तरह की बहुत ज्यादा खानें हैं जो निजी लोगों के द्वारा चलाई जा रही हैं। इस सम्बन्ध में मैंने पिछले साल प्रश्न भी पूछा था।

**अध्यक्ष महोदय :** लेकिन इस में क्या सम्बन्ध है ? चतुरानन्द इस में कहा से आ गये ? आप जैनरल नेचर का मयाल पूछिये।

**श्री रामाबतार शास्त्री :** मयाल परगना बिहार में ही है।

**अध्यक्ष महोदय :** लेकिन इस में चतुरानन्द कहा में घुस गये ?

**श्री रामाबतार शास्त्री :** वे खान-मजदूरों के लीडर हैं, इस लिये घुस गये। ये बतलायेंगे कि क्या उन्होंने कोई बिट्ठी लिखी है, यदि लिखी है तो उस में क्या कहा है ?

**अध्यक्ष महोदय :** वे चतुरानन्द के कुछ ही होंगे।

**श्री को० डी० मालवीय :** अध्यक्ष महोदय, राष्ट्रीयकरण के बाद वहां पर दो तरह की बातें हो रही हैं—एक तो इल्लीगल माइनिंग हो रहा है—कुछ माइन्ज पर बिना किसी प्रकार के लोग कब्जा कर रहे हैं—यह एक क्राइम है और इस को प्रोग्र विहार सरकार का ध्यान दिनाया गया है। मुझे आश्चर्य है कि अब तक ऐसी बातें कैसे चल रही हैं। दूसरी माइन्ज ऐसी है जिन का नाम हमारे कानून में नहीं था, इस के बारे में बिहार सरकार से सलाह माँगकर कर के कानून के अन्दर उनको अधिभूत किया जा सकता है। लेकिन ऐसी माइन्ज ज्यादा नहीं है, कुछ माइन्ज ऐसी फैंसी हुई हैं जिन में काम नहीं हो रहा है, क्योंकि वे अनइकनामिक हैं। कुछ लोग वहां चोरी से कोयला निकाल लेते हैं और चूँकि कोयले के दाम इस समय ज्यादा हैं, इस लिये बेच देते हैं। इन के अनइकनामिक होने के बावजूद भी हम वहां पर इल्लीगल माइनिंग नहीं करने देते।

**श्री हुकम खन्दा कछबाय :** अभी मन्त्री जी ने अपने उत्तर में बतलाया है कि दो माइनों में गलत तरीके से उत्पादन किया जा रहा है, इन के अलावा 20 खानें ऐसी हैं जिन के पाम लीज नहीं है लेकिन फिर भी वे उत्पादन कर रहे हैं। मैं जानना चाहता हूँ—क्या उन्होंने राज्य सरकार से माठगाठ कर के अपना काम शुरू किया है ? क्या यह बात भी सही है कि इस प्रकार की अनेक खानें हैं जिन की आप की निगाह में लीज नहीं मिली है लेकिन राज्य सरकार ने लीज दो है और वे उम के आधार पर उत्पादन कर रहे हैं ? यदि यह सही है तो आप उन के खिलाफ क्या कार्यवाही करने जा रहे हैं ?

**श्री सुखदेव प्रसाद :** जिन दो खानों का मैंने जिक्र किया है, वे दोनों लीज्ड खानें हैं, इल्लीगल नहीं हैं। जहाँ तक 20 खानों का प्रश्न है जिन में इल्लीगल माइनिंग हो रही है, उन का नैशनलाइजेशन करने के बारे में अभी हमारे मिनिस्टर साहब बतला चुके हैं।



**श्री हुकम चन्द कछवाय :** अध्यक्ष महोदय, उन से लीज नहीं मिली है, लेकिन उन्होंने राज्य सरकार से मिल कर लीज ले ली है, राज्य सरकार ने उन को लीज दो है, हालांकि केन्द्रीय सरकार की निगाह में यह बात नहीं है। इस लिये मैं जानना चाहता हूँ कि आप उन के खिलाफ क्या कार्यवाही करने जा रहे हैं?

**श्री सुखदेव प्रसाद :** इस साठ-गांठ की कोई सूचना हमारे पास नहीं है।

**SHRI KRISHNA CHANDRA HALDER:** The hon. Minister has just stated that about 20 to 25 illegal mines are operating in Bihar. May I know what steps have been taken or are being taken against the owners of those illegal mines?

**SHRI K. D. MALAVIYA:** Unfortunately, the Central Government cannot take any step against those illegal acts of those criminal people. It is the State Government which has to be persuaded, and we have sent our men and we are trying our level best to persuade them to stop the mining immediately and to take whatever steps are proper to prosecute them and to take suitable measures.

#### Visits Abroad by Minister of Heavy Industry

+

\*454. **SHRI C. K. CHANDRAPPA:**  
**SHRI C. K. JAFFER**  
**SHARIEF:**

Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether he recently visited Socialist countries for co-operation in Heavy Industry;

(b) if so, the nature of discussions held; and

(c) the outcome thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH):** (a) to (c). Minister of Heavy Industry visited USSR and Hungary on the invitation of the USSR Minister of Coal Industry and the Hungarian Minister of Heavy Industry. His discussions had covered the question of fruitful cooperation and assistance in technical matters of common interest including supply of components and materials to the Hardware Unit of BHEL, HEC and MAMC, as also exchange of technology between India and USSR and imparting of training to our men in related fields. In all these areas, he was assured full support and cooperation by the Soviet authorities. He also discussed the question of supply of equipment from India for Soviet aided plants being set up in third countries. Here again the response was positive.

**SHRI C. K. CHANDRAPPA:** The hon. Minister has stated that he has fruitful cooperation too by the Coal Ministry of the USSR in matters of technical collaboration with India. In the press in our country a news item has appeared that Government have approached multinational corporations from Japan and Indian monopolies like the Tatas for the modernisation of the nationalised coal mines. In view of the support and technical collaboration offered by the Soviet Union, may I know whether Government will drop this idea and whether they will give us also more information regarding the nature of technical cooperation offered by the Soviet Union?

**THE MINISTER OF HEAVY INDUSTRY (SHRI T. A. PAI):** My discussion with the Soviet Government was not confined only to mining machinery. The MAMC, the HEC and the Hardwar plants are three plants which are Soviet-aided. To some extent, they are dependent on getting component every year from Soviet Russia. I wanted that Soviet Russia should help us to be absolutely self-reliant by giving us designs and



drawings so that the entire manufacturing programme could be carried on in India. This has been agreed to.

Secondly, we have found that we take an unduly long time in the erection of power plants; also there has not been proper maintenance. I wanted that Soviet Russia should provide at least training facilities for 250 engineers in the Soviet Plants so that we can also acquire the necessary technology in the erection of power plants and their proper maintenance. This has been agreed to. The first batch of 20 engineers is already in Soviet Russia as a result of this.

Thirdly, we have estimated that we would require considerable machinery for the development of our coal industry. A substantial part of it is going to be met by the MAMC and the HEC. Wherever it has not been possible for us to get it, we shall certainly try to get it from our collaborators either in Poland or in the USSR as far as is possible.

Another thing that I was trying to emphasise in Soviet Russia was that the Soviet-collaborated projects must also have a continuous technology flow from Soviet Russia so that the maximum development in the future also is ensured.

Thirdly, whatever surplus capacity we have in these plants, whenever Soviet Russia undertakes to build up other plants in third countries we should also be allowed to collaborate. All these are being pursued.

**SHRI C. K. CHANDRAPPA:** The Minister has answered the second part of the question, but not the first part.

**MR. SPEAKER:** It was quite a comprehensive answer. You put your second question now.

**SHRI C. K. CHANDRAPPA:** While answering my second question, he may also answer the first part of the first question. I asked whether it is a fact

that they had approached the Japanese multi-national corporations for the modernisation of nationalised coal mines in our country and also Tatas for some kind of collaboration.

Then in the last part of the answer, the Minister has stated that we approached the Soviet Union for our machinery to be exported to third countries where the Soviet Union is erecting plants. I would like to know a little more about this. What are the prospects of this proposal and the possibility thereof?

**SHRI T. A. PAI:** The Ministry of Heavy Industry is responsible for supplying coal machinery to the coal industry in this country. As long as this country makes coal machinery, we would certainly object to any coal machinery being imported from outside. The news item regarding multi-nationals or the collaboration the Ministry of Heavy Industry is seeking with anybody in this respect is obviously not correct.

So far as the other point is concerned there has always been reluctance on the part of any country to allow us to collaborate in third countries. But I have argued that it would create a good image also for the products of Soviet-aided projects in India if they are exported. The Soviet Union has agreed to set up a committee of experts on their side. We are also setting up a committee on our side to explore the possibility of the surplus capacity being utilised in many directions.

**SHRI PARIPOORNANAND PAINULI:** May I know whether the USSR expressed a desire to purchase generating sets produced by BHEL, Hardwar? If so, what are the details?

**SHRI T. A. PAI:** We have not yet offered any generating sets to the USSR. My problem is to see that generating sets are made available to all the Electricity Boards first and we are able to sell it also outside to



Malaysia and earn hard currency. Where it is possible for me to do the job I would like to have the best advantage for the country.

**SHRI B. V. NAIK:** The hon. Minister in his reply has stated that the possibility of Soviet-aided projects in third countries enlisting the support of this country had been explored. If so, will he kindly tell us (a) what are these specific projects and (b) if the Government of India have accepted this in principle, will the same facility as is being extended to Soviet Russia also be available to those parts of the world which may not necessarily be called socialist like Japan or other big countries?

**SHRI T. A. PAI:** We are not yet extending any facility whatsoever to Soviet Russia in this matter. What we are asking Soviet Russia is to make use of the surplus capacity we have. I would be perfectly happy to sell whatever we have to whichever country is willing to buy from us.

**SHRI B. V. NAIK:** It is in the written answer 'supply of equipment from India for Soviet-aided plants being set up in third countries'. I would like to know whether the same thing will be applied to other countries than Soviet Russia. This is my question.

**SHRI T. A. PAI:** We are also exploring the possibility whether we can undertake sub-contract job or partial supply of components wherever France or some other country has got an order in Iran or some other Arab countries.

**SHRI INDRAJIT GUPTA:** In the past, in the period before the coal mines were nationalised the capacity of the MAMC plant at Durgapur was found to be surplus mainly because the mines at that time were not willing or able to absorb the machinery

which was being manufactured. Now, I would like to know, since the mines have been nationalised, have their estimated requirements which can be planned properly been coordinated with the plants for the development of capacity in MAMC or is it that the Minister still has an apprehension in his mind that even the nationalised mines may not absorb this machinery and is that the reason why he is talking beforehand about the surplus capacity which he wants to be allowed to be exported to projects in third countries?

**SHRI T. A. PAI:** Sir, I did not refer to surplus capacity in MAMC. The hon. Member's observation about surplus capacity in MAMC in the past because the coal industry was not making sufficient investment is absolutely correct. We had diversified already the manufacturing programme of the MAMC. Now that the coal industry has been nationalised, we are working in close coordination with the Ministry of Steel and Mines and I have assured them that whatever their further requirements will be fully met by the MAMC as well as partial supply by the HEC wherever it is possible for it to undertake.

**SHRI INDRAJIT GUPTA:** Then, where is the surplus capacity?

**SHRI T. A. PAI:** The surplus capacity is in HEC. If the steel investments do not go up in certain items like the blast furnaces and all that we cannot keep our capacity idle waiting for some orders to come. The whole



production machinery has to be kept going and if I get orders from anywhere I shall certainly be happy to fulfil them

MR SPEAKER Shri G Y Krishnan—Absent.

Shri Nawal Kishore Sharma—Absent  
Shri Raghunandan Lal Bhatia—Absent

कुछ न कुछ होना चाहिए जो मेम्बर नहीं  
आ सकते उनको इन्ला देनी चाहिए  
ताकि किसी और मेम्बर के प्रश्न आ जाये।

**Non-participation by representatives  
in State Leprosy Officers Conference  
held in Hyderabad**

\*458 SHRI S N SINGH DEO Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state—

(a) whether a number of State Government official representatives did not attend the VIII Annual State Leprosy Officers Conference held in Hyderabad in the month of May,

(b) if so, the reasons for non-participation of these States in this Conference, and

(c) the State-wise allocation for National Leprosy Control Programme during the Fifth Plan period?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A K KISKU): (a) Yes, Sir

(b) Most of the defaulting States did not intimate the reasons for non-participation. However many of them could not participate on account of the Railway strike or enforcement of economy measures

(c) A statement showing the tentative State-wise allocation is laid on the Table of the Sabha.

# Statement

States	Tentative Outlay (Rs. in lakhs)
1. Andhra Pradesh . . .	487 05
2. Assam . . .	44 95
3. Bihar . . .	369 15
4. Gujarat . . .	81 87
5. Harvana . . .	0 20
6. Himachal Pradesh . . .	21 80
7. Jammu & Kashmir . . .	7 81
8. Kerala . . .	58 74
9. Madhya Pradesh . . .	118 50
10. Maharashtra . . .	312 41
11. Manipur . . .	14 33
12. Meghalaya . . .	9 81
13. Mysore . . .	195 48
14. Nagaland . . .	12 78
15. Orissa . . .	184 89
16. Punjab . . .	3 09
17. Rajasthan . . .	8 58
18. Tamil Nadu . . .	406 35
19. Tripura . . .	16 41
20. Uttar Pradesh . . .	258 54
21. West Bengal . . .	386 72
22. Andaman & Nicobar . . .	5 66
23. A P (NEFA) . . .	5 85
24. Mizoram . . .	5 47
25. Goa . . .	4 53
26. Pondicherry . . .	3 09
27. Laccadive . . .	0 20
28. Delhi . . .	6 18
<b>TOTAL . . .</b>	<b>3037 44</b>



**SHRI S. N. SINGH DEO :** Mr. Speaker, Sir, it is really unfortunate that one fourth of the total leprosy patients in the world are in India and there are more than 31 lakhs of cases in our country. Sir, it is an admitted fact that it is a most ugly disease and it is a menace to the national health. But, it is equally unfortunate, Sir, that though Rs. 5.12 crores were provided under the Leprosy Control Programme in the Fourth Plan, even 50 per cent of the allotted amount was not spent.

**MR. SPEAKER:** How does it come here?

**SHRI S. N. SINGH DEO :** Sir, I would like to know the reasons for this and how are they going to ensure that the funds allotted during the Fifth Plan will be properly utilised?

**अध्यक्ष महोदय :** मुझे हैरानी है कि आप यह पूछते हैं कि डेलीगेशन वहाँ क्यों नहीं गया।

**श्री इन्द्रजीत गुप्त :** यह पार्ट (सी) में आता है।

**अध्यक्ष महोदय :** आप कन्सलीट करिये।  
I am sorry.

**इस तरह मेण्टायरली डिफेन्ड वश्चन्स**  
**एक जगह हो जाने है।**

**SHRI A. K. KISKU :** I agree with the hon. Member that the picture of the problem of leprosy is rather alarming in our country and it has not been possible to do as much as we wanted to do. However, I may say that in the Fifth Plan we have drawn up some vigorous schemes with allocation of funds to cope with the situation. In fact, from the Planning Commission we have got allocation to the extent of about Rs. 30 crores for leprosy programme, out of which about Rs. 10 crores have already been sanctioned by the Planning Commission. We are in touch with the State Governments to see that the leprosy

control programme is vigorously implemented. I may say that personally I am visiting the States and talking it over with the State Governments and also looking into the matter of having more trained personnel, which is the main crux of the problem, so that the State Governments should be able to employ more doctors and para-medical staff to establish SET centres.

**SHRI S. N. SINGH DEO :** In my question I have already stated that some of the States did not care even to attend the conference. This goes to show their indifference. What action the Government of India is taking to ensure that the leprosy eradication programme is implemented in all the States? Because, we have seen during the Fourth Plan that though Tamil Nadu, Andhra Pradesh, Bihar and West Bengal have most of the victims of leprosy disease, less than half or only about one-third of the total funds allotted to them have been spent by them during the Fourth Plan. How will the Government of India ensure that the funds allotted during the Fifth Plan will be properly utilized?

**SHRI A. K. KISKU :** I have already said that some of the State Governments could not participate in this Conference because of various reasons. But in the Government of India we are not sitting quiet over the whole thing. We are approaching the State Governments with this programme of leprosy eradication and control. The Member is right that some of the States like Andhra Pradesh, Tamil Nadu, Orissa, Bihar, West Bengal and Maharashtra have more cases of leprosy. As I have already said, in the Fifth Plan sufficient amount of money has been kept at our disposal and we are trying to have more leprosy control units and more centres with more trained personnel so that the leprosy control programme can be vigorously pursued.

**SHRIMATI M. GODFREY :** May I know from the hon. Minister whether he is aware that there are certain



voluntary organisations which are working for lepers and have their own leper colonies with trained personnel and, if so, whether the Government will consider giving any assistance to these private organisations?

SHRI A. K. KISKU: I may say it is very encouraging that about 32 voluntary organisations are co-operating with the Government in a very good manner throughout the country under this Leprosy Control Programme. We have regular pattern of assistance also to these voluntary organisations. We give them grants from time to time and we discuss with them their problems as and when it becomes necessary.

श्री कृष्ण चन्द कछवाय : अध्यक्ष महोदय, माननीय मंत्री जी ने बताया है कि 30 करोड़ रुपया हम ने इस में खर्च करने के लिए रखा है और 10 करोड़ रुपया योजना आयोग ने दिया है। मैं यह जानना चाहता हूँ कि अभी जो सम्मेलन हुआ था, उस में काफी लोग उपस्थित नहीं हुए, तो इस के लिए आप क्या करने जा रहे हैं कि 7 करोड़ को बीमारी जिन कारणों से होती है, उन का ठीक तरह से प्रचार और प्रसार हों। इस के कारणों को बताने के लिए आप के पास कोई योजना है और इस पर आप कितना खर्च करने वाले हैं ?

SHRI A. K. KISKU: I cannot say at this moment what is the amount earmarked specifically for mass communication. But I can say under our programme of Leprosy Control, there are specific amounts earmarked. At the grass-roots of the organisation of Leprosy Control, there is the S.E.T. Survey, Education and Treatment. This is a programme where paramedical staff visit every house in every village. They find out the cases and also give proper education to the members of the family and to the villagers. That is the educational programme. All the cases that are found out are referred for blood testing and

for other treatment that are necessary. So, for the educational programme also, there is a sufficient provision in the whole scheme.

श्री सुखदेव प्रसाद वर्मा : अध्यक्ष महोदय, यह कुछ एक बहुत भयानक रोग है और इस रोग को रोकने के लिए सरकार बहुत कुछ करने का विचार कर रही है। मैं यह जानना चाहता हूँ कि कुछ रोगों से पीड़ित लोग जो ज्यादातर धार्मिक स्थानों और रेलवे स्टेशनों और इसी तरह की और जगहों पर बहुत ज्यादा इकट्ठा रहते हैं, उन तमाम लोगों को एक जगह इकट्ठा कर के इलाज करने की व्यवस्था करने की कोई योजना सरकार के पास है या नहीं ? अगर नहीं है, तो क्या सरकार इस पर पुनर्विचार करेगी कि रेलवे स्टेशनों और धार्मिक स्थानों पर जो इस तरह के लोग इकट्ठा रहते हैं और उन से इस रोग की वृद्धि होती है, उस वृद्धि को रोकने के सम्बन्ध में सरकार कोई कार्यवाही करेगी ?

SHRI A. K. KISKU: I am thankful to the hon. Member that he has highlighted one very important aspect of the problem....

MR. SPEAKER: You and the Member are thankful to each other. I am looking for relevancy. Of course, I do not come in.

आपस में वैवकुल हो जाईए पर मेरी तरफ मत देखिये। जब भिया बाबी राजी, तो मेरा क्या काम है।

SHRI A. K. KISKU: May I say that there are about 4 to 5 lakh leprosy patients who are beggars and they come to the railway stations, to the places of pilgrimage, and they are a problem. This is actually a social problem and a question of rehabilitation. This is a problem about which we are almost overwhelmed how to solve this problem. In fact, we are discussing this matter with the Ministry of Social Welfare. As far as the



Health Ministry is concerned. the Health Ministry is concerned about the matter of treatment. About rehabilitation it is a much bigger problem.

#### Development of Base Metal Deposits

\*459. SHRI B. S. BHAURA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have a scheme for the development of small deposits of base metals;

(b) if so, which are the locations of the deposits already identified and other details thereof;

(c) whether Government propose to release the deposits to private operators; and

(d) if not, the other proposals before Government and Government's decision thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) to (c). No concrete scheme as such has been formulated in this regard but the idea has recently been mooted to the State Governments. A number of small deposits of base metal minerals, in different States, are already known whose size and potential do not make them economical for exploitation by the Central or State public sector undertakings who are engaged in the development of the bigger deposits. Therefore, it is considered desirable to explore the possibility of securing the co-operation of private sector operators, where the national interests so require, in the mining of such small and isolated deposits.

(d) Does not arise.

श्री भान सिंह भौरा : स्टेट गवर्नमेंट्स की बात ग्राप छोड़ दें लेकिन सेंट्रल गवर्नमेंट ने अभी तक इस बारे में क्या क्या स्टेप लिए हैं ?

श्री सुखदेव प्रसाद : बेस मेटल में तीन चीजें आती हैं, का.र लैंड एंड जिंक। काम का जहाँ तक सवाल है खेतड़ी में एक स्मैल्टर लगा हुआ है और इसी तरीके से और भी जहाँ हमारे कापर डिपॉजिट्स हैं उनको हम एक्सप्लॉयट करने की कोशिश कर रहे हैं। लैंड और जिंक के बारे में अब तक हमारा जो काम चल रहा है उस में सागापल्ली, दरीबा, बलारिया, जाबरमाला आदि है। बेस मेटलज का जहाँ तक सवाल है सेंट्रल गवर्नमेंट उसका ले कर अपनी स्कीम चला रही है। कापर का खेतड़ में मैंने बताया है। लैंड और जिंक का राजस्थान में जैसे उदयपुर में हमारा स्मैल्टर लगा हुआ है।

SHRI KRISHNA CHANDRA HALDER: May I know whether the Minister is aware of the fact that the wolfram mine in Bankura, which comes under base metal, is closed for three months and if so, whether Government is going to nationalise the wolfram industry and wolfram mine?

MR. SPEAKER: I am sorry this does not arise out of this Question. He may give notice of a separate question on this.

DR. RANEN SEN: I want to know from the Government whether it is a fact that, due to some reasons or other, the Geological Survey of India which is making all the survey in regard to finding out base metals and other things, are not able to function properly so that more base metal sources are not being located in India, and if so, what is the proposal of the Government to expand the activities of the Geological Survey of India to find out more metals sources in India which are available in our country?

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): This is not a fact that the Geological Survey of India are not undertaking a very comprehensive survey of the base metals that may be found in India. As a matter of fact, there is a



continuously increasing programme that is being undertaken by the Geological Survey of India to survey and find out the prospects, but the present scientific and geological evaluation is that very large finds of base metals have unfortunately not been found except one or two in which the public sector undertakings are already taking interest. Of course, small pockets have been found out of base metals in Rajasthan, Andhra and other States. The Himalayan region has been explored and they have been surveyed and we have found out some pockets but the economy comes first. With a view to go out and explore it and also to bring back the ores, the roads are to be there. All these questions arise. So, as far as the totality of the question is concerned, while we go on surveying and expanding the programme of survey, the question of exploration has just stayed put because of other aspects.

**SHRI B. K. DASCHOWDHURY:** I would like to know from the hon. Minister that in the last session he said that the Geological Survey of India were exploring more areas particularly in the Darjeeling region and parts of Jalpaiguri and the area adjoining Sikkim and the Minister said that the survey report revealed deposits of copper, lead and zinc in that area and that the Government of India has agreed to a proposal to have a copper exploitation project in collaboration with the Government of Sikkim. I would like to know from him whether the Geological Survey has made any further detailed survey of this particular area of Darjeeling and Jalpaiguri and if so, what are the details of the report.

**श्री सुखदेव प्रसाद :** माननीय सदस्य ने दार्जिलिंग, सिक्किम तथा दूसरे भागों का प्रश्न उठाया है। मैं क्लियर कर दू कि दार्जिलिंग में ज्योलोजिकल सर्वे का सेंटर कायम है और वह उस एरिया का सर्वे कर रहा है जो ईस्टर्न और हिमालयन रिजन है। यह कहा गया है कि वहां काफी मात्रा

में कापर, लैंड, जिंक और दूसरी मिनरल्स मिल सकती हैं। जब तक वह सर्वे रिपोर्ट कंप्लीट न हो तब तक इस बारे में मैं कुछ कहने के लिए तैयार नहीं हूँ

**SHRI JAGANNATH RAO.** It is said that the public sector is not interested in developing small deposits because they are not economically viable as the development of nonferrous metals involves large capital and a long gestation period.

May I know whether it is the policy of the Government to leave it to the private sector if any private sector party is willing to come forward? I think it is only the public sector that can develop these metals.

**SHRI K. D. MALAVIYA.** This question has been generally and I suppose, specifically also, answered in the reply given. The question of exploitation of non-ferrous metals does not arise. We are only pointing out the fact that there are small, small pockets of base metals found out whose mining is thought of to be handed over to those people who are interested in doing it. After the areas have been mined by those parties which can be economic for them, the ores will be collected and concentrated and used in the smelter wherever the public sector units are already situated. Therefore, the question of giving over the mining of small base metal deposits is only under consideration and nothing beyond it.

**श्री राम रतन शर्मा :** श्री भीरा के प्रश्न के (बी) भाग के उत्तर में मंत्री महोदय ने पूरी जानकारी नहीं दी। मैं उन से यह पूछना चाहता हूँ कि क्या उत्तर प्रदेश में और खास तौर से उस के बुन्देलखण्ड प्रभाग में बेस-मेटल का कोई सर्वे आप ने कराया है और वहां कोई भण्डार उस के मिले हैं?



श्री सुखदेव प्रसाद : उत्तर प्रदेश के बन्देलखण्ड डिवीजन में बहुत सारे भागों का सर्वे हुआ है लेकिन वहाँ पर इस तरीके पर बैंग मेटल के कोई भी टेम्पे भण्डार नहीं मिले हैं जिस के बारे में यह कहा जा सके कि वह एकोनोमिकल प्राफिटेबल है ।

भारत पाक युद्ध के बाद विस्थापित व्यक्ति

\* 46। श्री अटल बिहारी वाजपेयी :

श्री जगन्नाथ जी जोशी :

क्या पूर्ति और पुनर्वास मंत्री यह बताने की कोशिश करेंगे कि

(क) वर्ष 1971 के भारत-पाक युद्ध के बाद बंगला देश में आग, बिहार में और पश्चिम पाकिस्तान में आग, गुजरात में कितने विस्थापित व्यक्ति रह रहे हैं;

(ख) इनमें से कितने विस्थापितों को स्थायी रूप से बसा दिया गया है और कितनों का पुनर्वास अभी किया जाना है;

(ग) उनके शरण पुनर्वास के लिये क्या कार्यवाही की जा रही है और उनका पुनर्वास कार्य कब तक पूरा हो जायेगा, और

(घ) क्या उन पड़ोसी देशों में जहाँ से ये विस्थापित लोग आये हैं, कोई मुआवजा माँगा गया है ?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKATSWAMY): (a) The State Government of Bihar have reported that there are no Bangladesh displaced persons at present living there.

O' those who crossed over to Gujarat at the time of Indo-Pak Conflict 1971, 8821 persons are still living there, according to the State Government.

(b) None, Sir.

(c) These displaced persons are not entitled to permanent rehabilitation facilities in India.

(d) No Sir.

श्री अटल बिहारी वाजपेयी : मंत्री महोदय ने कहा कि इन विस्थापितों को स्थायी रूप से भारत में बसने का अधिकार नहीं है ? क्या इस का अर्थ यह है कि इन विस्थापितों को उन की इच्छा के खिलाफ सरकार पाकिस्तान में ढकेलने का इरादा रखती है ?

THE MINISTER OF SUPPLY AND REHABILITATION (SHRI R. K. KHADILKAR): An hon. Member of this House, I am surprised, has put this question, because as we have stated, they are not entitled, they are foreign nationals and they have crossed over. I may enlighten the House that at the Simla session, following the exchange of correspondence after the Simla Agreement, Pakistan nationals displaced by the December 1971 conflict from Sind, they are ready to consider. It is for the Pakistan Government now to take appropriate measures in this regard and create the necessary conditions to enable these persons to return to their homes in safety and honour. This is our position in this regard.

So far as the human problem is concerned we are looking into it.

SHRI ATAL BIHARI VAJPAYEE: Now that he has referred to the Simla Agreement, I would like to know whether Pakistan has taken any steps to create conditions so that these refugees may go back to Pakistan and if Pakistan has not created such conditions, what has the Government of India proposed to do in the matter?

SHRI R. K. KHADILKAR: As I have mentioned, it is their desire to get them back as a result of our correspondence after the Simla Agreement. When Mr. Bhutto of Pakistan Government and our Government meet this matter can be discussed.



**श्री मन्मथ महोदय :** जब वह और भुट्टो माहब मिलेंगे फैसला हो जायगा ।

**श्री कदमल बिहारी बाजपेयी :** तब तक इन शरणार्थियों का क्या होगा ? वे टेन्टों में पड़े हैं । उन के लिए सोने का इंतजाम नहीं है, बीमारी से दवा का इंतजाम नहीं है । अभी मैं गुजरात गया था । सावरकांटा में बहुत से शरणार्थी मुझ से मिलने के लिए आए थे । उन को स्विकृति खराब है । मैं जानना चाहता हूँ कि पुर्नवास मंत्रालय इस मामले में क्या कर रहा है ? क्या मंत्री जी उन फैमिलो को देखने के लिए गए हैं ?

**SHRI R. K. KHADILKAR :** What the hon. Member has said is not correct. If you want, I will give you the detailed information how these people are being treated in the camps, what rations are given and how much general allowance is given—about Rs. 40 is given per family and if you permit me, I will read out the whole statement. But I may assure you...

**MR. SPEAKER :** You can better lay it on the Table of the House.

**श्री जगन्नाथ राव जोशी :** 1971 में काफी संख्या में लगभग 50 हजार से ज्यादा शरणार्थी यहां आए हैं । उन्हें वापस भेजने का काफी प्रयास करने के बा भी उन्होंने जाने से इनकार किया । मंत्री महोदय ने उत्तर दिया कि वे यहां विस्थापित हैं । मैं आप की अनुमति से सरकार के ध्यान में यह लाना चाहता हूँ कि वे इतने बड़े कारगर लोग हैं कि 1970 में पाकिस्तान ने 3 करोड़ की विदेशी मुद्रा इन के बनाए हुए सम्मानों से अर्जित की थी । तो यह इमूमन आबलम भी है और साथ ही ये बहुत अच्छे कारगर भी हैं, इन से भारत सरकार को विदेशी मुद्रा भी मिलेगी, क्या पुनर्वास मंत्री इस दृष्टिकोण से इन के प्राबल्य के ऊपर विचार करेंगे ?

**SHRI R. K. KHADILKAR :** In respect of these people placed in the camps

this problem is treated as a human problem. But they are not our responsibility. I have made it very clear. I have also stated Pakistan in principle at least, have accepted the suggestion in their correspondence. What they do later on I cannot say. From their past behaviour I cannot say anything but so far as this Karigari schemes they are making use of them.

**SHRI INDER J. MALHOTRA :** During the past so many times assurances have been given that they are taking rehabilitation measures and recently the Central Government has created this Rehabilitation Authority. I want to know what practical steps this Authority has taken regarding the permanent settlement of the refugees.

**SHRI R. K. KHADILKAR :** The hon. Member is not relevant because that Resettlement Authority is for Chambal refugees and they are Indian citizens. That authority is under the auspices of the Chief Secretary of Kashmir. He is looking after this thing. We have made this provision.

**SHRI P. G. MAVALANKAR :** Is it not a fact that in Banaskantha district of Gujarat hundreds of refugees are living in miserable conditions and are denied even the basic amenities of life? Moreover there are certain professionals like doctors and lawyers, etc. who are not able to do any practice in India because they are not able to get registration with the respective All India Councils. These Councils rightly demand full Indian Citizenship. So I want to know what is it that the Government is going to do in the matter?

**SHRI R. K. KHADILKAR :** As far as those in the camps are concerned, out of a total of 58,000 and odd, some 52,000 are in Rajasthan and Gujarat in the camps and in Gujarat, I may tell, 1,160 live with their relatives to whom we do not give assistance but about practising licence and other things if they are brought to our notice we shall pursue them.



**Pending cases in Labour Courts in Ahmedabad**

\*462. SHRI P. G. MAVALANKAR: Will the Minister of LABOUR be pleased to state:

(a) whether several thousand cases are pending in the Labour Courts in Ahmedabad;

(b) if so, the urgent and remedial steps Government propose to take to set the matters right, and

(c) the number of labour courts and posts of judges provided for hearing of such cases in Ahmedabad and whether duly filled and appointed?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) Information regarding the cases under the States' sphere is being collected and will be laid on the Table of the House. So far as Central sphere is concerned the answers are as follows.

(a) No, Sir. Only 143 cases under the Central sphere were pending at the Central Government Labour Court at Ahmedabad on 13-8-1974.

(b) Does not arise.

(c) There is only one Central Government Labour Court at Ahmedabad which has been specified for the purposes of Section 33C(2) of the Industrial Disputes Act, 1947. This Court is a State Government Court but its services are utilised by the Central Government also. The Labour Court consists of only one person appointed as Presiding Officer by the Central Government.

MR. SPEAKER: Mr. Mavalankar, please ask one question only. There is no time.

SHRI P. G. MAVALANKAR: Sir, I shall be very brief. If I have understood him correctly he said at the outset that information was being collected with regard to the State

Labour Courts and that the same will be laid on the table of the House.

May I know how is it that in spite of the fact that the question was asked twenty days ahead of time; information is still not available? Now, it so happens that the information on is available to me but not to the Minister. I never knew whether I would get the priority. So I asked the Gujarat Government authorities and they have given some information. But the minister has no information. So, my question is with regard to both the central labour courts as well as State's labour courts. Is it not a fact that there are not only hundreds but thousands of cases pending and that there are still a number of labour court judges not yet appointed by Government? Therefore, will Government look into this question and see that the cases of labourers who have to come to the labour courts everyday, after losing their daily wages, are disposed of? Otherwise, they come and go without their cases being disposed of. Will he kindly look into the matter and see that cases are disposed of expeditiously?

SHRI BALGOVIND VERMA: So far as State Labour Courts are concerned, the State Government will look into the matter. I have asked the State Government to furnish the information. The information has not so far reached us. The moment it reaches me, the same will be laid on the table of the House.

MR. SPEAKER: Question hour is over. Now, papers laid on the table.

SHRI P. G. MAVALANKAR: Sir, I asked this question twenty days ahead and because I was not sure whether I would or would not get priority during the Question Hour, I also asked the State Government authorities directly to furnish me with the information. Gujarat Governor's adviser gave me the information! I wanted but the Government of India is not giving me the information. How is it that the Gujarat Government



was able to give the information to me, but not to the Government of India?

**MR. SPEAKER:** Mr. Mavalankar, I have already declared Question Hour over. You better sit with him and ask the question.

**SHRI P. G. MAVALANKAR:** It is strange how the Government of India works.

आज जगन्नाथ जीब जीर्णोद्धार महोदय हम कई शतवर्षों से बात करते हैं, 20 दिन पहले सरकार को दे देने हैं, फिर भी जवाब नहीं आता है। आज इसके लिये कुछ करे

**SHRI P. G. MAVALANKAR:** As soon as this laid, we may be permitted to ask supplementaries.

**MR. SPEAKER:** That is not available. I shall ask him to give you the information. Now papers laid on the table.

#### WRITTEN ANSWERS TO QUESTIONS

##### Suggestion by Bonus review Committee to raise minimum Bonus

\*447. **SHRI R. N. BARMAN:** Will the Minister of LABOUR be pleased to state:

(a) whether the Bonus Review Committee has suggested immediate rise in the minimum quantum of bonus payable to the employee,

(b) if so, the percentage of rise suggested;

(c) the reaction of Government thereto; and

(d) the time by which the final report of the Committee will be made public?

**THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY):** (a) to (c). The Bonus Review Committee has not yet submitted its final report. However, the Committee had submitted in September, 1972 their interim report on the terms of reference relating to

the raising of minimum bonus payable under the Payment of Bonus Act. These findings were contained in two separate reports one signed by the Chairman, Dr. S. D. Punekar, Shri N. S. Bhat and Shri Harish Mahendra and the other by Shri R. P. Billmoria, Shri Mahesh Desai, Shri G. Ramanujam and late Shri Satish Loomba. After careful consideration of the two reports, an Ordinance was promulgated on the 23rd September 1972, to amend the Payment of Bonus Act, so as to provide that the statutory minimum of the bonus payable to workers covered by the Payment of Bonus Act would be raised from 4 per cent to 8-1/3 per cent for the accounting year commencing on any date in the year 1971. It was also provided in the Ordinance that payment be made in full in cash to all persons covered by the Payment of Bonus Act upto 8-1/3 per cent. Where payments more than 8-1/3 per cent were to be made during the said accounting year the positive i.e. plus difference, if any, between the payments to be made during the said accounting year and the payments made during the accounting year 1970-71 (where they were in excess of 8-1/3 per cent) would be deposited into the provident fund account of the beneficiaries. Copies of the Committee's reports and Government's resolution thereon (dated the 18th October, 1972, published in the Gazette of India Extraordinary of the same date) were laid on the Table on 13th November, 1972. The Ordinance was later replaced by an Act of Parliament.

2. The Payment of Bonus Act, 1965 was amended again in September, 1973 to make similar provisions in respect of payment of minimum bonus for the accounting year commencing on any day in the year 1972. Representations were received that the provision relating to part of bonus being deposited in the provident fund account should be done away with. In deference to these representations, the Act was amended in December, 1973 to enable the entire amount of bonus being paid in cash.



3. The Act is to be amended again to provide for the payment of a minimum bonus of 8-1/3 per cent for the accounting year commencing on any day in the year 1973. Necessary amending Bill is being introduced in the Parliament.

(d) This can be considered only after the report is submitted to the Government.

#### Curbs on Free Distribution of Commercial Grade Aluminium

\*448. SHRI D. B. CHANDRA GOWDA: Will the Minister of STEEL AND MINES be pleased to state.

(a) whether the Ministry of Steel and Mines has imposed certain curbs on the free distribution of commercial grade aluminium to ensure adequate supplies for priority industries; and

(b) if so the main feature of the scheme?

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): (a) and (b). Heavy power cuts imposed on the aluminium smelters by the different State Electricity Boards in 1973-74 and in the current year (1974-75) have resulted in a substantial drop in the production of aluminium. This has affected the availability of metal and there were complaints of inadequate or non-supply of commercial grade aluminium. In order to ensure that the various industrial units requiring the use of commercial grade aluminium ingots do get supplies, certain quantities of commercial grade

ingots have been placed at the disposal of sponsoring authorities viz. Ministry of Heavy Industry, Director General, Technical Development, Development Commissioner, Small Scale Industries, etc. for the year 1974-75 for distribution to the various units under their control. Unit-wise allocations are made by the concerned sponsoring authorities.

#### Unemployment due to Power Shortage

\*449. SHRI ARVIND M. PATEL:  
SHRI M RAM GOPAL  
REDDY:

Will the Minister of LABOUR be pleased to state:

(a) whether Government are aware that there is a large scale unemployment and lay offs in thousands of industrial units throughout the country, particularly in Gujarat, due to severe power shortage during 1973-74; and

(b) if so what is the remedy Government are considering?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) and (b). The information sought for is not readily available. It is being collected from the various State Governments and will be laid on the Table of the House.

The available information about the number of workers laid off in various States during 1972-73 due to the closure of factories arising from power shortage is however given below.

State	Number of workers laid off	Remarks
1	2	3
1. Andhra Pradesh	22,579 (laid off between 26-10-72 to 15-4-73).	Information in respect of Andhra Pradesh relates to 101 out of 103 units affected by power shortage.
2. Assam	Nil	
3. Gujarat	5,141	Laid off temporarily in 1972.
4. Haryana	47,490	Laid off from 1-4-72 to 31-3-73



1	2	3
5. Himachal Pradesh . . .	Nil	
6. Jammu & Kashmir . . .	Nil	
7. Kerala . . . . .	Nil	
8. Madhya Pradesh . . . .	2,340	No lay-off due to power shortage but lay off due to failure of electricity supply in Madhya Pradesh at various times during the period from April, 1972 to March, 1973.
9. Maharashtra . . . . .	22,528	October, 1972 to March, 1973.
10. Manipur . . . . .	Nil	
11. Karnataka . . . . .	464	Laid off during 1972.
12. Mizoram . . . . .	Nil	
13. Orissa . . . . .	Nil	
14. Punjab . . . . .	Some factories had to retrench workers or lay them off. Number of such workers not known.	
15. Rajasthan . . . . .	515	Laid off up to 9-3-73.
16. Tamil Nadu . . . . .	Figures not supplied as the number fluctuates from day to day depending on the arrangements to utilise the power available as also the availability of raw material.	
17. Tripura . . . . .	Nil	
18. Uttar Pradesh . . . . .	50,362	Laid off during 14-8-72 to 31-3-73.
19. West Bengal . . . . .	3,30,938 (provisional)	Laid off during 1-4-72 to 31-3-73.
20. Andaman & Nicobar Islands	Nil	
21. Chandigarh . . . . .	Nil	
22. Dadra & Nagar Haveli .	Nil	
23. Delhi . . . . .	1,405	Laid off due to power break down during the last six months ending 31-3-73.
24. Lakshdweep . . . . .	Nil	
25. Nagaland . . . . .	Nil	
26. Pondicherry . . . . .	57,260	Laid off during the period from April 1, 1972 to March 1973.
27. Arunachal Pradesh . . .	Nil	



### Setting up Naturopathy Hospital in Delhi

\*450. SHRI RAM PARKASH:  
SHRI PRABODH CHANDRA:

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

(a) whether Government propose to set up a Naturopathy Hospital in Delhi shortly; and

(b) If so, the outlines thereof, especially the proposed location and expenditure?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) and (b). The Nature Cure Advisory Committee has recently recommended the setting up of a 100 bedded hospital at or near Delhi during the Fifth Five Year Plan at a cost of Rs. 24 lakhs. This recommendation will be examined in all its aspects including financial and suitable action will be taken.

### Price Rise in Imported Stainless Steel Sheets

\*451. SHRI K. MALLANNA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Minerals and Metals Trading Corporation, has raised the selling prices of imported stainless steel sheets (0.5 mm) to its consumers; and

(b) if so, the reasons thereof?

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA):  
(a) Yes, Sir.

(b). The increase is due to the increase in the import price.

डिफेंस कैंटीन में नकली रम की बोतलों का पकड़ा जाना

\*452. श्री श्रीकार लाल बरेखा : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हाल ही में डिफेंस कैंटीन में नकली रम की बोतलें पकड़ी गई थीं;

(ख) यदि हां, तो उनके निर्माताओं के नाम क्या हैं तथा किस एजेंसी के साथ इसका ठेका किया गया था; और

(ग) उस पर क्या कार्यवाही की गई है?

रक्षा मंत्री (श्री जगजीवन राम): (क) हाल ही में किसी डिफेंस कैंटीन में नकली रम की बोतलें पकड़े जाने की कोई सूचना नहीं मिली है ।

(ख) और (ग) प्रश्न नहीं उठते ।

### Mismanagement in Kolar Gold Mines

\*455. SHRI G. Y. KRISHNAN: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have received any complaints about the mishaps and mismanagement in Kolar Gold Mines (Bharat Gold Mines Limited); and

(b) if so, the reaction of Government thereon?

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): (a) and (b). Some complaints/allegations against the Chairman-cum-Managing Director, Bharat Gold Mines Limited have been received. There are being looked into by Government.

### Unaccounted Steel Sale

\*456. SHRI NAWAL KISHORE SHARMA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the attention of Government has been drawn to a press report



in a local daily dated the 31st July, 1974 that Rs. 1.30 crores steel sale remains unaccounted;

(b) if so, whether some arrests have been made in this connection; and

(c) the steps proposed to be taken against the officials of the Income tax/Sales tax concerned who did not take prompt and timely action to recover the accounts of such steel?

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): (a) Yes Sir.

(b) and (c). As the raids were conducted by the Sales Tax Authorities, it is a matter primarily for the State Government. As and when any violation of the Iron and Steel (Control) Order, 1956 comes to light, appropriate penal action will be taken.

#### Retrenchment in Heavy Engineering Corporation

\*457. SHRI RAGHUNANDAN LAL BHATIA:

SHRI ANADI CHARAN DAS:

Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether retrenchment of experienced engineers has taken place in the Heavy Engineering Corporation recently; and

(b) if so, the reasons therefor?

THE MINISTER OF HEAVY INDUSTRY (SHRI T. A. PAI): (a) No, Sir.

(b) Does not arise.

#### Bogus Drugs Firms in Indore

\*460. SHRI M. S. PURTY: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government's attention is drawn to a newsreport dated the 29th July 1974 that half of the 300 odd drug manufacturing units supposed to have been set up in Indore in the past

five years are 'bogus firms' and the remaining are not free from the suspicion of having indulged in malpractices; and

(b) if so, the reaction of Government and whether CBI is looking into some of the cases?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) Yes, Sir.

(b) CBI enquiry regarding seven units is already in progress. Action to entrust other cases to CBI is being taken by the State Government.

#### Extension of term of Bonus Review Committee

\*463. DR. RANEN SEN: Will the Minister of LABOUR be pleased to state:

(a) whether the term of the Bonus Review Committee has been extended; and

(b) if so, the facts and reasons therefor?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) and (b). No time limit has been fixed for submission of the Committee's report. Its work is however, reported to be in an advanced stage and the report is likely to be submitted by the end of September, 1974

#### Bonus Review Committee views on scope of Bonus Act

\*464. SHRIMATI PARVATHI KRISHNAN: Will the Minister of LABOUR be pleased to state:

(a) whether the Bonus Review Committee is divided on the question of extending the scope of Bonus Act to the employees in Public Sector;

(b) Government's reaction thereto;

(c) whether the trade Union representatives on the Committee have



strongly pleaded for payment of bonus to the workers in the Railways, Post and Telegraphs and ordnance factories; and

(d) if so, what is Government reaction to it?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY):

(a) The Bonus Review Committee is yet to submit its final report.

(b) to (d). Do not arise.

**Manganese Ore Stock Piled up by Manganese Ore (India) Ltd, M.P.**

\*465. SHRI NATHU RAM AHIRWAR: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Manganese Ore (India) Ltd. is contemplating to retrench six thousand labourers due to non-disposal of manganese ore stock piled up by them in Madhya Pradesh,

(b) if so, the proposals with Government for the utilisation of these stocks; and

(c) whether Government propose to put up a manganese ore processing plant like ferro-manganese, electrolytic manganese, dioxide, manganese metal, etc. in Madhya Pradesh?

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA):

(a) No Sir,

(b) Ferro-manganese producers are being urged to step up their off-take from Manganese Ore (India) Limited. Possibilities of export are also being investigated.

(c). Madhya Pradesh Udyogic Vikas Nigam Ltd. has been recommended for an issue of letter of intent to set up a Plant in Madhya Pradesh for the manufacture of 2.500 tonnes per annum of electrolytic manganese metal. There is no provision in the draft 5th Five Year Plan to set up plants in the public sector for the manufacture of

ferro-manganese electrolytic manganese dioxide or manganese metal.

**Malpractices and corruption in H.A.L. Lucknow**

\*466. SHRI JHARKHANDE RAI: Will the Minister of DEFENCE; be pleased to state:

(a) whether Government are aware of the fact that the Hindustan Aeronautics unit in Lucknow has become a den of malpractices and corruption;

(b) whether there has been already a considerable delay in the completion of the unit; and

(c) if so, the reasons therefor?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) (a) This wild allegation is not correct.

(b) and (c). There has been some delay in completing civil works construction due to shortage of construction materials floods, transport difficulties etc., but this has not seriously affected the production programme.

**Reservation of Seats for Central Government in Dayanand Medical College, Punjab**

3130 SHRI MADHU LIMAYE: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether it is a fact that the Central Government had certain seats reserved for them in the Dayanand Medical College Punjab;

(b) if so, how many seats and since when have they been reserved;

(c) the criteria on the basis of which these seats are filled;

(d) whether the College has since closed down; and



(e) if so, whether the Government proposed to take up the matter with the State Government so that the Central quota is restored?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU):** (a) Yes.

(b) Five seats were reserved annually during 1964-1970 and seven seats since 1971.

(c) These seats are filled in order of merit from amongst the students from State and Union Territories having no medical college of their own and other authorised categories.

(d) The college is running normally since 1st July 1974. It was closed from April to June, 1974 due to students' strike.

(e) Does not arise

#### Financial Aid to Foreign Countries

3131. **SHRI BISHWANATH JHUNJHUNWALA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) what is the financial aid given by India to Bangladesh, Nepal, Bhutan and Sikkim during the year 1973-74;

(b) the projects for which this aid in these countries is being utilised; and

(c) whether any long term agreement has been reached with these countries for aid and if so, what are the commitments for the next three years?

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) to (c). A statement is placed on the Table of the House.

#### Statement

##### 1. BANGLADESH

During 1973-74, India's financial assistance to Bangladesh was Rs. 60 crores.

This was being utilised for commodity assistance (for supply of umbrella cloth), technical assistance (for carrying out feasibility studies etc.), loans for the supply of textile machinery, commercial grants for the supply of coaches, sleepers, power equipment, etc. and for the supply of textiles, especially saris and lungis.

No long-term agreement has been reached between India and Bangladesh for providing assistance to Bangladesh. However, during the Bangladesh Prime Minister's visit to India in May last, India agreed to provide assistance of Rs. 28 crores in respect of setting up of a new cement factory, for supply of capital goods, agriculture and textile machinery, for a 3-wheeler project and for supply of finished textile products.

##### 2. NEPAL

During the year 1973-74, India's financial assistance to Nepal amounted to Rs. 7.86 crores.

This assistance was utilised primarily in the field of road building, irrigation and power, telecommunications, industries, technical assistance, horticulture, archeological survey, education, etc.

Indian assistance to Nepal began in 1951 under the Indo-Nepal Economic Co-operation Programme. Since then separate Agreements/Letters of Exchange have been signed between the two Governments for various projects.

The quantum of aid is decided for a five-year period, which coincides with Nepal's five years plans. The allocation for the period 1971-76 (Nepal's Fourth five year plan) is Rs. 45 crores. However, annual disbursement of assistance within the overall ceiling, depends on the progress of work and the requirements during the particular year.



**3. BHUTAN**

During 1973-74, India's financial assistance to Bhutan amounted to Rs. 10.24 crores.

India has pledged a sum of Rs. 33 crores towards Bhutan's third five year plan (1971-76) for implementation of developmental projects. A sum of Rs. 24.35 crores had been made available to her during the first three years (1971-74). The projects included in the plan are development of agricultural programmes, power, industry and mining, transport and communication, social services, etc.

Under an agreement with Bhutan signed in March 1974, India has agreed to finance the Chukha Hydro-electric project at an estimated cost of Rs. 83 crores. 60 per cent of the funds would be provided by way of grants and the balance by way of loans. The project is likely to take seven years to complete. Flow of assistance for the project over the next 3 years would depend upon the rate of progress of execution of the plan.

**4 SIKKIM**

During 1973-74, India's financial assistance to Sikkim amounted to Rs. 4.41 crores.

India's contribution to Sikkim's fourth five year plan (1971-76) would be Rs. 18.5 crores; out of this, a sum of Rs. 9.66 had been released during 1971-74.

This assistance is being utilised in the field of development of agricultural production and forestry, power, large and medium industries, roads and transport, education, health and social services, etc.

**E.C.F.M.G. Examination Centre, in India**

3132. SHRI S. M. SIDDAYYA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government of India have declined to have Examination Centres for conducting the Education Council for Foreign Medical Graduate examination in the country; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) and (b). Yes. The examinations conducted by the Educational Council for Foreign Medical Graduates are not allowed in this Country primarily to discourage the migration of Indian Medical Graduates to the U.S.A.

**Alleged Charges of Corruption against Managing Director of Bharat Gold Mines**

3133. SHRI H. M. PATEL: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Bharat Gold Mines Workers' Union President has levelled serious charges of corruption against the Managing Director of the Mines, and

(b) if so, the nature of charges levelled and the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). Some complaints and allegations against the Chairman-cum-Managing Director, Bharat Gold Mines Limited have been received and are being looked into by Government.



**Technology to extract Crude Oil from Coal**

3134. SHRI ROBIN SEN: Will the MINISTER OF STEEL AND MINES be pleased to state:

(a) whether Government have studied the technology to develop crude oil from coal; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). The essence of coal liquefaction is to add hydrogen to the coal molecule and to bring down the molecular weight. Various technologies have been tried to achieve this, which can be broadly classified as (a) hydrogenation of coal or tar (b) solvent extraction of coal followed by hydrogenation of the extract (c) conversion of coal into carbon-monoxide and hydrogen followed by catalytic synthesis of the gases into liquids and (d) carbonisation involving thermal decomposition of coal into liquid, gaseous and solid product. It is necessary to carry out techno-economic feasibility study of the different processes before a process suitable for Indian Coal is selected and decision to set up a large scale coal to oil plant is taken. Pilot plant trial will also be necessary for this purpose.

**Setting up of a Plant in Sarguja District of Madhya Pradesh for Low Temperature Carbonisation of Coal**

3135. SHRI HUKAM CHAND KACHWAI:

DR LAXMINARAYAN PANDEYA:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Central Fuel Research Institute, Jealgora has recommended establishment of a plant in Sarguja District of Madhya Pradesh

for low temperature carbonisation of coal;

(b) whether Madhya Pradesh Government have approached the Central Government for the establishment of the plant in M.P. in the Fifth Five Year Plan; and

(c) the effective steps being taken to ensure that this plant is established during the Fifth Five Year Plan?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). Yes, Sir.

(c) The Government of Madhya Pradesh have been asked to update and revise the Feasibility Report for this Project which was prepared in 1969 in consultation with the Coal Mines Authority Limited and Central Fuel Research Institute and submit the same to the Government of India by 31st October, 1974. Further course of action will be decided on receipt of the revised Feasibility Report.

**President's Assent to Two Pieces of Legislation passed by West Bengal Government**

3136. DR. RANEN SEN: Will the Minister of LABOUR be pleased to state:

(a) whether employers' organisations have asked his Ministry to request the President not to give assent to two pieces of legislation passed recently by West Bengal Government till the measures are discussed at tripartite level; and

(b) if so, the reasons and facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b) Representations have been received from some employers' organisations that the West Bengal Workmen's House Rent Allowance Bill and the Industrial Disputes (West Bengal Amendment) Bill, 1974 should



first be discussed in a tripartite forum, following the usual convention. The Bills are under examination of Government.

#### Import of Urea from Japan

3137. SHRI C. K. CHANDRAPAN:

SHRI C. JANARDHANAN:

Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether India is to import Urea from Japan; and

(b) if so, the facts thereof?

THE MINISTER OF SUPPLY AND REHABILITATION (SHRI R. K. KHADILKAR): (a) Yes, Sir.

(b) A contract for 100,000 tons of Urea was placed for delivery during April to June, 1974. Out of this 56,845 MT have been shipped. For the balance, vessels have been fixed. Another contract for Urea has been placed for 100,000 MT in PP Bags and 50,000 MT in bulk for shipment commencing from August, 1974.

#### Intelligence-cum-Legal Wing to trace Trade in Spurious Drugs

3138. SHRI BISHWANATH JHUNJHUNWALA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether except Maharashtra, Gujarat, Karnataka, Kerala and Tamil Nadu, no other State including Delhi have any intelligence-cum-legal wing to trace trade in spurious drugs;

(b) whether as a result of the above mentioned lacuna, the Drug Control Act is not being implemented properly; and

(c) if so, whether any change in the Act is contemplated to tackle the menace and if so, the steps taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) Only the States of Maharashtra, Karnataka, Gujarat and West Bengal have a complete "legal-cum-intelligence Cell" for carrying on the campaign against spurious drugs and for processing legal cases. In Tamil Nadu the proposal for such a wing is under consideration. In Kerala there is only one Drug Inspector and one legal assistant for this work which cannot be considered as a complete wing. In Hyderabad, the D.I.G. Police heads the intelligence wing and a law officer is being appointed. In Delhi two Drugs Inspectors and an Assistant Drugs Controller are looking after this work. Other States do not have such a wing in their organisation.

(b) Yes.

(c) Yes. A proposal for amendment of the Drugs and Cosmetics Act so as to make its provisions more stringent is already under active consideration of the Government and a draft amendment Bill is being processed.

#### Supply of Picture Tubes by Bharat Electronics Limited

3139 SHRI C. K. CHANDRAPAN: Will the Minister of DEFENCE be pleased to state:

(a) whether Bharat Electronics supplied 50 per cent picture tubes more than the licensed requirement of Televisa in 1973;

(b) whether in 1973 the Bharat Electronics denied the supply of picture tubes to small scale T.V. manufacturers, if so, the reasons therefor; and

(c) what steps Government intend to take against Bharat Electronics for these irregularities?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE



49 Written Answers SRAVANA 31, 1896 (SAKA) Written Answers 50  
**MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA):** (a) **Training in Drugs Analysis (Chemistry)/Drugs Analysis (Minibiology) at Baroda**

No, Sir. As against the licenced capacity of 10,000 T.V. receivers per annum, Televista was supplied 13094 picture tubes in 1973. This happened because during the first half of 1973, the demand for picture tubes from the TV receiver manufacturers was less than the stocks available with BEL. Accordingly, BEL was able to meet the orders for picture tubes placed by the various customers during this period. M/s. Televista were supplied 10,058 picture tubes against their orders during the first half of 1973. However, during the second half of 1973, the demand for picture tubes increased disproportionately as compared to BEL's production, because of more units licensed for TV receiver manufacture going into production. BEL, therefore, had to regulate the supply of TV picture tubes against the orders placed by the various units. In the second half of 1973, M/s. Televista were supplied only 3,036 picture tubes.

(b) and (c). As stated above, the distribution of picture tubes had to be restricted by BEL in the second half of 1973 as the demand was much in excess of production. BEL have indicated that the supply of tubes was not denied to any particular manufacturer. However, information is being collected whether in any individual case, no supply at all was made by BEL against the orders placed on them. On receipt of further information from BEL, the question whether any action need be taken, will be considered.

3140. **SHRI ARVIND M. PATEL:**  
**SHRI D. P. JADEJA:**

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

(a) whether the Drugs Control Administration of the Gujarat State is imparting training in (i) Drugs Analysis (Chemistry) and (ii) Drugs Analysis (Minibiology) at the Drug Laboratory, Baroda for unemployed personnel under the scheme of educated unemployed;

(b) if so, the number of persons trained during the years 1972-73 and 1973-74;

(c) the expenditure incurred on the training; and

(d) for how long it is proposed to continue the scheme?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU):** (a) The training was imparted at Drugs Laboratory, Baroda for these courses for the period from February, 1970 to June, 1973 under educated unemployed relief scheme on behalf of the Director of Technical Education.

(b) The number of persons trained are as under:—

Session	Drugs Analysis (Chemistry)	Drugs Analysis (Microbiology)
January, 1972 to June, 1972 . . . . .	9	8
July, 1972 to December, 1972 . . . . .	9	9
January, 1973 to June, 1973 . . . . .	10	10
July, 1973 to December, 1973 . . . . .	Nil	Nil
January, 1974 to June, 1974 . . . . .	Nil	Nil



(c) The expenditure incurred on the training during the above sessions was Rs. 23,764.

(d) These courses have been discontinued from July, 1973 due to shortage of space and difficulties experienced in conducting theoretical and practical classes.

**Treatment of Facilities for Cancer by Radio-Therapy Units at Medical Colleges and Hospitals in Fifth Plan**

3141. SHRI ARVIND M. PATEL;  
SHRI VEKARIA:

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

(a) whether provision has been made in the Fifth Five Year Plan to strengthen the treatment facilities for cancer by providing radio-therapy units at Medical College Hospitals;

(b) if so, the outlay envisaged for this purpose; and

(c) whether the assistance from these International Bodies such as W.H.O. will be obtained in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU):** (a) Yes, Sir.

(b) Rs. 45 lakhs.

(c) There is no such proposal at present.

**Increment Promotion due to Taken-over Employees of Coal Mines Authority**

3142 SHRI MADHURYYA HALDAR: Will the Minister of STEEL AND MINES be pleased to state whether the yearly increments/promotion due to the taken-over Employees of Coal Mines Authority Limited, irrespective of any specific pay scale confirmed by all private-sector Companies or not, will be allowed to them

by Coal Mines Authority Limited so long as any alternation of their terms and conditions of service is not made by the management of C.M.A. Ltd., in consultation with their employees?

**THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD):** The taken-over employees of Coal Mines Authority Limited consist of two categories, namely (i) those who were enjoying regular scales of pay in the erstwhile coal companies and (ii) those in whose cases no system of annual increments existed. In the case of the former, the increments have been granted as and when due as provided in the Coal Mines (Nationalisation), Act, 1973. As regards the second category, increments were granted to such employees in 1973 on compassionate grounds pending finalization of negotiations which were settled on 5th April, 1974 in accordance with which Wage Board scales of pay have been offered to the taken-over employees with effect from 1st May, 1974. A majority of the employees have opted for the Wage Board scales of pay.

**Demand for Government run Ayurvedic Colleges and Hospitals and Dispensaries in the Country**

3143. SHRI M K. KRISHNAN: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government are aware of a big spurt in the demand for Government run Ayurvedic Colleges and Hospitals and Dispensaries all over the country;

(b) if so, what steps have been taken to meet the demands; and

(c) whether Government intend to give more attention to the indigenous medicines?



**THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU):** (a) to (c). The information is being collected and will be furnished to the Sabha as soon as it becomes available.

**Invitation to Pakistan for Bilateral Talks**

**3144. SHRI RAGHUNANDAN LAL BHATIA:**

**SHRI P. GANGADEB:**

**SHRI SHRIKISHAN MODI:**

**SHRI ANADI CHARAN DAS:**

Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether the Government of India have invited Pakistan for talks on the resumption of communication, postal, diplomatic and trade ties; and

(b) if so, whether Pakistan has accepted the same?

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) and (b). In response to the suggestions of the Government of India that Pakistan should resume the talks for the implementation of the normalisation measures envisaged in para 3 of the Simla Agreement without any pre-conditions, the Government of Pakistan in their message of the 10th August, 1974 have offered to resume the talks on communications and travel. An Indian delegation may visit Islamabad in connection with these talks and the relevant details are being worked out.

**Tanzanian request for Indian Assistance in Planning for Development**

**3145. SHRI Y. ESWARA REDDY:**  
Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether Tanzanian Government have sought India's assistance in the

planning for development of that country; and

(b) if so, the facts thereof and Government's reaction thereto?

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) Yes, Sir.

(b) The Government of Tanzania has sought India's assistance in drawing up an integrated plan for the development of the Singida region of Tanzania. This has been agreed to, and a eight-member team of experts is due to leave for Tanzania shortly.

**Agreement with Foreign Countries for Supply of Railway Wagons**

**3146. SHRI BIRENDER SINGH RAO:**

**SHRI MUKHTIAR SINGH MALIK:**

Will the Ministry of **HEAVY INDUSTRY** be pleased to state:

(a) the names and number of such foreign countries with whom Government of India have agreements for the supply of railway wagons;

(b) the cost of production of a wagon at the time of contract; and

(c) whether the cost of production of wagon has risen by 30 to 40 per cent and in view of the rise in production prices, Government propose to enter into fresh contracts with those countries at a new price to offset the losses?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH):** (a) The



following contracts are in hand for the supply of wagons:—

Sl. No.	Country	Quantity
1.	Yugoslavia . . . . .	3600 wagons
2.	Iran . . . . .	492 wagons
3.	East African Railways. . . . .	100 wagons
4.	Malaysia . . . . .	110 wagons
5.	Bangladesh] . . . . .	500 wagons

(b) All the above mentioned contracts were signed on the basis of the following per wagon prices:—

Yugoslavia . . . . .	{ Open wagon	Rs. 98,270 F.O.R. assembly factory.
	{ Covered	Rs. 1,14,200 F.O.R. assembly factory.
Iran . . . . .		Rs. 85,125 C & I
East Africa . . . . .		Rs. 1,34,000 - CIF
Malaysia . . . . .		Rs. 1,48,650/- CIF
Bangladesh . . . . .		Rs. 65,500/- for Darshana (with escalation clause)

(c) There has been a general increase in costs. Wherever possible, efforts are being made to re-negotiate the prices.

#### Repatriation of Indians from Various Countries

3147. SHRI BIRENDER SINGH

RAO:

SHRI MUKHTIAR SINGH  
MALIK:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the number of persons of Indian origin who repatriated to India from various countries during the last three years, year-wise;

(b) the names of those countries from where they have been asked to leave;

(c) the value of movable and immovable properties left over in those countries by the repatriates;

(d) the number of repatriates who are yet to be rehabilitated; and

(e) the action taken by Government in regard to the left over property and also in regard to their permanent rehabilitation?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) Presumably the Hon'ble Members refer to those individual Indian nationals who encounter financial distress and are therefore repatriated to India at reimbursable Government expense. The number of such persons repatriated during the last three years is as follows:

1971	—	184
1972	—	138
1973	—	141

(b) A Statement showing the break-up of the figure given in reply to part (a) of the Question above, is placed on the Table of the House.

(c) to (e). Do not arise.



## Statement

1971	1972	1973
Libya . . . . . 1	USA . . . . . 4	Thailand . . . . . 1
Syria . . . . . 1	W Germany . . . . . 4	Turkey . . . . . 5
Iran . . . . . 11	Burma . . . . . 1	Burma . . . . . 2
Yugoslavia . . . . . 2	Syria . . . . . 2	Kabul . . . . . 1
Muscat . . . . . 108	U.A.R. . . . . 2	W Germany . . . . . 3
United States . . . . . 3	Yugoslavia . . . . . 3	France . . . . . 1
Iraq . . . . . 24	Iran . . . . . 66	Algeria . . . . . 1
Turkey . . . . . 1	Mauritius . . . . . 1	Yugoslavia . . . . . 2
U.A.R. . . . . 6	Belgium . . . . . 2	Austria . . . . . 1
Netherlands . . . . . 1	Trinidad . . . . . 1	Sweden . . . . . 1
W. Germany . . . . . 3	Iraq . . . . . 34	Iraq . . . . . 49
Belgium . . . . . 2	Italy . . . . . 3	Belgium . . . . . 2
U.S.S.R. . . . . 2	Turkey . . . . . 6	Italy . . . . . 3
Sweden . . . . . 1	Afghanistan . . . . . 6	Zambia . . . . . 2
France . . . . . 13	Netherlands . . . . . 1	Netherlands . . . . . 2
Afghanistan . . . . . 5	S Yemen . . . . . 1	U.A.R. . . . . 3
	Hong Kong . . . . . 1	Muscat . . . . . 52
		Spain . . . . . 2
		Saigon . . . . . 1
TOTAL . . . . . 184	138	141

## Industrial Relations Bill

3148 SHRI P VENKATASUB-  
BALAH Will the Minister of LA-  
BOUR be pleased to state:

(a) whether the Industrial Relations Bill has been finalised, and

(b) if so, the salient features thereof and the time by which it is likely to be introduced?

THE DEPUTY MINISTER IN THE  
MINISTRY OF LABOUR (SHRI

BALGOVIND VERMA) (a) No,  
Sir.

(b) The comprehensive Industrial Relations Bill is likely to cover matters relating to the machinery and procedure for settlement of disputes, procedure for strike/lock-out, recognition of trade unions, trade union law, etc. Efforts are being made to introduce the Bill in Parliament as soon as possible.



### **Rights and Privileges of Taken-over Employees of C.M.A.**

3149. **SHRI ROBIN SEN:** Will the Minister of **STEEL AND MINES** be pleased to state whether there is any likelihood of construction being affected to the taken-over Employees of Coal Mines Authority, Bharat Coking Coal Limited regarding their rights, privileges and better terms and conditions of service which they have been enjoying in their erstwhile Companies prior to Nationalisation of Coal Mines?

**THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD):** It is presumed that the Hon. Member is interested to know the changes the terms and conditions on which the taken-over employees of Coal Mines Authority/Bharat Coking Coal Limited have been absorbed in the service of these companies. In the case of Coal Mines Authority, status quo is being maintained for employees who have not opted for Wage Board scales. In the case of Bharat Coking Coal Limited, the terms have been finalised and accepted by the employees.

### **Statutory Compulsion for Houses for Employees**

3150. **SHRI C. K. CHANDRAPPA:**  
**SHRI M. KATHAMUTHU:**

Will the Minister of **LABOUR** be pleased to state:

(a) whether recently he had stated that statutory compulsion will be brought on the employer to build houses for their employees; and

(b) if so, the steps Government intend to take in this direction?

**THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA):** (a) In his address to the sixth meeting of the Central Advisory Board of the Mica Mines Labour Welfare Fund on the 29th May, 1974, the Minister of

Labour stated that if the mica mine employers were not coming forward to take advantage of the schemes drawn up by Board, the Government would perhaps have no alternative but to enforce statutorily, the provision of houses for workers.

(b) The progress of housing activity is being watched before any step in this direction is taken.

### **Strike by Engineering Workers in Rajasthan**

3151. **SHRI SAMAR MUKHERJEE:** Will the Minister of **LABOUR** be pleased to state:

(a) whether the attention of Government has been drawn to the indefinite strike of 15,000 Engineering workers in Rajasthan since the 12th June, 1974;

(b) if so, the demands of the workers; and

(c) the steps taken by Government to meet the demands of the workers?

**THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA):** (a) to (c). The matter falls essentially in the State sphere. According to available information about 10,000 engineering workers in parts of Rajasthan went on strike from June 12, 1974 in support of their demand relating to enhanced wages.

### **Revitalisation of Rehabilitation Industries Corporation, Calcutta**

3152. **SHRI SAMAR MUKHERJEE:** Will the Minister of **SUPPLY AND REHABILITATION** be pleased to state:

(a) what steps Government are contemplating to revitalise the Rehabilitation Industries Corporation of Calcutta;

(b) whether any fund has been allocated for future expansion and setting of new Industries in the Fifth Plan period, if so, to what extent; and



(c) the progress made so far by the Committee set up on Rehabilitation Industries Corporation Limited?

Five Year Plan and to recommend the best way of managing the Units of the Corporation and its future

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G VENKATSWAMY). (a) A Committee of officers has been set up to estimate the profit and loss of the Corporation for the period of the Fifth

(b) No funds have been allotted for the Rehabilitation Industries Corporation for the Fifth Plan period. An *ad hoc* non plan allotment of Rs. 40 lakhs has been made to the Corporation in the form of loan for the purpose indicated below:

(i) For meeting capital requirements in respect of Sukumar Engineering Works, Sheet Metal Unit, Cast Iron Foundry and construction of sheds etc in Industrial Estates	Rs 14 00 lakhs
(ii) For meeting Working Capital requirements	Rs 26 00 "
<b>TOTAL</b>	<b>Rs 40 00 lakhs</b>

(c) The Committee mentioned at (a) above is understood to have made considerable progress in their work and its report is expected in the near future

#### Coal Production for 1974-75

3154 SHRI D D DESAI. Will the Minister of STEEL AND MINES be pleased to state whether the target of coal production in 1974-75 is going to run into rough weather?

#### Unearthing of Spurious Drugs Racket by Gujarat Drug Control Department

3153 SHRI D D DESAI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Gujarat Drug Control Department has unearthed a large scale spurious drugs racket as reported in an English daily of 28th May, 1974,

(b) if so, the total number of persons arrested; and

(c) the action taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A K KISKU) (a) Yes

(b) One person has been arrested

(c) The matter is under investigation

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) The target for production of coal during 1974-75 was fixed at 95 million tonnes to meet the increased demand for coal arising out of the present energy crisis. In spite of the vigorous efforts being made by the coal producing agencies the production during the first four months of the current year i.e. April to July, 1974 has been about 27 million tonnes. Although this production is about 14 million tonnes higher than the production during the corresponding period last year, it falls short of the requirement to fulfil the target of 95 million tonnes, which was due to the various constraints like shortage of power in Bengal-Bihar coal fields, non-availability of essential items of plant and machinery, inadequacy in rail transport, disturbed law and order situation



etc. Judging from the trend of production so far and the all out efforts that are being made to achieve the target, it is expected that the level of production that may be achieved during the current year may be about 88 million tonnes as against the last year's production of 78 million tonnes. If however, the constraints mentioned above are fully or partially removed even from now, the coal production, may go beyond 88 million tonnes during the current year.

#### Blood Banks of Delhi

3155. SHRI D. D. DESAI:  
SHRI P. GANGADEB:

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

(a) whether blood banks of Delhi have become anaemic as reported in a local daily of the 27th May, 1974;

(b) if so, whether Capital's blood banks have never been able to meet the demand;

(c) if so, the steps taken to meet the demand; and

(d) whether hospitals give blood transfusion only when the patient can find a voluntary donor to replace the given quantity in the bank?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) Blood banks of Delhi are not badly anaemic.

(b) They have been able to meet all demands where blood is needed as an immediate life saving measure.

(c) Attempts are being made to step up voluntary blood donations.

(d) No.

#### Coal Dumps

3156. SHRI ARVIND M. PATEL:  
SHRI D. D. DESAI:  
SHRI HUKAM CHAND  
KACHWAI:  
SHRI D. P. JADEJA:  
SHRI S. R. DAMANI:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the coal dumps proposed to be established in States by C.M.A. have become operational;

(b) if so, the places where these have been opened and their method of distribution; and

(c) to what extent this arrangement has relieved the hardships experienced by the small and medium consumers?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). In addition to the existing soft coke dump in Calcutta (Howrah), coal dumps have been opened by C.M.A. Ltd. at Banaras, Kanpur, Gorakhpur and Lucknow in U.P. Arrangements are also in the final stage to set up such dumps at Meerut. The distribution of coal and soft coke from these dumps is to be made through U.P. State Co-operative Federation and State Government to the persons recommended by them. In the case of the dump at Howrah the distribution is made on the recommendation of West Bengal Government.

(c) It is too early to assess the results accruing from these dumps as some of these are in the early stages of operation and the others are being set up.



**Upgradation of Primary Health Centres into Rural Hospitals**

3157 SHRI ARVIND M PATEL;  
SHRI VEKARIA:

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

(a) whether the question of upgradation of Primary Health Centres into rural hospitals is under consideration of the Government of India in consultation with the State Governments,

(b) if so, by what time the consultation is likely to be given a final shape;

(c) whether the hospitals so upgraded would provide for specialised services in medicine surgery, obstetrics gynaecology etc in the rural population, and

(d) the number of Primary Health Centres which are likely to be upgraded during the current year?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) The Scheme for upgradation of selected Primary Health Centres into 30-bed Rural Hospitals has been finalized under the Minimum Needs Programme.

(b) Does not arise.

(c) Yes.

(d) 78.

**Diversification of Production by Public Sector Enterprises**

3158 SHRI BANAMALI BABU: Will the Minister of HEAVY INDUSTRY be pleased to state the number of public sector enterprises under his Ministry allowed diversification of their production with broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): The required information is given below —

Sl. No	Name of the Public Sector Unit	Item of diversification allowed
1.	Hindustan Machine Tools Ltd , Bangalore	(i) Hydrological Machines (ii) Numerical Control Machines. (iii) Bed Type Milling Machines (iv) Tool Room/Die Shop and Hydraulic Elements and Power Packs (v) Plastic Extrusion Machines. (vi) Augmenting Special Purpose Machines Capacity. (vii) Extrusion Machines for Collapsible and Rigid Wall Aluminum Tubes (viii) Web Offset Machines (ix) Automotive Reconditioning Equipment. (x) Agricultural Machinery and Equipment (xi) Metal Forming Machinery, Transfer Elements and Allied Equipments (xii) Precision Machine Tools Bearings.



Sl No	Name of the Public Sector Unit	Item of diversification allowed
		(xiii) Precision Machinery for manufacture of Ball and Roller Bearings.
		(xiv) Linotype Hot Metal Slug Casting Machines
		(xv) Packing Machines, Composing Machines, Type Setting, Book Binding and Stitching Machines and Process Cameras
		(xvi) Precision Instrumentation, Cameras, Timers, etc
		(xvii) Electro Discharge Tubes
	Mining & Allied Machinery Corporation Ltd, Durgapur	(i) Equipment for bulk handling of raw materials for Ports/Power Stations/Fertilizer Industry e.g., Stackers, Reclaimers, Ship Loaders, Salt Scraper and Heavy Duty Conveyors
		(ii) Sand Plants for Mines
		(iii) Forgings for Railways
		(iv) Heavy Duty Gear Box (upto 500 HP) and fluid couplings
		(v) Feeders, Special pumps, Technological structures, various types of castings and forgings for steel plants
		(vi) Hydraulic Props
		(vii) Equipment and components for coal washeries
		(viii) Special items like cable stranding Machines for the Cable Industry.
		(ix) Annealing Furnace for steel industry
3	Bharat Heavy Electricals Limited	Organise manufacture of oil drilling Rigs
4	M/s Jessop & Co Ltd	(i) Steel Works Duty Cranes (ii) Aerial Rope-ways (iii) Crawler Tractors (iv) Paper Making machinery
5	M/s Richardson & Cruddas (1972) Ltd	(i) Boiler's pressure vessels and other allied equipments

उत्तर प्रदेश के झलमोडा जिले में एक बहुउद्देशीय

अस्पताल की स्थापना

3159, श्री कृष्ण चंद शर्मा :

क्या स्वास्थ्य और परिवार नियोजन मंत्री

यह बताने की कृपा करेंगे कि

(क) क्या केंद्र सरकार और उत्तर प्रदेश की सरकार को इस आशय के अभ्यावेदन मिले हैं कि क्षेत्रीय आवश्यकता और चिकित्सा सुविधा के पिछड़ेपन को देखते हुये जिला झलमोडा के विभिन्न क्षेत्रों में बहुउद्देशीय अस्पतालों की स्थापना की जाये, और



(ख) यदि हां, तो इस सम्बन्ध में सरकार द्वारा क्या कार्यवाही की गई है ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उ राज्य मंत्री (श्री ए० के० किल्बुल्लु) : (क) और (ख) सूचना एरुन को जा रही है और इसके प्राप्ति होने ही भेज दी जायेगी ।

रानी गंज में कोयले के भंडार में आग का लगना

3160 श्री हुकम चंद कछवाय : क्या इस्पात और लाल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या रानीगंज झरिया की कोयला खानों में आग लग जाने से बड़ी मात्रा में कोयला जल गया था, और

(ख) वहां कितने मूल्य का कोयला जल गया था तथा इस प्रकार की क्षति को रोकने के लिए सरकार की भावी योजना और नीति क्या है ?

इस्पात और लाल मंत्रालय में उच्च मंत्री (श्री सुखदेव प्रसाद) : (क) रानीगंज कोयला क्षेत्र का कोयला खानों में जमा कोयला स्टॉक में मई, 1974 में आग लग गई थी । झरिया में आग की कोई घटना नहीं हुई ।

(ख) हानि की मात्रा के बारे में कोई भी मूल्यांकन करना संभव नहीं है । भविष्य में इस प्रकार की हानि की रोकथाम के लिए अनेक कदम उठाए गए हैं, जैसे जल-पाइप लाइनों की व्यवस्था, कोयला-स्टॉक की ऊंचाई कम करना तथा उत्पादित कोयले की नियमित दुलाई हेतु समुचित रेल-परिवहन सुविधाओं की आपूर्ति के लिए रेलवे के साथ गलमेल रोकना ।

Workers Rendered Jobless due to Power Out in Tamil Nadu

3161. SHRI R. V. SWAMINATHAN: Will the Minister of LABOUR be pleased to state:

(a) whether a majority of five lakhs labour force in the organised sector in Tamil Nadu has been rendered jobless for four days in a week due to the 60 per cent power cut enforced on all high tension industries from May, 1974;

(b) if so, how far this is true; and

(c) what steps are being taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA). (a) to (c). The matter falls essentially in the State sphere. However information is being collected and will be laid on the Table of the House .

Decline in Investment in Engineering Industries

3162. SHRI MADHU LIMAYE: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether that investment in engineering industries has been generally on the decline;

(b) if so, the reasons therefor; and

(c) the long term impact of this trend on the production of engineering goods and specially on their exports?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) Not so for, Sir.

(b) and (c). Do not arise.



**Fixation of Retention Price of Steel**

3163. **SHRI MADHU LIMAYE:** Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have taken any decision in regard to the fixation of the retention price of steel;

(b) whether the entire additional amount realised will be passed on to the producers; and

(c) whether suggestions have been made that the difference should be put in a Development Fund and used for the purpose of expanding the production capacity and production of the steel plants, both in the public and private sectors?

**THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA):** (a) Yes, Sir.

(b) and (c). The additional amount involved accrues to the respective producers and the same has to be deposited with the Steel Authority of India Limited into a Central Fund. Withdrawal therefrom to the extent amount deposited is permitted to the producers for schemes relating to plant modernisation and development of steel products as approved by the Steel Authority of India Limited in consultation with the Planning Commission.

**Reported Scooter Grab by Madhya Pradesh Ministers and Planning Commission Members**

3164. **SHRI MADHU LIMAYE:** Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether Government's attention has been drawn to the reported 'scooter-grab' by Madhya Pradesh Ministers and Planning Commission Members; and

(b) if so, the action taken by Government in the matter?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH):** (a) and (b). Some scooters are placed at the disposal of the State Governments and Administrations including Madhya Pradesh Government for allotment at their discretion to persons including Ministers. As such, allotment of scooters by the Madhya Pradesh Government to its Ministers is in order.

One scooter was allotted to a Member of the Planning Commission who had not till that day availed of any car or scooter from the Central Government quota. The allotment was in accordance with the rules.

**Production of Diesel Generating Sets**

3165. **SHRI BISWANATH JHUNJHUNWALA:** Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether the installed capacity for power production within the country falls heavily short of the requirement;

(b) if so, whether Government have considered the desirability of undertaking production and augmenting Production of diesel generating sets within the country at least to meet the requirement of industry; and

(c) if so, the schemes drawn up for this purpose?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH):** (a) As against the estimated requirement of a capacity of 21.2 million KW. at the end of the Fourth Plan period, the installed capacity for power generation as on 31st March, 1974, was 18.5 million KW.

(b) and (c). In view of the power shortage, Government have permitted industrial units to set up standby diesel generating sets to supplement the availability of power from public supply. Steps have been taken to in-



crease the indigenous manufacture of diesel generating sets by giving the manufacturers of Diesel Engines and Generators as also of diesel generating sets, necessary facilities for stepping up their production. Proposals from existing indigenous manufacturers to take up manufacture of sets of higher ranges as well as proposals from new parties to take up the manufacture of generating sets are being considered favourably. Imports of diesel generating sets above a certain capacity have also been allowed.

#### Mini Steel Plants in Rajasthan

3166. SHRI BISHWANATH JHUNJHUNWALA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether licences issued by the Centre for setting up Mini Steel Plants in Rajasthan are not being executed for shortage of funds;

(b) whether Rajasthan Government have urged upon the Union Government for financial assistance for these projects through the I.D.B.I.; and

(c) if so, the demand put forward by the State Government and to what extent this will be met through I.D.B.I.?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) It has been reported that some of the entrepreneurs holding licences for establishing mini steel plants in Rajasthan are experiencing difficulty in mobilising the required funds.

(b) and (c). The Rajasthan Financial Corporation has taken up with the Industrial Development Bank of India the question of eligibility for refinance for these schemes. The Industrial Development Bank of India would, no doubt, be communicating their views to the Rajasthan Financial Corporation. The information is, however, being collected and will be laid on the Table of the House.

#### Opening of Medical Colleges in Kerala

3167. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether the number of medical colleges as on the 30th March, 1974 in the State of Kerala was far less compared to the population of the State; and

(b) if so, the reasons thereof and the steps proposed to be taken by Government to increase the number thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) No. As per the norm laid down by the Health Survey and Planning Committee, there should be one medical college with 100 seats for every 5 million population. The State of Kerala with a population of about 21 millions has 4 medical colleges with an annual admission capacity of about 540.

(b) Does not arise.

#### Help to Flood Affected Fishermen and Landless Labourers in Kerala

3168. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of LABOUR be pleased to state:

(a) whether Central Government have issued any instructions to Government of Kerala to help immediately the flood affected fishermen and landless labourers in the State; and

(b) the amount of assistance proposed to be given by his Ministry to the State Government?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a). No, Sir. Providing relief to the people affected by a natural calamity is primarily the responsibility of the State Government concerned and giving any



instructions by Centre to the State Governments does not arise.

(b) Following the recommendations of the Sixth Finance Commission, the previous scheme of assistance to State Governments for natural calamity relief expenditure has been rescinded with effect from 1st April, 1974. No Central assistance would, therefore, be available to the Government of Kerala towards flood relief expenditure in this year (1974-75).

On consideration of their ways and means position, a ways and means advance of Rs. 1 crore, recoverable within the financial year 1974-75 has been given by the Ministry of Finance to the Government of Kerala so that their finances are not strained while meeting the expenditure on flood relief and other measures.

#### **Man-hours lost due to Power Shedding in 1972-73**

3169. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of LABOUR be pleased to state:

(a) the number of man-hours lost in the country, State-wise every month due to power shedding in 1972-73;

(b) whether a large number of Small Scale Industries have either been closed or put to great difficulties due to the power shedding and shortage of raw material; and

(c) the steps Government are taking to improve the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) to (c) Information is being collected and will be laid on the Table of the House after it is received.

#### **Sale Proceeds of Coal before and after Nationalisation**

3170. SHRI BHOGENDEA JHA: Will the Minister of STEEL AND

MINES be pleased to refer to the reply given to Unstarred Question No. 3131 on the 14th March, 1974 regarding sale proceeds of coal before and after nationalisation and state whether information has since been obtained regarding sale and sale proceeds of post-nationalisation period?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): Coal Mines Authority Limited have not yet finalised their accounts for the post-nationalisation period, viz., 1973-74.

#### **Financial Assistance to War Widows**

3171. PROF. NARAIN CHAND PARASHAR: Will the Minister of DEFENCE be pleased to state:

(a) whether there is any scheme under which the widows of such Ex-Servicemen are given financial assistance, who died before the launching of the Family Pension Scheme; and

(b) if not, whether Government would consider the suggestion to provide financial assistance to such widows as are covered in this category?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) No, Sir. The new family pension scheme came in force from 1st January, 1964 and has no retrospective effect.

(b) Widows in financial distress are however, given one time financial assistance, on merits, from one or other fund.

#### **Detente between Iran and Afghanistan**

3172. SHRI VISHWANATH PRATAP SINGH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India is making efforts to bring a detente between Iran and Afghanistan; and



(b) if so, the progress made so far in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) (a) No, Sir However the Government of India is happy to note the good relations existing between these two countries and the increasing cooperation between them in many fields

(b) Does not arise

#### **Air Defence Ground Environment System**

3173 SHRI VISHWANATH PRATAP SINGH Will the Minister of DEFENCE be pleased to state

(a) the progress made in developing Air Defence Ground Environment System, and

(b) the main difficulties in the programme?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) and (b) The Air Defence Ground Environment System is being established on a phased programme Considerable progress has been achieved in implementation of the Phase now in hand In regard to the Tropo Scatter Communication System of ADGES, considerable delays had occurred due to suspension by US of contracted supplies from private parties under the US embargo imposed in December, 1971, which has since been lifted, and the work thereon has also been revived

#### **Manufacture of Guided Missiles**

3174 SHRI WISHWANATH PRATAP SINGH Will the Minister of DEFENCE be pleased to state the progress made in the manufacture of guided missiles for the Navy, Army and Air Force?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE

MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) The following guided missiles are already being manufactured in the country for the use of the Army and Air Force —

(i) Anti-tank missile for the Army manufactured by Bharat Dynamics Ltd

(ii) Air to Air missile for Indian Air Force

No guided missile is at present being manufactured in the country for the Navy

**Criminal Cases filed under Section 14 of E.P.F. Act against M/s. Ainul Haque, Bidi Merchant, Madhupur**

3175 SHRI RAMAVATAR SHASTRI Will the Minister of LABOUR be pleased to state

(a) whether a good number of criminal cases under section 14 of the EPF Act, 1952 against M/s Ainul Haque, Bidi Merchant, Madhupur (SP) filed by the Provident Fund Inspector in the court of the SDO, Deoghar during the year 1969 are still traceless, and no report regarding the development of the said cases has been furnished by the Provident Fund Inspector and

(b) if so what action has been taken by the Regional Provident Fund Commissioner, Bihar in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) and (b) The information is being collected It will be laid on the Table of Sabha in due course

**Criminal Cases u/s 14 EPF Act in Champaran and Muzaffarpur Districts**

3176 SHRI RAMAVATAR SHASTRI Will the Minister of LABOUR be pleased to state

(a) whether nearly 150 criminal cases under section 14 of the Employ-



ees Provident Funds Act, 1952 filed during the year 1967 in various courts of Champaran and Muzaffarpur Districts against several establishments/factories are reported to be baseless and no report regarding the development of the cases is forthcoming in the Regional Office, Bihar; and

(b) if so, whether the authorities of the Employees Provident Fund Organisations propose to enquire into the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). The information is being collected. It will be laid on the Table of Sabha in due course.

#### Taking over of Implementation of Food Laws from Local Bodies

3177 SHRI MOHINDER SINGH GILL:

SHRI DEVINDER SINGH GARCHA:

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

(a) whether the Central Committee for Food Standards and other bodies have suggested that the implementation of food laws should be taken out of the purview of the local bodies which do not have either facilities or finances to carry out the task; and

(b) if so, the reaction of the Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) and (b). This matter was considered. The Government is of the opinion that at present the local bodies cannot be ignored completely in the implementation of the Prevention of Food Adulteration Act.

#### Report of Expert Committee on Synthetic Oil Project

3178. SHRI JYOTIRMOY BOSU: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Expert Committee on Synthetic Oil Project, appointed by Government of India under the Chairmanship of Dr. J. C. Ghosh, submitted its report in February, 1956;

(b) whether the Committee made a detailed study on prospect of synthetic oil project in India as an alternative source of fuel oil for transport and industrial needs;

(c) if so, why this report did not see the light of the day since its submission in February, 1956;

(d) the salient features of the report;

(e) whether any action is being contemplated on the report, in view of the abnormal rise in the prices of crude and petroleum products in the international market; and

(f) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Yes, Sir.

(b) and (d). The Ghosh Committee in their report had recommended the taking up of a combined project, with an estimated capital outlay of Rs. 20 crores for its first phase, based on coal from Jambad Kajora area in the Raniganj coalfield. It provided for the low temperature carbonisation of 1.2 million tonnes of non-coking coal and hydrogenation of the lighter fraction of tar so obtained by vapour phase hydrogenation so as to yield:—

(i) 680,000 tons of smokeless domestic fuel;

(ii) 130,000 tons of small size coke/char;



(iii) 120,000 to 125,000 tons of motor fuel;

(iv) 2,000 tons of phenol; and

(v) 40,000 to 45,000 tons of road tar.

(c) The scheme could not be taken up for implementation in view of the constraints on resources including foreign exchange and unfavourable economies arising from low price at which oil was available so long.

(e) and (f). The J.C. Ghosh Committee Report is out of date at present. The Government is however, setting up a Group of Experts to study the scope of production of oil from coal.

#### Delhi Quota for Admission to M.B.B.S. for 1974-75

3179. SHRI SUKHDEO PRASAD VERMA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether such of the students are included in the Delhi quota for admission to the M.B.B.S. course for 1974-75 in Delhi University as have passed the pre-medical examination from Delhi University only, and other students though belonging to the Delhi State are debarred; and

(b) if so, the reasons for the anomaly?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) Yes. A certain number of M.B.B.S. seats have been reserved for the Delhi University students only.

(b) The position is not considered as anomalous as other students belonging to the Delhi State can also compete for the open seats along with students from other Indian Universities.

#### Salem Steel Plant

3180. SHRI SUKHDEO PRASAD VERMA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have entered into technical consultancy agreement with the firm of Dastur and Company for the Salem Steel Plant; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) and (b). M/s. M. N. Dastur and Co. Private Limited have been commissioned by Salem Steel Ltd., to prepare a Detailed Project Report which is expected to be received by the end of 1974. Concurrently, they have also been engaged for rendering engineering services for the establishment of the first phase of the Salem Steel Project which envisages production of 30,000 to 35,000 tonnes of cold rolled stainless steel sheets and strips, from purchased hot rolled stock.

#### Steel Delivery to Major Industrial Projects

318 SHRI SUKHDEO PRASAD VERMA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the actual period of delivery of steel to the major Industrial Projects in the country is lagging far behind the period of entitlement; and

(b) if so, the steps Government propose to take to plug loopholes in the movement of Steel?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) and (b). Presumably the reference is to delays in supply of steel materials against priorities in allocations accorded by the Steel Priority Committee. Against priorities in allocations ac-



corded during a particular period, materials are usually despatched during the period itself. If however, there are spill-overs due to insufficient production, delays in rail movement, etc., such spill-overs are the first charge on availability during the next available period, for being supplied on priority.

#### Mine Accidents

3182. SHRI SUKHNDEO PRASAD VERMA. Will the Minister of LABOUR be pleased to state:

(a) the total number of deaths in mine accidents in different Coal Mines of the country during the year 1973-74; and

(b) whether the number has increased as compared to the year 1972-73 and if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) The total number of deaths in mine accidents in different Coal Mines of the country during the period from 1st April, 1973 to 31st March, 1974 is 201.

(b). No. The number is less than the number of deaths during the period from 1st April, 1972 to 31st March, 1973, which was 281

#### Cases Filed u/s 14 of E.P.F. Act, 1952 against M/s. Jaishree Udyog of Patna

3183. SHRI RAMAVATR SHASTRI: Will the Minister of LABOUR be pleased to state:

(a) whether three criminal cases under section 14 of the Employees Provident Fund Act, 1952 filed against M/s Jaishree Udyog of Patna ended in acquittal due to non-appearance of the Inspector entrusted with this job; and

(b) if so, the action taken against the erring Inspector?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b) The information is being collected. It will be laid on the Table of Sabha in due course.

#### Non-compliance of E.P.F. and F.P.F. Act by Factories/Establishments, Mines in Bihar

3184 SHRI RAMAVATAR SHASTRI: Will the Minister of LABOUR be pleased to state:

(a) whether more than 700 factories/establishments/mines covered under the Employees Provident Funds and Family Pension Fund Act, 1952 and the schemes framed thereunder in Bihar are not complying with the provisions of the said act and the schemes right from the dates of their coverages.

(b) if so, which are those units and what are the reasons for their non-compliance, and

(c) what action has been taken to secure timely compliance from them?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA). (a) to (c). The requisite information is being collected. It will be laid on the Table of Sabha in due course

#### Indo-French Collaboration in the Nuclear Field

3185. SHRI G. Y. KRISHNAN:  
SHRI VIRBHADRA SINGH:  
SHRI M. S. SANJEEVI RAO:

Will the Minister of EXTERNAL AFFAIRS be pleased to state.

(a) whether Indo-French collaboration in the nuclear field was discussed at the bilateral talks held between officials of the two countries recently. and

(b). if so, the outcome of the talks?



THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) and (b). Yes, Sir. Official level bilateral talks are held periodically between India and France to provide an opportunity for exchange of views between the two Foreign Offices on matters of mutual interest. At the last bilateral talks held in June, 1974, both sides welcomed, among other things, their long-standing cooperation in the nuclear field.

**Cases of Tea Plantation Labourers of Kerala**

3186. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of LABOUR be pleased to state

(a) the number of cases of tea plantation labourers of Kerala which are pending in the Labour Courts or at any other places, and

(b) the number of those cases which have been settled by the Union after discussing them with the plantation owners?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b) The matter falls essentially in the State sphere.

**Occupation by Pak troops of Indian area in Poonch Sector**

3187. SHRI MOHINDER SINGH GILL: Will the Minister of DEFENCE be pleased to state:

(a) whether his attention has been drawn to the press reports where it has been reported that the entire population of Dara Khan village of Mendhar area in the Poonch sector was forcibly taken to Pakistan side by Pakistani troops;

(b) if so, how it happened and the fate of these people; and

(c) whether it has been brought to the notice of that Government and their explanation thereto, if offered?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) to (c). Village Dara Khan is situated on the POK side of the line of control. As such, the question of taking away the population of Dara Khan village to POK side by Pak troops does not arise.

**Import of Steel**

3188. SHRI MOHINDER SINGH GILL:

SHRI S. R. DAMANI:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the import of steel this year is being stepped up to 1.1 million tonnes as against 7.4 lakh tonnes imported last year and firm orders have already been placed; and

(b) if so, the reasons for not meeting this demand from indigenous production and also the mode of distribution of this imported steel?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) and (b). About 1.13 million tonnes of steel are likely to be imported during the current year against orders placed.

The items being imported are those which are either not produced indigenously or are in short supply. Imports are allowed to actual users under the Import Trade Control Policy. Items imported through canalising agencies are distributed to holders of release orders.

**Bhilai Steel Plant Facing Power Crisis**

3189. SHRI MOHINDER SINGH GILL: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Bhilai Steel Plant will face a serious disruption owing to short power supply later this year



with the commissioning of Korba Aluminium Smelter, which will cause diverting of power to that place.

(b) if so, the extent of loss of production at Bhilai expected due to this power shortage; and

(c) whether any steps are being taken to ensure regular and additional power supply to this plant??

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a). No such disruption is anticipated.

(b) and (c). Do not arise.

#### Plan for making Medical Education Rural-oriented

3190. SHRI BANAMALI BABU: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government propose to formulate a plan for making medical education more rural-oriented; and

(b) if so, the outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) and (b). It is envisaged that the proposed medical education commission will look into the problem in depth and recommend suitable plan for making medical education more rural re-oriented.

#### Air Process in Steel Production

3191. SHRI BHAGIRATH BHANWAR: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether an industrialist in Kerala had successfully demonstrated the use of "air process" exten-

sively adopted for the manufacture of steel in China and Czechoslovakia; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) and (b). Pneumatic processes for steel-making are well established. However, details of the process reported to have been used by an industrialist in Kerala are being ascertained.

#### All India Working Class Consumer Price Index

3192. SHRI M. C. DAGA: DR. GOVIND DAS RICHHARIYA:

SHRI FATESINGHRAO GAEKWAD:

SHRI SHRIKISHAN MODI:

SHRI PRABODH CHANDRA:

Will the Minister of LABOUR be pleased to state the latest figures of All India working class consumer Price Index which have been received by his Ministry as on date and the twelve monthly averages thereof for the last twelve months?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): The latest month for which the All India Average Consumer Price Index for industrial Workers on base 1960=100 is available is June 1974; and the index figure is 301 for that month. A statement giving he deals of twelve monthly average for the last twelve months is attached.



## Statement

All-India Average Consumer Price Index Numbers for Industrial Workers (Base 1960-100)

Month	Consumer Price Index	12 months average for the period ending.
July 1973	243	217 33
August 1973	247	220 67
September 1973	248	224 00
October 1973	254	227 75
November 1973	259	231 83
December 1973	260	236 00
January 1974	264	240 50
February 1974	267	245 00
March 1974	275	249 92
April 1974	283	255 08
May 1974	294	260 58
June 1974	301	266 25

## Demand for Industrial Machinery

3193. SHRI M. KATHAMUTHU: Will the Minister of HEAVY INDUSTRY be pleased to state.

(a) whether the demand for various types of Industrial machinery has been steadily going up, and

(b) if so, the facts thereof and the steps being taken to meet the requirements in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) Yes, Sir.

(b) The strategy of the Government has been to assist the existing industrial units in a coordinated manner so as to make the maximum utilisation of installed capacity. Units having multi-purpose engineering facilities are encouraged to diversify in areas of gap or expand their capacity to meet

the increasing requirements. Fresh capacities are also being created in a systematic manner in order to meet the targets for the Fifth Plan period.

## जेनेवा स्नातक अध्ययन कार्यक्रम

3194 श्री मूलचन्द डांगल क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या जेनेवा में जुलाई-३१ १९७३ में 'जेनेवा ग्रेजुएट स्टडी प्रोग्राम' की एक बैठक आयोजित की गई थी और क्या इसमें भारत ने भी भाग लिया था, और

(ख) इस बैठक में जनसंख्या की वृद्धि को रोकने के लिये क्या उपाय सुझाये गये थे और भारत सरकार द्वारा इनमें से किन सुझावों को कार्यान्वित किया गया है अथवा कार्यान्वित करने का विचार है ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उप मंत्री (श्री कोडाजी बासप्य):

(क) ग्रेजुएट स्टडी प्रोग्राम की बैठक १७ जुलाई, से ३ अगस्त, १९७३ तक जेनेवा में हुई थी। भारत के संयुक्त राष्ट्र विद्यार्थी सच (युनाइटेड नेशन्स स्टूडेंट्स एसोसिएशन आफ इंडिया) द्वारा नामित किये गए अध्यर्थियों में से संयुक्त राष्ट्र ने ए०पी० विलास को कार्यक्रम में भाग लेने के लिए चुना था। भारत सरकार ने उपर्युक्त अध्ययन कार्यक्रम के लिए किसी अध्यर्थी को नहीं भेजा था।

(ख) इस बैठक में की गई सिफारिशों के बारे में सरकार को जानकारी नहीं है।



### ट्रेड यूनियन अधिनियम का संशोधन

3195. श्री मूलचन्द बागा :

श्री सरदार स्वर्ण सिंह सोखी :

क्या श्रम मंत्री यह बताने की कृपा करगे कि :

(क) क्या सरकार को पता है कि मजदूर संघों में बाहर के कुछ पेशेवर नेता शामिल हो जाते हैं और वे अपने निहित स्वार्थों के लिए कार्य करते हैं;

(ख) क्या इस बारे में 1971 से 1974 के वर्षों के बीच कुछ शिकायतें प्राप्त हुई हैं और यदि हाँ, तो कितनी और इस पर क्या कार्यवाही की गई; और

(ग) क्या सरकार का विचार ट्रेड यूनियन अधिनियम 1926 की संवद्ध धाराओं में संशोधन करने का है ताकि ट्रेड यूनियनों में वास्तविक, श्रमिक ही प्रवेश पा सकें ?

श्रम संचालय में उप मंत्री (श्री बाल-गोविन्द वर्मा) (क) ट्रेड यूनियन अधिनियम, 1926, बाहरी आदिमियों को संघों के पदाधिकारी बनने की आज्ञा देता है। राष्ट्रीय श्रम प्रायोग ने ट्रेड यूनियनों के पदाधिकारियों के रूप में बाहरी आदिमियों के अपने निर्धारण में कहा कि "बाहरी आदिमियों का कुल प्रभाव ऐसा नहीं रहा है, जो उन्हें संघ परामर्शदाताओं से विलग्न पृथक् रखे।

(ख) इस विषय पर शिकायतों की संख्या के बारे में कोई आंकड़े उपलब्ध नहीं हैं।

(ग) औद्योगिक संबंधों पर प्रस्तावित व्यापक विधान को अन्तिम रूप देते समय, ट्रेड यूनियनों में बाहरी आदिमियों की भूमिका को ध्यान में रखा जायेगा।

### Mini Steel Plant in Haryana

3196. SHRI BHOGEENDRA JHA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have given licence to establish a mini steel plant in Haryana; and

(b) if so, the broad outlines thereof and when it is expected to start production?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) and

(b). Presumably, the reference is to the Industrial Licence issued to the Haryana State Industrial Development Corporation, Chandigarh. If so, they have been granted an Industrial Licence for the establishment of an undertaking at Hissar for the manufacture of 50,000 tonnes (annual) of steel billets. The unit is being set up in the Joint Sector under the name and style of "Haryana Polysteels Ltd". According to present indications, the plant is expected to be commissioned before the end of March, 1975.

Filing of Criminal cases against M/s. United Printing Press, Bhagalpur under E.P.F. Act

3197. SHRI K. M. MADHUKAR: SHRI BHOLA MANJHI:

Will the Minister of LABOUR be pleased to state:

(a) whether filing of 48 of the E.P.F. Act, 1952 against M/s United Printing Press of Bhagalpur was abnormally delayed in Enforcement Branch of the Regional Provident Fund Commissioner's Office Patna, Bihar; and

(b) whether the said cases filed against the management are still untraced in the court and no action to revive the cases has been taken by the Regional Authorities and if so, the action proposed in this regard?



THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) The Provident Fund Authorities have intimated as under —

(a) No

(b) The cases filed against the management are still untraced in the court. Action has been taken to revive these cases. The matter is being pursued with the Sub-Divisional Officer Bhagalpur.

**Criminal case, against M/s Gaya Janta cold storage Gaya under E P F. Act**

3198 SHRI K M MADHUKAR  
SHRI BHOLA MANJHI

Will the Minister of LABOUR be pleased to state

(a) whether a good number of criminal cases under section 14 of the Employees Provident Funds Act, 1952 filed against Gaya Janta Cold Storage Gaya ended in acquittal due to faulty evidence tendered by the Inspector being the main witness in the cases and mishandling by the conducting Inspector as well, and

(b) if so, what action has been taken against them and the broad outlines of the report with specific remarks?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) and (b) The information is being collected. It will be laid on the Table of the Sabha in due course.

**Regional Passport Office at Bangalore**

3199 SHRI K LAKKAPPA Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) the reasons for not locating a Regional Passport Office in Bangalore, in spite of a large number of applicants from Karnataka and other neighbouring States, and

(b) whether there are any plans for locating the Regional Passport Office at Bangalore shortly?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) (a) and (b) A proposal to open a Passport Issuing Office at Bangalore was examined carefully, taking into account the volume of work in relation to the costs of maintaining an office and it was found that the volume of work did not justify the opening of a separate office at Bangalore at the present time. The proposal is kept under constant review with a view to considering implementation as and when the increase in the volume of work justifies it.

**Instructions to Government Hospitals for purchase of life saving drugs**

3200 SHRI C K JAFFER SHARIEF Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state

(a) whether Government propose to issue instructions to all Government hospitals and medical colleges to purchase life saving drugs directly from Public Undertakings manufacturing drugs instead of through the usual procedure of inviting tenders, and

(b) if so, the outlines thereof.

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A K KISKU) (a) No please

(b) Does not arise

**Promotion of Carbonisation Process**

3201 SHRI M S PURTY  
SHRI N E HORO

Will the Minister of STEEL AND MINS be pleased to state

(a) whether Government have decided to promote carbonisation (LTC) process for production of coke, and



(b) if so, the broad outlines of its progress?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). It is proposed to set up progressively a number of L.T.C. plants in the country for the supply of town gas and soft coke for domestic use. To start with one such plant has already been sanctioned for being set up in Andhra Pradesh based on the Singareni coal.

**Invitation to Israel and Taiwan by International Union of Physiological Sciences**

3202. SHRI D. B. CHANDRA GOWDA: Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether permission granted by Government to the International Union of Physiological Sciences about two years ago to invite Israel and Taiwan to India this year, has been rescinded, and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) The 26th International Congress of Physiological Sciences scheduled to be held in India in October, 1974 is a private meet and Government of India does not control its composition or invitations to various participants.

(b) Does not arise.

**Cess of Iron Ore**

3203. SHRI GAJADHAR MAJHI: Will the Minister of STEEL AND MINES be pleased to state;

(a) whether he had suggested a cess of one rupee a tonne on iron ore to finance development of the iron ore industry; and

(b) if so, the broad outline of his suggestions and its implementation?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) and (b). While addressing the Annual General Meeting of the Iron Ore Board held on 2nd July, 1974, Minister of Steel and Mines, had suggested that the development of iron ore industry should be financed by a cess imposed for this purpose on iron ore produced in the country. The matter is being examined by the Iron Ore Board and no specific proposals have yet been received by the Government.

**U.N. Enquiry into violation of human rights in South Africa**

3204 SHRI GAJADHAR MAJHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether any inquiry to investigate the violation of human rights in South Africa has been conducted by U.N. Assembly; and

(b) if so the facts thereof

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) and (b) The question of violation of human rights in South Africa is mainly dealt with by the Commission on Human Rights. An Ad Hoc Working Group of Experts, established by Resolution 2 (XXIII) of the Commission has been investigating, among other things, question relating to human rights, in general, and to the treatment of political prisoners in South Africa in particular.

These Reports are considered in the Commission. The subject in its various aspects is also discussed in the Third Committee of the General Assembly.

Several resolutions have been adopted by the U.N. expressing grave concern at the intensification of inhuman practices by the Government of South Africa against the opponents of the policy of apartheid. These resolutions



have also condemned the activities of those states which, by political, economic and military collaboration with the racist regimes of Southern Africa, encourage those regimes in the enforcement and perpetuation of their policy of apartheid and other forms of racial discrimination

**Incidence of T B Among workers in Mica Mines in Gudur (A P)**

3205 SHRI G Y KRISHNAN Will the Minister of LABOUR be pleased to state.

(a) whether the incidence of T.B. among workers in Mica Mines in Gudur, Andhra Pradesh is increasing day by day; and

(b) if so, the number of workers at present suffering from TB and the steps Government have taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) There is no report indicating that the incidence of T B amongst the Mica Mines is increasing day by day, on the other hand with the implementation of wet-drilling in mines it is reported to be on the decrease

(b) The Mica Mines Labour Welfare Organisation is endeavouring to provide maximum facilities for treatment to the workers and their dependents suffering from T B A 20-bed T B Ward is attached to the Central Hospital, Kalchedu Six beds have also been reserved for the mica miners in the T B Hospital, Nellore, X-Ray of the workers is also undertaken in the Central Hospital Subsistence allowance is given to the workers suffering from the disease

1801 LS—5

**Amendment of Factories Act for provision of Safety Officers**

3206 SHRI C K JAFFER SHARIF Will the Minister of LABOUR be pleased to state

(a) whether there is any proposal under the consideration of Government to provide in the Factories Act for appointment of Safety Officers in factories employing 1,000 or more workers or otherwise engaged in hazardous operations, and

(b) if so, the facts regarding the responsibilities and safety in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) and (b) Yes A proposal to amend the Factories Act, 1948 with a view to empowering the State Governments to require factories wherein one thousand workers or more are ordinarily employed or where any manufacturing process or operation carried on exposes any person employed in it to serious risk of bodily injury poisoning or disease to employ safety officers is under consideration

**Performance of Mini Steel Plants**

3207 SHRI N E. HORO. SHRI CHANDULAL CHANDRAKAR

Will the Minister of STEEL AND MINES be pleased to state.

(a) the number and the names of States to whom licences were given for setting up mini steel plants during 1973-74, and

(b) whether Government are satisfied with their performances?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA) (a) and (b) The names of State Industrial Development Corporations which have



been granted Letters of Intent/Industrial Licences during 1973-74 for setting up units for the manufacture of steel billets/ingots are given below:—

S No.	Name of the Undertaking	Date of Letter of intent/Licence	Annual Capacity of Billets (in tonnes)	Location	Present stage of the project
1	2	3	4	5	6
* 1	The State Industrial & Investment Corporation of Maharashtra Ltd., Bombay.	20-12-73 Indl. Licence	75,000	Chindrapur (Maharashtra)	Orders for major items of plant and equipment placed. Civil works in progress.
** 2	Haryana Ploysteels Ltd., Chandigarh	8-5-74 Indl. Licence	50,000	Hissar (Haryana)	Expected to go into production before March, 1975.
** 3	The Andhra Pradesh Industrial Development Corporation Ltd., Hyderabad.	30-7-74 Indl. Licence	50,000	Poloncha Kothagudem (Andhra Pradesh)	Orders for the furnaces have been placed in March, 74.
** 4	The Assam Industrial Development Corporation Ltd., Gauhati.	27-8-73 Letter of Intent	50,000	Not specified	Letter of Intent granted recently. Their Consultants are reported to have carried out market survey for scrap.
** 5	The Gujarat Industrial Investment Corporation Ahmedabad.	27-8-73 Letter of Intent	50,000	Bhavnagar (Gujarat)	New Company has been floated. Site selected. Feasibility report submitted by Consultants. Further steps being taken for placement of orders for plant and machinery.

\*Based on iron ore.

\*\*Scrap based.

As these units are in various stages of implementation, it is too early to assess their performance.



**Help of Foreign Firms to Produce Oil from Coal**

3208. DR. KARNI SINGH Will the Minister of STEEL AND MINES be pleased to state,

(a) whether the help of some foreign firms has been sought in connection with the project to produce synthetic oil from coal;

(b) if so, the names of those firms, and

(c) whether the firms which helped the Ghosh Committee to produce reports on synthetic oil production in 1955 are being consulted?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) No Sir

(b) and (c) Do not arise

**Scheme of West Bengal Government for Hydrogenation of Coal**

3209 SHRI SAMAR GUHA Will the Minister of STEEL AND MINES be pleased to state

(a) whether the Government of West Bengal have submitted a scheme for hydrogenation of coal

(b) if so, the facts thereabout,

(c) the estimate of production of oil by such catalytic cracking of coal, and

(d) when such project is likely to be worked out?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) to (c) The Government of West Bengal have submitted a proposal for the setting up of a coal based synthetic petroleum plant in the Raniganj coalfields in West Bengal. They have brought out a proposal for the setting up of a

plant with an annual production capacity of 25 million tonnes of synthetic petroleum requiring 15 million tonnes of coal per annum and that it is expected that initially a plant of smaller size would be considered for installation

(d) Techno-economic aspects of the production of the synthetic petroleum from coal are being studied

**Interest shown by Foreign Countries for Extracting Crude from Coal in India**

3210 SHRI VASANT SATHE  
SHRI PRABODH CHANDRA.

Will the Minister of STEEL AND MINES be pleased to state

(a) whether a number of countries including USA have approached Government of India for extraction of crude from coal,

(b) if so, the facts thereof and the areas in which the interest was indicated, and

(c) the reaction of Government to the proposals made by those countries and the decision taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) No, Sir

(b) and (c) Do not arise

**Expertise technology acquired by Bharat Heavy Electricals Limited for meeting Power Shortage**

3211 SHRI P M MEHTA Will the Minister of HEAVY INDUSTRY be pleased to state

(a) whether the Bharat Heavy Electricals Limited has acquired the sophistication in Technology and manufacturing expertise needed to exploit nuclear energy to meet the evergrowing demand for electrical power in the country, and



(b) if so, when the same technology will be utilised for meeting the power shortage in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DAI BIR SINGH) (a) Yes, Sir Bharat Heavy Electricals Limited has already undertaken manufacture of Steel Turbine and Turbo generator of 235 MW capacity with matching Steam Generator for the Madras Atomic Power Project and the supplies for the 1st Unit of this Project will be completed during the current year

(b) Bharat Heavy Electricals Limited is examining jointly with Atomic Energy Commission arrangements for meeting the future equipment needs of the Nuclear Power Programme

#### **Business in Steel**

3212 SARDAR SWARN SINGH SOKHI Will the Minister of STEEL AND MINES be pleased to state

(a) whether owing to Government's announced and intended anti-inflationary reasons, the business in steel has slackened and would have adverse effect on the steel production and Trade in the country, and

(b) if so, the steps Government propose to take to save the wholesale Dealers, Distributors, the Steel Business and Industry in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA) (a) No, Sir

(b) Does not arise

#### **Export earning of H.A.L.**

213 SHRI D P JADEJA Will the Minister of DEFENCE be pleased to state

(a) the value of H.A.L.'s export earnings including repair and overhaul services for foreign countries during 1973-74; and

(b) how it compares with the earnings of the previous two years?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA): (a) and (b) The export earnings of HAL during the year 1973-74 amounted to Rs. 16.74 lakhs against Rs. 19.89 lakhs and Rs. 11.27 lakhs for the year 1972-73 and 1971-72 respectively

#### **अलौह इस्पात के कारखाने**

3214. श्री बन्धूलाल चन्दाकर : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि

(क) देश में अलौह इस्पात के कितने कारखाने हैं और क्या विभिन्न किस्मों के अलौह इस्पात की मांग तेजी में बढ़ रही है, और

(ख) क्या सरकार का विचार भिलाई में अलौह इस्पात का कारखाना स्थापित करने का है ?

इस्पात और खान मंत्रालय में उपमंत्री (श्री सुबोध हंसदा) : (क) और (ख) चूंकि सभी प्रकार के इस्पात में लोहे का मिलाव होता है अतः यह स्पष्ट नहीं है कि "अलौह इस्पात" से माननीय सदस्य का अभिप्राय किस बात से है।

#### **Further Price Rise in Steel**

3215 SARDAR SWARN SINGH SOKHI Will the Minister of STEEL AND MINES be pleased to state

(a) whether the price of steel is likely to go up again, as demanded by the Steel Authority of India, to make up the shortfall in 1974-75 Budget, to the tune of Rs. 75 to 80 crores; and



(b) whether the further price rise of Steel would seriously affect the economy of the country and Steel Trade?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA) (a) and (b) There has been no demand from the Steel Authority of India Ltd. (SAIL) for increase in price of steel. Prices of steel are revised as and when necessary and relevant factors are taken into account when taking decisions.

**चीची पंचवर्षीय योजना में मानसिक चिकित्सा केन्द्रों की स्थापना**

3216 श्री महावीर सिंह शाक्य : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या चीची पंचवर्षीय योजना में केन्द्रीय योजना के अन्तर्गत 54 मानसिक चिकित्सा केन्द्रों तथा अस्पतालों के खाने जाने की व्यवस्था की गई थी;

(ख) यदि हा, तो कितने मानसिक चिकित्सा केन्द्रों तथा अस्पतालों खोले गये और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उप मंत्री (श्री ए० के० किशु) : (क) जी हाँ ।

(ख) और (ग). उस अवधि में विभिन्न मेडिकल कलेजों तथा जिला अस्पतालों में वस्तुतः 23 मनश्चिकित्सा क्लिनिक खोले गये हैं । राज्य सरकारें प्रशिक्षित कर्मिकों की कमी, आवास का अभाव तथा विभिन्न अन्य कठिनाइयों का अनुभव कर रही हैं ।

**सैनिक विधवाओं तथा विकलांग सैनिकों को औद्योगिक लाइसेंस**

3217 श्री महावीर सिंह शाक्य : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि

(क) गत युद्ध में शहीद हुए सैनिकों की विधवाओं तथा विकलांग सैनिकों को कितने औद्योगिक लाइसेंस दिये गये,

(ख) सेवा निवृत्त सैनिकों को यह सुविधाएँ न दिये जाने के क्या कारण हैं;

(ग) इस मस्ये में सरकार की क्या कार्यवाही करने का विचार है ?

रक्षा मंत्रालय में उप मंत्री (श्री जे० बी पटनायक) : (क) में (ग). युद्ध में शहीद हुए सैनिकों की विधवाओं को पुनर्वास के लिए दी जात वाली सहायता में सब मन्वर्ण उदात्त पेंशन लाभ है । इस लाभ में अन्तर्गत किसी जवान की विधवा अपने मन पति द्वारा मृत्यु से पूर्व ली जा रही परिलब्धियों के बराबर धनराशि प्राप्त रूप से जीवन पयन्त तक पाने के अधिकार हैं । अफसरों के मामले में यह पेंशन विधवा को अफसर द्वारा धारक पद के वेतन का 3/4 तक की होने वाली सेवानिवृत्ति की तारीख गणना मात्र वर्ष, इसमें से जो वाद में हो, तक दी जाती है और उसके बाद वह सामान्य सेवा निवृत्ति पेंशन पाने की पात्र है ।

ये रियायतें काफी समझी गई हैं । शी जने वाली अन्य सुविधाएँ इस मुख्य लाभ की पूरक पद्धति हैं और मुफ्त भूमलों में युद्ध-विधवाओं को सहायता देने के प्रयत्न किए जाते हैं । औद्योगिक लाइसेंस दिए जाने के लिए किसी सुदृढ़-विधवा के रक्षा मंत्रालय से अनुरोध नहीं किया है ।



बन्ध्या रोग के बारे में अनुसंधान :

3218 श्री महावीरक सिंह शास्त्र्य : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि .

(क) क्या बन्ध्या रोग के बारे में अनुसंधान के लिए भारत सरकार ने कोई कार्यवाही नहीं की है, और

(ख) यदि हा, तो इसके क्या कारण हैं ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उप मंत्री (श्री गोडाजी बागपा) : (क) बन्ध्या रोग के अनुसंधान को उच्च महत्व दिया जाता है और सामान्य गर्भावस्था का पता लगाने से सम्बन्धित विभिन्न आवश्यक पड़वियों की जांच की जा रही है।

(ख) प्रश्न नहीं उठता।

कसर अनुसंधान केन्द्रों के लिये अपर्याप्त वित्तीय सहायता

3219. श्री महावीरक सिंह शास्त्र्य : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या भारत में केसर अनुसंधान केन्द्रों की संख्या कम है क्योंकि उनको पर्याप्त वित्तीय सहायता नहीं मिलती है, और

(ख) यदि हा, तो देश में ऐसे कितने केन्द्र हैं तथा उन्हें 1973-74 में कितनी वित्तीय सहायता दी गई ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उप मंत्री (श्री ए. के. किष्कु) (क) जी हाँ।

(ख) इस समय देश में छ. केन्द्रों में केसर पर अनुसंधान किया जा रहा है। केन्द्रीय सरकार इनमें से दो केन्द्रों को वित्तीय सहायता दे रही है। 1973-74 का दौरान इनको दिये गए अनुदान के कुल राशि 19,41,687 रुपये है।

**Manufacture of Equipment for Submarine Pipeline from Bombay High**

3220. SHRI NAWAL KISHORE SHARMA. Will the Minister of HEAVY INDUSTRY be pleased to state.

(a) whether Government are considering to manufacture, in consultation with Oil and Natural Gas Commission, equipment for a submarine pipeline for the oil flow from the Bombay off shore area;

(b) if so, whether the pipeline would be manufactured indigenously or with foreign collaboration,

(c) the expected expenditure to be incurred thereon

(d) whether there is any proposal to have such a pipeline in Eastern region also, and

(e) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH) (a) Inter-ministerial discussion were held on 2nd July, 1974 to consider how to meet the requirements *inter alia* of items like drilling platforms, submarine pipelines and storage facilities etc., in relation to offshore drilling and production programme of crude Oil and Natural Gas Commission participated in these discussions.

(b) For the manufacture of pipelines, so far as the pipes are concerned, these are likely to be available indigenously. It is possible that for laying the pipelines foreign assistance may be necessary but no final discussion has been taken on this so far.



(c) Precise details and quantum of work involved have not been worked out and hence expected expenditure is not possible to be indicated.

(d) As yet there is no specific proposal.

(e) The question does not arise.

#### **Elimination of Middlemen in Coal Distribution**

3221. SHRI MUKHTIAR SINGH MALIK:  
SHRI BIRENDER SINGH RAO.

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have any proposal under consideration to take over the distribution system of coal produced by mines in the country by eliminating the middlemen, and

(b) if not, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) and (b) The coal producing organisations in the public sector are already supplying most of the coal produced by them directly to the consumers without engaging any middlemen.

#### **Eye Diseases in Adivasi Areas**

3222 SHRI MARTAND SINGH: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government are aware that a number of persons in the Adivasi area, particularly in Madhya Pradesh are suffering from eye diseases;

(b) if so, whether Government have made any Central Assisted Scheme to solve this problem on a national level; and

(c) whether Government propose to conduct a survey of the persons in the Adivasi areas of the Madhya Pradesh, who are suffering from eye diseases, and the causes thereof, with a view to eradicate eye diseases?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) No survey of all the eye diseases in Madhya Pradesh with particular reference to Adivasi area has been carried out in Madhya Pradesh; but a survey of 'Trachoma' was carried out by the I.C.M.R. in 1958 and the incidence of trachoma for the State as a whole was recorded as 41%.

(b) A Centrally Sponsored Scheme namely National Trachoma Control Programme is in operation in the State since March, 1963 and particular attention has been paid to the Adivasi areas 5 million population has already been covered under this programme by the end of the 4th Five Year Plan and a population of 9 million is projected to be covered.

(c) Not at present. An Independent Appraisal Team is being formed to review the working of the National Trachoma Control Programme and a decision regarding the survey will be taken up on receipt of the report of the team.

#### **इंडियन मेडिकल एसोसिएशन की मांगें**

3223. डा० लक्ष्मीनारायण पांडेय : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इंडियन मेडिकल एसोसिएशन की ओर से कोई मांग पत्र प्राप्त हुआ है; और

(ख) यदि हाँ, तो उसकी मुख्य बातें क्या हैं और उन पर सरकार की क्या प्रतिक्रिया है?



### स्वास्थ्य और परिवार कल्याण विभाग

में अब बच्ची (बी ए० के० किस्कू) : (क)

जी हाँ।

(ख) इस माग-पत्र में देहाती में चिकित्सा की सुविधाओं की व्यवस्था, चिकित्सा शिक्षा, डाक्टरों तथा प्राइवेट चिकित्सकों के सैनन स्तर तथा सेवा शर्तों के बारे में प्रत्येक सुझाव दिये गये हैं। सरकार इन पर विचार कर रही है।

### Supply of Political Literature by U.S.S.R. to India

3224 SHRI SAMAR GUHA: Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether several million political literatures are sent to India every year by Russia and other communist countries;

(b) if so, facts thereabout,

(c) whether part of it is sent as gift and part for sale,

(d) if so, facts thereabout,

(e) the names of the importers or recipients otherwise;

(f) whether such political literatures are utilised for purposes, largely as not commercial imports;

(g) whether clearance for report of such literatures is required from Government; and

(h) if so, the facts thereabout?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) to (b). Information is being collected and will be placed on the Table of the House.

### Manufacture of 500 MW sets by BHEL.

3225. SHRI N. K. P. SALVE: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether the Research and Development Organisation of the Bhopal unit of the Bharat Heavy Electricals Limited has drawn up a time-schedule for the manufacture of 500 MW sets; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) and (b). Yes, Sir. The first proto-type for 500 MW Thermal Generating sets is expected to be ready in 1980.

### Bhilai Refractories

3226 SHRI N. K. P. SALVE: Will the Minister of STEEL AND MINES be pleased to state:

(a) the progress made in the construction of Bhilai Refractories and the amount of money spent therefor; and

(b) when the factory is likely to start commercial production?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) The Detailed Project Report for setting up a Refractories Project at Bhilai has been approved by the Steel Authority of India Limited and has been submitted to Government for approval.

So far, the Metallurgical and Engineering Consultants of India Limited have raised a bill on the Bhilai plant for Rs. 8 lakhs for the preparation of Feasibility Report, Detailed Project Report and Ordering specifications.



(b) The schedule is yet to be finalised. The factory is expected to commence production 39 months from the date of approval of the project.

(c) the total rated capacity of Refractory units in the country which supply their products to Steel Mills?

#### Output of Asian Refractories

3227. SHRI N. K. P. SALVE: Will the Minister of STEEL AND MINES be pleased to state:

(a) the total annual output of Asian Refractories after its take-over by Government;

(b) the production made during the quarter ending 30th June, 1974; and

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) The total annual output of the Refractory Plant of the erstwhile Asian Refractories Limited, after its take-over by Government of India, is given below:—

Year	Period	Firebricks Mortar	
		(In tonnes)	
1972-73	May '72 to March '73	6,226	897
1973-74	April '73 to March '74	13,465	3,084
1974-75	April '74 to July '74	4,147	1,537

(b) Output during the quarter April to June, 1974, was 3,137 tonnes of firebricks and 1,067 tonnes of mortar.

(c) The total licensed capacity of 50 refractory units borne on the books of the Directorate General of Technical Development is 14 million tonnes per year. Of these, 13 units meet nearly 80% of the steel industry's requirements and account for a capacity of 815,000 tonnes.

#### Meeting of Demand of Power Generation Units and Off Shore Oil Drilling Equipments by BHEL.

3228. SHRI N. K. P. SALVE: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether four major installations of Bharat Heavy Electricals Limited at Bhopal, Hyderabad, Hardwar and Tiruchirappalli have fully met the demands of power generation units and off-shore drilling equipments according to schedule;

(b) if not, the orders which are still outstanding with the BHEL in this regard; and

(c) when these orders are likely to be fully executed?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) to (c). During the Fourth Five Year Plan, BHEL has by and large supplied the power plant equipment as per the site requirements. Though there was some delay in the delivery of 13 sets, 10 of them have since been supplied and the delivery of the remaining 3 sets will be completed in the current year.

BHEL has only recently been asked by Government to organise the manufacture of basic drilling rigs for oil exploration; they have not yet launched on this activity.



**Profit by Mining and Allied Machinery Corporation, Durgapur**

3229. SHRI RAJDEO SINGH: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether for the first time since it began functioning in 1965, the Mining and Allied Machinery Corporation, Durgapur earned a net profit of Rs. 12.42 lakhs in 1972-73; and

(b) whether the profit trend of 1972-73 is being maintained?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) Yes, Sir.

(b) The financial results of the Company for the year 1973-74 are not yet known as the audit of the Company's accounts for that year has not yet been completed. The present indications are that this trend will be maintained during 1973-74.

**Record Production of Power Generation Equipment by BHEL**

3230. SHRI RAJDEO SINGH: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether Bharat Heavy Electricals Limited has set new records in the production of power generation equipment valued at Rs. 228 crores; and

(b) if so, the amount of yearly saving in foreign exchange?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) Yes, Sir. The value of equipment produced during the year 1973-74 is of the order of Rs. 231 crores which is the highest so far produced by BHEL in one year.

(b) The net foreign exchange saving during 1973-74 is Rs. 116 crores approximately.

**Soviet Geologists' visit to India**

3231. SHRI RAJDEO SINGH: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether a Soviet team of geologist will visit India shortly to prospect for minerals in the Deccan region;

(b) if so, whether that team is stated to have visited Mirzapur in U.P. and old Vindhya Pradesh belt of Hilly tracts to study the mineral deposits; and

(c) if not, whether Government propose to get the region studied by our own geologists and minerologists?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) No, Sir.

(b) Does not arise.

(c) Geological Survey of India are already engaged in geological mapping and regional mineral investigations in this region. The State Governments concerned have also taken up this work on a selective basis.

**Introduction of Diesel-Run Engines by Car Manufacturers**

3232. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of HEAVY INDUSTRY be pleased to state whether Government propose to ask the car manufacturers to introduce diesel-run engines in place of petrol run ones to save country's petrol consumption?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): There is no such proposal under consideration of Government.



**Calcutta Dock Labour Board Staff**

3233. SHRI ROBIN SEN: Will the Minister of LABOUR be pleased to state;

(a) whether the employees/staff of the Calcutta Dock Labour Board are covered under the Industrial Disputes Act, 1947; and

(b) which authority is the employer of the said staff/employees?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) It has been held by the Supreme Court in Civil Appeal No. 2113 of 1963 (Vishakhapatnam Dock Labour Board vs. Stevedores Association Vishakhapatnam and Others) that the Dock Labour Boards functioning under the Dock Workers (Regulation of Employment) Act and the Scheme framed thereunder do not carry on any industry so as to attract the provisions of the Industrial Disputes Act, 1947.

(b) If by the words 'staff/employees' is implied those workers who have been engaged by the Board to carry on its work, rather than the dock workers, the Calcutta Dock Labour Board would be the employer.

**Protection of Trade Union Rights of Dock Workers in Calcutta**

3234. SHRI SAMAR MUKHERJEE: Will the Minister of LABOUR be pleased to state;

(a) whether the registered Unions of Calcutta Port Trust and Calcutta Dock Labour Board workers can take up their disputes with the authorities as per Industrial Disputes Act, 1947 to protect the trade union rights; and

(b) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). If the protection of trade union rights refers to the recognition and allied matters, they are not covered by the definition

of the 'industrial dispute' as defined in section 2(k) of the Industrial Disputes Act, 1947. Whereas if it refers to the 'right to espouse' an industrial dispute, it can be raised under the said Act.

**Production of aerial ropeways by Mining and Allied Machinery Corporation Limited, Durgapur**

3235: SHRI BANAMALI BABU: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether the Mining and Allied Machinery Corporation Limited, Durgapur is also producing aerial ropeways; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) No, Sir.

(b) Does not arise.

**Selection Grade to Dressers working in C.G.H.S. Dispensaries in Delhi**

3236. SHRI SHRI KISHAN MODI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the number of Dressers working in C.G.H.S. Dispensaries in Delhi and the number of Dressers who have been granted selection grade;

(b) the criterion of granting selection grade to the Dressers in C.G.H.S.; and

(c) the number of Dressers who are likely to be granted Selection Grade during the current financial year?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) No. of Dressers—142.

No. of selection grade Dressers—13.



(b) Permanent Dressers with 10 years continuous service are appointed to the selection grade according to seniority, subject to rejection of those found unfit.

(c) Six.

### Lifting of Ban on Import of Diesel Generator Sets

3237. SHRI NAWAL KISHORE SHARMA: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether there is any proposal under consideration of Government for lifting of ban on imports of Diesel Generator sets;

(b) if so, the broad features thereof and the time by which the ban is expected to be lifted;

(c) whether there is a likelihood of problem of supply of diesel for these imported sets;

(d) if so, the steps proposed to be taken in the matter;

(e) the value of the sets to be imported, including foreign exchange involved; and

(f) the estimated increase in production of power in the country after import of these generators?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) to (f). The ban on the import of diesel generating sets had been lifted during the period from 1st April, 1973 to the 31st October, 1973. The question whether the ban should be relaxed again for a similar period is under examination. During the period when the ban had been lifted upto 31st October, 1973, 535 import licences were issued for import of generating sets in the ranges between 300 KVA and 1500 KVA. The total value of the licences issued was about Rs. 32 crores. If all the sets

are imported and installed, the capacity for four generation in the country will increase by about 0.48 million KVA.

The ban on imports has again become effective after the 31st October, 1973. The question of relaxing the ban for a further period is being examined in the light of the continuing shortage of electric power and, in doing so, all relevant factors including the availability of diesel oil for operating the generating sets will be taken into account.

### Co-ordinated efforts to streamline Steel Production

3238 SHRI C. K. CHANDRAPPA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have made efforts to co-ordinate closely the work of steel mills, coal-mines and railways with a view to streamlining the steel production in the country;

(b) if so, what are the results achieved;

(c) the installed capacity of each of the steel plant; and

(d) how much of it is being utilised for the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) Yes, Sir. Close and constant liaison is also being maintained with the Ministry of Irrigation and Power, the authorities of Damodar Valley Corporation and the State Governments concerned in regard to the supply of power.

(b) The aggregate production of saleable steel from the five major steel plants during the months April-July, 1974 has been a little above the target for this period.



(c) The annual installed capacity of each of the five major steel plants in terms of ingot steel and saleable steel is given below —

Plant	(In coo' tonnes)	
	Installed Ingot Steel	capacity Saleable Steel
Bhilai Steel Plant	2500	1965
Durgapur Steel Plant	1600	1239
Rourkela Steel Plant	1800	1225
TISCO	2000	1500
IISCO	1000	800

(d) The percentage capacity utilization during the years 1971-73, 1972-73 and 1973-74 is indicated below —

Plant	Percentage capacity utilization					
	1971-72		1972-73		1973-74	
	Ingot Steel	Saleable Steel	Ingot Steel	Saleable Steel	Ingot Steel	Saleable Steel
Bhilai	78	80	84	90	76	86
Durgapur	44	35	45	38	49	30
Rourkela	46	49	65	62	60	60
TISCO	85	92	85	97	76	80
IISCO	62	62	43	43	44	45

#### Economic Aid to Sikkim

3259 SHRI SAMAR GUHA Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) the steps taken by Government to give economic aid for the development works of Sikkim,

(b) whether schemes for educational, agricultural, road and transport, housing, electrification, rural industry, mineral exploitation and other development works at Sikkim have been undertaken and if so, the facts thereabout; and

(c) whether Sikkimese are also proposed to be recruited in the Indian Army and if so, the facts thereabout?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) (a) The First Seven-Year development Plan (1954-61) and the Second Five-Year Plan (1961-66) of the Government of Sikkim were financed fully by the Government of India through grant assistance to the extent of Rs 9.65 crores. The Third Five-Year Plan (1966-71) amounting to Rs 9.50 crores was also financed fully by the Government of India to the



extent of Rs. 8.90 crores as grant and Rs. 60 lakhs as loan. The Fourth Five-Year Plan of the Government of Sikkim (1971-76) which is currently under implementation envisages an outlay of Rs. 20 crores, which would be financed by the Government of India to the extent of Rs. 18.5 crores.

(b) The development works undertaken with the above assistance encompass a wide range of projects and programmes in the fields of communication, education, public health, agriculture, power, social services, training, etc. A brief account of physical targets achieved by the end of the Third Plan (1971) and the targets to be achieved by the end of the 4th Plan (1976) is given in the statement laid on the Table of the House. [Placed in Library See No. LT-8245/74.]

(c) Sikkimese are already eligible for recruitment to the Indian Army.

**Pak allegations against India and Afghanistan in U.N.O.**

3241 SHRI BANAMALI BABU:

SHRI MUKHTIAR SINGH  
MALIK:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government approached recently UN Secretary-General and expressed concern at the baseless allegations and statements made by Pakistan against India; and

(b) if so, the nature of allegations made and the reaction in the matter?

THE MINISTER OF STATE IN THE  
MINISTRY OF EXTERNAL AFFAIRS  
(SHRI SURENDRA PAL SINGH):  
(a) No, Sir.

(b) Does not arise.

**Registration of Scientists with  
Employment Exchanges**

3242. SHRI JAGANNATH MISHRA:

SHRI BOKSI NAYAK:

Will the Minister of LABOUR be pleased to state:

(a) the number of scientists registered with Employment Exchanges all over the country; State-wise;

(b) the number of scientists provided with jobs during the last two years, year-wise and (State-wise); and

(c) what steps have been taken by Government to provide employment to the remaining scientists registered with the Employment Exchanges?

THE DEPUTY MINISTER IN THE  
MINISTRY OF LABOUR (SHRI  
BALGOVIND VERMA): (a) and (b).  
The available information is contained in the statement laid on the Table of the House [Placed in Library. See No. LT-8255/74].

(c) During the Fifth Five Year Plan, a large number of employment opportunities will be created for Scientists, among others mainly through the implementation of the sectoral programmes in the fields of agriculture; agro-service centres; major medium and minor irrigation, command area development; power generation; large medium and small scale industries; education and public health, etc. Besides these, an Employment Promotion Programme has been taken up during 1974-75 with a thrust on self-employment; under this Programme, scientists desirous of setting up self-employment ventures will be provided requisite financial assistance.



### Production of Wagons

3243. SHRIMATI PARVATHI KRISHNAN: Will the Minister of HEAVY INDUSTRY be pleased to state the total number of wagons Government propose to roll down the mills this year?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): According to the present expectations the production of wagons (in terms of four-wheelers) during 1974 is likely to be as under:

Railway Workshops—2000

Other Manufacturers—10000/11000

### Forged certificate for recruitment in Armed Forces

3244. SHRI BHALJIBHAI PARMAR: Will the Minister of DEFENCE be pleased to state:

(a) whether it is not an offence to cheat the Government in order to get recruitment in the Armed Forces of India (Army, Navy and Air Force) by means of producing forged certificate of educational qualifications and date of birth;

(b) whether such cases of cheating have come into the notice of the Government after the recruitment of such candidates in the Armed Forces; and

(c) if so, what action has been taken by Government to deal with such cases and what are the major punishments for such grave offences?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) It is an offence to obtain recruitment in the Army, Navy or Air Force based on forged certificates of educational qualifications and/or date of birth.

(b) Yes, Sir.

(c) Disciplinary action is taken in all such cases, in conformity with the

appropriate Sections in the Army/Navy/Air Force Act and Rules made thereunder. The prescribed punishments for this offence under these legal provisions range upto 5 years Rigorous Imprisonment. Apart from being punished the offender is discharged/removed/dismissed from service.

In cases in which action is not possible under these legal provisions the matter is handed over to the civil police.

### Utilization of capacity of H.E.C., Ranchi in another country

3245 SHRI VIRBHADRA SINGH: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether a proposal is under consideration of a team of joint experts of Government to utilise the capacity of Heavy Engineering Corporation, Ranchi in another country; and

(b) if so, the main features of the proposal?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) and (b). The possibilities of exporting steel plant equipment by the Heavy Engineering Corporation Ltd Ranchi to Soviet aided projects in third countries, are being explored in consultation with the Soviet Authorities. No concrete proposal has emerged so far.

### Increase in prices of Cars

3246 SHRI JAGANNATH MISHRA:

SHRI SAT PAL KAPUR:

SHRI R R SHARMA:

SHRI SHRIKRISHNA AGRAWAL:

SHRI CHANDU LAL CHANDRAKAR:

Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) the number of times the car manufacturers in the country have



been allowed increase in prices of cars during the last two years and the reasons therefor;

(b) whether the increase in prices of cars has reduced the demand of cars and if so, to what extent the demand has gone down during the last two years;

(c) whether the manufacturers have started reducing their staff in view of the shortfall in production; and

(d) if so, what steps are being taken by Government in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH).** (a) In accordance with the judgement of the Supreme Court, Government have been fixing the prices of cars every six months. During the year 1973, the revised prices were notified on 1-1-1973 and 1-7-1973 respectively and the prices of the Ambassador car was further revised with effect from 10-9-1973 on account of increased wages payable by the manufacturers to their workers under the tripartite wage settlement for engineering workers in West Bengal. Similarly during the year 1974, the revised prices were notified on 1-1-1974 and 1-7-1974 respectively.

(b) Due to steep increase in the price of petrol from November, 1973 and increase in the prices of cars, it is reported that there has been some customer resistance in the sale of new cars as a result of which sales of particular makes have slowed down.

(c) No such report has come to the notice of Government.

(d) Does not arise.

#### **Decrease in production of Triveni Structural**

**3247. SHRI JAGANNATH MISHRA:** Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether the production at Triveni Structural Limited, has gone

down considerably during the last two years;

(b) if so, the extent of shortfall in production and the reasons therefor; and

(c) the steps taken by Government to accelerate the pace of production in order to achieve the desired results?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH):** (a) No Sir; the production in TSL has been registering a progressive increase during the last two years.

(b) and (c). Do not arise.

#### **Legislation for compulsory vaccination for eradication of Small Pox**

**3248. SHRI M. M. JOSEPH:** Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether according to a daily newspaper dated the 24th July, 1974 Government are thinking of making a law for compulsory vaccination of every child in its fight for total eradication of small pox during the Fifth Plan period; and

(b) if so, the calculated amount Government proposes to spend for its eradication?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU):** (a). Yes.

(b) Apart from the amount to be spent by the State Governments and Union Territories, who are primarily responsible for the implementation of health programmes, an allocation of Rs. 17.50 crores has been made by the Central Government during the Fifth Plan for assisting the State Governments and Union Territories under the Centrally Sponsored Scheme of National Smallpox Eradication Programme.



**Allocation made for Aluminium Plant in Ratnagiri**

3249. PROF. MADHU DANDAVATE:  
Will the Minister of STEEL AND MINES be pleased to state:

(a) the allocations made for the aluminium plant in Ratnagiri in Maharashtra; and

(b) whether these allocations are adequate?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). As against the approved cost estimate of Rs. 78.825 crores for the Ratnagiri Project, a provision of Rs. 50 crores has been made for this Project in the Fifth Plan. The Project, will therefore be completed in phases, early in the Sixth Five Year Plan.

**Reservation of posts in Central Health Service for released commissioned Officers**

3250 SHRI BHOGENDRA JHA:  
Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Rules regarding reservation of posts in Central Health Service for released Commissioned Officers were identical in 1966 and 1967;

(b) if not, what was the difference in 1967 as compared to that of 1966;

(c) whether the attention of Government has been drawn to certain released Commissioned Officers recruited on the basis of U.P.S.C. Advertisement in 1967 who have been regarded as senior to similar officers recruited on the basis of 1966 Advertisement in G.D.O. Grade-H;

(d) what action is being taken to remove this hardship; and

(e) the number of Scheduled Caste released Commissioned Officers who have been hit by this hardship and recruited on the basis of U.P.S.C. Advertisement in 1966?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU):  
(a) Yes.

(b) Does not arise

(c) and (d). Emergency Commissioned Officers/Short Service Commissioned Officers, if any, recommended by the U.P.S.C. on the basis of the advertisement issued in 1966 were recruited against general vacancies and not against any vacancies reserved for E.C.O./SS C.O.s Candidates selected against reserved vacancies in 1967 have not been given the benefit of any seniority on the basis of the orders issued by the Government of India. No hardship in this respect has been caused.

(e) Does not arise.

**Kedla Jharkhand, Colliery Hazaribagh**

3251. SHRI DEBENDRA NATH MEHATA:  
SHRI SAKTI KUMAR SARKAR:

Will the Minister of STEEL AND MINES be pleased to state:

"(a) whether about 6,000 workers of Kedla Jharkhand Colliery in Hazaribagh District have been rendered jobless for the last few months;

(b) if so, the reasons thereof; and

(c) the action taken by Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) to (c): Services of about 2,200 workers who were appointed on purely casual/temporary basis for dry season working upto 30th June, 1974, have been terminated with effect from 1st July, 1974 as per the terms and conditions of their appointment. The question of their re-employment will be considered in the month of November.



### Intake of S.C. and S.T. candidates in C.M.A., S.A.I.L.

3252. SHRI SAKTI KUMAR SARKAR: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether there are any specific orders issued by the Ministry for intake of Scheduled Caste and Scheduled Tribe candidates in various categories of services in the newly set up organisations like C.M.A., S.A.I.L., if not, the reasons therefor;

(b) if not, whether any recruitment has been made in Class III and IV, other than the mine-workers, since the formation of the above organisations;

(c) whether there is any specific quota reserved for them and if so, the manner these are going to be filled up and when this will be completely filled up; and

(d) the total number of Scheduled Castes and Scheduled Tribes at present working in C.M.A. and S.A.I.L. and the total vacancies (reserved for S.C. and S.T.) still exist?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Yes, Sir,

(b) Does not arise.

(c) and (d). Information is being collected and will be laid on the Table of the House.

### Burma repatriates in Orissa

3253. SHRI SHYAM SUNDER MOHAPATRA:

Will the Minister of SUPPLY AND REHABILITATION be pleased to state.

(a) the number of Burma repatriates coming to Orissa now;

(b) whether there was a Government circular previously to all departments and ministries to help

Burma repatriates in all matters including trade and commerce; and

(c) whether Government departments are following this policy?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKATSWAMY): (a) 128 families of Burma repatriates consisting of 325 persons belonging to the State of Orissa have arrived from Burma in the current year and have been dispersed to Orissa. No information is available about the number of repatriates belonging to Orissa who may come in future years.

(b). (1) The following concessions in regard to employment under the Central Government offices to repatriates from Burma who have migrated to India on or after 1st June, 1963, and repatriates from Sri Lanka who have migrated to India on or after 1st November, 1964 under the Indo-Ceylon Agreement of October, 1964 have been extended from time to time and will, for the time being be valid up to 28th February, 1975:—

(i) In respect of employment through the Employment Exchange under the Central Government over-riding priority (in priority III) in their home States and priority III in other States. Migrants from the former East Pakistan and repatriates from Burma wherever included in the same priority would be ranked in a common list according to the date of registration.

(ii) The maximum age limit for entry into Government service (i.e., for appointment to class III and IV posts, recruitment to which is made normally through the Employment Exchange) would be relaxed upto 43 years.

(iii) For appointments filled on the basis of the results of competitive examinations held by the Union Public Service Commission, relaxation of age



limit would be allowed upto 3 years in excess of the normal upper age limit, subject to the condition that the candidate is not allowed to avail himself of a larger number of chances in respect of recruitment to a Service or group of Services than the minimum number of chances permissible to any general candidate under the normal age limit

- (iv) In respect of other appointments made in consultation with the Union Public Service Commission the maximum age limit for entry into Government Service as well as for permanent absorption there in would be relaxed upto 45 years
- (v) The age limits mentioned in sub-para (ii) (iii) and (iv) above would be further relaxed upto 5 years in the case of persons belonging to the Scheduled Castes and Scheduled Tribes

**NB** The concession of upper age limit would not apply to appointments in the Defence Services

- (vi) The Union Public Service Commission are authorised to remit the prescribed application or examination fee where they are satisfied that the applicant is a *bona fide* repatriate and is not in a position to pay the prescribed fees

(2) In October 1965 the State Governments were requested to consider the desirability of issuing similar instructions for appointments of repatriates from Burma and Shri Lanka in the State Services/posts

(3) In December 1965 all State Governments were requested to give priority to repatriates in the matter of —

- (a) allocation of shops/stalls under the control of the State Governments and local bodies
- (b) grant of licences permits etc, where these are required for any occupation or trade

(4) In October 1965 all Ministries/Departments of the Government of India concerned with public sector undertakings were requested that without prejudice to the claims of the employees declared surplus from other public sector undertakings and persons ousted from the land acquired for the projects 25 to 33 1/3 per cent vacancies in the public sector undertakings may be made available to the repatriates from Burma and Sri Lanka provided the States where the migrants from former East Pakistan also seek employment the reservation for migrants from former East Pakistan and Burma and Sri Lanka repatriates put together may not exceed 50 per cent of the vacancies

(5) A scheme of business and housing loans as indicated below is in force for enabling the repatriates to engage themselves in small trade or business

- (i) Loans are sanctioned for small trade and business upto a ceiling of Rs 5,000 per family the actual amount depending on the nature of the trade or business
- (ii) Loans for purchasing plots and construction of houses are given as follows —

	Urban areas	Rural areas
	(Rs)	Rs
(a) Cost of plot	600 (loan)	200 (loan)
(b) Cost of construction of the house	2000 (loan)	1250 (loan)
(c) Development of land	1500 (loan)	600 (grant)
(d) For business premises	500 (loan)	200 (loan)



The scheme is administered by the State Governments. Funds are provided in the form of loans and grants by the Central Government to the State Governments.

(c) (1) As far as employment in Central Government offices is concerned, subject to qualifications and suitability of the candidates, the instructions are being followed.

(2) Having regard to the existing reservation to ex-servicemen and the members of the Scheduled Castes and Scheduled Tribes, and the legal aspects relating to reservation, none of the public sector undertakings have been able to set apart any portion of the vacancies for repatriates from Burma and Sri Lanka.

(3) As regards employment in State Government offices and permits and licences required for occupation or trade, it is presumed that State Governments are giving due consideration to the request of the Central Government.

(4) The scheme of financial assistance for small trade and business and housing is in force in all states

#### **Durgapur Steel Plant hit by Coal crisis**

**3254 SHRI SAKTI KUMAR SARKAR:**

**SHRI S N. SINGH DEO:**

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether it has been reported in the press that Coal crisis has hit Durgapur Steel Plant; and

(b) if so, the facts thereof and the action taken or proposed to be taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) No such Press item has been brought to Government's notice so far.

(b) Does not arise.

#### **Agreement by Indian firm with Soviet Union for manufacturing tractors**

**3255. SHRI P. K. DEO:  
SHRI BOKSI NAYAK:**

Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether an Indian firm has entered into an agreement with the Soviet Union for manufacturing the tractors; and

(b) if so, the salient features of the agreement entered into and the foreign exchange allowed by Government to the firm for this purpose?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) Yes, Sir.

(b) The agreement relates to the procurement of technical know-how for the manufacture of T-25 (25 HP) tractors in India on the basis of payment of know-how fee and recurring royalty for a period of 5 years

#### **Conditions set forth by Pakistan for resumption of talks**

**3256 SHRI H. M. PATEL:** Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether the Prime Minister of Pakistan has sent another communication listing the conditions for resumption of talks between the two countries; and

(b) if so, the gist of the communication received and the reaction of the Government of India thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) No, Sir.

(b) Does not arise.



**Assistance from foreign countries for Family Planning**

Rs. 500 per mensem and those whose income is above Rs 500 per mensem?

3257 SHRI H. M. PATEL: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

THE MINISTER OF DEFENCE (SHRI JAGJIVANRAM): (a) No, Sir. (b) and (c). Do not arise.

(a) the assistance received by Government from foreign countries including the UN agencies during the year 1972-73, 1973-74 and the current financial year; and

**Increase in rent of D.G.O.F. office building in Calcutta**

3259 SHRI S. N. SINGH DEO: Will the Minister of DEFENCE be pleased to state:

(b) to what extent it would help implementation of the programmes for family planning?

SHRI DEBENDRA NATH MAHATA.

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI KONDAJJI BASAPPA): (a) A statement is laid on the Table of the House. [Placed in Library. See No. LT-3256/74].

(a) whether Government have decided to increase the monthly rent of the 27 years old office of the D.G.O.F. at Calcutta from Rs. 50,000 to Rs 80,000 per month; if so, the facts thereabout; and

(b) Most of such assistance is not additive to the Plan outlay. Nevertheless it is useful in speedier implementation of the programme.

(b) whether Government had decided to build the office of D.G.O.F. at 10-A, Auckland, but due to scarcity of funds, it has been decided not to proceed with the construction?

**Grant of concessions to students of Sainik School of Kapurthala**

3258. PROF. NARAIN CHAND PARASHAR: Will the Minister of DEFENCE be pleased to state:

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA): (a) A building at 44 Park Street, Calcutta was hired by the Ministry of Defence from 1st April, 1968 at a monthly rent of Rs. 53,910/- for accommodating a portion of the office of the DGOF. The last lease expired on March 31, 1974. The question of the fixation of the rent payable and the renewal of the lease is under consideration

(a) whether there is any change in the policy of granting concessions to the students at Sainik School, Kapurthala;

(b) if so, the changes made in the policy obtaining in the previous years; and

(b) The foundation stone of the building proposed to be constructed

(c) whether any distinction has been made between the students whose parents' monthly income is upto



at 10-A Auckland Road, Calcutta, has been laid. A sum of Rs. 5 lakhs has been provided in this year's budget for the preliminary work. Estimates for the construction of the building are under preparation.

**Disposal of drilling machines owned by N.C.D.C.**

3260. SHRI S. N. SINGH DEO:

SHRI A. K. M. ISHAQUE:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the N.C.D.C. was owning about 115 drilling machines till the beginning of 1970 and just after that a large number of machines were either sold out or auctioned for scrap value, and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b) The N.C.D.C. had a fleet of 118 drills at the end of March, 1964. Of these, 2 drills were sold to Assam Government in June, 1964. 96 drills were declared surplus on different occasions between 1965 and 1968 by a Survey Committee which determined the reserve value of each drill. As per the recommendations of this Committee, the details of all the 96 surplus drills were circulated to different Government organisations as a result of which 41 drills were sold on reserve value to different Government organisations, viz. Geological Survey of India, Tenukhat Project, Rajasthan Government, Hindustan Copper Ltd etc. Of the remaining drills in which Government organisations were not interested, 39 were sold to different private parties by public auction. Of the remaining 16 drills, 4 were withdrawn later on for use and 12 are now awaiting disposal.

**Coal transported to Kerala, Punjab and Gujarat**

3261. SHRI A. K. M. ISHAQUE: Will the Minister of STEEL AND MINES be pleased to state the quantum of coal transported to Kerala, Punjab and Gujarat and the price at which it is being sold in the respective States?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): The information is being collected and will be laid on the Table of the House.

**Confirmation of Economic Investigators in Labour Bureau**

3262. SHRI VASANT SATHE: Will the Minister of LABOUR be pleased to state

(a) whether a good number of economic investigators Grade-I, Grade-II and computers in the Labour Bureau have been made permanent;

(b) if so, the list thereof;

(c) the number of employees in the above categories category-wise, who have completed five years of service but have not been declared permanent so far, and

(d) the steps being taken to expedite cases of permanency of such employees?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) to (c). A statement giving the required details is attached.



(d) Action is being taken to confirm as early as possible some more employees against available permanent vacancies in each category.

*Statements.*

Category	Number in position as on 17-8-74	Number of Permanent employees	Number of permanent posts sanctioned so far	Number of employees completed 5 years of service but have not been declared permanent so far.
1	2	3	4	5
Investigator Grade I . . .	43	1	8	20
Investigator Grade II . . .	159	25	33	49
Computers . . . . .	131	8	27	62

**Loss of 8,000 tonnes of coal a day**

3263. SHRI VASANT SATHE Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the attention of Government has been drawn to the news report dated the 29th July, 1974 under the caption "8000 tonnes a day coal output loss";

(b) if so, the reaction of Government thereto; and

(c) the action taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) Yes, Sir.

(b) and (c). It is a fact that the Eastern Division and the Bokaro-Kargali area of the Central Division of the Coal Mines Authority Limited have been facing substantial loss in production due to shortage of power, particularly from the D.V.C. system. While the loss cannot be precisely estimated, it has been assessed at about 8,000 to 10,000 tonnes per day in the Eastern Division alone.

The matter has already been taken up with the concerned power generating authorities including D.V.C. to ensure better availability of power to the coal industry in the Eastern Region.

**Research programmes by Labour Bureau**

3264 SHRI DHAMANKAR Will the Minister of LABOUR be pleased to state

(a) what are the operation/action oriented research programmes/schemes envisaged by the Labour Bureau/Ministry for industrial/rural labour during Fifth Plan;

(b) whether similar programme taken up during the Fourth Plan have not been used for policy formulation during the Fifth Plan; and

(c) if so, the reasons therefor and the steps taken or proposed to be taken to ensure to undertake more research work projects which will guide and help in policy formulation/corrective action?



THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) to (c). A statement giving the required details is attached.

*Statement*

LIST OF RESEARCH PROGRAMMES/SCHEMES.

*Labour Bureau, Simla*

*Continuing Schemes from the Fourth Plan*

1. Second Rural Labour Enquiry.
2. Third Occupational Wage Survey.
3. Intensive Type Studies on Rural Labour in India (2nd Round plus residual work of 1st round).
4. Estimation of Margin of Error in labour statistics and follow up action thereunder.
5. Collection of data on Employment and Wages in respect of workers in the unorganised Sector of Industries.
6. Survey relating to working and living conditions of labour belonging to Scheduled Castes/Scheduled Tribes Communities.
7. Working Class Family Income and Expenditure survey at 60 Centres.

NEW SCHEMES INCLUDED THE 5TH PLAN

8. Research Project (Socio-economic conditions of Woman Workers in Industry)
9. Collection of Statistics of Industrial Disputes.
10. Improvement of Labour Statistics-Training-cum-Liaison Scheme.
11. Collection of labour Statistics under Annual Survey of Industries-Sample Sector (Factories) Plantations and Mining Sectors.
12. Central Directory of Establishments.

Most of the Schemes taken up in Fourth Plan are still continuing. Some of these schemes are bench-mark Surveys and the new ones are designed to bring data up-to-date. Others are oriented towards throwing fresh data on new aspects and areas. Completion of these studies would strengthen the existing statistical base very necessary for formulation of policy based on the correct evaluation of the situation. The process is a continuous one.

*Directorate General of Mines,  
Dhanbad.*

*Included in the Fifth Plan*

1. Survey of Accident Prone Mines.
  2. Development of Mine statistics.
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*Directorate General of Employment & Training, New Delhi.*

Applied research Programmes involving the development of the following areas of vocational training at the Central Staff Training and Research Institute at Dasmagar, Howrah:—

1. Trade Curriculum development,
2. Training methods and techniques development.
3. Training aids and materials development.

Programmes taken up during the Fourth Plan are being used in policy formulation during the Fifth Plan.

*Chief Labour Commissioner (Central)  
New Delhi.*

(Indian Institute of Labour Studies,  
New Delhi.)

1. Study of Trends, Techniques and Machinery for settlement of Industrial Disputes in various States (continuing from Fourth Plan).
2. Study of Trade Unions with special reference to Unionisation, Multiplicity and recognition in cotton Textile and Coal Mines Industries.

#### **Recruitment of Economic Investigator Grade II in Labour Bureau**

3265. SHRI DHAMANKAR: Will the Minister of LABOUR be pleased to state:

(a) whether the recruitment for the post of Economic Investigator Grade II in the Labour Bureau is not done through Advertisement by Director General of Employment and Training;

(b) if so, the reasons therefor;

(c) whether there is a manoeuvring at the employment exchanges for forwarding the names of candidates for such posts and that the existing procedure does not ensure wide publicity to the vacancies and leaves scope for manipulation; and

(d) if so, what steps are proposed to effect necessary changes in the existing system of recruitment for Economic Investigator Grade II to ensure fair representation to the various regions in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). For recruiting the Economic Investigator Grade II, Labour Bureau

sends a requisition to the Central Employment Exchange, Directorate General Employment and Training, New Delhi specifically mentioning the need for calling for nominations from different regions. The Central Employment Exchange circulates the vacancies to all the Employment Exchanges in India advising them to sponsor suitable candidates. The Central Employment Exchange advertises only those vacancies for which either there is a general shortage or the qualifications and experience prescribed by employers are such as are normally not available among the registrants of the Employment Exchanges. For the post of Investigator Grade II in the Labour Bureau, the Central Employment Exchange is able to sponsor sufficient number of candidates based on the lists received from various Employment Exchanges in the country. The question of advertising the vacancies for such posts in the newspapers does not therefore, arise.

(c) Government is not aware of any cases of manoeuvring or malpractices.

(d) Does not arise.



### Renaming of Dehradun and Poona Academies

3266. SHRI SAMAR GUHA: Will the Minister of DEFENCE be pleased to state,

(a) whether Government will rename Dehra Dun and Poona Defence Academies as Netaji Defence Academy and Sivaji Defence Academy, respectively,

(b) if so, the steps proposed, and

(c) the reasons for not renaming the British days names of the academies after the names of great military leaders of India?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) to (c) There is no proposal to rename Indian Military Academy, Dehradun and National Defence Academy Pune. The present names are considered appropriate.

### Workers' participation in management in public sector undertakings

3267. SHRI R. K. SINHA: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) the steps taken to implement the scheme of workers' participation in the management of the public sector undertakings under his Ministry; and

(b) the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) and (b) So far as the public sector undertakings under the administrative control of the Ministry of Heavy Industry are concerned, steps have been taken to associate the representatives of the workers with the management in the several ways. Joint Consultative Committees have been set up in Bharat Heavy Electricals Ltd, Bharat Heavy Plate and Vessels and Engineering Projects (I) Ltd. to discuss different aspects of industrial relations. The manage-

ment of the Heavy Engineering Corporation has recently arrived at an agreement with the union for establishment of Joint Consultative Committees at Plant level. Workers Committees have been set up in the Machine Tool Corporation Bipartite Committees, such as Works Committees, Production Committees and Productivity Committees are functioning in the Mining and Allied Machinery Corporation and the Heavy Engineering Corporation; Works Councils and Shop Councils have been constituted in the Bharat Pumps and Compressors Ltd., Jessop and Co, Scooters India Ltd. and the Heavy Engineering Corpn Bharat Pumps, Compressors Ltd have also constituted a Staff Council with a 50:50 representation for the management and the workers union to discuss welfare subjects, inter-employee relationships etc. Triveni Structural Ltd have proposed to set up a Consultative Committee and the Tungbhadra Steel Products Ltd also propose to constitute an Industrial Relations Committee for this purpose.

### Disposal of adjoining vacant plots in Rehabilitation colonies in Delhi/New Delhi

3268. SHRI AMBESH: Will the Minister of SUPPLY AND REHABILITATION be pleased to state

(a) whether certain vacant plots have been offered to the owners of adjoining houses in Rehabilitation colonies in Delhi/New Delhi at certain fixed prices; and

(b) if so, the area of such plots and the rate at which these plots have been offered showing the number of the plot and the name of colony in each case?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKATSWAMY): (a) Certain strips of land adjoining houses/plots al-



ready allotted/transferred have been offered to the concerned allottees/transferees

(b) The information is being collected and will be laid on the Table of the Sabha.

**Realisation of payments for houses allotted in Rehabilitation colonies in Delhi**

3269 SHRI AMBESH Will the Minister of SUPPLY AND REHABILITATION be pleased to state

(a) the number of plots/houses in various rehabilitation colonies, colony-wise in Delhi/New Delhi in respect of which full payments have not been made so far,

(b) the number of the above un-paid houses which have been taken possession of by Government and disposed of by re-sale or auction, and

(c) the action taken by Government in respect of other houses in respect of which full payments have not been made so far?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G VEN-KATSWAMY) (a) and (b) The information is being collected and will be laid on the Table of the Sabha

(c) Notices of demand are issued to the defaulters requiring them to pay up the dues by a specified date, failing which properties are resumed and disposed of as per rules

**Vacation of plots occupied unauthorisedly in Rehabilitation colonies in Delhi**

3270 SHRI AMBESH Will the Minister of SUPPLY AND REHABILITATION be pleased to state

(a) whether Government have since got evacuated all those plots of land

which were unauthorisedly occupied in various Rehabilitation Colonies in Delhi and New Delhi

(b) if not, the reasons for the delay in taking action against the unauthorised occupants, and

(c) the action taken or proposed to be taken against the unauthorised occupants?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G VEN-KATSWAMY) (a) No, Sir

(b) and (c) In the past action has been taken to serve notices on the unauthorised occupants. A committee of officers was appointed some months ago to examine the problem of encroachments in the Union Territory of Delhi on properties belonging to the Custodian of Evacuee Property or properties vested in the Central Government under the Displaced Persons (Compensation and Rehabilitation) Act 1954 and to suggest measures for their vacation as also for preventing future encroachments. The report of this Committee has been submitted and the question is under examination in the light of the overall policy regarding disposal of all such lands in the urban and urbanisable limits of Delhi.

**Setting up of machine tool project in Bhavnagar**

3271 SHRI P M MEHTA

Will the Minister of HEAVY INDUSTRY be pleased to state

(a) whether a machine tool project which was proposed to be set up at Bhavnagar during the Fourth Five Year Plan has now been decided to be set up in the Fifth Five Year Plan,

(b) if so, when the same is likely to be set up,

(c) whether it was postponed because of recession in engineering industry at that time, and



(d, whether the situation is now more conducive for setting up of the machine tool project at Bhavnagar?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH):** (a) to (d). The decision to defer the establishment of machine tool project at Bhavnagar was taken against the backdrop of recessionary tendencies which had developed in 1967, when there was a sharp fall in the demand for machine tools and the existing public sector units manufacturing machine tools were not fully occupied. There is no immediate proposal to reconsider the decision at the present moment. The Government have, however, approved a proposal made by the Gujarat Investment Corporation Limited, a Government of Gujarat undertaking, to set up a machine tool project at Bhavnagar.

**Plant to separate different Metals from Base Metals Ore**

**3272. SHRI P. M. MEHTA:** Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Gujarat Government had decided to set up a pilot plant to separate different metals found in the base metals ore near Ambaji in North Gujarat;

(b) if so, whether this will be set up as a prelude to the setting up of bigger units; and

(c) the necessity for setting up such a pilot plant and the benefit to be accrued?

**THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD):** (a) The Gujarat Mineral Development Corporation, a State Public Sector agency for mineral exploitation, is investigating the possibilities of setting up a

pilot beneficiation plant to obtain the concentrates of the different metals from the run of mine ore raised from the Amba Mata multimetal deposit during the exploratory mining stage.

(b) and (c). The setting up of this Pilot Plant is mainly for studying the vital beneficiation characteristics of the ore prior to the designing and setting up of a commercial ore beneficiation plant.

**Issue of licence for manufacture of small car**

**3273. SHRI S. N. MISRA:**

Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether Government have finally decided to issue the licence for manufacture of small car in private sector; and

(b) if so, the names of the parties and their source of finances?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH):** (a) and (b). In the private sector one party, namely, M/s. Maruti Limited, Gurgaon has been granted an industrial licence on 25-7-1974 for the manufacture of 50,000 Nos. per annum of passenger cars. Besides another party namely M/s Sunrise Industrials, Bangalore, has been granted a registration certificate on 13-6-1974 for the manufacture of 3,000 Nos. per annum of three-wheeled passenger cars. Details of the financial arrangements made by these firms are not readily available.

**Heavy loss to nationalised coal mines**

**3274. SARDAR SWARAN SINGH SOKHI:**

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether mismanagement in the Nationalised Coal Mines, especially in



the Central Zone of the Coal Mines Authority has resulted in heavy loss of production;

(b) whether there has been lay-off of workers and dislocation of coal movement and about a million tonnes of coal in stock had not been lifted;

(c) whether illegal mining is rampant in the area by the former contractors in collusion with certain officers; and

(d) if so, the steps Government propose to take against the officers of C.M.A. and its management?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) No, Sir.

(b) There has been no lay-off of workers except that the services of about 2200 casual/temporary dry-season workers of Kedia-Jharkhand have been terminated with effect from 1.7.1974 on the expiry of their term of appointment. There is no dislocation of coal movement as such except the usual difficulties about coal transport which are being constantly attended to.

(c) and (d). It is not correct to say that illegal mining is rampant by former contractors in collusion with officers. There has been unauthorised mining in some areas of Hazaribagh District and steps are being taken in co-operation with the State Government to put down such unauthorised mining.

#### C.G.H.S. facilities to employees of Delhi Administration

3275. SHRI MUHAMMED SHERIFF:

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

(a) whether Delhi Administration employees cannot avail of C.G.H.S. Scheme benefit;

(b) whether there is any proposal under the consideration of Government to introduce C.G.H.S. Scheme for the employees of Delhi Administration; and

(c) if so, when a final decision is likely to be taken?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) The Central Government Health Scheme is primarily intended for Central Government employees. As the employees of the Delhi Administration are not Central Government employees they are not covered by the Central Government Health Scheme. The Scheme has, however, been extended to the Delhi Police personnel as a special case.

(b) No, Sir.

(c) Does not arise.

#### Ferro-Vanadium Factory at Rairangpur

3276 SHRI ANADI CHARAN DAS:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have finalised the detailed project report of the Ferro-Vanadium factory to be established at Rairangpur (Orissa);

(b) the estimated cost of the project and the amount earmarked for the project to be spent during 1974-75; and

(c) the amount already spent in preparation of the feasibility report for the project?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) No, Sir. Only a Feasibility Report has been prepared by the Consulting Engineers engaged by the Industrial Development Corporation of Orissa Limited.



(b) The cost estimates have not been finalised. However, for the product mix comprising 480 tonnes of Ferro-Vanadium and 47,500 tonnes of foundry iron, tentatively, the estimated cost is about Rs 14 crores. No provision for this Project has been made for 1974-75.

(c) The Government of Orissa have reported that a sum of about Rs. 9.10 lakhs has been spent on this project, including the expenditure incurred for the preparation of the Feasibility Report, up to the end of 1973-74.

#### **Misappropriation of accounts of Sainik Samachar Journal Office**

3277 SHRI K LAKKAPPA

Will the Minister of DEFENCE be pleased to state:

(a) whether any official Committee or O and M Division of the Ministry of Defence have gone into the affairs of Sainik Samachar Journal,

(b) whether there has been a large scale misappropriation of the funds maintained by the Sainik Samachar Journal Office and

(c) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J B PATNAIK) (a) Yes, Sir

(b) No, Sir

(c) Does not arise

#### **Shortage of Refractories**

3278 SHRI E V VIKHE PATIL  
Will the Minister of STEEL AND MINES be pleased to state

(a) the latest position of action taken on the recommendation of the Committee on Public Undertakings (1973-74) contained in paragraph 13 of their 41st Report;

(b) whether private refractories manufacturers in the country are charging exorbitant prices from the

public sector Steel Mills taking advantage of serious shortages of refractories, and

(c) the steps Government have taken or propose to take for ensuring adequate and constant supply of refractories to the Steel Plants?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA) (a) The Detailed Project Report for the refractories plant at Bhilai has been accepted by the Steel Authority of India Limited (SAIL) and submitted to Government.

(b) No Sir. It is however a fact that the prices quoted by the refractory manufacturers for the current year are higher than those of last year. This is said to be due to escalations in the cost of raw materials, labour, fuel and transportation.

(c) Apart from the proposed refractory plant at Bhilai, the State Industrial Development Corporations of Tamil Nadu, Karnataka and Andhra Pradesh have been granted Letters of Intent to put up refractory plants in the vicinity of the three new steel plants being set up in South India. Government took over the Asian Refractories Plant in 1972 and it is now functioning as a subsidiary of the Bokaro Steel Plant under the name Bharat Refractories. Government have also taken over the management of the refractories plant of M/s Assam Sillimanite Ltd., judicious imports are also allowed to make good shortages in specific categories. All these steps are expected to ensure regular and adequate availability of refractories to the steel plants.

#### **Bhilai produced Runner and Cast Scraps**

3279 SHRI P GANGADEB Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Bhilai Steel Plant is eager to sell runner and cast scraps to a few selected local parties;



(b) whether there are demands for the aforesaid materials from actual consumers of the State, and

(c) if so, the facts thereof and the reasons of limited buyers?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA) (a) No, Sir

(b) and (c) Sale of runner and cast scraps is dealt with by the Central Sales Organisation of Hindustan Steel Limited

There are a number of foundries in and around Bhilai which are engaged in executing orders of the Bhilai and other Steel Plants. These foundries have been experiencing difficulties due to shortage or non-availability of raw materials. As a small quantity of runner scrap was available with Bhilai Steel Plant, these materials were offered by the Central Sales Organisation to such of the foundries around Bhilai as showed interest. These materials were also offered subsequently to two other foundries one in Madhya Pradesh and one in Maharashtra who had made enquiries of the Sales Office on the matter.

The reasons for restricting the offer to local and nearby foundries and actual consumers were that the material available was limited and whoever took it would have had to move it by road in view of the fact that wagons were not likely to be available in adequate numbers for moving such material.

#### **Bookings by Railways of Ingot Mould and Bottom Plates Scraps**

3280 SHRI P GANGADEB Will the Minister of STEEL AND MINES be pleased to state

(a) whether Bhilai Steel Plant authorities are unable to arrange booking by Railways of Ingot Mould and Bottom Plates Scraps;

(b) if so, the reasons therefor and the total quantity of the materials lying at site of the Plant,

(c) whether an unusual sale offer has been made after lapse of two years or more to Hind Galvanising and Engineering Company Private Limited, Calcutta, and

(d) the facts and reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA) (a) and (b) No, Sir

However Bhilai Steel Plant had difficulty in 1972-73 in booking wagons loaded with rejected ingot moulds/bottom plates for want of clarification regarding applicability of freight as per scrap classification. The requisite clarification was received from the Railways in April, 1973.

Subsequently due to wagon shortage the stock of all saleable products went up and the Plant had to concentrate on despatches of saleable rolled steel products and pig iron.

In 1973-74 arisings of rejected moulds went down with the result that there are no surplus ingot moulds presently available with the Bhilai Steel Plant. As on 20th August 1974 the plant had a stock of about 3000 tonnes of rejected ingot moulds/bottom plates kept for breaking for ultimate consumption internally in the plant.

(c) and (d) The information is being collected and will be laid on the Table of the House.

#### **Sale of Adulterated Food Articles in Vasant Vihar, New Delhi**

3281 SHRI B S BHURA Will the Minister of HEALTH AND FAMILY PLANNING be pleased to refer to the reply given to Unstarred Question No 4349 on the 27th August, 1973, regarding sale of adulterated food



articles in Vasant Vihar, New Delhi and state.

(a) the outcome of the prosecutions against the firm for violating the provisions of the Prevention of Food and Adulteration Rules;

(b) whether the sale of adulterated food articles is still continuing, and

(c) the number of cases in which the prosecutions have been initiated and their present position?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A K KISKU)

(a) There was only one case against the firm under the Prevention of Food Adulteration Act 1954. The firm was acquitted in this case on the basis of the report of the Central Food Laboratory, Calcutta.

(b) No

(c) All the samples lifted from the shops in Vasant Vihar during August 1973 and afterwards have been found to be conforming to the standards laid down under the Prevention of Food Adulteration Act, 1954.

#### Sale of Drugs and Cosmetics in Vasant Vihar, New Delhi

3282. SHRI B. S. BHURA Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state

(a) whether imported and Indian drugs and cosmetics are being sold in a residential colony of New Delhi known as Vasant Vihar,

(b) whether the firms have obtained licences for the sale of such goods; and

(c) if not, what action has been taken to stop the illegal sale of such goods?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A K KISKU)

(a) and (b) 12 Firms have been grant-

ed licences in Vasant Vihar, New Delhi under the Drugs and Cosmetics Act and Rules. No licence is required under the provisions of Drugs and Cosmetics Rules for stocking and sale of Cosmetics.

(c) Question does not arise

#### Overpricing of Tractors by over-estimating their Test Performance

3283. SHRI RANA BAHADUR SINGH Will the Minister of HEAVY INDUSTRY be pleased to state

(a) whether indigenous tractors of 37.40 h.p. and imported tractors of 43.43 h.p. are overpriced by over-estimating the test performance; and

(b) if so, the measures proposed to be taken to ensure pricing of tractors on their actual test performance?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH) (a) No, Sir

(b) Does not arise

#### Exploitation of Singrauli Coal Field Reserves

3284. SHRI RANA BAHADUR SINGH Will the Minister of STEEL AND MINES be pleased to state

(a) the year-wise break-up of plans to exploit the reserves of Singrauli Coal-field in Madhya Pradesh, and

(b) the uses for which and the places where the coal produced will be utilized?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b) The target of coal production from



the Singrauli coalfield during the the next five years is as follows:—

(In Million Tonnes)

1974-75	75-76	76-77	77-78	78-79
2 75	2 90	3 75	5 25	7 21

The coal produced at present is being consumed in the Obra and Renu-sagar power stations in Uttar Pradesh, Singrauli coal will also be used in the other power stations that may be coming up in that area.

#### Slabs of income of Guardians of Students of Sainik Schools

3285 SHRI RANA BAHADUR SINGH Will the Minister of DEFENCE be pleased to refer to the reply given to Unstarred Question No 8205 on the 25th April, 1974 regarding slabs of income of guardians of students of Sainik Schools and state

(a) whether the revision of Means Test for State scholarships in Sainik Schools has been done, and

(b) if so, whether the revised Means Test will apply to this year's entrants?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) and (b) The matter is still under consideration of the scholarship sanctioning authorities viz, State Governments, Union Territories and Ministry of Defence.

#### NCDC Project in Madhya Pradesh

3286 SHRI RANA BAHADUR SINGH Will the Minister of STEEL AND MINES be pleased to refer to the reply given to Unstarred Question No 8087 on 28th April, 1974 regarding NCDC Project in Madhya Pradesh and state.

1901 LS—7.

(a) whether the working of NCDC is under danger of being stopped due to non-payment of royalty, dead rent and surface rent to Government of Madhya Pradesh, and

(b) if so, the steps being taken to obviate such danger?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) No, Sir

(b) Does not arise.

#### Age concession to Registered Unemployed in Delhi

3287 SHRI BHALJIBHAI PARMAR Will the Minister of LABOUR be pleased to state

(a) whether there is a proposal under consideration of Government to give age concession to those candidates who have got their names registered in the Employment Exchanges of Delhi for more than five years and have not been provided with any employment, and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) No, Sir

(b) Does not arise

#### Registered unemployed in Delhi/New Delhi

3288 SHRI BHALJIBHAI PARMAR Will the Minister of LABOUR be pleased to state.

(a) the number of Matriculate and Graduate candidates registered with



the Employment Exchanges of Daryaganj, Delhi and Curzon Road, New Delhi since 1972;

(b) the number of such persons who were provided with jobs through the said Employment Exchanges upto date;

(c) the number of persons who have not been issued any letters by the Exchanges and the criteria adopted for the issue of call letters; and

(d) the steps taken or proposed to be taken by Government to provide livelihood to these persons?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) to (c). Infor-

mation is given in the statement attached.

(d) Apart from the jobs arising in the normal course, the Government initiated two special schemes for providing employment i.e., The 'Half-a-Million Jobs Programme' and the 'Employment Promotion Programme'. In 1973-74, about 2,700 educated unemployed were provided with employment under the 'Half-a-Million Jobs Programme' in Delhi. In addition, 882 industrial sheds are being constructed, which on completion, are expected to provide employment to about 10,200 persons including 1200 engineers. In 1974-75 'Employment Promotion Programme' has been launched and the Union Territory of Delhi has been allotted Rs. 60 lakhs under this programme.

#### Statement

No. of Matriculates and Graduates, Registered and Placed in Employment, etc. in Daryaganj Exchange, Delhi and Kasturba Gandhi Marg Exchange, New Delhi from January, 1972 till 17-8-1974.

(a) to (c) :

	Daryaganj Exchange		Kasturba Gandhi Marg, Exchange (Curzon Road)		No. in respect of Whom call letters have not been issued	
	Registered Since 1972	Placements	Registered Since 1972	Placements	Daryaganj Exchange.	Kasturba Gandhi Marg. Exchange
	1	2	3	4	5	6
(i) Matriculates		1,17,347	6,142	26,788	680	46,974
ii) Graduates		50,151	1,369	*		10,310

\*Graduates are not being registered at this Exchange.

#### Criteria Adopted for Issue of 'Call Letters'

Candidates who possess the Qualifications prescribed by employers are sponsored against notified vacancies, according to seniority in the length of registration.



**Accumulation of Iron and Scrap at Durgapur Steel Plant**

3289. SHRI ANADI CHARAN DAS: Will the Minister of STEEL AND MINES be pleased to state.

(a) whether huge iron and scrap items are accumulated at Durgapur Steel Plant, awaiting disposal by sales;

(b) if so, whether officers in Hindustan Steel Limited are unable to close sales expeditiously; and

(c) if so, the reasons thereof and the steps being contemplated to clear scrap materials?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) No, Sir.

(b) and (c). Do not arise. Arrangements are made for time to time for the disposal of the arisings of scrap taking into account the market conditions as well as the ability of the parties who desire to purchase the material to set up processing facilities for the scrap.

**H.S.L. Officers Tours**

3290. SHRI ANADI CHARAN DAS: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the officers of Hindustan Steel Limited Calcutta, undertake innumerable tours by air and Railways;

(b) if so, whether due to indecision a large amount is spent on cancellation of tickets and tours; and

(c) the nature of tours, amount spent both on cancellation of tickets and tours undertaken during preceding six months as at July, 1974?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) No,

Sir. Tours are undertaken by the officers of the Sales and Transport organisation of the Company at Calcutta only if and when necessary in the interests of the work of the Company.

(b) and (c). The tours are undertaken in connection with the business of the Company and include periodical visits to the steel plants and stockyards located in different parts of the country and other visits of official nature. During the period, January-July, 1974, the total amount spent on the tours comes to about Rs. 2.43 lakhs. The amount of cancellation charges on account of tours/tickets cancelled during this period comes to Rs. 265.

**Vehicle Racket in Central Vehicle Depot, Delhi Cantonment**

3291. SHRI YAMUNA PRASAD MANDAL: Will the Minister of DEFENCE be pleased to state:

(a) whether a gang of employees of Central Vehicle Depot, Delhi Cantonment, in league with some officers, arrange good mercury vehicles selected for those Ex-servicemen who agree to sell to Kabadis and then receive plenty of amount from them in return and give a very little of it to these innocent Ex-servicemen; and

(b) if so, whether Government propose to institute C.B.I. Inquiry in order to unearth this gang to check this vehicle racket?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) No such complaint has been received

(b) Does not arise.

**Strike by Pharmacists in Government Organisation in Delhi**

3292. SHRI S. C. SAMANTA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to



refer to the reply given to Starred Question No. 223 on the 7th March, 1974 regarding strike by Pharmacists in Government Organisation in Delhi and state.

(a) whether the decisions on the demands of the C.G.H.S. Pharmacists regarding their pay scales selection grades and promotions as per assurance given by him on the 12th February, 1974;

(b) whether he assured them to communicate his decision by 31st March, 1974; and

(c) if so, the reasons for the delay?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) to (c). As per the assurance given on the 12th February, 1974, the matter was taken up with the appropriate authorities. It has not been possible to reach an agreed decision so far as two other Ministries of the Government of India who also employ large number of the Pharmacists, have not supported the proposal.

#### **Royalty to Rajasthan Government for Exploitation of Minerals**

3293 DR. H. P. SHARMA. Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Rajasthan Government had submitted any proposals for increasing the Royalty on mineral exploitations in that State, if so, the broad outlines thereof; and

(b) the recommendations of the committee appointed to go into the question of increasing the royalty on minerals generally and in regard to these proposals in particular?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SIKHDEV PRASAD): (a) and (b). Yes, Sir. Rajasthan Government

had proposed increase in the royalty rates on minerals which are primarily mined in that State. A statement indicating the existing rates of royalty on minerals, rates proposed by the Committee and the rates proposed by Rajasthan Government is laid on the Table of the House. [Placed in Library. See No LT-8257/74].

#### **Development of Bushings by B.H.E.L.**

3294. SHRI D. P. JADEJA: Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether the 22 K. V. 5500 Amps. Bushings used in transformers imported till recently have been successfully developed by Bharat Heavy Electricals Limited at Bhopal; and

(b) if so, the amount of foreign exchange likely to be saved per year on this account?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) Yes, Sir. (b) Rs. 90,000 per year.

#### **Conversion of Letters of Intent of Maruti Ltd. into Industrial Licence**

3295. SHRI JYOTIRMOY BOSU: - SHRI BHOLA MAJHI:

Will the Minister of HEAVY INDUSTRY be pleased to state:

(a) whether the Maruti Private Ltd. has applied to his Ministry for converting its letters of intent which expired on 30th June, 1974 into an industrial licence;

(b) if so, the facts thereof; and

(c) the progress so far of the said small car project in physical and financial terms?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) and (b). The letter of intent held by Maruti has been converted into an industrial



finance for the manufacture of 50,000 Nos. cars per annum on 25th July, 1974.

(c) M/s. Maruti Ltd. has intimated that land has been acquired and office block including the design office has been constructed. Machinery worth Rs. 97.81 lakhs has been installed. About 309 persons have been employed.

#### Proportion of Wage Earners to Total Working Force

3296. SHRI JYOTIRMOY BOSU: Will the Minister of LABOUR be pleased to state;

(a) the sector-wise number and proportion of wage earners to the total working force as in 1971;

(b) the sector-wise share of salaries and wages in the total national in-

come at 1980-81 prices for the latest available year;

(c) the share of salaries and wages in the gross value of industrial production for the latest available year;

(d) whether any survey of impact of salaries and wages on price level in the country has been made; and

(e) if so, the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) A statement is laid on the Table of the House.

(b) The information is not available.

(c) Wages and salaries accounted for 13.3% of the gross value of production in manufacturing industries in 1970 (the latest year for which data are available).

(d) No, Sir.

(e) Does not arise.

#### Statement

S. No.	Industry	No. of Wage earners. (in '000s)	Total Working force. (in '000s).	Proportion of 'wage earners' to total working force. (%)
1	Agriculture, hunting forestry & fishing.	49584**	129963*	38
2	Mining & Quarrying.	797	923	86
3	Manufacturing and repairing.	8020	17068	47
4	Electricity, gas and water.	514	532	97
5	Construction.	1271	2215	57
6	Wholesale and retail trade, restaurants and hotels.	2305	8748	26
7	Transport, storage and communication.	3396	4401	77
8	Financing, insurance, real estate and business services	926	1290	72
9	Community, social and personal services.	11067	14018	79
10	Activities not adequately described.	319	1215	26
	All industries.	78198**	180373*	43

NOTE:— The figures given above are estimates based on a 1% sample tabulation of 1971 census schedules.

\*Includes cultivators and agricultural labourers (based on 100% schedules of 1971 Census).

\*\*Includes agricultural labourers who work for others for wages in cash or kind (based on 100% schedules of 1971 Census).



बेतनों को उत्पादन के साथ सम्बन्ध  
करना

3297. श्री मूलचन्द्र डागा : क्या  
अस मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने बेतन को उत्पादन के  
साथ सम्बन्ध करने की संभाव्यता पर फिर से  
विचार किया है; और

(ख) यदि हां, तो सरकार का इस नीति  
को कब तक कार्यान्वित करने का विचार है ?

अस मंत्रालय में उपमंत्री (श्री  
बालगोविन्द वर्मा) : (क) और (ख)  
मजदूरियों में वृद्धियों और उत्पादित में  
वृद्धियों के बीच घनिष्ठ परस्पर सम्बन्ध लाना  
सरकार की नीति का एक महत्वपूर्ण उद्देश्य है।

विश्रामपुर (मध्य प्रदेश) और रांची  
(बिहार) में कोयले का आग पकड़ना

3298. डा० लक्ष्मीनारायण पांडेय :  
क्या इस्पात और खान मंत्री यह बताने की कृपा  
करेंगे कि :

(क) क्या विश्रामपुर (मध्य प्रदेश) और  
रांची (बिहार) में कोयला खानों के प्रबन्धकों  
की असावधानी के कारण गत तीन मास से  
कोयले में आग लगी है ;

(ख) आग में कितने कोयले की हानि  
हुई है और उसके परिणामस्वरूप कितनी वित्तीय  
हानि हुई है ;

(ग) क्या इस बारे में कोई जांच की  
गई है ; और

(घ) यदि हां, तो उसके क्या परिणाम  
निकले हैं ?

इस्पात और खान मंत्रालय में उपमंत्री  
(श्री सुखदेव प्रसाद) :

(क) यकायक गर्मी पैदा हो जाने से  
कोयले में आग लग जाने के कुछ मामले हुए  
हैं परन्तु ये मामले कोयला खानों के प्रबन्ध-  
कों द्वारा किसी प्रकार को लापरवाही के  
कारण नहीं हुए।

(ख) से (घ) : प्रश्न नहीं उठता।

Retrenchment of Engineers in H.S.L.

3299. SHRI RAGHUNANDAN LAL  
BHATIA: Will the Minister of STEEL  
AND MINES be pleased to state:

(a) whether retrenchment of ex-  
perienced engineers has taken place in  
the Hindustan Steel Limited recently:  
and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE  
MINISTRY OF STEEL AND MINES  
(SHRI SUBODH HANSDA): (a) No,  
Sir.

(b) Does not arise.

कारों में 'कलर-ट्यून' स्पाक प्लग  
लगाने से पेट्रोल की बचत

3300. श्री छटल बिहारी बाजपेयी :  
श्री जगन्नाथ राव जोशी :

क्या भारी उद्योग मंत्री यह बताने की  
कृपा करेंगे कि :

(क) क्या कार में 'कलर-ट्यून' स्पाक  
प्लग लगाने से लगभग 32 प्रतिशत पेट्रोल  
की बचत होती है;

(ख) यदि हां, तो इस बारे में पूरे  
सम्य क्या हैं;



(ग) भारत में ग्राम उपभोक्ता को 'कलर-ट्यूब' स्पर्क प्लग उपलब्ध करने के लिये क्या कार्यवाही की जा रही है और

(घ) इस समय देश में 'कलर-ट्यूब' स्पर्क प्लग का कितना उपयोग किया जाता है ?

भारी उद्योग मंत्रालय में उप-मंत्री (जी हलदीर सिंह) : (क) से (घ) 'कलर-ट्यूब' स्पर्क प्लग गैरज का एक औजार है जिसे निर्माताओं की सिफारिश के अनुसार इंजन की अधिकतम वचन करने के लिए इजना की उचित ट्यूनिंग के लिए इस्तेमाल किया जा सकता है। यह पेट्रोल इजना पर लगाये जाने वाले परम्परागत स्पर्क प्लग का प्रतिस्थापक नहीं है। हम प्रकार के स्पर्क प्लग हम समय बच पमाने पर इस्तेमाल नहीं किये जा रहे हैं और चकि ये गैरज औजार के अलगवत समझे जाते हैं इसलिय कार इजनों की उचित ट्यूनिंग के लिए गैरजा म इस्तेमाल करने हेतु सुस्थापित आयातकों को इनका आयात करने की अनुमति दी जा सकती है।

Reference made by Minister of Shipping and Transport regarding Sethu Samudhram Project

3301 SHRI MURASOLI MARAN Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether the Sethu Samudhram Project Scheme has been referred to his Ministry by the Ministry of Shipping and Transport;

(b) if so, the reasons thereof, and

(c) the action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL

SINGH) (a) to (c) The Sethu Samudhram Project was referred by the Ministry of Shipping and Transport to the Ministry of External Affairs in 1968 for comments on its international aspects, since it concerned the historic waters lying between India and Sri Lanka. The comments of the External Affairs Ministry were duly furnished

Reference to Sethu Samudhram Project during discussions with Sri Lanka

3302 SHRI MURASOLI MARAN Will the Minister of EXTERNAL AFFAIRS be pleased to state whether Sethu Samudhram Project was ever mentioned during the discussions with regard to the agreement between India and Sri Lanka on the boundary in historic water between the two countries?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) No, Sir

Fall in demand of Steel Rods and other Steel items

3303 SHRI VAYALAR RAVI Will the Minister of STEEL AND MINES be pleased to state

(a) whether the demand of steel rods and other steel items have fallen considerably in the local markets making it very difficult for small mills to function,

(b) whether Government are aware that there is good export potentiality of these items to the Middle East and Arabian countries but it does not materialise due to Government policy in this regard, and

(c) if so, the steps Government propose to take in this regard?



THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA): (a) to (c). There are indications of some reduction in demand of bails and rods. Export of these products has been allowed in the context of demand and availability within the country.

**Supply of Components and Equipments to Soviet Aided Projects by U.S.S.R.**

3304. SHRI VIRBHADRA SINGH: Will the Minister of HEAVY INDUSTRY be pleased to state

(a) whether Government approached U.S.S.R. for the supply of components and equipments to some Soviet aided projects; and

(b) if so, what has been the response of that Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF HEAVY INDUSTRY (SHRI DALBIR SINGH): (a) Yes, Sir.

(b) By and large, the Government of U.S.S.R. have agreed to meet the requirements of these units in this regard.

**Study by United Nations Conference of Trade and Development regarding Loss Suffered by India due to Migration of Medical Doctors**

3305. SHRI JAGANNATH MISHRA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether attention of the Government has been drawn to the study carried out by the United Nations Conference of Trade and Development in regard to the loss India has to suffer as a result of the migration of Medical Doctors to U.S.A.; and

(b) if so, the reaction of the Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) and (b). The United Nations Conference on Trade and Development conducted a study on "The Reverse Transfer of Technology: Economic effects of the Outflow of Trained Personnel from Developing Countries". This study was placed before a recent meeting of the Inter-Governmental Group on Transfer of Technology. Their report has not yet been received.

**Production of Silver**

3306. SHRI NAWAL KISHORE SHARMA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether in Zavar Mines in Udaipur District in Rajasthan, the annual production of silver is decreasing;

(b) if so, the reasons therefor;

(c) the steps being taken by Government to improve the production of silver by applying new methods;

(d) whether some geological survey is being conducted in the area for exploration of silver and other metals in the area; and

(e) if so, the broad outline thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Zawar Mine in Rajasthan is basically a lead-zinc mine with traces of silver which is recovered as a by-product in lead smelting. The silver content of the ore mined at Zawar has not shown any marked decline. Silver production has also not declined.

(b) and (c). Do not arise.

(d) and (e). No special survey is being conducted in Zawar area for exploration of silver. Investigation of the lead-zinc ore body in the area is being



continued by the Hindustan Zinc Ltd., in the course of which all other metallic values like cadmium and silver are investigated.

**Shifting of Labour Bureau from Simla to Chandigarh**

3307. **SHRI DHAMANKAR:** Will the Minister of LABOUR be pleased to state:

(a) whether a proposal for shifting the Labour Bureau office from Simla to other centrally located place has been shelved for some years in view of the huge expenditure involved in shifting; if so, the facts of the matter;

(b) whether the shifting move for the Labour Bureau is a foot for the last several years causing tension to the employees; and

(c) whether Government have finalised the time schedule and taken firm decision in the matter for shifting of the existing establishment of the Labour Bureau at Simla and if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) to (c). A part of Labour Bureau was shifted from Simla to Chandigarh in August, 1971 and it has already been decided to shift the remaining portion of the Bureau also to Chandigarh. The space requirements and other allied matters for accommodating the rest of the Bureau's office at Chandigarh are still under examination.

**De-recognising of Private Medical Colleges**

3308. **SHRI K. ESWARA REDDY:**  
**SHRI S. M. SHIDDAYA:**

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

(a) whether the Indian Medical Council recommended to the Government to de-recognise private me-

dical colleges in the country and if so, Government's decision thereon;

(b) what steps Government have taken to save the education career of the students of these private colleges if they are to be finally de-recognised; and

(c) in view of the experience of bad state of affairs in Private Medical Colleges, whether Government propose not to allow the Private Medical Colleges to be set up?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): (a) and (b). The Medical Council of India had recommended to the Government of India to de-recognise some of the private Medical Colleges. After careful consideration it was felt that the de-recognition of the colleges would cause undue hardship to the students. It has, therefore, been decided that the annual admissions in the concerned colleges should be suitably reduced till additional facilities are provided warranting fareview by the Council.

(c) The matter is under consideration.

12.04 hrs.

**PAPERS LAID ON THE TABLE**

NOTIFICATIONS UNDER INDUSTRIES (DEVELOPMENT AND REGULATION) ACT

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI KEDAR NATH SINGH): On behalf of Shri Ziaur Rahman Ansari, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 13A of the Industries (Development and Regulation) Act, 1951:—

- (1) S.O. 398 (E) published in Gazette of India dated the 28th June, 1974 regarding management of the Om Parasakthi Mills Limited, Coimbatore.



- (2) S.O. 433 (E) published in Gazette of India dated the 12th July, 1974 regarding management of the Model Mills Nagpur Limited, Nagpur.

[Placed in Library. See No. LT-8249/74.]

ALUMINIUM (CONTROL) AMENDMENT ORDER, 1974, AND REVIEW AND ANNUAL REPORT OF GUJARAT MINERAL DEVELOPMENT CORPORATION LTD, AHMEDABAD FOR 1972-73

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): I beg to lay on the Table—

- (1) A copy of the Aluminium (Control) Amendment Order, 1974 (Hindi and English versions) published in Notification No. S.O. 440 (E) in Gazette of India dated the 17th July, 1974, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-8250/74.]

- (2) A copy each of the following papers under sub-section (3) of section 619A of the Companies Act, 1956 read with clause (c) (iii) of the Proclamation dated the 9th February, 1974, issued by the President in relation to the State of Gujarat:—

- (i) Review (Hindi and English versions) by the Government on the working of the Gujarat Mineral Development Corporation Limited, Ahmedabad, for the year 1972-73.

- (ii) Annual Report of the Gujarat Mineral Development Corporation Limited, Ahmedabad, for the year 1972-73 along

with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT-8251/74.]

NOTIFICATION UNDER CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, AND ANNUAL REPORT re-WORKING OF CENTRAL COAL MINES RESCUE STATIONS COMMITTEE, DHANBAD,

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): I beg to lay on the Table—

- (1) A copy of the Contract Labour (Regulation and Abolition) Central (Second Amendment) Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 870 in Gazette of India dated the 10th August, 1974, under sub-section (3) of section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 [Placed in Library. See No. LT-8252/74.]

- (2) A copy of the Annual Report (Hindi and English versions) on the working of the Central Coal Mines Rescue Stations Committee, Dhanbad, for the year 1972-73. [Placed in Library. See No. LT-8253/74.]

12.06 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED ALARMING INCREASE IN SMUGGLING CAUSING SERIOUS DAMAGE TO NATIONAL ECONOMY

MR. SPEAKER: Shri Ram Gopal Reddy. He is not here. Dr. Rao.



**DR. V. K. R. VARADARAJA RAO (BELLARY):** Sir, I call the attention of the Minister of Finance to the following urgent matter of public importance:

"Reported alarming increase in smuggling causing serious damage to national economy."

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH):** Mr. Speaker, Sir, In recent years, the *modus operandi* of smuggling into India has undergone considerable change. Previously, smuggled goods like gold and watches used to be secreted on the person of carriers arriving at international airports and major ports. Also, contraband used to be concealed on board ships and country crafts arriving at various Customs ports. Now, smugglers' boats containing large quantities of contraband goods leave certain places in the Persian Gulf and in a matter of four to seven days land their goods at any of the pre-arranged spots on the West Coast. While certain areas may be more vulnerable to smuggling, intelligence as well as seizures show that smugglers use any part of West Coast for landing the contraband. Thus, the problem of anti-smuggling operations earlier confined to Customs ports has now assumed far greater dimensions and presents unprecedented difficulties with hundreds of miles of coast being available to the smugglers for landing their goods. The organisers of smuggling operate behind the scene. The carriers who get caught are afraid to give any evidence against the organisers.

I need hardly take the time of the House in elaborating the harmful effects of smuggling on the economy of the country. Suffice to say that smuggling is the means by which money is remitted to India through illegal channels and this money then

becomes a part of the fund of black-money operating in the country. But for smuggling the foreign exchange savings of Indians abroad would become available for import of essential raw materials and capital equipment.

Various measures have been taken during recent years and as a result of these, seizures of smuggled goods have risen from Rs. 6.6 crores in 1966 to Rs. 25.8 crores in 1972. Since then the tempo of anti-smuggling efforts has been further increased with the result that the seizures went up to Rs. 33.5 crores in 1973 and in the first half of 1974, they have gone up to Rs. 28.7 crores.

In order to counter the new *modus operandi* of smuggling, Government has placed orders with a Norwegian firm for the supply of 20 fast medium-sized boats. The supply of these boats is expected to be completed in the next few months. After these boats have been tried for anti-smuggling operations, orders for another 80 boats will be placed.

Preventive Collectorate were set up with headquarters at Bombay, Ahmedabad, Madurai and Patna in the recent years. A comprehensive scheme for strengthening the preventive formations on the West Coast has been sanctioned. The scheme provides for Shore-Guard Parties, Road Checking Parties and City Preventive Parties. Necessary vehicles and fire arms are also being provided. In addition, a comprehensive scheme for providing wireless communication net work is under implementation. This scheme will provide secret, reliable and quick means of communication between the anti-smuggling formations.

Companies of Central Reserve Police have been deployed in areas around Daman and Surat where the smugglers were posing a law and order problem. Whenever there is specific information and naval ships are available nearby, naval authori-



[Shri K. R. Ganesh]

ties are being requested by the Customs formations to help in anti-smuggling effort. Certain other deterrent measures are also under consideration. Income-Tax authorities are also taking appropriate action under Income-Tax and Wealth-Tax Acts.

The various measures are being kept under constant review to meet the changing needs of the situation.

DR. V. K. R. VARADARAJA RAO: Sir, I do not think I need take much of the time of the House in enlarging upon the seriousness of the situation which has been revealed by the statement made by the hon. Minister. We all know how this country is suffering from inflation today. I think everyday the House is seized of that subject and we also know that black-money is one of the most important contributory causes for this inflation. This enormous increase in smuggling from the figures given by the hon. Minister it appears that the seizure of smuggled goods has increased something like seven to eight times in the course of last eight years. As compared to the last year when the seized goods were to the tune of Rs. 35 crores this year it will come to Rs. 57 crores. I do not know what is the estimate of the hon. Minister for the multiplier for estimating the total smuggling. I presume it would be anywhere of the order of Rs. 300 to Rs. 400 crores. That would be the total volume of smuggling going on in this country. It is not merely a question of black-money arising from non-receipt foreign exchange used by smugglers. When this money is used, the smuggled goods do not pay any customs duty. So, we lose customs revenue and we know what the terrible state Government is in to avoid deficit financing. Therefore, smuggling leads to increase in deficit financing.

Then, Sir, the income which is made in the smuggled goods is not accounted for from their paying Income-tax. This unaccounted money

becomes black-money which further adds to the problem.

Then, Sir, these smuggled goods provide conspicuous items of consumption on which black-money is used. Therefore, Sir, both on the supply as well as demand side smuggling is having greater effect on the black-money then stated by the Minister in the statement.

Sir, the hon. Minister has talked about coastal smuggling and our coast-line being very long. Till now it was limited to the ports. But I am rather frightened by the note of helplessness which I find in the hon. Minister's statement and if I were to supplement the statement by the public statement that he made as reported in the *Times of India* issue of August 19, the helplessness shown by the Minister is even more conspicuous.

AN HON. MEMBER: He wants to resort to satyagraha.

DR. V. K. R. VARADARAJA RAO: Satyagraha I will leave to Swatantra member from Gujarat. I will not mention Satyagraha. But the point I want to make is that if this kind of indefinite smuggling is such that we cannot protect the coastal line areas, what happens if arms are smuggled? I want to pose this question. It is a question that can threaten the safety of this country. If goods are smuggled from the areas in the Persian Gulf, and we know these areas are also known for arms purchases, and if arms are smuggled and if you cannot detect smuggled goods worth Rs. 400 crores how you are in a position to detect smuggled arms. Why is the Government not considering the position much more seriously than merely telling us that Government has placed orders with a Norwegian firm for the supply of 20 fast medium-sized boats and also ordering wireless equipment and so on. Sir, smuggling is not merely a question of under-invoicing or over-



involving but it is a question of enormously strengthening black-money in the country and its inflationary influence and also, if I may say so, causing a somewhat possibly alarming situation even political by the opportunity that may be used by the smugglers to import arms into this country.

I would like to read one extract from the hon. Minister's statement that he made on the 19th August and covered by the *Times of India*:

"Mr. Ganesh pointed out that the legal system in India was such that only the small fry among the smugglers got convicted. The big smugglers were well known.....

Well-known to whom?

"and moved freely in high society.....

I do not know if the Ministry of Finance is connected with the high society. Then he says:

"In a few big cases, such as Bird and Co. and Mr. Rikhya, legal action in the court dragged for years. Several smugglers were sentenced only till the rising of the court. The top men had very good political and other connections"

I want to know what are these political connections? Also what are these 'other connections'? Evidently when the Minister makes a public statement he should be very careful. It is not a statement made on the file. Then further he says:

"Their intelligence system was almost foolproof, and they were even known to tap the telephones of the customs with impunity."

The Minister of Communications is not here. I do not know whether bugging and tapping is also a phenomenon in my country. I thought it

existed in other important countries. Sir, then the statement says:

"and they were even known to tap the telephones of the customs with impunity."

Then, the report says:

"It seemed to Mr. Ganesh that the use of MISA...." I think MISA means the Maintenance of Internal Security Act, and that Act has now recently received very strong judicial support. I am not a lawyer, but this was what I read in the papers that the MISA can be used for almost any purpose; you can be in jail and still you can be put in jail further for offences which you are supposed to commit when you are in jail or some such thing; I do not know law but that was what I read. It means that the MISA is good and it can be used. The report says:

"It seemed to Mr. Ganesh that the use of MISA was the only possible way to put the big smugglers behind the bars."

If you take that statement and compare it with the statement that the hon. Minister has made before the House, I suggest with great humility that the statement that he has made before the House is much less informative than the statement that he has made before the public. I thought, when I gave the call-attention notice because I was horrified by that statement, that the hon. Minister would add to that statement when he came before the House, give us more details, would identify the big smugglers and would also suggest what action he is proposing to take to deal with the problem.

Now, I shall ask some concrete questions and I shall be very fast with them

My first question is this. What are the commodities that are being smuggled and from where? If they have already captured within six



[Dr. V. K. R. Varadaraja Rao]

months about Rs. 38 crores worth of smuggled goods, I would like to know what are the goods that are being smuggled and from where they are being smuggled. What is the estimated value, in the opinion of Government, of the smuggling that goes on today?

My second question is this. What is Government's awareness of the smuggling operations? They have got their own intelligence system, and the hon. Minister is very much concerned about it and he wants to do all sorts of things about it. So, I would like to know what Government's awareness is of these smuggling operations? Where does this smuggling ordinance and where does it terminate? What are the Indian parties that are involved? I do not mean political parties. What are the Indian parties that are involved in these smuggling operations and what action are Government taking against these parties? Have our Government made any representation to the countries with whom we have very friendly relations from where smuggling is supposed to be taking place? Have we taken it up formally or informally with these countries? What have we done with the smugglers within the country?

The hon. Minister has made references to people moving in high society. If you will allow me to ask a question, will he kindly define what is meant by high society and who are these people who are moving there?

My next question is this.....

MR. SPEAKER: He can ask only one question.

DR. V. K. R. VARADARAJA RAO: I shall make them parts (a), (b), (c) of the same question. This is the first time in eight years that I have tabled a call-attention notice. I shall make it part of the same question.....

MR. SPEAKER: Let him make it a continuous question.

DR. V. K. R. VARADARAJA RAO: Part (c) or (d) of my question is this. How are these smuggled goods sold, because the amount involved is about Rs. 40 crores in six months? What action are Government taking against the display of smuggled goods and against the sale of these goods in public? Have we become so helpless that the hon. Minister has to threaten to do a *dharna* or to conduct a *satyagraha* before the shops where the smuggled goods are being sold in order to prevent their being sold? Are Government so helpless that they have got to resort to *satyagraha* to enforce the law?

Why are they not using our intelligence machinery and naval vessels? To what extent can we use our naval vessels and our military forces for the purpose of stopping this smuggling?

The last and most important point that I want to make is that this statement is not satisfactory. It is much less than what the hon. Minister has stated in public. It does not give us any details or any time-bound programme or any progress report as to what is being done. What is Government's concrete programme and plan of action to deal with this smuggling? Will they report to Parliament in the very near future on what action they are taking in this matter and what progress they are achieving in the success of their operations?

SHRI K. R. GANESH: I had thought that by my bringing this problem before the public, in view of its being a menace to our national economy and in view of the fact that in the present inflationary situation it had assumed an urgency, I had thought very humbly that, I had done or I was trying to do a public service.....



DR. V. K. R. VARADARAJA  
RAO: Surely.

SHRI K. R. GANESH: Considering the question that my friend, the esteemed hon. Member, a senior Member, a former Minister and an economist has put to me, I thought or rather I was having a feeling that perhaps it would have been better if I had not come out in the public so openly, so ruthlessly and so frankly.

D. V. K. R. VARADARAJA RAO:  
I want a follow-up.

MR. SPEAKER: He says not ruthlessly, but helplessly.

SHRI K. R. GANESH: I am coming to that.

He has asked a series of questions. Before that, he has put the problem. It is a fact that smuggling is a serious menace, there is no doubt about it; it is a fact that there is an integral link between smuggling and black money operations—no doubt about it; it is also true that smuggling not only deprives us of valuable scarce foreign exchange but also involves losses in terms of taxes, customs duties and various other things. It is also a fact that smuggled goods are a conduit for the use of black money and for ostentations living.

PROF. MADHU DANDAVATE (Rajapur): Nothing is being done—that is also a fact.

SHRI K. R. GANESH: I am coming to that.

He made a point about seizures. I have said in the statement that seizures have increased from Rs. 6 crores sometime back to about Rs. 30 crores now. This may be partly due to increase in smuggling and partly also due to the fact that during the last couple of years... (Interruptions). This is a serious problem and let us view it seriously; it is a serious pro-

blem affecting our economy; he saw a note of helplessness in my statement; I do not think it is helplessness, I am prepared to be frank; I am not prepared to hide anything from this august House (Interruptions).

MR. SPEAKER: Please take it seriously.

SHRI K. R. GANESH: I was going to say that partly it may also be due to increase in anti-smuggling operations conducted by the customs department about which I have detailed certain steps that have been taken. The number of seizures have increased, the number of boats that have been captured have increased; I also mentioned about the preventive action being taken. I do not want to take up the time of the House on that.

He wanted to have a quantification. It is difficult to estimate and quantify. All that can be said is that the Kaul Committee went into it in 1971—that report has been placed before the House—and they came to the conclusion that illegal foreign exchange required for financing smuggling would, at that point of time when the report was compiled, be of the order of Rs. 160-170 crores. May be during this period it may have increased. I am even prepared to concede that this estimate may have been on the lower side.

As for the other point raised by the hon. member, I had tried to put the problem of smuggling in my press interview in its proper perspective. There are two or three aspects which have got to be understood. One is that smuggling is no longer an illegal operation conducted by individuals bringing these goods in ships or aircraft. That was the position a decade or 15 years ago. But now there is a neighbouring country from where smuggled goods are laden in high speed boats. Each of these boats can hold goods of Rs. 50 lakhs.



DR. V. K. R. VARADARAJA RAO: Do you have diplomatic relations with that country?

SHRI K. R. GANESH: We will take that up.

They have their own laws; they have their understanding on this. These operations are not understood in those countries in the same way as they are here. But the fact is that from a particular country smuggled goods are coming in high speed boats. There the banking institutions have grown, the insurance institutions have grown and it has become a legal affair as far as they are concerned. It is dumped into our country in large numbers in the wide, vast coast we have got. Therefore, Sir, this problem has become very serious. It is not that only individuals are carrying on this large-scale dumping. Smuggling has assumed, because of this factor, almost the status of an organised industry. Thousands of people are involved in this operation of smuggling. When goods come, thousands of people, fishermen villagers, etc., are engaged in the transportation of goods from the arrival point to the distribution centres and then to the consuming centres. Let me submit that no part of India today is safe from the dumping and consumption of smuggled goods because of the large-scale operations that are being conducted. It is true that smuggling has increased and the responsibility lies with the Government.

Sir, being Minister-in-charge of the department meant for anti-smuggling operations, there is no escape for me from this responsibility. But, Sir, I want to mention about the social and economic roots of these smugglers. This has to be understood. What are the social and economic roots of these smugglers? They are no longer individuals whom you can nab.

MR. SPEAKER: You have mentioned only in regard to sea. Double

than that takes place by land also. A time will come when they will come here in Parliament also. I am correct.

SHRI K. R. GANESH: If we have to understand the problem in its correct dimensions, then, we have to reveal these facts regarding the smugglers who are operating from behind the scenes during the last couple of years or may be more. They are very powerful persons, owning property and all that goes with it, whether it is a question of patronage or influence etc.

(Interruptions).

MR. SPEAKER: He is not referring to patronage from himself or others. It is just a simple observation. Why do you add your own meaning to it?

SHRI K. R. GANESH: Sir, the problem has various dimensions. That is why I went to the Press. I thought I owed a responsibility to the people. I wanted to put the records straight when I said that public opinion has to be built. Somebody asked me whether I will conduct a Satyagraha. I said I do not mind conducting a Satyagraha. That is a separate aspect. Public opinion has got to be built. It means, those persons who are operating from behind the scenes and who have, in the course of last several years, acquired considerable property and influence, have got to be un-masked before the public.

AN. HON. MEMBER: Who are they?

SHRI K. R. GANESH: I was trying to submit that these persons who when caught by the Income-tax Department or by the Customs authorities, are in a position to get the best legal luminaries available in the country. One is that public opinion should be created to give a call... (Interruptions).



**MR. SPEAKER:** Let the Minister speak. He has done such a wonderful research work on it. We are all very happy to learn that, after all, some attention is invited to this problem by him and Dr V. K. R. V. Rao. Here may I advise the Minister to be very brief? I think he has already covered a lot of points.

**SHRI K. R. GANESH:** Sir, as you have directed, I will be brief. The commodities that are smuggled into the country are gold—it was reigning high at one time but now it is not so high—synthetic fabrics, yarn, watches, electronic equipments, tape recorders and various items of machinery. So far as the value of these goods is concerned, as I have indicated earlier, according to the Kaul Committee it comes to Rs. 160 crores to Rs 170 crores.

A question was asked as to how the smuggled goods are disposed of. They are given to the various co-operative societies, National Co-operative Federation, defence and police canteens. There is a procedure for it. After the goods are seized, till they are confiscated we have to follow various procedures, including adjudication.

**SHRI INDRAJIT GUPTA (Alipore):** What about the smuggled goods which are not seized, which are sold openly in Bombay?

**DR. HENRY AUSTIN (Ernakulam):** Instead of selling the seized goods, could they not be destroyed then and there?

**MR. SPEAKER.** That should be brought to Parliament!

**SHRI K. R. GANESH:** A question was asked as to how we are going to deal with smuggled goods which are not seized and confiscated, which are found in various places. It is a fact that in some major cities, these goods are displayed. The raids are being conducted and the persons who are

selling these goods are being arrested also. They are taken to courts also. But there are certain problems in that because in arresting these persons, there is some sort of hostility also there; the physical assaults are also there. The fact remains that when the persons are sent for prosecution, they are let out lightly by the Magistrates because of various factors. This is a problem that has got to be dealt with.

The hon. Member has asked what is the concrete programme that the Government has got. I have already indicated how the Customs and other enforcement agencies are being strengthened to meet this challenge that we have got. They are being provided with fast speed boats; the staff has also been strengthened; the wireless communication net-work is being provided to them; more vehicles are being provided to them; the guards are also being provided and more intelligence is being done. There is coordination between various enforcement agencies, the Customs, the Central Excise and the Income-tax under the Directorate of Revenue Intelligence.

These are the steps that would make some impact on the question of smuggling. He has asked why other measures are not being taken. For instance, he said about the use of MISA. The Law Commission has gone into the question. In their Forty-seventh Report, they have indicated this. I would like to read out that because it has a bearing on the serious question that is there. In their paragraph 16.12 of their recommendations, they have said:

"We have carefully considered this question and have given due consideration to the general tenor of the majority decision in *Dhillon's* case the obiter observation made by Chief Justice Sikri ...

**MR. SPEAKER:** You make it very clear. What is this!



**SHRI K. R. GANESH:** "...who spoke for the majority in the said case.

Our considered opinion is that, on the whole, it would be advisable for the Government to secure a constitutional amendment enlarging the contents of Item 9 in List I of the Seventh Schedule. We accordingly suggest that Item 9 of List I may be amended so as to read as follows:—

"Preventive detention for reasons connected with Defence, Foreign Affairs, the security of India, the effective realisation of duties of Customs and Excise, or the conservation of Foreign Exchange; persons subjected to such detention."

This is under active consideration of the Government.

So far as present Preventive Detention Acts, are concerned, on question of law and order, on question of public goods, on question of movement of essential supplies, these are matters on which active consideration is again being given by the Government as to whether present law itself could be used as far as these persons are concerned.

**SHRI H. N. MUKHERJEE** (Calcutta-North-East): The Minister has promised to give out the names.

**SHRI INDRAJIT GUPTA:** Please do it here and now.

**SHRI ATAL BIHARI VAJPAYEE** (Gwalior): You do it now.

**SHRI K. R. GANESH:** It is fairly known that Haji Mastan is one of the biggest smugglers of the country...

**SHRI INDRAJIT GUPTA:** Who protests him?

**SHRI K. R. GANESH:** I am giving the names.

It is also fairly known that another person called Yusef Patel is a smuggler of the country. In Gujarat, there is a person called Sukar Narain who has amassed considerable wealth. He has also a citadel, as far as that area is concerned, in which he remains. He has been responsible for large-scale smuggling. He has been prosecuted for various cases under the Customs Act and various other Acts. The Income-tax Department is looking after their income-tax matters. Like that, there are a host of smugglers in the country.

**MR. SPEAKER:** Why this discrimination? You have not included Punjab.

**श्री भगतराम मन्हर (जंजगीर) :**

अध्यक्ष महोदय, इस तस्करी के व्यापार में राजा, रंक, रोमी, योगी, भोगी सभी तबके के लोग मंलग्न हैं। यह जो तस्करी होती है उस के लिए कोई एक मार्ग निश्चित नहीं है, जल, बल, नभ सभी मार्गों से तस्करी का व्यापार थड़ले से हो रहा है। यह तस्करी केवल सोने चांदी की ही नहीं हो रही है, बहुत सी घातक बीमारियाँ, बायरस डिप्थी-जेव जो हिन्दुस्तान में नहीं पाई जाती वीं तस्करों ने विभिन्न माध्यमों से चाहे बह पीर्य हों, चाहे खाने पीने की वस्तुएं हों, उन के जरिए उन्हें यहाँ पर लाने का काम किया है। यह ज्यादा खोपनीय विषय है।



काले धन के प्रभाव के तत्कर कानून और समाज को अपनी मुट्ठी में रखे हुए हैं। मैं मंत्री महोदय से जानना चाहूंगा कि क्या तत्कर लोग समानान्तर सरकार कायम किए हुए हैं तथा उनका गुप्तचर विभाग इतना सशक्त और सूक्ष्म है कि वह सरकार के प्रयत्नों को भी विफल कर सकता है और जिनको राजनैतिक सरक्षण प्राप्त है, उनसे सरकार कैसे जूम सकेगी ?

मेरा दूसरा सवाल है कि इस प्रकार के अपराधों की रोकथाम के लिए विधि आयोग की सिफारिशों के अनुसार सामाजिक एवं आर्थिक अपराध न्यायालय कब स्थापित किए जाएंगे ?

तीसरा सवाल मेरा यह है कि अन्य अपराधों के मामले में आप आन्तरिक सुरक्षा अधिनियम का इस्तेमाल कर रहे हैं तो अब तक मिसा के अधीन कितने तत्कर पकड़े गए हैं। मैं यह भी जानना चाहूंगा कि मिसा के प्रयोग से पहले क्या कोई ऐसा कानून का प्रावधान है जिसके अन्तर्गत ऐन्टिसिपेटरी बेल का प्रावधान है और तत्कर लोग ऐन्टिसिपेटरी बेल ले आते हैं और उस के बाद सारे रेकार्ड वगैरह खत्म कर देते हैं ?

क्या सरकार ने तत्करी को रोकने के लिए सैनिक अधिकारियों से परामर्श किया है तथा पुलिस, आयकर अधिकारी एवं सीमा सुरक्षा अधिकारियों के साथ बिल विभाग का कोई सामंजस्य स्थापित किया है ?

मैं यह भी जानना चाहूंगा कि इसमें जनसहयोग की दृष्टि से क्या आप दूसरे बनों के लोगों से भी विचार-विमर्श करना परावर्त करेंगे ?

मेरा एक सावक और भी है कि बम्बई के कोलका एरिया में जहाँ कुले धाम इस

तरह के तत्करी के सामान बिकते हैं उस की जवाबदेही किस पर है ? उसकी रोकथाम के लिए आपने कौन से कदम उठाए हैं ?

SHRI K. R. GANESH It is a fact that recourse to anticipatory bail is taken by some of these persons. It is also a fact that there are certain areas which one can exaggerate a little and call it a citadel of smugglers because they own the entire property in those areas. In various *benamis*, they have their own intelligence system, they do various kinds of intelligence work, they have got craft, they have got trucks, they have got cars, and they are having in their employ a very large number of people who are engaged in this operation. That is also a fact.

As far as co-ordination is concerned co-ordination has been set up with the other enforcement agencies like the Director of Revenue Intelligence, then the customs authorities which are very important, Income-tax, as far as taking these people into income tax matters are concerned, then with the excise authorities, with the Border Security Police and also with the Naval authorities.

I have already indicated that the public opinion has got to be aroused, at least for one purpose, that these people must be exposed before the society what they are not lionised as it was tried to be done in some papers. Some of these smugglers have their own life series published.

As far as open display is concerned it is a serious problem. We are conducting mass raids as far as open display is concerned. People are arrested. It should be intensified and it will be done.

SHRI C. M. STEPHEN (Muvattupuzha) The admissions made and the revelations made both outside the House and to-day, on the floor of the House are such, if I may say so, as to



[Shri C. M. Stephen]

send a sense of shock through the spine of any patriotic Indian.

Smuggling there has been. Everybody knows and about the dimensions of smuggling also everybody has got his own ideas. I had sometime back read a report to the effect that the Maharashtra Government had identified 45 leading smugglers and they have estimated the value of smuggled goods at about Rs. 600 crores in Maharashtra alone and that the report had been passed on to the Union Government. I would like to know whether the report is correct, whether the identification of these 45 people had been made and what exactly has been done to waylay them or to bring them under the net of the law.

The most dangerous aspect of the whole picture that has emerged is that everybody knows and the Government know who the smugglers are. Everybody knows where the smuggled goods are being sold. Everybody knows the assets of these people. Everybody knows everything about everybody and yet, the Government has not been able to do anything.

In 1966 there was a Committee under the chairmanship of hon. Shri Tiwary—The Customs Inquiry Committee, some such thing—and the information is that they submitted their report in 1967. I would like to know 'Has anything been done on the report, submitted by them and what action has been taken on that?' This sort of steps which the Government now say that they are proposing to take—my information is, were proposed even as far back as 1967. What exactly has been done about it? That is something which the Government must reveal to the House.

Thirdly, Shri K. R. Ganesh ought to be complimented for the frankness with which he came out in the Press, but I am really shocked that

when he came to the Parliament, he put forth a statement which was too jejune, lifeless, anemic, nothing new which is formal, something prepared by some officer. Not even a mention of the MISA has occurred in the statement that is placed before the House. He now states that whereas the proportion of smuggling operations are so big but he said the committee has indicated that goods were smuggled to the extent of Rs. 200 crores. But subsequent to that, the character of the operations have changed and huge, massive operations are taking place. If that is the case, when these operations are so massive and it was only Rs. 200 crores then, you can just imagine what it can be today with the speed boats running between foreign countries and our shores. All these things are taking place.

With respect to these things, he now wants public opinion to be aroused. He could not come out with the entire statement before the House. I am sorry it appears that he has developed a cold feet. Otherwise, he could have come out with the whole thing when he made the statement before the House. When we gave the call attention, we had the *Times of India* report before us. The purpose of the call attention was to get additional information. Any way from the reply given to the question of Dr. Rao, quite a lot of things have come.

Mr. Ganesh was saying about arousing the public opinion. May I raise my humble voice to protest against this method of finding some scapegoat for what is taking place in this country? Is it that there is no public opinion against this evil of smuggling? Is it that the people of this country are acquiescing with this sort of anti-social activities? Is it that the people are lionising them? Who exactly are lionising them?

The Minister says that the topmen had very good political and other connections. Is it on any definite



information that he is saying that? If so, which is the political connection? If some political connections are shielding them, are the public to be condemned for that?

**SHRI K. R. GANESH:** I have not said that.

**SHRI C. M. STEPHEN:** There is no lack of public opinion in this country. The public opinion in this country is furious against black-marketing. The public opinion in this country is furious against the hoarding, it is furious against smuggling. The public opinion is red-hot furious against all these anti-social activities. There is no dearth of public opinion.

Now, MISA is sought to be resorted to. But does it require a public announcement for that? Who stood in the way of taking action under the MISA? MISA has been there now for quite a number of years. What stood in the way of taking action under the MISA against these anti-social elements in the country? Who stood in the way? What stood in the way? Did the political connections stand in the way? Or the money-power stood in the way? The Minister ought to explain to us what exactly stood in the way of implementing MISA against anti-social elements?

Well, Sir, action will have to be taken. Therefore, what is necessary is the will to take action against the anti-social elements. We have got the complete sanction of the entire country. The Constitution can be amended, the law can be amended and any instrument will be put in your hands if only you have got the will to proceed against them. It is the lack of will. May be Mr. Ganesh has got the will. But who does not have the will? Is there anybody else in the Government who has not got the will? I want to put the question to him. Let there be no scapegoat about this.

This is a dangerous situation. The entire coast-line is open to the people. Speed boats are coming and going. These things are being sold in the Crawford Market and in the Calcutta market. In Madras everybody knows where you can get the smuggled goods and you say Rs 26 crores worth of goods have been taken in. On what basis—that is irrelevant. In the name of Rs. 26 crores being sold out to the co-operative stores, smuggled goods are being sold out freely pleading that it is good that we all purchase from the co-operative society. Have the Government even considered whether these products of sin, these products of anti-social activities, whether you should make a profit out of them or you should destroy them so that smuggled goods may be way-laid and may be taken up wherever you find it? Some such action has to be taken.

The Minister has said that one Indian owned 23 boats registered in Dubai alone, not to mention of the several registered in India. When did the Government get this information? How many nights were allowed to pass by after you got this information? What is your explanation for not taking action against such a person who had registered boats in Dubai and several in India? What action has been taken and what is your explanation if you have not taken action so far? Have you got any specific ideas as to the dimensions and the nature of the operations going on?

The security of the country is at stake, if I may say so, because the entire coastal belt is open, the Government is helpless, the people are operating, crores of rupees is being plundered and smuggling operations are going on. What is the guarantee that under the garb of smuggled goods, there will be no ammunition, no bombs, etc? What is the guarantee that espionage activities are not going on under the guise of



smuggling operations? That is why I submitted that the things revealed are really shocking. I want to know what the factors are which stand in the way of taking action against the criminals, to know who is in these smuggling activities and so on. I want to get a clear and categorical reply from the hon. Minister.

**SHRI K. R. GANESH:** We have not received any report from the Maharashtra Government. Let me tell this at the outset; this is a statement of fact which I am just informing you. Even according to the Kaul Committee, which submitted report in 1971, the extent of foreign exchange required for illegal use by these elements was estimated to be of the order of Rs. 160 to Rs. 170 crores and I am prepared to admit that it may be on the lower side or things might have improved now, but the problem is there and I have already said about that. Regarding the hon. Member, Shri K. N. Tiwary's report, I do not have all the facts with me just at the moment. Earlier many times this question was discussed in the House. Many parts of this report were implemented and I have sent a note. As far as the questions of reorganisation of the Department are concerned they are under various stages of consideration. I have already said, this report is being given due consideration.

Now, regarding the steps being taken, I have already said that preventive collectorates are there and they are responsible for anti-smuggling operations. The question of equipments like faster boats, wireless sets and various other things are taken up and we should have another complete wireless unit which will keep track of all these things and these activities have been set in motion and things are improving; we are strengthening the staff at Custom Houses, duty-staff and guards and so on. These operations are set in motion and also the question of training is being taken on

hand. There is continuous exchange of views between the various Enforcement Directorates, Income-tax, Customs, Central Excise authorities and also with CBI and other agencies. When I said that public opinion has to be aroused, I am sorry, the hon. Member has somewhat misunderstood me and I may tell him, I did not mean that the public is acquiescing. That is not at all my idea, but the fact is this. We have discussed this question in the House several times. The fact is that the mass media has also taken up this question. It is a fact that whatever information I have, I have shared with the House and I have not tried to keep away anything from the House. Let us even take the name of Haji Mastan. I think Illustrated Weekly came out with his whole life story with photograph in multicolour paper. Now just imagine, what impression it creates in the minds of persons who do not know the extent of smuggling which is playing so much havoc to our economy, to our slender foreign exchange resources, and even to our social health, because, what we find is that from these things, a new pattern of life, so to say, is coming.

13 hrs.

Blue films are also being brought; tape-recorders, cassette, sexy music are being brought. (Interruptions)

**SHRI DINESH SINGH** (Pratapgarh): The Illustrated Weekly is also highlighting this issue. Why are you not arresting concerned people?

**SHRI K. R. GANESH:** I have given you an answer. Let us face the facts that some of the people in Bombay in the streets after streets own these things in the names of various benami persons. Even the people with social status patronise them. Therefore the question is this. Apart from using all our methods. (Interruptions).

**MR. SPEAKER:** Will you kindly sit down for a minute? May I advise the Minister that when a Member speaks, he is bound to be explaining many things. He should catch the basic



questions and, in a brief reference, he should answer them. The moment he expands the scope many other things may arise out of it. You better catch the basic questions of the Members and then answer them.

**SHRI K. R. GANESH:** The only question that the Member has asked me is this. A former Minister of this Government asked a question namely why deterrent action under MISA is not taken against those people. To this I have given my answers.

**MR. SPEAKER:** You better answer Mr. Stephen's questions. He was not a former Minister.

**SHRI K. R. GANESH:** I have given answer to this. As far as the use of MISA is concerned, I have given the extracts from the Report of the Law Commission. I have also indicated in relation to the question of law and order that there are provisions in MISA which will be given active consideration for using against those persons who are disturbing the tranquillity. That is what I have stated.

**MR. SPEAKER:** Mr. Piloo Mody.

**SHRI PILOO MODY (Godhra):** Mr. Speaker, Sir, I shall first read very briefly this innocuous statement that has come out. I sympathise with my friends here and my colleague Dr. Rao. When you see in the newspapers something so much more pungent and informative news, the House is entitled to a better treatment. In this particular document, the fact of the matter is that a tremendous technological progress has been made in the smuggling industry with which unfortunately, the Government of India has not been able to match. This is really a crux of the matter. Whereas the industry, on the one side, has made a tremendous technological progress the Government of India is still hovering with hovercrafts which they decided to buy, some five years ago and which,

we are still debating whether they should be brought or not, but they have not bought them. In fact the Minister says that he is going in for 20 fast medium sized boats as if this was a great achievement—probably, they took six painful years of pregnancy for coming to this conclusion! And the boats have still not arrived. They are thinking in terms of catching the smugglers but who will put noose around their necks. Who will put the noose around them the moment twenty fast medium sized boats arrive in this country? God alone knows when will they arrive. It was in July 1969 that everything was settled; everything was finalised about the purchase of hovercrafts to catch smugglers. It was, unfortunately one of those rare days when the deal was to be finalised and the order placed when Mrs. Gandhi decided to get rid of Mr. Morarji Desai. He walked out of the Finance Ministry and she walked in the Finance Ministry but that order never got completed. It was a sad occasion when because of change of Ministership we did not get those ships. To lament that smuggling has increased to this proportion I think, it is a bit of an eye-wash. I do not even think that the House has been apprised of the problem adequately. Smuggling is going on a far larger scale than even the Minister has revealed and the reason for it is that the Indian border, that is the coastline as well as Himalayan border are totally open borders. There is not only nobody to stop you from coming in but you will find thousands of collaborators on the other side willing to help you if you want to smuggle because everybody is hungry to get some occupation to keep body and soul alive. I have often wondered what you are going to do with lakhs and lakhs of graduates whom we produce year after year. This is another thing to be taken note of. The people today who are employed with the smugglers are graduates. They are no longer a bearded fellow who is running behind trees and going about. They are university graduates who



[Shri Piloo Mody]

for want of better occupation find to-day this is the only one occupation left open to them and they are really going astray. Therefore in terms of expertise and in terms of skill you have these hundreds and thousands of graduates at any point to help them apart from the fact that the police and customs officials help them. I am horrified by the suggestion that the Navy should be utilised for this purpose. Yes, if the strength of the Navy could be utilised for checking smuggling I am for it but I warn the Government and the House that to involve the Navy in a dangerous operation like this which is so full of temptations would be disastrous for the Navy. It should be kept out of all such temptations which are all available to these people. The Minister has cried about the fact that these people are all known to high society and are friends of political society. Has he read this article which has been published in 'March of the Nation' dated 20th April with the heading "The Smuggler King of Daman"? It is just one of those articles which will give minute details of what is happening in that particular spot. If you like I will produce 12 other such articles for your education and information. The Minister has been very cute by quoting a cock and bull excuse about what the Law Commission stated which inhibits the Government from using MISA against these people. If I ever heard a more absurd argument for not wanting to do something. If you talk about the Law Commission report that that is inhibiting then the Law Commission also recommended that you should pass a constitutional amendment which will give you enabling power. I would like to know why not all the time since the Law Commission report came to you you have not brought that amendment although you brought so many other infructuous amendments. When it comes to saving the skin of your miserable politicians you bring up that scalping or anti-scalping which is known as Thirty-third constitutional amendment Bill but when it comes to

bringing laws which will help these matters there seems to be absolutely no desire of it. And the Minister has admitted in public that there is political affiliation with these people. Do you think that smuggling to the tune of something like almost a thousand crores of rupees can take place in a country where everybody knows the names of the smugglers, everybody dines and dances with them, everybody is helped by them everybody drinks with them, and yet they cannot be arrested under the MISA? I would like to know which law or which commission permitted the Government of India to arrest innocent students under the MISA. Was there any direction either from Parliament or from any commission? Under the MISA regulations, how many innocent students have Government so far arrested? How many are even today in jail, and how often do they plan to use this law against innocent students? They cannot use it against the smugglers that are ruining the country and ruining the economy of this country, and yet the hon. Minister tells us that he is serious about it or something like that. Does he think that we believe. when he makes a claim that he would go and do dharna over there that it is a serious thing that he is talking about? So, let us not get over-excited about this smuggling.

MR. SPEAKER: Now, the hon. Member should ask this question.

SHRI PILOO MODY: Please give me another five minutes. Another five minutes will not kill you. I assure you that in another five minutes I would not smuggle you out of the House.

The fact of the matter is that today you can order anything through the smuggling racket. If you want machines for industries or you want new automobile cars, not only do they provide the equipment or the car but they give you a one-year guarantee for that; for one year nobody will harass you, and nobody will come and ask you any awkward question as to where this machine or car or anything also came from.



Some of these dens are so well equipped with electronic and communication facilities. I do not know where they get telephones from, if it is not from the telephone industry and the telephone Ministry. I do not know where they get the use of all manner of craft and landing facilities and radar equipment without this Government being able to detect it.

The conclusion is all too obvious. Links that connect smuggling power with political power are the only reason why smuggling can be permitted in this country. But for that, it could not be permitted.

MR. SPEAKER: Let him please ask his question. We decide everyday that not more than five minutes should be given to a Member but that is not being observed.

SHRI PILOO MODY: For instance, throughout Bihar and in eastern India, all the smuggling is done really under the patronage of a Union Cabinet Minister. In the past, questions have been made to say that smugglers have given money to the ruling party that the smugglers have met the Prime Minister in person. This was denied...

SHRI MADHU LIMAYE (Banka): Not in this House. For God's sake, let him not say that. I made the allegation and she has not denied it in the House.

SHRI PILOO MODY: This statement is made by me that I heard it in this House. She denied it in this House. If I want to say that, let me say that. She denied it in the House. I have had it since then checked up that not only did he meet her but he met her twice. Now, when you have information like this and you read articles like this in the paper, I am afraid the two things just do not add up.

Yes, smuggling has to be stopped. I have shown a way to this Government how this smuggling can be stopped

without going through all the painful processes that they want to do it through. Let them abolish their foreign exchange control, float the rupee and they will have no smuggling problem in this country, none whatsoever and when it comes to getting rid of smuggling, even Dr. V. K. R. Rao is not interested because he starts saying 'Oh' 'Uhm' and so on, because the remedy suggested does not suit him or is limited...

DR. V. K. R. VARADARAJA RAO:  
It is not architecture but economics.

SHRI PILOO MODY: It is not architecture, and therefore he thinks it is economics.

DR. V. K. R. VARADARAJA RAO:  
Let him start learning it. It will do him good.

SHRI PILOO MODY: I would like to utter just two short sentences. One is: is the Government honestly interested in getting rid of smuggling? I want a 'yes' or 'no' answer. If the answer to the question is 'yes', either he spells out a complete scheme of how through policing and legal methods he intends to do this or alternately accepts the suggestion that I have made counter to Dr. V. K. R. Rao's advice because that, I guarantee, will bring an end to smuggling in this country.

SHRI K. R. GANESH: Apart from his explanation, he has asked about the boats that have been pending for a very long time. He has mentioned that because of some change these were delayed.

The use of proper craft for anti-smuggling operations was examined by a very high-power committee known as the Dr. B. D. Nagchowdhury Committee. The Committee of course took some time. He was then Scientific Adviser to the Government of India. Various suggestions were considered and finally they came to the



conclusion that it is necessary to have fast conventional craft bigger craft, medium sized craft, smaller craft. As a result of that, action was initiated to get first 20 fast medium size craft from Norway. These craft are not easily available. It has taken time, with all the expedition we could, to locate these craft because these are very sophisticated craft made of fibre glass equipped with all the sophisticated machinery, radar and various other things. We want to test this craft. They are being delivered. Some of them will arrive within the next two months. We want to test them as far as their operation is concerned. Then the rest of the craft will be ordered.

He posed a question about the action to be taken. I have already indicated what the Law Commission as said.

**SHRI SHYAMNANDAN MISHRA** (Begusarai): Why cannot they be treated as political workers and arrested?

**SHRI K. R. GANESH:** That is a separate matter.

**SHRI SHYAMNANDAN MISHRA:** Till now you have had no difficulty in using MISA to arrest political workers.

**SHRI K. R. GANESH:** One can always have a view on that. Government is taking steps on the basis of the recommendations of the Law Commission. We are also seriously considering whether under MISA these people can be dealt with. We are seriously considering what should be

done, what changes should be effected.

Then he said about a Bihar Minister. It was written in his paper....

**SHRI PILOO MODY:** I did not speak about a Bihar Minister.

**SHRI K. R. GANESH:** You said about a Union Minister.

It was written in his paper, I do not think it is serious enough to require any repudiation from me.

**SHRI PILOO MODY:** That is why you remain perpetually ignorant.

**SHRI K. R. GANESH:** He asked whether Government is interested in meeting the challenge which smuggling posed to the entire economy of the country. I may emphatically say that Government is interested in this. Steps have been taken. Steps will be taken. With the strengthening of the enforcement agencies, with the strengthening of the customs department, with the equipment that we are trying to give to these formations, with the changes in law that are taking place, with various other measures that are being taken, with the co-ordination between the income-tax and customs departments, so that it can also be looked at from the income-tax angle, and also with further changes in law as far as deterrent action is concerned, I think it will be possible to make a dent as far as anti-smuggling operations are concerned.

**SHRI PILOO MODY:** The sum of his answer is 'no'.



13.19 hrs.

**STATEMENT RE ALLEGED VICTIMISATION OF EMPLOYEES IN VARIOUS OFFICES UNDER THE COMPTROLLER AND AUDITOR-GENERAL OF INDIA**

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN)**  
Mr Speaker, Sir, Shri Atal Behari Vajpayee had made a statement in this House on the 9th August, 1974 regarding alleged victimisation of employees of the various offices under the Comptroller and Auditor General of India. The facts of the case as I have ascertained from the Comptroller and Auditor General are as follows —

(1) On 1st May, 1974 the All India Non-gazetted Audit and Accounts Association served a strike notice on the Comptroller and Auditor General. The notice was for an indefinite strike from 6.00 A.M. on 10th May 1974. It was to be preceded by a pen-down strike on 8th and 9th May.

(2) The strike affected about 20 Audit and Accounts Offices in the country. In the offices at Rajkot and Gwalior, there was serious intimidation and violence by some of the striking employees with the consequence that they were arrested by the police. The strike was withdrawn on 13th May, 1974.

(3) As a consequence of participation in the strike, pay cut was imposed on about 6,000 employees on the principle of "no work no pay" for the days of the pen-down strike and complete strike. Since notice of indefinite strike had been given and the employees resumed duty on 13th May, 1974, they were allowed pay from 13th May onwards and the pay cut applied to the entire period of strike including the holidays on 11th and 12th May. Out of about 6,000 employees affected by the pay cut, break in service has been ordered in respect of 3636 employees. Some of the cases affected by the pay

cut and break in service are under review.

(4) Following acts of intimidation and violence by some employees, the administrative authorities had to resort to disciplinary action and 170 employees have been suspended.

(5) Consequent on receipt of strike notice from the All India Non-gazetted Audit and Accounts Association and their affiliate units where strike had occurred, the Association and the affiliate units were served notices to show cause why recognition may not be withdrawn because of violation of the terms of recognition. No final decision has been taken about de-recognition.

**श्री अटल बिहारी वाजपेयी (स्वाध्याय) :**  
वित्त मंत्री जी का वक्तव्य सन्तोषजनक नहीं है। इस पर आप हमें थोड़े समय की चर्चा करने का मौका दें।

**अध्यक्ष महोदय :** नोटिस दे, बात कर लेंगे।

**श्री अटल बिहारी वाजपेयी :** नोटिस दिया हुआ है।

**अध्यक्ष महोदय :** बात कर लेंगे।

**श्री अटल बिहारी वाजपेयी :** एक स्पष्टीकरण अभी पूछ लूँ।

**अध्यक्ष महोदय :** इसकी पम्परा नहीं है।

**श्री अटल बिहारी वाजपेयी :** 11-12 तारीख को छुट्टी थी। उसकी भी ये तनखाह काट रहे हैं।

**अध्यक्ष महोदय :** यहाँ नहीं कर सका है। जिसकान आप कर लेना। उसको एलाऊ करने में मुझे कोई एतराफ नहीं है।



13.22 hrs.

**MATTER UNDER RULE 377**  
in Delhi to starve Capital of wheat

**REPORTED CONSPIRACY OF GRAIN  
DEALERS IN DELHI TO STARVE THE  
CAPITAL OF WHEAT**

**SHRI S. M. BANERJEE (Kanpur):**  
Mr. Speaker, Sir, I would like to raise this most important matter, which is in regard to the alarming news item as it appeared in *Patriot* of today, under the heading 'CONSPIRACY TO STARVE CAPITAL OF WHEAT'

Sir, perhaps, you are aware that from yesterday not a grain of wheat or an ounce of atta is readily available in any shop. One has to pay through his nose to get one kilo of wheat and that also, he cannot purchase from the open market. He gets it in the night by some agencies who are minting money at the cost of the people. Sir, the news item says:

"A grand conspiracy seems to have been hatched by big grain dealers to deny wheat to the people of Delhi and to use their cries of protest to force the authorities into raising the free sale price of wheat.

Mandi sources say that licensed wheat dealers are refusing to lift wheat stocks. Farmers are learnt to have been paid gratuities, to keep the wheat with them. As a result a large tonnage has rotted and has been fed to animals."

It also says:

13.23 hrs.

"The black market rates jumped to a high of Rs. 275 a quintal in the early days of August."

[MR. DEPUTY-SPEAKER in the Chair]

Then, Sir, the price of Kalyan, a special Desi variety of wheat is ranging between Rs. 250 to 270 per quintal. You know, Sir, the price has been fixed at Rs. 161 per quintal. Nobody is get-

ting at the fixed rate. Wheat is not available to the ordinary people. I can say with all confidence and with all sincerity that even in North Avenue and South Avenue markets where there are ration shops, wheat has not been given; atta has not been given; even rice is not available there. When Members of Parliament are facing such a situation, it can be imagined, what is happening to the common people in Delhi and near about places. This is a deliberate attempt and a conspiracy by the grain dealers, in connivance with some of the agencies, which may be political or non-political.

I may say for the information of the House that in Alipur, which is a place on the borer of Rajasthan, people are getting the grain. It is also coming from Haryana in Camel back trucks and shuttle trains. The attendant risks of penal action and confiscation at the border points is another factor in the sky high black market rates. Even though during the day there is restriction on the movement there is no such restriction in the night. People can come and go by paying money to the people who man the checkpoint. This is happening daily and I am surprised that no action is being taken. When this could happen in Delhi itself, can we imagine what is happening in other places?

Another important point is the sharp increase in the prices of essential items. Coarse grains have moved up by Rs. 15 to 20, pulses by Rs. 10 to 27, edible oils by Rs. 45 to Rs. 100 and sugar by Rs. 50 a quintal. This is happening when there is all this talk here about checking inflation. We are being told that after taking all these anti-inflationary measures there will be no rise in the prices of essential commodities. Yet, we are finding that the prices are going up by 10, 20, 30 or even 40 per cent. Further, grain is not available. So, in the name of all those who are being starved, ordinary workers who are getting only one chapati a day. I would request the hon. Minister to attend to this problem. I have myself visited most of the shops



incognito, without telling them that I am a Member of Parliament, and I could not get a grain of wheat or an ounce of atta. This is a conspiracy by the grain dealers to get a higher price for wheat. Those who are hatching this conspiracy should be arrested under the MISA like the striking railway employees have been arrested. What has happened to the DIR? Has it become blunted? Let them be arrested and paraded in the streets of Delhi. I would like to know what action has been taken. I would request the Minister to make a statement and allay the fears in the minds of the people of Delhi. At the same time Sir, I request you to allow a discussion on this problem.

श्री मधु लिमये (बांका) अध्यक्ष  
महोदय

उपाध्यक्ष महोदय : आपका तो नाम ही नहीं है।

श्री मधु लिमये सात आठ दिन पहले नोटिस दिया गया था। आप जब सदन कर रहे थे तो कई मामले इस सदन के सामने रखे गये थे। मुझे ख़ुशी है कि मंत्री महोदय व्हीट और व्हीट प्रोडक्ट्स के बारे में वक्तव्य देने जा रहे हैं। वह एक बात का खुलासा अपने वक्तव्य में करें। क्या यह सही नहीं कि पंजाब हरियाणा, राजस्थान आदि जो सरपलस स्टेट्स हैं वहाँ से 190 और 200 रुपये की कबिडल के हिसाब . .

MR DEPUTY-SPEAKER I have allowed Shri Banerjee to have his full say. But you must realise that I have to conduct the proceedings under the rules.

SHRI MADHU LIMAYE I want to make only one submission.

MR DEPUTY-SPEAKER Under rule 377 your name is not here.

श्री मधु लिमये सात आठ दिन पहले जो नोटिस दिया था उसका क्या हुआ ?

MR DEPUTY-SPEAKER When I am sitting why do you speak simultaneously?

श्री मधु लिमये एक मिनट में मैं खतम कर रहा हूँ।

MR DEPUTY-SPEAKER I am prepared to give all the opportunities within the ambit of the rules. But why do you want me to commit an irregularity by breaking the rules? This is what I do not like. (Interruptions)

Order please. Let me dispose of Limaye's point. He has asked me about certain notices that he has given. I am not in the know. I come to the Chair and I find this Order paper on which Mr Banerjee's name is mentioned. How can you expect me to answer that? The Speaker may have decided about it. You may meet him.

Now the Minister is here. Let us hear the Minister. (Interruptions) I am not able to follow anything.

SHRI DINEN BATTACHARYYA (Serampore) \* \* (Interruptions)

MR DEPUTY-SPEAKER This will not go on record.

The Minister

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHAB P. SHINDE) Sir, I wish the allegations were made on the floor of the House on the basis of verified information.



[Shri Annasaheb P. Shinde]

As far as Delhi's wheat supply position is concerned, we are aware that there have been some problems of availability and prices. But I would like to dispel the impression of the hon. Member, Delhi's population, according to the Census of 1971, was 40.65,000 and now, according to the estimate, it is 46,61,000. We are supplying 35,000 tonnes of wheat and 4,000 tonnes of rice monthly. In addition to that, the movement of rice—that is, of course, non-levy rice which is dependent on market availability—is free because Delhi forms a part of Punjab—Haryana zone area. There is no restriction on the movement of coarse grains. This naturally helps the availability of foodgrains in Delhi.

Recently, there has been some difficulty about availability of wheat on trade account. The Delhi Administration has secured 36,000 tonnes of wheat from Punjab and Haryana and they propose to move 12,000 tonnes out of it to Delhi with the help of NAFED. In addition to that, they also propose to bring in 23,000 to 24,000 tonnes from Punjab and Haryana on trade account. So, the quantity of wheat and rice supplied through the public distribution system to Delhi amounts almost to eight kilos per day. Therefore, the story of scarcity would not be a correct thing. *(Interruptions)*.

SHRI S. M. BANERJEE: May I tell you with all honesty and in all humility that it is not available in Delhi? I can show you people standing from 5 o' Clock in the morning with the entire family asking for a bowl of rice. They are not getting. What is the use of having these tall talks?

SHRI ATAL BIHARI VAJPAYEE (Gwalior): What about those who do not have ration cards? They are facing difficulty. Wheat is not available in the free market.

SHRI ANNASAHAB P. SHINDE: They can apply for ration cards if they are citizens of Delhi. There should be

no difficulty in getting ration cards. If the hon. Member brings the cases to our notice, I am prepared to take up the matter with the Delhi Administration. There will not be any lack sympathy as far as this aspect is concerned. The number of units for which ration cards have been issued in Delhi is 58 lakhs. Obviously there are some bogus cards also.

There seems to be some difficulty about the quality of foodgrains. We have received some complaints about that and I have taken up this matter with the Delhi Administration.

We have assured the Delhi Administration that, even in the months to come, we shall make every effort to see that the Delhi area is taken care of. As compared to many other parts of India, Delhi is really receiving a very substantial quantity of foodgrains.

SHRI ATAL BIHARI VAJPAYEE: Delhi is not a wheat-growing area. Why don't you allow free flow of wheat from Haryana and Punjab? What is the difficulty?

SHRI ANNASAHAB P. SHINDE: This is policy matter.

SHRI S. M. BANERJEE: There is a conspiracy by the grain dealers; they are not lifting the grains and this is creating scarcity conditions. What action are you taking against those grain dealers?

SHRI ANNASAHAB P. SHINDE: More than 1900 raids have been carried out in Delhi during the last few weeks. Therefore, there has been no lack of vigilance on the part of the administration. A number of cases have been filed.

SHRI K. S. CHAVDA (Patan): Sir, I have given notice to raise a matter under rule 377. That is before you.

MR. DEPUTY-SPEAKER: It is not before me.



SHRI K. S. CHAVDA: My request is this. River Narmada is in spate for the last four days and water is flowing 2.5 metre above the danger mark. Several areas of Broach city are under water. 32 villages have been affected..

MR. DEPUTY-SPEAKER There is a discussion the day after tomorrow. You can speak at that time

SHRI K. S. CHAVDA As you know, Sir, time is given only for one party-member. I will not get the time.

श्री जनेश्वर मिश्र (इलाहाबाद) :  
उपाध्यक्ष महोदय, हमने भी एक नोटिस दिया है कि रेलवे बोर्ड के चेयरमैन ने एक बयान दिया है कि जो टाइम्स ऑफ इंडिया में भ्राज ही छपा है और उन्होंने कहा है कि रेलवे कर्मचारियों की सविस में ब्रेक का मतलब कोई विकिटमाइजेशन नहीं होता है। मैं समझता हूँ कि यह बहुत ही खतरनाक बयान है। कल प्रधान मंत्री जी ने यहाँ बयान दिया है और रेल मंत्री से लगातार दो दिनों तक यह हाउस एजीटेड था बयान मांगता रहा कि वह जो ब्रेक इन सविस की सजा देने जा रहे हैं इस के ऊपर वह बयान दें और यह न किया जाय ... (व्यवधान)

मैं समझता हूँ कि जो अधिकारी मुंहलगा बन गया है, चाहे वह प्रधान मंत्री का मुंहलगा हो या रेल मंत्री का मुंहलगा हो, हम उस के दिमाग को खराब नहीं होने देंगे। .... (व्यवधान) .... तो रघुबीर साहब चुन रहे हैं, वे रेल मंत्री से कहें कि इस पर रेल मंत्री अपना एक वक्तव्य दें।

MR. DEPUTY-SPEAKER: Why don't you listen to me? I was going to say something in reference to what you are

saying. I suppose the debate on the Supplementary Demands of the Railways will be coming shortly and you can draw attention to it.

श्री हुकम चन्द कछवाय (मुरैना) :  
चेयरमैन ने जो वक्तव्य दिया है, उस का क्या होगा? उन्होंने कहा है कि सविस की ब्रेक को मैं नहीं मानता हूँ।

SHRI S M BANERJEE (Kanpur) :  
I rise on a point of order.

MR. DEPUTY SPEAKER. Order, please. Kindly sit down. Let me understand what the members are speaking I would like to know whether you want to just exercise your lung power or do you want a meaningful discussion? If you want to just use your lung power, you can take 10 minutes—all of you. I will allow it.

श्री रामावतार शास्त्री (पटना)  
उपाध्यक्ष महोदय, मैं केवल एक मिनट लूँगा, आप मुझे सुन लीजिये।

MR DEPUTY-SPEAKER I really do not understand what you all want

SHRI S. M. BANERJEE: I have a submission to make. Only half a minute.

MR. DEPUTY-SPEAKER: Will you all please sit down?

Now, it is very easy to call the next item and you can stop the Members. But I felt that when members are exercised, it is easier to put a napkin on the mouth of Valcano. Only one 377 motion was admitted. Even so, because members are so excited, I have allowed a few things. For example, what Mr. Misra has said, I have allowed. I suppose it has gone on record and I have made a reference to it and I said that the Debate on the Supplementary Demands will be coming very soon.

Then I have also seen the statement of the Chairman of Railway Board. It is a good thing that you



raise it then. There has to be a limit, somewhere. We have to get down to the business. Firstly, what do you want? One at a time.

SHRI S. M. BANERJEE: My hon. friend has raised a very pertinent and vital point and it is very vital to get a clarification from the Minister. The Minister yesterday and day before yesterday, the hon. Prime Minister ...

MR. DEPUTY-SPEAKER: We all know what happened.

SHRI S. M. BANERJEE: The Minister of Railways as also the hon. Prime Minister said about the human problem. But here in the statement the Chairman of the Railway Board wanted to tell to the newspapers the definition of victimisation. He thought that the Prime Minister does not know the definition nor the Railway Minister. He says that break in service is no victimisation. After the speech of the Prime Minister, after the speech of the Railway Minister who is this hell of a person, the Chairman of the Railway Board, a petty official who has got the guts to make a statement like that? It has got the box in the Press. It amounts to utter contempt of the House, it is an utter contempt of the Prime Minister. To maintain the dignity of the House I would request you to call the Railway Minister to make a statement and to censure this man and sack him. There can be a privilege motion against Mr. Bery.

श्री मधु लिवरे (बाँका): उपाध्यक्ष महोदय, मैं केवल दो बातें कहना चाहता हूँ—कल का जो घाँट-नेपर था, उस में रेलवे मन्त्री महोदय ने यह कह कर वक्तव्य दिया 'फाइनेंशल पोबीशन ऑफ दि रेलवेज' और इस की प्राइ में छिप कर वे 140 करोड़ रुपये वसूल कर रहे हैं। मैं इस के बारे में आप का रुलिंग चाहता हूँ—क्या वह अपनी आनस्टी थी, ईमानदारी थी, क्या ये ऐसा नहीं कह सकते थे—

"स्टेटमेंट ऑफ दि इन्वीज ऑफ फेडरल एन्ड केबल"। मैं जानना चाहता हूँ—कब घाँट-

पेपर बनता है तो क्या इस तरह से इन को सदन के साथ विश्वासघात करना चाहिये। कल हम लोग यह समझते थे कि वे केवल रेलवे की वित्तीय स्थिति के बारे में निवेदन पेश करेंगे, लेकिन यहां तो वे 140 करोड़ रुपये 7 महीने में वसूल कर रहे हैं। मैं चाहता हूँ कि इन के ऊपर आप जल्द कोई स्टिप्चर पास कीजिए, क्योंकि उन्होंने सदन को गुमराह किया है।

दूसरी बात—अभी मेरे मित्र श्री जनेश्वर मिश्र ने कही है और आप ने कहा कि सप्लीमेंट्री डिमाण्ड्स के समय उस को लिया जा सकता है। मैं पूछता हूँ उस समय किन-किन चीजों पर चर्चा करेंगे? वह एक ब्रॉड विषय है। कल यहां पर चर्चा हुई, बार-बार कहा गया कि विक्टिमाइजेशन नहीं होगा, तो अब यह नई डिक्शनरी क्यों खुल रही है। आप ही विक्टिमाइजेशन की व्याख्या कीजिए। जब शांतिपूर्ण हड़ताल, पीसफुल स्ट्राइक, के लिए किसी तरह की सजा दी जाती है तो वह विक्टिमाइजेशन है या नहीं है? हम लोगों ने इस आधार पर कई तरह के एप्रीमेंट्स किये हैं, विक्टिमाइजेशन का मतलब यही होता है कि हड़ताल को लेकर कोई सजा नहीं होनी चाहिये। मैं चाहता हूँ कि आप इस की व्याख्या कीजिए कि विक्टिमाइजेशन क्या है मैं यह भी जानना चाहता हूँ कि चेयरमैन ने जो वक्तव्य दिया है—क्या यह सदन का अपमान नहीं है?

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I can understand raising matters under Rule 377 because notice is given. The Minister knows the thing, he is present, a statement is made and so on. Here there is no notice whatsoever and the debate is going on in this fashion and so many allegations are being made and Government have no information.

MR. DEPUTY-SPEAKER: This does not come under Rule 377. The Minis-



ter for Parliamentary Affairs has very legitimately drawn attention to the fact that all these things are not in the Order Paper but howsoever, because the Members are full of certain things and important things, it has been the practice here that when there are certain exigencies that develop, there is always the residuary power of the Chair to regulate the business of the House, and if I find at a particular time that it will save the time of the House and it will serve the purpose of drawing attention to certain things which are important for the country, I allow the Members to express themselves in one or two minutes and then get on smoothly with the business of the House. If you analyse these things I think it will save more time of the House that way rather than fighting with each other, creating more confusion and by trying to be strong sometimes we lose two hours or even three hours whereas if the Member are given the opportunity to express themselves in one minute or two minutes that saves time ultimately. Of course, that does not mean that the Minister will come with a statement immediately. But all these things go on record and Government come to know of them. I think if we proceed in this way we save more time and we could get on smoothly instead of everyone getting up and shouting.

**श्री राजाबख्श साहनी :** उपाध्यक्ष महोदय, मेरा इतना ही प्रश्न है कि कब जब प्रधान मंत्री जी ने विक्टिमार्डेशन ...

**MR. DEPUTY-SPEAKER:** That has been raised earlier on. Don't go to that point.

**श्री राजाबख्श साहनी :** कल जब उन्होंने विक्टिमार्डेशन प्रादि बातों के सम्बन्ध में बयान दिया था तो रेलवे बोर्ड के चेयरमैन को सफाई पेश करने की क्या जरूरत पड़े गई ?

**MR. DEPUTY-SPEAKER:** That point was made by Mr. Misra. Why do you want to go into that?

**श्री राजाबख्श साहनी :** मेरा कहना है कि रेलवे बोर्ड के चेयरमैन ने अपने मन से बानें बही हैं, उनके बयान देने का क्या मतलब है ? उन्होंने जना को गुमराह किया है । (अपवाह न) . . . . .

**MR. DEPUTY-SPEAKER:** That point has been made. Kindly sit down.

**श्री अटल बिहारी वाजपेयी (मालियर) :** ११ मई को, कुछ दिनों से हमारे देश में समाचार-पत्रों पर सरकार द्वारा हमले किए जा रहे हैं ; पहले बिहार की सरकार ने सर्वलाइट और प्रदीप को एडवर्टीजमेन्ट बन्द कर दिए और अब पंजाब से खबर आई है कि वहां के दो डेली पेपर्स की बिजली काट दी गई है —एक है "हिन्दू समाचार" और दूसरा "पंजाब केसरी" ।

**MR. DEPUTY-SPEAKER:** We know that they are printing it by means of tractor power. You have mentioned it.

**SHRI ATAL BIHARI VAJPAYEE:** The House cannot sit as a silent spectator.

**SHRI P. G. MAVALANKAR (Ahmedabad) :** As you rightly pointed out, the question of flood water is going to be discussed day after tomorrow. But, Sir, in the last four or five days, in Broach town and in the adjacent villages of Broach and also in Baroda District, there is so much of danger faced as a result of floods. I would like the Minister to come out with a statement as to what is happening there and what prompt steps Government are taking.

**SHRI B. V. NAIK (Kanara) :** Sir, on the 19th of this month, it has come out in the press that representatives of the State Government of Karnataka have walked out in the Krishna river water dispute. Sir, this is an inter-State river water dispute.



[B. V. Naik]

MR. DEPUTY-SPEAKER: I think the Home Minister made a statement about it. Before you come again to Parliament next time, a solution would be found if we go by what the Home Minister said.

SHRI B. V. NAIK: Let me conclude it. During the period I am here as a Member of Parliament, I hope the chair will help me, let me be allowed to discharge my duty in this respect. The State Government has walked over. The situation is developing or has developed; The States of Andhra and Maharashtra are interested in that. How can we now who have vested interests? They are naturally interested in blocking this. We have given notice. I think time will soon be found for discussion on this.

MR. DEPUTY-SPEAKER: Mr. Naik, you have made that point. I think the Home Minister has said somewhere and I saw that in the press—I am sorry, this is about the Maharashtra-Karnataka boundary dispute. I correct myself. This is about the border dispute between Maharashtra and Karnataka. Now, Mr. Kachwai.

श्री हुकूम चन्द कलशाय : प्राध्यापक जी,  
मारे देश में स्थान स्थान पर और तेरे  
खपते क्षेत्र जिला मुनेना, नहमीन अम्ना  
के ग्राम बाँदर कापुरा में 16 मकान हरिजनों  
के लिए दिए गए, उनमें महिलाएं भी जना  
दी गयीं और उनके जानवर भी जना  
दिए गए । वहां पर इना बिनाश  
हो गया है, पानी के कारण वहां पर फव्व  
भी नहीं है तो इसके बारे में सरकार कोई  
बनबस दे या प्राय इव पर कोई चर्चा करवाने  
नाकि मारे देश में हरिजनों पर जो अत्याचार  
हो रहे हैं उन पर विचार किया जा सके ।

13.54 hrs.

# STATUTORY RESOLUTION RE DIS- APPROVAL OF ESSENTIAL COM- MODITIES (AMENDMENT) ORDI- NANCE

AND

## ESSENTIAL COMMODITIES (AM- ENDMENT) BILL—Contd.

THE MINISTER OF COMMERCE  
(PROF. D. P. CHATTOPADHYAYA):

Sir, I have already moved the motion—  
“That the Bill further to amend  
the Essential Commodities Act, 1955,  
as passed by Rajya Sabha, be taken  
into consideration.”

The Bill seeks to replace the Essen-  
tial Commodities (Amendment)  
Ordinance, 1974 (Ordinance No. 2 of  
1974) promulgated by the President on  
the 22nd June, 1974.

Sir, in order to make penal provi-  
sions under the Essential Commodities  
Act more stringent and to make their  
implementation more effective, the Law  
Commission, in their 47th Report, have  
recommended certain amendments to  
the Act. Apart from this, on the basis  
of the experience gained in the work-  
ing of the Act, the concerned minis-  
tries of the Government of India and  
the State Government had also recom-  
mended certain amendments. The im-  
prisonment with one year awarded for  
offences under the Act was raised to  
five years in 1967. The Members  
would agree that Government should  
be armed with adequate powers to  
check hoarding, profiteering and  
black-marketing effectively in respect  
of essential commodities. Sir, among  
the stringent penal measures that  
have been suggested in the Bill, I  
would like to mention only a few.  
The offences have been made non-  
bailable. As you know, in order to  
impress upon the economic offenders  
that the seriousness and the gravity of  
the offence should be realised we have  
decided that the bailability clause  
should be deleted and by implication  
the offences have been made non-bail-  
able, and they are, of course, cogniz-  
able.



Also, in the case of first offence there was option previously to let off the offenders by only imposing the minimum punishment, namely, fine, but now even on the first offence imprisonment will be the penalty. It may be three months, but if there are some extenuating circumstances it could be reduced to one month. But even in the case of first offence there will be imprisonment. If they commit a second offence, formerly it was one month, it has now been raised to six months. As I have already mentioned, the maximum punishment has been raised from five years to seven years. Besides that, the vessels, carriers and other instruments or means for transporting these essential commodities should also be confiscated, otherwise if these vehicles are not impounded they are used again and again. There also some precaution has been taken, so that if these vehicles are used by the offenders without the knowledge or against the will of the owners, that contingency has been taken care of.

We have also provided in the law that summary trial should be made otherwise, sometimes the accused on various reasons and legal procedural problems and also because partly of the fact that some of the offenders are economically well off they carry on this litigation business indefinitely. So, sometimes the ends of justice could not be met unless the trial is expeditiously completed.

The other thing we have introduced in the Bill is that regarding *mens rea*. Formerly, *mens rea* was a matter to be proved. In this case we have suggested that it is to be presumed. Unless the contrary is proved the presumption would be that there was intention of the offender of committing the offence. It will make the Bill more effective. That is why *mens rea* has been taken as sort of presumption and not as a matter of proof. You will realise that in view of the current economic situation of the country and in the context of the steep rise in the prices of essential commodities particularly in recent months and in view of the

urgent need of curbing the anti-social activities of the hoarders and black-marketeers and profiteers the Government had to promulgate an Ordinance on 22nd June, 1974. The present Bill seeks to replace this Ordinance. I hope these measures will have the support of this House.

Sir, I move

MR DEPUTY-SPEAKER Motion moved

"That the Bill further to amend the Essential Commodities Act, 1955, as passed by Rajya Sabha, be taken into consideration."

SHRI NOORUL HUDA (Cachar)

The hon. Minister has given us the purpose and the objective behind the Bill. He says that Government are determined to curb unwholesome business practices like profiteering, hoarding, blackmarketing and charging of high prices for essential commodities. Today he has also said that apart from this he seeks to make the Bill or the Act more stringent and the implementation more effective. There are other provisions for such laudable objectives, according to him.

First of all, I would like to ask why Government had felt the necessity of promulgating an ordinance behind the back of Parliament. This question has been raised on the floor of this House again and again. As I understand it, the ordinance was promulgated on 22nd June, 1974, just a month prior to the sitting of this House. I would like to ask the hon. Minister whether any person has been brought to book during this one month and a half after the promulgation of the ordinance. Has any company been blacklisted or any advertisement published in the newspapers in respect of any economic offence which has been committed by any of the companies or corporations for violation of these Acts? We have not seen any such advertisement. During the last one and a half months. In fact, we have been waiting to know about the effectiveness of the ordinance promulgated a



[Shri Noorul Huda]

month before the sitting of the House. Therefore, we think that it was just to bluff the public opinion. Government had no other reason for promulgating an ordinance like this just when Parliament was going to sit a month after such promulgation.

I would first discuss in brief the factors which give rise to unwholesome practices which are being resorted to by the businessmen and traders. Why is it that prices are rising beyond all description? As my hon. friend Shri S. M. Banerjee informed the House just a few minutes ago, in today's *Times of India* we find that in spite of all these anti-inflationary measures adopted by Government, in spite of all the promises made by the Finance Minister on the floor of this House only the other day, there has been a sharp rise in the prices of all essential commodities. The prices of coarse grains have moved up by Rs. 15 to 20, pulses by Rs. 10 to 27 edible oil by Rs. 45 to 100 and sugar by Rs. 50, a quintal. That is the result of the anti-inflationary measures which are being adopted by this Government. Day in and day out, the Prime Minister, the Finance Minister, the Commerce Minister and other Ministers have been telling us that the objective of the Government's measures is to curb price rise or to curb inflation so that the common people can have a sigh of relief, so that the burden of the economic crisis does not fall upon the shoulders of the common people, the working class, the peasantry, the middle class and other toiling sections of our people. But what do we find? We find that in spite of all this the prices are rising. The Essential Commodities Act has been in existence for 19 years since 1955.

But what do we find? These essential commodities disappear from the market. The price of each item soars up every day, every week, every month, every three months, every six months, every year. But there is no attempt or effort on the part of this

Government to seriously curb profiteering, hoarding, 'blackmarketing' and charging of high price of these essential commodities. It is all big talk so far as they are concerned.

As long as the production of essential commodities is left solely in the hands of private monopoly capitalists, there is no way out. Prices will rise. The Prime Minister had declared in Bangalore and at the AICC session here in Delhi only a month ago, government spokesmen have been saying in various public forms, that in a developing society like India, price rise cannot be checked, inflation cannot be checked, it is a global phenomenon and so we are almost helpless. Of course, they do not say they are helpless, but by implication what do we find Government pleads helplessness in every aspect.

That is why say that the utter greed of the private monopoly capitalists to make more profits out of the expropriation of the common people should be curbed by all means. But that intention is not there. The Essential Commodities Act contains many good sections. One cannot quarrel with the amending clauses also. For instance, they are trying to make it non-bailable, they are introducing summary trials. Some other provisions also are not bad or objectionable. But the will to implement these provisions is completely lacking. That is the main point I want to highlight. The will to implement the good measures or good provisions of the Act is completely absent. This is one point.

Only a few minutes ago hon. members were agitated over the dearth of rice, wheat and atta even in the Delhi market. One hon. member was saying that as an MP also he has not been able to purchase one kilo of wheat or atta in the market of Delhi today. So this bungling in foodgrains and other essential commodities like soap, cloth, paper etc., has been going on for the last 20-25 years. There is no stopping of the hoarders, profiteers and black-marketeers.



Government appointed a Committee under the chairmanship of one of the illustrious Ministers, Shri Monan Dharia. What was their finding on essential commodities? We do not know what has happened to their findings. Shri Dharia was emphatic in his report that unless these essential commodities are procured and there is an efficient public distribution system, the evils of profiteering, hoarding and blackmarketing cannot be checked. Sir, I would like to know from the Hon. Minister of Commerce, what has happened to Mr. Dharia's report. Has it been implemented? Has the Government ever applied its mind to the contents of the report made by Mr. Mohan Dharia, who is now the Minister of State in the Ministry of Planning? We do not know, what has happened to that report. Sir, according to our opinion, the rise in the prices of essential commodities is mainly because of 'the total rule by the monopolist' in our country. Unless the production of essential items is taken away, at least partially, from the hands of the monopolists and unless there is a check on the production and price at the point of origin, it will not be possible to check the price rise. This is because, the trade is in the hands of the monopolists.

**SHRI B V NAIK (Kanara)** Who are the monopolists in wheat trade?  
(Interruptions)

**SHRI NOORUL HUDA** I am coming to that. I would now refer to wheat about which our friend has put a question just now. Only a few months back, when Mr. Ahmed was here as the Minister of Agriculture—he has now been elevated to the post of President and I have great respects for him—he took over the wholesale trade in wheat. Now, what happened after that? After the laps of only a few months, we find the hon. Minister coming and saying on the floor of the House that the take over policy has failed and that it has to be withdrawn. He has withdrawn that. Why? Because of what? This is because Government could not procure from

the rich landlords and the rich land owners. This is the reason. The same is the case with rice.

The Assam Government—from where I come—took over this rice and paddy trade. What is the result? Before take over, rice was selling at Rs 1 50 per kilo at the most. Mr. Goswami is here. Sir, at Gauhati, last year, rice was selling at Rs 1 50 per kilo. Now, this year, it is selling at Rs 1 50—Rs 4/- per kilo. Never in our life, we have seen rice selling at Rs 3 50 per kilo. This is the result of your take over scheme. This is because you are not able to touch the landlords. You have no check on them and you have no courage to procure wheat and rice compulsorily from the landlords and land owners. That is why, your procurement targets are not being fulfilled. The procurement in the last season was 1 5 million tonnes against the target of 5 million tonnes. What happened? you cannot do anything.

Now, we are talking of importing foodgrains from abroad, 5 million tonnes of wheat from abroad. We know the financial position of our country. We do not have enough foreign exchange to spend. So, Sir, the point is this. We have repeatedly stated in this House on behalf of all the parties and on behalf of the CPI (M) that first of all, we should take over the marketable surplus from those land owners who have more than 30 bighas of land. You can procure this marketable surplus and you can have an effective public distribution system. Only through these measures, you will be able to sell foodgrains at reasonable prices at the prices which the common people can purchase. So, first of all, unless these greedy monopolists and landlords are checked, unless the Government comes out with strict measures for procuring the marketable surplus from these landlords, the Essential Commodities Act or the amendments thereof would have only paper value. Now you talk big. You preach socialism and talk of equitable distribution, reasonable prices, dehoarding, stopping of blackmarketing, checking



[Shri Noorul Huda]  
of malpractices and all that, but your basic policies are wrong and incorrect. That is why you have not been able to provide foodgrains and other essential commodities to the people at large at reasonable prices, at prices at which they could afford, for the last 19 years, even though the Essential Commodities Act has been in existence. So, I would say that the Government must change their basic economic policies regarding procurement and public distribution. Unless and until they change their policy, nothing will happen and this Act would remain on paper only and the people of India would continue to suffer, the working class the peasants would continue to suffer. So, even though we may pass this Bill, it will have no effect whatsoever on the prices which are ruling in the country.

MR. DEPUTY-SPEAKER: Before I call other members, I would like to say that while listening to Shri Huda I found that he was criticising the functioning of the Agriculture Ministry, the economic policies of the Government and all that sort of thing. If we go strictly by the provisions of the Act, it is not relevant to the Bill. But what I am going to say is this. In the present inflationary climate and the rising prices of essential commodities, I do not know where you draw the dividing lines; it is very difficult. When you discuss an amendment to this Act, you cannot help making a reference to the failure of this law in containing the prices of essential commodities. That is why I have allowed him a certain amount of laxity: a discussion of this Bill without reference to what is happening in the country today becomes meaningless. That is why I have allowed him although, strictly speaking, I should have ruled it out. Even so, I may draw the attention of the members to the fact that there is very limited time. We are already very much behind the schedule. I have a note from the Minister of Parliamentary Affairs that since there are quite a good number of Congress members who want to speak, they may be given only five minutes. In order to

balance, I would call two from one side and then one from the other side.

SHRI DINESH CHANDRA JOSWAMI (Gauhati): Mr. Deputy-Speaker, Sir, I take my stand here to support this Amendment Bill broadly, though I will have certain observations to make about some provisions of this Bill.

One objection that has been taken to this Bill which seeks to replace an ordinance is that the Government was wrong in promulgating an Ordinance when the Parliament was about to sit. I feel that in the present economic distress, obviously, we should not take a technical objection like this, considering the fact that the Ordinance was promulgated on the 22nd of June and the Parliament was to meet on the 22nd of July. There was a month's intervening gap in the period. That becomes very important. In view of the fact that the country today is being ravaged by floods, to a great extent, it is also putting a lot of additional strain on the economy of the country. When in such a contingency, the Ordinance was promulgated, I feel the Opposition's objection regarding the promulgation has really no force.

The hon. Member, Mr. Noorul Huda, of the C. P. I. (M) has raised a political debate. He has hardly referred to any provision of the Bill. As you have rightly said, Sir, my time being limited, I will not enter into any political controversy with him because we have entered into the same political controversy while discussing the No-Confidence Motion as also in other debates. I think we will have occasions in future to enter into the controversy which he has raised.

I will come directly to the provisions of the Bill, of course, with the passing observation that it is not that only by legal measures or statutory measures we can check the evil which is prevailing in the entire country and the community today. Extra-legal measures within the framework of law are equally important. Extra-legal measures



In my respectful submission, should take the form of a determined political will not only by the ruling party but by all parties concerned, a vigilant public opinion and also a dedicated enforcement machinery.

What I feel today is that in matters of essential commodities or in matters relating thereto, a dedicated machinery is not there and that, to a great extent, is causing many of the problems in the society today. Therefore, while supporting the Bill, I would request the hon. Minister to consider as to how he can make his enforcement machinery more effective. I will not go to the extent of saying that everybody in the machinery is corrupt or so. But I do feel that there is a lot of improvement to be done in the machinery. Unless you do some improvement in that respect, to a certain extent, the allegation of the Opposition that your legislative measures are not going to help in solving the problem is bound to prove correct. I hope, the hon. Minister with all his vitality will, undoubtedly, try to improve matters in that direction.

I now, come directly to the provisions of the Bill. The hon. Minister has said that he has brought this amending Bill primarily based on the Forty-Seventh Report of the Law Commission in which it has dealt with the trial and punishment of social and economic offences. My main grievance is that while bringing this amending Bill, he has brought only few ad hoc amendments and has not really applied his mind to some of the vital suggestions that the Law Commission gave in its Forty-Seventh Report.

For example, the Law Commission made a general recommendation that all economic offences should be tried by special courts. I quote from page 158. (1)(a):

"Offences under the Acts in question—except the Wealth Tax Act and the Income-tax Act—should be

tried by Special Judges to be appointed under a Special Act creating special courts for trying these offences."

The other vital recommendation was.

"In such trials, the Special Judge may, for reasons to be recorded, refuse to summon any witness, whose evidence will not be material."

He was saying that he has incorporated summary trial in the Bill in order to avoid delay. But this was a provision which wanted to do away with the delay. I do not find that you have incorporated anything like that in the Bill.

Also, I find there is a very important recommendation made for the first time that was sought to be introduced in the legislative history by the Law Commission. As the prosecution has to spend a lot of time in investigation and, ultimately, a lot of time and money is spent in such type of economic offences, the prosecution may ask for any details from the accused without infringing upon his constitutional rights. Here, I refer to page 160—1 quote:

"(8) In trials under all the Acts except the Wealth Tax Act and the Income-tax Act, the court should call upon the accused to state his defence after the charge is framed. Where such examination is made by the court, it is not necessary for the court to examine the accused under Section 342 Cr. P. C. except as regards matters which have arisen afresh."

I think, this was a very vital recommendation made by the Law Commission. A suggestion of this nature has come for the first time. Altogether there are about 9 or 11 recommendations made by the Commission. Except the two recommendations which they made particularly regarding this Bill, the Ministry has completely not applied its mind to these recommendations. My main grievance is that if you want to deal with economic offen-



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ces, it is not by ad hoc measures that you can do it. But you should apply your mind in a comprehensive manner to all the recommendations made.

I will show you from the spending Bill some of the fallacies to the arguments which the Hon'ble Minister has put forward. He said that the primary purpose of the Bill is to enhance punishment. But I will show you that this amending Bill instead of enhancing the punishment will reduce the punishment. You have said that you are increasing the punishment from five to seven years. Now please look to Clause 10 of the Bill which reads as follows:

"Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences relating to.....

cotton or woolen textiles food-stuffs...."

That means, all very serious and vital offences.

"...shall be tried in a summary way by a Judicial Magistrate...."

Now what is his power?

"Provided that, in the case of any conviction in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year."

Therefore, for all these important offences relating to foodstuffs drugs, cotton and woolen textiles etc., the general provision that has been made is a summary trial with the maximum punishment of imprisonment for only one year. You have, of course, said that in exceptional cases where the Magistrate feels that the punishment should be more, he shall record an order to that effect and shall go through the procedure provided by the Code for general trial. We know about the courts, Sir. As a practising lawyer I know well what the courts

would do. When you have made it compulsory—the word used is 'shall',—no court would record the reasons in writing in order to follow a complicated procedure.

MR. DEPUTY-SPEAKER What was the ceiling of minimum punishment under summary trial in the previous Act?

SHRI DINESH CHANDRA GOSWAMI: In the previous Act, summary trial was not there.

Here the provision is:

"Provided that, in the case of any conviction in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year."

The maximum is one year. What I am saying is that, because you have made it compulsory, more or less, by using the word 'shall', in most of the cases, though you have theoretically said that the punishment will be seven years, in effect the punishment of imprisonment will be to the maximum of one year except, of course, where a very conscientious Magistrate decides in an appropriate case not to follow the summary procedure.

My next objection is this. You are saying that these cases will be tried by Judicial Magistrates. Now what is the limit or capacity of punishment by Judicial Magistrates under the Criminal Procedure Code? Under the Criminal Procedure Code, a Judicial Magistrate is competent to give punishment only upto three years that is the maximum. Now my objection is this. The Magistrate will have to decide first that he is not going to try it summarily because there should be more punishment. Then after taking some evidence, if he decides that the punishment should be for more than three years, then he is not competent to handle that. Therefore, he would refer it to another court. Don't you see that, by this, your effort at dispos-



ing of the cases early, in the most appropriate and important cases, will be completely frustrated? One way was to confer under this Bill, this being a special Bill, the power of punishment of imprisonment for seven years to the Magistrate. In fact, there is one provision, one clause, in this amending Bill, if I remember correctly, where the power of punishment has been increased so far as fine is concerned. You will be pleased to find that there is one provision here by which the power of punishment in respect of fine has been increased. Please see Clause 9 which reads:

"Notwithstanding anything contained in section 29 of the Code of Criminal Procedure, 1973, it shall be lawful for any Metropolitan Magistrate or any judicial Magistrate of the first class specially empowered by the State Government in this behalf, to pass a sentence of fine exceeding five thousand rupees ..."

My main objection is that in spite of the provisions of the Criminal Procedure Code, when you confer the power of increased fine on the Magistrate, why do you not confer simultaneous power of sentence of imprisonment on these Magistrate?...

MR. DEPUTY-SPEAKER: Can you do it by this Bill?

SHRI DINESH CHANDRA GOSWAMI: Yes, Sir. This is a special Act. The Criminal Procedure Code has laid down limitation on enhancing imprisonment and also sentence of fine. This Bill says, 'Notwithstanding anything contained in the Criminal Procedure Code...' So, it is a special Act and a special Act overrides a general Act. Therefore, he has said that by virtue of this special act, if the Magistrate had the power under the Criminal Procedure Code the power only to impose a fine of Rs. 1,000, he will be able to impose a greater fine. By the same provisions he could have also said that in spite of whatever has been said in the Criminal Procedure

Code with regard to the limitation of power to award a sentence upto 3 years, I am conferring a power to award a sentence upto 7 years. He has not done that. Then, what will happen? In most of the cases, the only authority which can give a sentence of 7 years is the Chief Judicial Magistrate and there will be only one Chief Judicial Magistrate in a district. How many cases he can try? So, though theoretically you have increased the power to sentences but because of limitation of powers, this amending Bill will, to a great extent, be frustrated in its own object.

I will come to the second point. The second point is regarding clause 4 sub-clause 2 which for the first time gives the power of seizure of essential commodities. The Collector may seize essential commodities and Section 6(c) of the original Act which has not been touched, provides appeal against the orders of confiscation. Supposing the Collector confiscates an essential commodity or any package or covering or receptacle in which the property is found, then the person can prefer an appeal under Section 6(c) of the criminal Act which has not been amended. Now, if you look to clause 6 of the present Bill, the court, if it so orders, can forfeit to the Government any package or covering or receptacle. Now, I want to pose one question to the hon. Minister. Supposing the collector seizes and the person has gone in appeal and the appellate authority has said that the seizure or the confiscation was illegal and prosecution, the court says, 'I forfeit it to the Government', whose order will prevail? My problem is: supposing in a case a truck-load of essential commodities was found and the Collector confiscated it. The aggrieved party went in appeal and the appellate authority under clause 6(c) gives an order that this confiscation is illegal and improper and that it should be given to him back but the prosecuting court orders forfeiture of the same property, whose order shall prevail the remedy? Be-



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cause under clause 6, in a prosecution, the court has the power to forfeit the same vehicle to the Government. Supposing in a confiscation the appellate authority said that the vehicle should be given back to him whereas in a prosecution the court says, 'I will forfeit it to the Government. Then whose order will prevail. You have not made there two provisions subject to one another. I would like the hon. Minister to clarify the matter when such a contingency arises where the Collector has seized the vehicle, the authority says that the confiscation is correct whereas the court lays, 'In my judgment this should not be forfeited to the Government'. Then how to resolve his anomalous position? These are two independent authorities exercising two independent powers. Therefore, I would like to have a clarification of where there is a conflict between the order passed by the appellate authority under clause 4 and also an order passed under Section 6, whose order will prevail.

The second point which I wish to submit is this. Please see Clause 5, sub-section (2) which says:—

"Without prejudice to the provisions of sub-section (1) to order confiscating any animal, vehicle, vessel or other conveyance shall be made under section 6A if the owner of the animal, vehicle, vessel or other conveyance proves to the satisfaction of the Collector that it was used in carrying the essential commodity without the knowledge or connivance of the owner himself, his agent, if any, and the person in charge of the animal, vehicle, vessel or other conveyance, and that each of them had taken all reasonable and necessary precautions against such use."

These are instances laid down where such order of confiscation cannot be made. Why should you not lay down the same contingencies in the order of forfeiture ordered under the provisions of Clause 6 (c)? It merely says:

"Any package, covering or receptacle in which the property is found and any animal, vehicle, vessel or other conveyance used in carrying the property shall, if the court so orders, be forfeited to the Government."

The collector, on the proof of contingencies mentioned under Clause (5) cannot confiscate it and the appellate authority has to quash the order of confiscation, if the accused can prove the existence of these facts. While giving power to the courts, my submission is, why do you not incorporate the same provision and make the provisions rational. This requires consideration on the part of the Government. This is my respectful submission.

Then I come to the provisions of *mens rea*.

In page 4, you will see this.

"In any prosecution for any offence under this Act which requires a culpable mental state on the part of the accused, the court shall presume the existence of such mental state, but it shall be a defence for the accused to prove the fact that he had no such mental state with respect to the act charged as an offence in that prosecution."

That means, upto now it was upto the prosecution to prove *mens rea* that he not only committed wrong but did it either knowingly or intentionally. The Law Commission has recommended that in such cases the prosecution normally finds it impossible to prove existence of such mental state and in all social and economic offences, the burden should go to the accused. This provision is whole some because after all how or why prosecution should prove what the mental state of the accused was! But I find it difficult to understand sub-clause (2) which says:

"For the purpose of this section a fact is said to be proved only when



the court believes it to exist beyond reasonable doubt and not merely when its existence is established by a preponderance of probability.

What is the meaning of the word 'proved' in this context?

MR. DEPUTY-SPEAKER: It is a paradise for lawyers.

SHRI DINESH CHANDRA GOSWAMI: Sir, this is an important point. How an accused is going to prove the existence of such a mental state? He can't bring his mind and put it before a court to prove absence of *mens rea*.

MR. DEPUTY-SPEAKER: You need a psychiatrist.

SHRI DINESH CHANDRA GOSWAMI: Sir, a psychiatrist also cannot help in this. I would like him to consider this. I think I have said this also earlier on. We should not do things by which any guilty person could escape. But at the same time we should not change the law which takes away reasonable opportunity of defence to an innocent person also.

MR. DEPUTY-SPEAKER: There is no more a benefit of doubt.

SHRI DINESH CHANDRA GOSWAMI: Suppose I have not committed an offence. The burden is that I am asked to prove my innocence that I have no knowledge or intention to commit the offence.

MR. DEPUTY-SPEAKER: You are guilty until you prove yourself to be innocent.

SHRI DINESH CHANDRA GOSWAMI: How am I to prove the existence of the state of mind? It has to be proved by probability of facts.

MR. DEPUTY-SPEAKER: That is why you need the service of a psychiatrist!

SHRI DINESH CHANDRA GOSWAMI: No, Sir. In any case in the case of murder, the prosecution has to prove

that he has full knowledge to come to the conclusion that the accused had either the knowledge or the intention. If you say that probability of or preponderance of facts will not constitute the proof, then how am I to bring it from my heart? Always a guilty man, as a student of law—I say it, has always to prove the absence of guilt. But, if the preponderance of facts is not proved?

MR. DEPUTY-SPEAKER: Mr. Goswami, do you know the definition of 'truth'. Truth is what people believe, no matter what the facts are.

SHRI DINESH CHANDRA GOSWAMI: I would submit one thing. I do not find any such suggestion in the Law Commission's recommendation also.

When you say that the preponderance of or probability of facts will not constitute a proof, I can not comprehend how one will be able to prove that he had no knowledge or intention except by placing the preponderance or probability of facts.

Sir, I wholeheartedly support this Bill but for this.

MR. DEPUTY-SPEAKER: Why do you support this Bill when there are so many loopholes?

SHRI DINESH CHANDRA GOSWAMI: I have not concluded it. Though I wholeheartedly support the objective of the Bill and the objective underlying it to enhance the punishment from five to seven years, my feeling is that the amending bill will only take away the powers existing to the court by which they can inflict the penalty upto three years. In most of the cases, there would be summary trials and the maximum punishment will be only one year. Unless you confer additional powers to the judicial magistrates or you agree to the most vital recommendations of Law Commission that all these economic offences will be tried by special courts to be established for the purpose, there



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will be no rationality of judgement. Therefore, I feel that Government should seriously consider this aspect of appointment of special courts for dealing with economic offences and social offences. So long as they do not do it, they have to confer the additional powers to magistrates and do away with summary trials excepting in those cases of minor offences where the court feels that the lack of serious use of the offence makes it desirable to try the offence summarily. With these words, Sir, I support the Bill.

MR. DEPUTY-SPEAKER: I think you have raised important and valid points. The Minister should try to answer them effectively. There are two things here. One is the time factor. The other is the importance of this debate. We cannot just hurriedly pass the Bill because of time. Certain important legal and constitutional points have been raised. It is the duty of the House to discuss them with all knowledge and responsibility.

श्री नवल किशोर (दीसा): उपाध्यक्ष महोदय, प्रस्तुत विधेयक पर अर्थात् मेरे मित्र श्री गोस्वामी ने कुछ कानूनी मुद्दे उठाये और उसके पहले बिरोधी दल के एक सदस्य ने कानून के ऊपर तो नहीं लेकिन सरकार की आर्थिक नीतियों पर कुछ प्रहार किए। मैं इस बिल के सम्बन्ध में इतना ही कहना चाहता हूँ कि यह मीजूदा बिल जो आया है सरकार ने इसमें, पुराने कानून में जो खामियाँ थी उनको दूर करने की कोशिश की है। बढ़ती हुई कीमतों के जमाने में जब लोग सही तरह

से परेशान हों तो ऐसा कानून जो इन कीमतों को रोकने के सारे में कारगर हो सकता था वह कारगर साबित नहीं हो रहा है। इसके कई कारण थे। पहला कारण यह था कि पिछले कानून में जो सजा का कानून था उसमें जुमाने पर ही फाँट आने-झर (झूट) सकता था। दूसरा कारण यह था कि इन कानूनों के प्रावधानों का उल्लंघन करने वाले आदमी को शुरू में कोई तकलीफ नहीं होती थी, बूक बेनेबिल आफेन्स था इसलिये वह जमाने पर रहता। तीसरा प्रावधान यह था कि मुकदमा चलाता रहता 4-5 वर्ष तक और उस अर्थ में गवाह मर जाते, हालात बदल जाते और इन्सान छूट जाया करता था, मुल्जिम छूट जाया करता था। चौथी खराबी यह थी इस कानून के अन्दर कि मुकदमा चलाने वाले को यह साबित करना पड़ता था जो कुछ किया गया है वह एक गिन्टी कामेन्स, मैसरिया का बड़न प्राजीनयुशन पर होता था। इन सभी खामियों को हम कानून के अन्दर दूर करने की कोशिश की गई है।

आज इस कानून के पाम हो जाने के बाद इसने सबी अच्छा प्रावधान रह रहा गया है कि किसी भी आदमी को जुमाना नहीं होगा अगर उसने कानून का उल्लंघन किया है तो उसको सजा होगी जेल की। इसके साथ ही साथ एक और बात की गई है कि आफेन्स नान बेनेबिल हो गए हैं, बेनेबिल नहीं रहे हैं। (शब्दबल) जी हाँ, पकड़ने के बाद ही। पकड़ने की कमी के बारे में मैं आपसे सहमत हूँ कि इस कानून के अन्तर्गत उतने लोगों का चालन नहीं होता, उतने लोग पकड़े नहीं जाते जबकि रात दिन ब्लैक मार्केट चलता है, सारे मामले-इन्फ्लेक्शन हैं, कोई चीज बाजिब कीमत पर नहीं, मिलनी



लेकिन इसके बावजूद भी यह सही है की यह कानून अपनी जगह पर उपयोगी साबित होगा। यह कानून उस दिशा में एक सही कदम साबित हो सकता है अगर सरकार का हरादा हो, सरकारी मशीनरी इस हरादे का अनुपालन करने की भ्रमना रखती हो। उस सूरनमें इस कानून के प्राविजन्म का अच्छा भ्रमर होगा।

मेरे मित्र गोस्वामी जी ने भी इस कानून के सम्बन्ध में दो तीन कानूनी मुद्दे उठाये लेकिन मैं उनके उन कानूनी मुद्दों से बिलकुल इतफाक नहीं करता हूँ। उन्होंने कहा कि सजा की जो भिन्नता है 5 वर्ष की वह आपने 7 वर्ष बड़ा दी लेकिन चूँकि अपने स. 7 का द्राबल 11 प्रावधान रख दिया और समरी ट्रायल के अन्तर्गत क्रिमिनल प्रोसीजर कोई भी एक साल की सजा देने का अधिकार मैजिस्ट्रेट को है इस लिए आपने दूसरे हाथ से उस सजा को घटा दिया। मैं इससे इतफाक नहीं करता। मैं इस बात से भी इतफाक नहीं करता कि ए. नामिक आफेन्सेज के लिए स्पेशल कोर्ट्स होनी चाहिए।

उपाध्यक्ष महोदय, असल में आज सब से ज्यादा जरूरत तो इस बात की है कि एथेनौमिक आफेन्सेज का ट्रायल समरी होना चाहिए। कम्पनी ला के जितने मुकदमे हैं, वे वर्षों तक नहीं निपटाए जाते क्योंकि उन में बराबर लम्बे तौर पर ट्रायल चलते रहते हैं और गवाहों को पेश करना, जिरह करना और दुनिया भर के अर्थों लगते हैं और दूर-दूर तक जाता है। इसलिए यह बहुत सेलुटरी प्रोविजन इस में रखा गया है। भले ही इस में यह बात जरूर है कि

मैजिस्ट्रेट को एक साल की सजा देने का अधिकार होगा लेकिन इस के बावजूद लोग और प्रोटेक्टेड ट्रायल की बजाए एकोनामिक आफेन्सेज में समरी नरीके से अगर मुकदमे का फैसला करेंगे तब ही जा कर आज की जो अधिक स्थिति है देश में, उस का मुकाबला किया जा सकता है। आप कोई भी कानून बना दीजिए, अगर कानून के फैसले में डिले होती है, तो उस कानून का कोई मतलब ही नहीं होता है। आज जो प्रोसीजर है उस को तो बदल नहीं सकते और उस प्रोसीजर के होने हुए कैसेज का फैसला जल्दी नहीं हो सकता है। इसलिए इस में जो समरी ट्रायल का प्रावधान किया गया है वह ठीक है।

इस के अलावा इस में जब को यह अधिकार दिया गया है कि वह अगर चाहे तो उस मुकदमें के बारे में समरी ट्रायल न करे। ऐसा निर्णय भी वह ले सकता है। जब हम जब के ऊपर इस तरह का अधिकार छोड़ने हैं, तो कोई बजह नहीं है कि हम शका करे कि उन कैसेज में जहां आफेन्सेज सीरियस नेचर के हैं, वे समरी ट्रायल कर के छोड़ देंगे। उन कैसेज में हम को विश्वास करना पड़ेगा जब की बुद्धि पर, उस की योग्यता पर, उसकी ईमानदारी पर और उस की नेकनीयती पर कि वे वे ऐसे मुकदमों में समरी ट्रायल नहीं करेंगे। इस में कोई कांटाडिक्शन नहीं मालूम होता है जैसा कि मि० गोस्वामी कह रहे थे कि वह कांटाडिक्टरी है। न इस में कांटाडिक्शन मालूम होता है और न कोई खराबी मालूम होती है। इसलिए मैं इस प्राविधान का समर्थन करता हूँ।



[श्री नवल किशोर वर्मा]

उपध्यक्ष महोदय, मि० गोस्वामी का दूसरा एतराज था 10 (सी) के बारे में, जिस में कहा गया है .

"culpable mental state includes intention, motive, knowledge of a fact, and the belief in, or reason to believe, a fact ..".

और आगे क्लॉज (2) में कहा गया है । उसमें लिखा है .

"For the purposes of this section, a fact is said to be proved only when the court believes it to exist beyond reasonable doubt....".

अब तक उपाध्यक्ष महोदय, कानून की स्थिति यह है कि मुनजिम को सजा तभी होती थी जब कोर्ट यह समझ जाए कि यह जो मुनजिम है, इनका जर्म (बिपोंड रीजनेबिल डाउट प्रूव्ड हो गया है और कभी कभी बिपोंड रीजनेबिल डाउट के अलावा "प्रोवेबिलिटी" का सबाल भी उठ जाता था और सुप्रीम कोर्ट के ऐसे बहुत से जजमेंट्स हैं जिन में सुप्रीम कोर्ट ने यह फैसला किया है कि जहां "प्रोवेबिलिटी" हों, जहां दो ध्योः हो, वहां कोर्ट को मुनजिम के हक में उन प्रोवेबिलिटी के आधार पर ध्यान देना पड़ेगा । इसी बात को मीट आउट करने के लिए यहां कोशिश की गई है और यह वाजिव कोशिश की गई है और इस बारे में मैं मि० गोस्वामी से इतिहास नहीं करता हूं । एक और तो हम चाहते हैं कि मुक्त में ऐसे लोगों को सजा मिले जो ब्लैक मार्केटिंग करते हैं और जो लोगों के जीवन के साथ खिलवाड़ करते हैं और दूसरी और हम उसी कानूनी पक्कों में पड़ना चाहते हैं जिन में सुप्रीम कोर्ट ने यह फैसला किया है कि 'प्रोवेबिलिटी' अगर हों और एक ही बात के अगर दो निष्कर्ष निकल सकते हों, एक ही फैसले के बारे में दो नतीजे निकाले जा सकते हों, तो नतीजा मुनजिम के हक में निकाला जाना चाहिए । इस बात को, इस कमी को

पूरा करने को कोशिश इन क्लॉज के जरिए से की गई है । इसलिए मैं अपने मित्र मि० गोस्वामी को इन गव में सहमत नहीं हूं और मैं यह मानता हूँ कि सरकार ने वह एमण्डमेंट ला कर अच्छा काम किया है और एकेनामिक आफ्फेयर्स को मजबूती के साथ मीट आउट करने का और उस के लिए लोगों को सजा देने का सरकार ने एक रास्ता निकाला है ।

उपाध्यक्ष महोदय, एक बात और मैं इस विधेयक के बारे में कहना चाहता हूँ और वह बात यह है कि मेरी समझ में नहीं आया कि सरकार ने यह क्लॉज 12(बो) इस में क्यों रखा है और इस का क्या मतलब है । इस में कहा गया है . . . .

"No civil court shall grant an injunction or make any order for any other relief against the Central Government or any State Government or a public officer in respect of any act done or purported to be done by such Government or such officer in his officer capacity.."

इस में जो इजक्शन को बात कही गई है, मैं मंत्री महोदय से कहना चाहता हूँ कि आप इस में इजक्शन की बात मन कहिए । आप यह कहिए

"No civil court shall take cognizance of such a suit".

इजक्शन की क्या बात करते हैं । क्यों दोबारा मुकदमें में जाने की कोशिश करते हैं । आप इतना ही कहिए कि कोई सिविल कोर्ट इन मामलों में डाइरेक्शन्स के खिलाफ स्टेट गवर्नमेंट के आर्डर्स के खिलाफ कोई जूरिस्टिक्शन नहीं रखेगी, वे उस के अधिकार क्षेत्र से बाहर होना । इस बात को आप को कहना चाहिए । अगर इस बिन के परपक्ष को आप पूरी तरह से अमल में लाना चाहते हैं, तो सिविल कोर्ट के जूरिस्टिक्शन को बिन्कुल आउट कर दीजिए, यह मेरा विवेक है इस मामले में ।



इन्के साथ हूँ साथ मैं एक बात में जरूर भि० गोस्वामी से इसकाफ करती हूँ और वह बात यह है कि आप ने जहाँ बैमिल, कैरियर और एनीमल को कफिकेट करने का अधिकार कलक्टर को दिया है, वहाँ उमी सम्बन्ध में उसी मुकदमे के बारे में मुनवाई का अधिकार मेजिस्ट्रेट को दिया है। ये दोनों बाने अलग अलग हैं। अगर कोई आफेन्स होता है, तो उस के साथ ही जो चीज सॉज की गई है चाहे वह एनीमल हो चाहे प्रोपटी हो, चाहे बैमिल हो और चाहे कैरियर हो, उस को काफि सक्केट करने का अधिकार भी उसी अदालत को होना चाहिए न कि कलक्टर को होना चाहिए, वृद्ध ब्रडी एनामलस रीजिजन है। उपाध्यक्ष महोदय, यह भी हो सकता है कि कलक्टर किसी केस में किसी चीज को काफिसक्केट कर ले और उसी केस में जूडिशल कोर्ट मुलजिम को, जिस ने जर्म किया है, धरो कर दे तो कितना मजबूत लगेगा कि जर्म करने वाला तो बरी हो जाता है और उस का सहायक जो है, उस को सजा मिल जाती है, उस का माल जब्त हो जाता है, उस का कैरियर जब्त हो जाता है, उस का एनीमल जब्त हो जाता है। तो दोनों चीजे काट्राइक्टरी है। मैं समझता हूँ कि काफिमकेशन का कामदा रहना चाहिए लेकिन यह अधिकार उस अदालत को होना चाहिए जो कि उस आफेन्स को ट्राइ करे। उन कैसज में जहाँ चालान न करना हो, जहाँ मुकदमे में मुलजीम गिरफ्तार न हुआ हो, वहाँ जरूर उस माल को, उस कैरियर को जब्त करने का अधिकार अगर आप कलक्टर को देते हैं तो बात समझ में आती है लेकिन उन कैसज में जहाँ चालान हुआ हो वहाँ इस तरह की बात करना मुनासिब नहीं होगा।

इन शब्दों के साथ मैं ने जो सुझाव दिये हैं, मैं समझता हूँ कि माननीय मंत्री महोदय उन पर गौर से विचार करेंगे।

श्री कमला मिश्र "मधुकर" (केसरिया) :  
उपाध्यक्ष महोदय मे ने मंत्री महोदय को

बहुत ध्यान से सुना है और मुझे लगा है कि उन्होंने कुछ नेकनीयती का इरादा जाहिर किया है और और नैक इरादा इन्होंने ही नहीं जाहिर किया है बल्कि मुझे याद पड़ना है कि प्रजद के पूर्व १० जून १९७२ में नेहरू ने भी कहा था कि जब हमें स्वराज्य मिलेगा, तो हम वनक मार्केटिंग करने वाला को निकटतम लैम्प-पोस्ट में फाँसी लगाने और परसल हमारे उरर एडपति जो ने भी यही बात कही थी (श्रवण)। अगर अभी हाथ में ७ अगस्त को आप के मौखिक तो की जो रैली हुई थी, उस में भी यही नारे लगाये गये थे कि जनान्त्रो को फाँसी दो और प्रधान मंत्री जी भी कहती है कि उन का सोशल बायकाट करो। मुझे समझ में नहीं आता है कि इन तमाम नेक इरादों का परिणाम क्या हुआ है। परिणाम यही हुआ है जैसा कि टाइम्स आफ इण्डिया में किस को हमारे लोगों ने उद्धृत किया था कि एक दिन के अन्दर मोटे अनाज, एडिविल आयल और चीन्ना के दाम कितने बढ़ गये हैं और कितना इन का अभाव है इस देश में। इसी दिल्ली शहर में तमाम चीजों का अभाव है जिस की चर्चा हमारे मित्र श्री एम० एम० बनर्जी ने की है। आप के नेक इरादों का और कानून का क्या कोई मेल होता है? स्थिति यह है कि आप के कानून का आप के नेक इरादों में कोई मेल नहीं है। मुझे इस समय महाभारत की बात याद आती है कि जब पाण्डुओं को हराने के लिए योजना बनाई गई थी, तो दुर्योधन ने उस सुरंग बना दी और उस सुरंग के रास्ते तमाम पाण्डव बच गये। वैसे तो अगर कहते हैं कि इस कानून में आपने सजा बढ़ाने की व्यवस्था की है, जुर्माने की राशि बढ़ाने की व्यवस्था की है लेकिन सही मानों में आप ब्लैक मार्केटिंग पर, होर्डिंग पर प्रभुत्व लगा सकेंगे ऐसा मैं नहीं समझता हूँ। मैं कानून का विश्लेषण नहीं हूँ फिर भी मुझे बालूब यह



[ कम्पला गि.श्र मधुकर ]

पड रहा है कि आपका जो उद्देश्य है उसको यह कानून बिल्कुल भी पूरा नहीं कर सकेगा ।

15 hrs.

आखिर देश में चावल आटा वनस्पति बेंबीफूड, सानून, दिया मलाई, विद्यार्थियों के काम करने वाली ए'सरसाइन नुबम दवाइयो आदि को भयंकर कमी क्यों है तथा इन सभी तथा दूसरे आवश्यक वस्तुओं के दाम सुरक्षा के मह की तरह क्यों बढ़ते जा रहे हैं ? इसका मूल कारण क्या है ? आप समझते हैं कि कानून की कमजोरी के कारण ऐसा है और आप उसके वास्ते सशोधन लाए हैं । लेकिन मूल जो कारण है उस में आप गए नहीं हैं । देश में एसोसियल कमोडिटीज का जो मकद पैदा हो गया है, मैं समझना हूँ कि उसके लिए आप पूर्ण रूप से जिम्मेदार हैं, आपकी नीतियां पूर्ण रूप से जिम्मेदार हैं । पिछले 27 साल में आपने जो नीतियां अपनाई हैं, जो रास्ता अख्त्यार किया है वह इसके लिए जिम्मेदार है । इसका मूल कारण यह है कि हमारी अर्थ व्यवस्था को आपने पूँजीवादी त्रिष्व बाजार के साथ जोड़ रखा है और आपने स्वयं देश के वास्ते पूँजीवादी विकास का मार्ग अपनाया हुआ है । इस में प्राफिट ही नहीं सुपर प्राफिट होने की गुंजाइश रहनी है और सुपर प्राफिट लोगों को हो रहे हैं । इसी का यह परिणाम है कि अन्न व ही नहीं अन्नकर अभाव की स्थिति देश में पैदा हो गई है । बड़े उद्योगपति जो हैं वे जान बूझ कर पैदावार को मिरा रहे हैं, जमाखोरी कर रहे हैं । अधिक में अधिक मुनाफ़ा लूट रहे हैं । इनका ही नहीं काले धन की समानान्तर अर्थ व्यवस्था देश में चल रही है जो कि महंगाई और अभाव को बढ़ाने में सहायक हो रही है । इस में प्रभासन की. साझेदारी है । काले धन में शासक वर्ग की साझेदारी है । काले धन की, चोरबाजारी की, स्मगलिंग

को समय समय पर सदन में चर्चा होती रहती है । बड़े बड़े होर्डिंज जो हैं, ब्लैक मार्केटिंज हैं उन से चूँकि आप चुनाव के लिए चन्दे लेते हैं, पैसा लेते हैं, इसलिए आप में यह हिम्मत नहीं होती है कि आप उनको छू सकें । आपके नेक इरादे हो सकते हैं । लेकिन केवल मात्र नेक इरादे प्रकट करने से काम नहीं चल सकता है । उन नेक इरादों को अमल में लाने के लिए भी आपको हड़ सकल्प का परिचय देना चाहिए । काम बाजारी करने वालों के साथ शासक वर्ग की किस तरह साझेदारी है इसका मैं एक उदाहरण आपको देना चाहता हूँ । हमारे चम्पारन जिले में एक अधिकारी ने रात में बैन गाड़ी पर चोरी किये धान में जाते हुए कुछ व्यापारियों को पकड़ा । अगली सुबह ऊई कावेस के नेता उस अधिकारी पर उन्हें छोड़ देने के लिए दबाव डालने के लिए आए ।

दूसरा उदाहरण यह है कि हमारी पार्टी ने वही पर एक जमाखोर के यहाँ गल्ला हॉल की सूचना उच्च अधिकारियों को दी । जो मैजिस्ट्रेट गल्ला निकालने गये वे रात में एक बगले में ठहर गए । उसके बाद पता चला कि जमाखोर को सूचना मिल गई है और उसने घूस दी और ये लोग उसका कुछ नहीं कर सके । बिहार में ही एक प्रखण्ड अधिकारी का गल्ला पकड़ने के आरोप में तुरन्त तबादला कर दिया गया । इसारेदारी चोर बाजारियों, जमाखोरों एवं बड़े भूस्वामियों के सामने आपने धारम समर्पण कर दिया है । इस वास्ते अगर आप यह समझते हैं कि कानून बना देने से आप ब्लैक मार्केटिंज का, होर्डिंज का तथा दूसरे ऐसे लोगों का आप सफाया कर दें, तो मैं नहीं समझता हूँ कि ऐसा हो सकेगा ।

आपने होलसेल फूडबैन ट्रेड को टेक ओवर किया । मजदूरों, किसानों तथा तमाम दूसरे लोगों की यह मान थी । लेकिन यहाँ भी आपने अपने आपको सँदेर किया ।



यह कहा जाता है कि औद्योगिक तथा खेती की पैदावार में विराट अर्थ है। लेकिन जो बात औद्योगिक उत्पादन पर लागू होती है वही धन पर भी लागू होती है। नाबों के बड़े भूमिपतियों को आपने सभी सुविधायें दीं। खेती में भी पूँजीवादी प्रणाली का विकास हुआ है और इसका सम्बन्ध पूँजीवादी बाजार से जुड़ गया है। आपने भूमि सुधार भी लागू नहीं किए। छोटे किसानों की तरफ़ की लिए कुछ नहीं किया। सिंचाई, सुविधाओं का, बिजली का, ऋणों का, खाद बीज आदि का प्रबन्ध छोटे किसानों के लिए नहीं किया। गन्ना उत्पादकों के सवाल को भी चीनी मिल मालिकों के दबाव में धा कर एवं उनके साथ आपने सम्बन्धों के कारण हल नहीं किया। परिणाम यह है कि गन्ने की खेती कम हो गई है और गन्ना लकड़ी के भाव से भी कम पर बिक रहा है, उनको लकड़ी के दामों से भी कम दाम आप दिला रहे हैं। ऐसी अवस्था में चीनी की पैदावार कैसे बढ़ सकती है। आपने चीनी मिलों का राष्ट्रीयकरण भी नहीं किया।

इस सब का परिणाम यह है कि आज देश की धर्म व्यवस्था आपके कण्ट्रोल से बाहर चली गई है। सर्वत्र हाहाकार मचा हुआ है। भूमिहीन, खेत मजदूर, गरीब किसान, मध्यम किसान, बेतन भोगी सभी की इस अवस्था और महंगाई ने कमर तोड़ दी है। पूँजीपति, ब्लैक मार्किटर्स, जमाखोर, उच्च अधिकारी, काले धन वाले सभी चादी काट रहे हैं। आज जो असन्तोष देश में व्याप्त है वह एक बिस्फोटक बिन्दु तक पहुँच चुका है और यह जान लीजिए मंत्री जी कि यह बिस्फोट देश से पूँजीवाद को भी खत्म करेगा और आपकी गद्दी को भी हिलाएगा। आप जो यह कह रहे हैं कि आप महंगाई रोक देंगे जिस प्रकार के आप पय उठा रहे हैं उन में यह एक दिवा स्वप्न ही सिद्ध होगा। मैं समझता हूँ कि आपने जो विधेयक पेश किया है उस में सच्चा का जो

प्रावधान किया है वह बिल्कुल नाकाफी है। इससे काम नहीं चलेगा। इस में समरी ट्राइल की व्यवस्था होनी चाहिए थी तथा सश्रम कारावास की व्यवस्था होनी चाहिए थी और सजा की अवधि कम से कम एक साल होनी चाहिए थी। ब्लैक मार्किटर्स और होर्डर्स जो हैं उनकी जमानत नहीं होनी चाहिए। ये देश द्रोही हैं, उनके वास्ते गोली मारने की व्यवस्था होनी चाहिए, मृत्यु दंड की व्यवस्था होनी चाहिए। आपकी ही पार्टी के एक सदस्य ने कहा है कि सजा की अवधि आपने कम कर दी है। मैं नहीं आपकी पार्टी के ही एक सदस्य ने यह बताया है। आप बताए कि इस तरह के जो इस विधेयक में लैक्युने हैं उनको आप कैसे दूर करने जा रहे हैं। जरूरी चीजें बाहर निकालने के लिए जबदेस्त जन आन्दोलन भी होने चाहिए।

महाराष्ट्र में एक आन्दोलन हुआ था। जनयुग में यह समाचार छपा है। चार सौ हमारे कार्यकर्ता होर्डर्स के खिलाफ उठ खड़े हुए थे और छिपे माल को बाहर निकालने के लिए निकले थे। बजाय इसके कि इन होर्डर्स को पकड़ा जाता हमारे ही कार्यकर्ताओं को पकड़ लिया गया और उनको सजाए दी गई है किसी किसी को तो सात साल की सजा दी गई है। चम्पारन में हमारे लोगों के ऊपर गोली चलाई गई। बजाय होर्डर्स पर मुकदमे चलाने के हमारे कार्यकर्ताओं पर मुकदमे चलाए गए। इस सब का क्या परिणाम होगा क्या इसको आपने सोचा है? आप बड़े बड़े व्यापारियों से मिले हुए हैं। उन से पैसा लेते हैं। ऐसी अवस्था में क्या आप यह समझते हैं कि आप होर्डर्स सामान को बाहर निकाल लेंगे? जो अधिकारी मड़बड़ी करते हैं उनके वास्ते भी सजा का प्रावधान आपको करना चाहिए था। ऐसी व्यवस्था अभी तक आपने नहीं की है। यह होनी चाहिए।



[श्री कमल मिश्र बधुकर]

लेकिन केवल मात्र सजा का प्रावधान कर देने से काम नहीं चलेगा। अतः मेरा सुझाव है कि क्रम बढ लैबी से सभी मार्किटबल सरप्लस अन्न आदि को सरकार स्वयं खरीदे तथा सभी दूसरी आवश्यक वस्तुओं का स्टॉक सरकार अपने हाथ में ले। किसानों को निर्धारित दाम पर खाद डीजल बीज आदि अन्य सामान दिया जाए। बड़े उद्योगपतियों को बैंको से कर्ज देने की नीति में हेर-फेर किया जाए। फार्वर्ड ट्रेडिंग बन्द किया जाए। चीनी बनस्पति कपड़ा दुबाई आदि कारखानों का राष्ट्रीयकरण किया जाए। धारिया कमेटी की सिफारिशों को लागू किया जाए। सार्वजनिक वितरण प्रणाली के माध्यम से आवश्यक वस्तुओं को देने का प्रबन्ध किया जाए और इसको सख्ती में चलाया जाए। पंचायतो के जरिए जन सहयोग से इसको चलाया जाए। इस के वास्ते जनवादी कमेटियां बनाई जाए। ये तमाम बातें आपने की तो जनता आपको सहर्ष अपना सहयोग प्रदान करेगी और वह कर भी रही है। कानून लागू करने के लिए आपको व्यापक रूप से जन आन्दोलन को बढ़ावा देना होगा। जो जनवादी शक्तियां इस में लगी हुई हैं उनको आपकी प्रोत्साहित करना चाहिए। हमारी पार्टी ने पूरे भारत में विशाल जन आन्दोलन खड़ा करने का निश्चय किया है। वह आन्दोलन प्रारम्भ भी हो चुका है। परतों दिल्ली में जा कर हम लोगों ने दो लाख बोरा भ्रमाज बाहर निकाला था। तो इन लोगों का सहयोग लीजिए। उसके लिए कानून पास कर दीजिए। ऐसा नहीं हो कि जो लोग आप को सहयोग देने के लिए इस कार्यवाही में उतरें उन्हीं को आप सजा दें और जो बेसब्रोही हैं, होडिंग करने वाले हैं, वे छोड़ दिए जायें। जो देश के लिए समाज के लिए काम करने वाले इस मामले में सामने आए और भ्रमाज को दूर करने में सहयोग दें,

उन्हीं को आप सजा दें और गलत काम करने वाले छूट जायें, इस बात के खतरे में मैं सरकार को आगाह करता हूँ और साथ ही कानून में जो खाशियां हैं उन को दूर करने के लिए अपील करता हूँ। आप एक क्वाथ्रीहैंसिब बिल लाइए और उस में हम लोगों का भी समर्पन लीजिए ताकि देश में जो भ्रमाज की स्थिति है और महंगाई बढ़ती चली जा रही है उस को रोकने में सहायता मिले।

SHRI B. R. SHUKLA (Behraich):  
Mr. Deputy-Speaker, Sir, there is so much disgust with the behaviour of black-marketeers, hoarders, profiteers, drug adulterators and food adulterators in the country that they have expressed their opinion from various platforms and the Ministers and other persons in authority have joined in the condemnation and they have proclaimed from the various platforms that such persons should be chained, hand-cuffed and paraded in the streets. But I am sorry and I am rather constrained to say that the mood, the temper and the pulse of the people is not adequately reflected in the provisions of this amending Bill.

No doubt, the offences under this amending Bill have been made non-bailable by deleting the clause "bailable" as it is existed in the previous Act. But merely by making the offence non-bailable, it would not make a sufficient dent on the working of these anti-social criminals. Under the Criminal Procedure Code, a person who is guilty even of non-bailable offences which are not punishable with life imprisonment or death may be admitted to bail. Under the new Criminal Procedure Code of 1973, there is a provision of anticipatory bail under which the High Courts, the Sessions courts, have been given ample power to order that a person who is apprehending arrest by the police may be admitted to bail in the event of his arrest.



There is another provision under which the Sessions court or the High Court can admit any person to bail irrespective of the fact whether the offence is bailable or not. Therefore, my submission is that the persons who have contravened the provisions of this special enactment could easily get bailed out from the Sessions court and the High Court before they have been arrested. The provisions that have been made in this amending Bill have completely ignored the provisions of the Criminal Procedure Code

Under the Defence of India rules, there is a provision that if any person who is guilty of the contravention of the provisions of the Defence of India rules and, if there are reasons to believe that he is *prima facie* guilty of contravening those provisions, he shall not be granted bail. That is a blanket bar placed on the powers of the courts, including the highest one in the country to admit any person to bail if there is a *prima facie* case against such an offender.

My submission and my appeal, through you, Sir, to the hon Minister who is an intellectual and a versatile man in many fields is to ponder over this aspect of the matter and to make the provisions so effective as to not to allow the social parasites and social pests to escape the provisions of law. If a black-marketeer is put in jail and he is not allowed bail for a month or two or even for a week, he will think hundred times and other potential offenders will think hundred times before contravening any of the provisions of this Act. Otherwise, the things will go on in an easy way in which they have been going so far.

The second thing is about the minimum quantum of punishment. It is provided that there should be a sentence of imprisonment for at least three months in certain cases. But at another place it has been provided;

"For the purposes of sub-sections (1), (2) and (2A) the fact that an offence under sub-clause (ii) of clause (a) of sub-section (1) or under-section (2) has caused no substantial harm to the general public or to any individual shall be an adequate and special reason for awarding a sentence of imprisonment for a term of less than three months...."

The criterion would be 'substantial harm to the general public or to any individual'. Suppose one litre of kerosene oil is sold to an individual in black-market. The gain by such an act of black-marketing may be a few paise, but who knows, by repeated series of acts of such black-marketing he may be causing havoc to the community. But the court may say, 'In this particular case, we do not know whether he has been involved all along in black-marketing; and in this particular case the harm done to the individual is very slight and, therefore, the court is inclined to pass a sentence of imprisonment for less than three months'. Now what is the harm if you leave the determination of the sentence to the court without giving any guidelines like this? This provision would make the situation worse, and would give a long rope to unscrupulous presiding officers of courts to inflict lesser penalty on the wrong-doer, who is adjudged guilty. Therefore, my submission is that the minimum punishment should not be less than six months for the first offence, and if the crime is repeated, then the punishment should not be less than one year. Under the Prevention of Food-Adulteration Act, if a milk vender has mixed water with milk, he will get a minimum punishment of imprisonment for six months and a fine of Rs. 1,000....

MR. DEPUTY-SPEAKER: What happens if he mixes milk with water?



SHRI B. R. SHUKLA: My submission is that an offence under this Act is no less serious than an offence under that Act. Therefore, the minimum penalty should be imprisonment for not less than six months in any case.

Thirdly, under the existing Act, the Collector has the power to confiscate the essential commodity in case a contravention has been made, and when he passes such an order, it is revisable in appeal and the forum of appeal shall be determined by the State Government. Under section 7 of the existing Act, the court has also got the power to confiscate the property, i.e., the essential commodity, and the package, the animal, the receptacle and any other carrier which has been used in contravening an order with respect to an essential commodity. Therefore, there are the forums. Now I have given notice of an amendment that, whenever any matter with respect to which a case is pending—investigation or inquiry or trial—before a court of law then the collector should pass any order with respect to those very things and the order given by a court of law regarding confiscation shall be binding on the collector and if there is no prosecution, then, of course, the collector's powers remain unfettered because there may be cases in which there may not be prosecution but still it may be necessary to confiscate the article. For example, a smuggler is contravening the provisions of this Act. He is found carrying goods in

truck, but escapes arrest and commodities are left there. The truck is left there, the carrier is left there but the offender is not traceable. Now, under those circumstances no prosecution will be launched. Therefore, the Collector should have the authority in such cases where prosecution is not actually launched or is not launchable, to confiscate such articles. In other cases where the court is seized of the case, then the order contemplated should be passed by that court alone and the Collector should have no jurisdiction.

Another thing about the *mens rea*. I think the whole object of the Government is to rule out the possibility of cases ending in acquittal on grounds of want of proof of *mens rea*. But the drafting is not very happy in this respect and I would say with all respect and humility to the hon Minister that the amending provisions are more retrograde than the existing one. Sec 7 is the penal clause which provides:

"If any person contravenes whether knowingly, intentionally or otherwise, any order made under this section..." So, intention and knowledge are no doubt the ingredients of an offence under the Essential Commodities Act. But, there may be cases where intention and knowledge may not be requisite *mens rea* because those cases would be covered by the word 'otherwise'. Now, by enacting this section (clause 6 of the present Bill) you will not meet the situation. It is not the case that contravention would be



punishable only on the proof of intention or knowledge. There may be cases where proof of intention or knowledge may not be forthcoming. Those cases would be covered by the word 'otherwise' So, the Government is not gaining its objective by enacting another rule in clause 7(c)..

MR DEPUTY-SPEAKER: Please try to be brief now.

SHRI B. R. SHUKLA: So, my submission is that I have given a number of amendments .

MR DEPUTY-SPEAKER: You may speak on your amendments.

SHRI B R SHUKLA: My submission now is that under the existing state of affairs, small fries are generally prosecuted under the Prevention of Food Adulteration Act, the Prevention of Corruption Act and under the Essential Commodities Act. I would appeal through you to the Government that the law should be made rigid instead of being elastic so that the big sharks may not escape its clutches. Only then we can say that we have made an enactment in response to the mood, to the urges and the aspirations of the people. Nobody, even the so-called right reactionary lobbies, can defend these anti-social elements in this country and the House, with one voice, is prepared to give as much drastic powers as the Government themselves are serious and mean business.

श्री राम सिंह भाई (इन्दौर) :  
उपाध्यक्ष महोदय, सरकार ने मूल विधान में जो कमियाँ थीं, उन को दूर करने के लिए यह विधेयक प्रस्तुत किया है, अब अगर यह जन-भावना की पूर्ति करता है तो मैं इस का समर्थन करता हूँ। अभी आपने कुछ मुझाव दिये तो हमारे माननीय सदस्य उन सुझावों के अनुसार धाराओं में ही बहने लगे। यह कानून आवश्यक वस्तुओं का दण्ड विधान नहीं है कि केवल गुनाह करने वालों को कितनी सजा दी जाय, बल्कि यह जो मूल कानून है, जिस में वह सशोधन किया गया है, वह मूल कानून कहता है कि अभाव के समय में सरकार को क्या चाहिए। लोगों को आवश्यक वस्तुएं प्राप्त न हो रही हो, उनका उत्पादन कम हो, उस समय लोगों को आवश्यक वस्तुएं प्राप्त करा देने के लिए कुछ नियन्त्रण होना आवश्यक है। अमुक मात्रा में प्रत्येक व्यक्ति को वह वस्तु मिलती रहे—इस कानून का यही मूल मकसद है।

कल जोशी साहब ने बहुत अच्छी बातें कही—मैं उन का समर्थन करता हूँ। जो अच्छी बातें हमारे विरोधी लोग कहें, उन को हमें जरूर मानना चाहिए, जो देश-हित और जन-हित में हो, उन को मानने से इन्कार नहीं करना चाहिए। मैं, श्रीमन्, सदन के सामने यह रखना चाहता हूँ कि

15.26 hrs.

[SHRI DINESH CHANDRA GOSWAMI : in the Chair]



[श्री राम सिंह भाई]

वस्तु है, लेकिन उसकी बितरण व्यवस्था ठीक नहीं है। भाव है, लेकिन मनमाने भाव पर वस्तु बेची जाती है, इस को रोकने का कोई उचित उपाय नहीं है और जब उचित उपाय नहीं है तो ऐसा लगता है कि हमारी जो मशीनरी है, जो इस को इम्प्लीमेंट करती है, उस में खराबी है। जब तक इस का उचित प्रबन्ध नहीं होगा, काम नहीं चलेगा। आप चाहे फासी की सजा रख दीजिए, लेकिन क्या फायदा होने वाला है? हम सिर्फ इतना चाहते हैं कि आप के बचे हुए भावों पर जिन्दा रहने के लिए आवश्यक चीजें मिल सकें। आप के कानून और आप की व्यवस्था का यह फर्ज है कि जिन्दा रहने के लिए लोगों को आप के बचे भावों पर अमुक मात्रा में चीजें मिल जाय जो उस दिन उपयोग करने के लिए पर्याप्त हों—लेकिन चीजें मिल नहीं रही हैं। मैं यह मानना हूँ कि हम सशोधन से यह होने वाला नहीं है क्योंकि मैंने देखा है कि खून करने वाले के लिए फासी की सजा है, लेकिन फिर भी रोजाना खन हो रहे हैं।

आज हमारे देश की हालत क्या है? हम अपनी आखों के सामने देखते हैं कि आप के भाव बचे हुए हैं, लेकिन अगर हम उस में ज्यादा दाम दे देने हैं तो चीज हमें फौरन मिल जाती है, अगर बचे हुए भाव से ज्यादा देने के लिए तैयार नहीं हैं तो हमें यह उत्तर मिलता है कि चीज नहीं है। आप, श्रीमान्, दण्ड दें या न दें, इस से मुझे कोई सेना-देना नहीं है, मैं तो सिर्फ यही चाहता हूँ कि

आवश्यक वस्तुएँ जनता को सही दाम पर उपलब्ध करा दें।

मैं आप के सामने एक घटना सुनाता हूँ—मैं पार्लियामेंट से अपने घर जा रहा था, जहाँ गाड़ी में मेरी सीट रिजर्व थी, बहा जा कर बैठ गया। जब मथुरा जंक्शन पर पहुँचा और सीट के नीचे से अपनी चप्पल निकालने लगा तो मैंने देखा कि उस सीट के नीचे गेहूँ चावल के थैले रखे हुए थे। मैं घबराया कि मेरी सीट के नीचे ये चावल के थैले कहाँ से आ गये, उस डिब्बे में मैं अकेला ही बैठा हुआ था। मैंने सोचा अगर मैं पुलिस में रिपोर्ट करता हूँ तो पुलिस बहेगी कि इस डिब्बे में और कोई नहीं है, तुमने ही रखे हैं। वहाँ अटेन्डेंट था उसको मैंने बुलाया और कहा भाई, यह किमके है, क्या हैं? उसने कहा साहब, माफ़ करिए, मेरे हैं। मैंने कहा आपने यहाँ क्यों रखा तो उसने कहा इसलिए गब्बा कि एम० पी० नै गाम से यह सीट रिजर्व है और एम० पी० सीट की कोई तलाशी नहीं लेगा।

SARDAR SWARAN SINGH SOKHI (Jamshedpur) Sir, I rise on a point of order. The hon Member said just now which has nothing to do with the Bill under discussion.

MR CHAIRMAN—Mr Sokhi, you will see that most of the speeches are strictly confined to the provisions of the Bill only. Matters which are incidentally related to the issue in question are also brought. I shall be very happy to give a ruling that anything which has no relationship with the Bill should not be discussed. But, that will put me and the House in a



difficulty. Therefore, you should permit the general practice to go on.

SARDAR SWARAN SINGH SOKHI.  
Will you allow him to speak like that?

MR CHAIRMAN: I do not think there is anything objectionable in that. Let the hon. Member continue his speech.

श्री राम सिंह भाई : मैं वह निवेदन कर रहा हूँ कि इस बिल में है कि आवश्यक वस्तु जिस वाहन में होगी उसको जन्त कर लिया जाएगा। कोई बैलगाड़ी होगी तो उसको जन्त कर लिया जायेगा लेकिन रेलगाड़ी को भी जन्त किया जायेगा या नहीं। इसलिए मैं बिना के बाहर नहीं बोल रहा हूँ।

दूसरी बात यह है कि गुनाह कौन करना है, किस पार्टी का करता है, किसका नहीं करता है यह सवाल नहीं है। यह तो मानव स्वभाव है। मेरी पार्टी के लोग भी करते होंगे। अगर कोई बनिया होगा, दूकान लगा कर बैठा होगा तो ज्यादा पैसा कमाने की कोशिश करेगा, वह कभी नहीं चाहेगा कि अपना दिवाला निकाल कर बीजे वेचे फिर वह किसी भी पार्टी का हो। तो कोई भी दूध में धुला हुआ नहीं है और एक के दो करना, यह तो मानव स्वभाव होता है।

मैं इस पर अधिक बोलना नहीं चाहता हूँ क्योंकि यह मेरे बोलने का सब्जेक्ट नहीं, मेरा सब्जेक्ट श्रीमं श्रीमं वाला है, मैं

केवल मंत्री महोदय से आपके द्वारा यह निवेदन करना चाहता हूँ कि लोग बड़े जस्त हैं, बड़े दुखी हैं, उनको आवश्यक चीजें प्राप्त नहीं हो रही हैं, भाव दिनोदिन बढ़ते जा रहे हैं, आमदनी उतनी होती नहीं है इसलिए इस सम्बन्ध में आप को कुछ करना चाहिए। आदिवासी क्षेत्र में आपने कुछ फेयर प्राइस की दुकानें निकाली, इसके अनुसार आपको फेयर प्राइस की दुकानें निकालने का अधिकार है लेकिन महीने भर में एक किलो अनाज मिले जब कि आदिवासी क्षेत्र में बरसात के टाइम में केवल मक्का होनी है और कुछ होता नहीं है, और एक एक परिवार में 12-12 बच्चे होते हैं तो एक किलो अनाज में वे क्या कर सकेंगे? इसलिए मैं नम्रतापूर्वक आपसे निवेदन करना चाहता हूँ कि आप इस बात का प्रबन्ध कीजिए कि आदिवासी को जिन्दा रहने के लिए जो आवश्यक वस्तुएं हैं वह बड़े हुए भाव पर मिल जायें।

\*SHRI A DURAIRASU (Perambalur) Mr Chairman, Sir on behalf of Dravida Munnetra Kazhagam, I rise to express my views on the Essential Commodities (Amendment) Bill, 1974

Sir, on June 22, 1974 the Essential Commodities (Amendment) Ordinance, 1974 was promulgated by the President. I am not in a position to appreciate the necessity for promulgating this Ordinance just before a month of the beginning of Lok Sabha's current session. I would like to know from the hon. Minister of Commerce the number of businessmen arrested for some offence or the other under



[Shri A. Durairasu]

this Ordinance from June, 22 to August, 22. Similarly, I would also like to know from him the quantity of essential commodities confiscated during this period, after the promulgation of the Ordinance.

I have to point out that the powers concentrated in the hands of the Central Government are overflowing. National Emergency is in force throughout the country. There is also the Maintenance of Internal Security Act in force. There are so many such enactments under which the Central Government can take stringent action against black marketeers and adulterators in the country. But the Central Government have not got the will power to do it—I should say, political will. I have no hesitation in saying that this Bill is an example of Central Government's mania for legislation. It is not enough that a legislation is enacted. The Government must have the gumption to enforce it effectively and to achieve this objective the Government must equally have administrative competence. I am afraid that both these are absent in the Central Government. It is at least possible for the Central Government to accede to the requests of the State Governments which want to implement such laws forcefully. In March, 1974 the State Government of Tamil Nadu forwarded to the Central Government the Essential Commodities (Tamil Nadu Amendment) Bill, 1974 for getting the consent of the President. It is still lying with the Central Government.

In May, 1973 the State Government of Tamil Nadu suggested to the Central Government an amendment to Section 6-A of this Act providing for mandatory forfeiture of property and suspension of business in respect of first offence. In this Amending Bill, Section 6-A of the Act is being amended. But the suggestion of the State Government of Tamil Nadu has not been incorporated. In July, 1973 the State Government of Tamil Nadu suggested suitable amendments for the Essential Commodities Act, 1955, but the Central Government have not condescended to incorporate them in this amending Bill.

The Central Government do not care for the suggestions of the State Government. The Central Government do not also care to implement the suggestions of Committees appointed by them. The Report of a Committee to go into the question of essential commodities and articles of mass consumption has been published. The Central Planning Commission appointed this Committee. So far no concrete steps have been taken by the Government to implement these recommendations.

Last year, a big Delhi industrialist by name Modi was arrested in connection with wheat flour stocks. This issue was raised on the floor of this House also. I am surprised that till now he has not been tried by any Court in the capital. The same Modi gave a marriage reception in Oberoi Hotel, in which, it is reported, that some Central Ministers also participated. Some three months back, a young man bearing the name of Modi—I do not know whether he is related to this



Modi—was arrested in Palam Airport in a case of smuggling. Here also no action seems to have been taken so far. If the powers under the Essential Commodities Act are to be exercised in such a faint-hearted manner, it will be better if this Act is scrapped immediately. In these prevailing circumstances, I wonder why the hon. Minister of Commerce has come forward again with this amending Bill.

Sir, the Committee on Essential Commodities and Articles of Mass Consumption was set up by the Planning Commission in March, 1973 under the Chairmanship of Shri Mohan Dharja. The Committee has submitted its final Report in December, 1973. The principal recommendation of this Committee is that the production of essential commodities like cereals, pulses, common clothing, sugar, edible oils, vanaspathi, milk, eggs, fish, standard footwear, kerosene oil, domestic fuels, common drugs and medicines, bicycles, tires and tubes, matches, soaps, textbooks, stationery etc., must be augmented substantially and a massive distribution programme of these articles and commodities must be undertaken all over the country. Sir, it may not be an exaggeration to say that the Central Government may keep these recommendations under consideration for years to come. I am not prepared to accept that the production of these articles and commodities is not adequate. You will get all these scarce essential commodities in black market at higher prices. Even the Minister cannot easily refute this remark. I know personally that even in fair price shops, where these essen-

tial commodities are to be sold at a fair price, black-market is going on merrily. But the Government of India continue to remain as a silent spectator of black-marketing and adulteration, though they have all the necessary penal powers.

The Committee of the Planning Commission has recommended that the distribution of all essential commodities must be the responsibility of the State Governments. But, I am sure that the Central Government will not accept this recommendation. I would like to refer here that the distribution of coarse grains was in the hands of the State Government of Tamil Nadu. There was also a control on the movement of coarse grains. But, suddenly even without consulting the State Government, the Central Government lifted the control on the movement of coarse grains. This meant smuggling of coarse grains into the neighbouring States. If today Tamil Nadu is facing acute shortage in foodgrains, the blame for that rests squarely on the shoulders of the Central Government because of their lifting the control on the movement of coarse grains.

Sir, I should emphatically say that this Amending Bill is neither going to curb the growth of black-marketing and adulteration in essential commodities nor going to contain them. All this kind of penal measures can at best be called a negative approach. Mohan Dharja Committee in its Report has suggested a positive approach. To eliminate the social evil of black-marketing and adulteration in essential commodities, a combination of positive



[Shri A. Durairasu]

approach and negative approach is very necessary. Sir, if the Government are determined to ensure the availability of essential commodities at fair prices, the recommendations of Mohan Dharis Committee must be implemented immediately.

Before I conclude, I would refer to one important essential commodity for the farmers, i.e., the chemical fertilisers. Sir, at the moment, the imported chemical fertilisers are allotted to the State Governments. But the distribution of indigenously-produced chemical fertilisers has not been given to the State Governments. If chemical fertilisers are to be made available to the farmers, then the distribution of both the imported and indigenously-produced chemical fertilisers must be the responsibility of the State Governments. I would appeal to the hon. Minister of Commerce that he should take effective action under this Bill and ensure the availability of essential commodities for the common people at fair prices.

With these words, I conclude.

MR. CHAIRMAN: Before I call upon the next speaker, I would like to mention that 2 hours were allotted for this Bill. We have already exhausted that time. I find from the list that there are five Members from the Congress side and three from the Opposition who are still wanting to participate in the debate. I would like to know the sense of the House ...

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Five minutes may be allowed to each Member that would mean an extension by 40 minutes; the Minister may take 20 minutes; so, automatically it would mean an extension of one hour for this general discussion alone. Then, there will be clause-by clause consideration which might anyhow take half an hour.

MR. CHAIRMAN: So, I shall call the hon. Minister at 4.30 p.m.

SHRI SAYED AHMED AGA (Baramulla): I support the Bill for three reasons, firstly, because there is an improvement in so far as summary trials have been introduced and secondly, because punishment have been increased and thirdly, because the minimum punishment has been provided for. I support it and welcome it.

But I feel, and I want to come to that point directly, that we should not start feeling complacent that this Bill is going to solve the problem. This Bill will not solve the problem until we take a very basic decision, namely to eliminate the private sector from the field of essential commodities completely and altogether. Only a little while ago, who heard Mr. Banerjee pointing out how here was scarcity of wheat in Delhi and the prices were going up; today's news also pointed out that there was scarcity of salt in Bombay.

Then there was yesterday's news item. It was about a big kerosene and drug racket. We hear all these things almost as the order of the day. The private sector is there because they must have profit. They do hoarding black-marketing and profiteering. They must amass wealth by this means. This is their goal.

The basic thing we have to decide about, and decide with some vigour, is that the private sector will not be in the field of essential commodities. This should be ensured by law. What is most important to see is that the people must get the commodities essential to the life of the community. This is a must. There are people who have hardly enough to exist. They cannot get these essential commodities vital for their existence. But every thing is available in the black market. Nothing is available in the open market. So they cannot purchase these things.

Three things are important which the Government must do. First, the private sector must go from this field. Second, Government must take over distribution of these commodities



themselves or entrust it to co-operatives where these can function. Otherwise, I would prefer that Government themselves do this. So far as these essential commodities are concerned, they must be produced in the public sector. They must not be left in the hands of the private sector. Then the distribution should be done by Government or co-operatives.

Then so far as wheat is concerned, there must be monopoly procurement nothing short of it. We must once for all realise that the people's representatives sitting here and in the local Assemblies cannot escape this responsibility of being answerable to the people because the people are not getting these things. The Central and State Governments cannot also escape from their responsibility in this regard. We have to shoulder this responsibility together.

The time has come when we cannot any longer postpone a proper revision of the law to see to it that these three things are done.

We hear every now and then that so many people have died because the food they took is adulterated; so many others died because the drugs they took were adulterated. Of course, if a man wants to die and takes poison, he may not die because the poison is adulterated. That is another matter. This adulteration of foodstuffs and medicines takes place because you have left these essential commodities in the hands of the private sector. The private sector manufactures the drugs. These drugs are not good enough to be administered to patients. So the Government must take over the responsibility of producing these things so that they become dependable. We heard sometime ago a news item that the oxygen cylinder in a hospital did not work because there was no oxygen in it. All these things are happening because you are allowing the private sector to deal in commodities essential to the life of the community. We must see that the private sector is completely out of these things. The

non-essential items can be left to the private sector. I have no objection to that. After all, we have a mixed economy. Let them deal with those things and do whatever they like. But so far as the essential commodities are concerned, the private sector should have nothing to do with it, whether it is in production, procurement or distribution. These three things must remain with Government and not with the private sector. These are the few things I wanted to say.

SHRI B. V. NAIK (Kanara): I take this opportunity to urge the hon. Minister to appreciate one or two hard realities of our country. The first thing to ensure in planning this is to see that this law by itself will not help, but this will assist an equitable distribution of these things which make the life of the poor people in this country much more comfortable, by providing them—I am not going to subscribe to the view that from A to Z we should go on distributing—the basic things necessary for a civilised existence meaning food, a certain amount of clothing of a very simple nature etc. In order to provide these, since it is the intention of the Government/to make use of this law as the vehicle through a public distribution system which will take a long time to be set up—it could have been done by now; precious time has been lost but not all is lost. Therefore, if this has got to be done, what is your projection? Are these shortage of a temporary nature? Are we going to overcome the shortages, say, within the next two years three years or five years? Sir, I think India and for that reason the entire third world and the Asian Continent as such with its population, may have to live at least for half a generation more—I am very conscious about it—at least for a period of fifteen years, putting up with an economy of shortages. This is my broad assessment, rough estimate. Under the circumstances, when you are making any law which has got to be effective in meeting the situation, is it not necessary—even though we



[Shri B. V. Naik]

may lose a few minute here or a few hours there or a day or two—that we should make a sort of law which will have its operation and effectiveness over a decade and a half at least?

Under the circumstances, Sir, I feel that this is one of the important, perhaps one of the most important pieces of legislation which we are considering today. It deserves all the respect and attention that is at the command of this august House. Therefore, Sir, I would say—I am submitting a few amendments—that we have to take the present state of our economy into consideration, the present social system as it is as well as the present judicial system. Sir, the judicial system which we have inherited from the British overlords, who had built up the system for a particular purpose of maintaining law and order in our country, if it is to function effectively in dealing with economic crimes of black marketing, economic crimes of smuggling and things like that, I do not think it is equipped for that. That is why, there was, a few years back, the talk of a committed judiciary also. What does this committed judiciary mean? It means, the social realities of the present day are taken care of and social justice is given along with individual justice on the merits of law, Sir, the legalistic view, with due deference to the legal luminaries both here as well as outside, of solving this problem of supplying essential commodities would be hazardous for us to attempt at this stage.

Sir, what I have found as an essential feature in regard to this particular Bill which has been brought forward by the hon. Minister of Commerce is this. I wonder whether he or his Ministry as such has any contact in regard to the implementation of the Essential Commodities Act. Who gets rapped on the floor of the House for anything which goes wrong in regard to the implementation of the provisions of the Essential Commodities Act or the various orders which are made under it, like the Fertiliser Control

Order, the Sugarcane Control Order, Food Control Order, Kerosene Control Order etc? It is the Ministry of Agriculture. Who implements it? It is the policemen under the Ministry of Home Affairs. But, the responsibility has been cast to pilot this Bill on the Ministry of Commerce for no personal fault of the present Minister of Commerce or the hon. Ministers in-charge of this Ministry in the past. Under the circumstances, what I am trying to submit is, here is an opportunity for us to show the determination of the country, to show the determination of this House irrespective of right, left or middle and to show a political will. Most of the time constructive suggestions are rare to come from the opposition. But, at least on this, I hope there could be unanimity of understanding that will see the political will is implemented. For that purpose, I would urge that irrespective of the time that may be consumed, irrespective of the fact whether we may have to refer it back to the Rajya Sabha, we must give due consideration to this Bill and accept at least those amendments which the hon. Minister is convinced will help us. With this submission, I support the Bill.

श्री घनश्याम प्रधान (गुडगोल) :

आप जो 1955 का आवश्यक वस्तु विधेयक है उसको इस विधेयक के द्वारा संशोधित करने जा रहे हैं। 1955 से यह कानून हमारे देश में है। किन्तु इसका कोई यथार्थ अथवा व्यावहारिक उपयोग आपने नहीं किया। न तो किसी आवश्यक वस्तु की कीमत घटी है और न ही जीवन में रोजमर्रा के उपयोग की जो वस्तुएं हैं वे आज आसानी से सुलभ हो पा रही हैं। इस विधेयक का अर्थ यह है कि जनता को कुछ राहत मिले। जनता आज संसद की ओर टकटकी लगा कर देख रही है। वह उत्सुक है जानने के लिए कि जो समस्याएँ हैं उनका हम क्या हल निकालते हैं, क्या व्यवस्था कर रहे हैं कि उसको जल्द की वस्तुएं आसानी से सुलभ हो सकें



विधेयक को पाम करने का धर्म यही है कि जनता को उसी से कुछ लाभ मिले। वह जानना चाहता है कि उसके प्रतिनिधि भाज के जन सेंट का क्या हल निकालते हैं। वह चाहता है कि उत्पादन को क्रिया से लेकर फसल काटने तक और बाजार में उसके आने तक उसके मूल्य निर्धारित हो और उसके उचित वितरण का व्यवस्था की जाए। भाज उत्पादन लागन और बिक्री मूल्य में कोई ज्यादा फर्क नहीं रह गया है। खेती की पैदावार और उनमें कारखानों में बनने वाली चीजों को कीमतों में परस्पर कोई सम्बन्ध नहीं रह गया है।

कारखानों के उत्पादन में भी कमी हुई है। जीवन के लिए जो आवश्यक वस्तुएं हैं जैसे कपड़ा है, दवाइया इत्यादि है वे बहुत महगी हो गई है। इनकी कीमतें निर्धारित होनी चाहिए। साबुन, फटिलाइजर आदि गावा में तथा आदिवासी क्षेत्र में नहीं पहुंच पा रहे हैं। मैं मध्य प्रदेश की बात आपको बताना हूँ। लोग बीड़ी पानी तोड़ कर शाम को घर आते हैं तो देखते हैं कि दो चार रुपये का ही मजदूरी हुई है। अब वहां गावों में लोगों के पास राशन कार्ड नहीं है। वहां से उनको सामान नहीं मिलता है, कंट्रोल के दाम पर वस्तुएं उपलब्ध नहीं होती हैं। उनको यह सारा सामान बड़ी हुई कीमतों पर खरीदना पड़ता है। इसका आपको कुछ उपाय करना चाहिए। जो काला बाजार करते हैं, घूसखोरी करते हैं, चोर बाजारी करते हैं उनको आपको सख्त सजा देनी चाहिए।

जीवनोपयोगी वस्तुओं की, कीमतें तथा उनके स्टॉक की सूचियां दूकानदार प्रदर्शित करे, इसके लिए आपको उनको बाध्य करना चाहिए। ये वस्तुएं लोगों को उचित दामों पर मिलें, इसको भी आपको व्यवस्था करनी चाहिए। साथ ही यह निवेदन करना चाहता

हूँ कि प्रशासन में फिजूलखर्ची कम करने के लिए केन्द्र को कदम उठाने चाहिए और मन्त्रियों को सादा जीवन व्यतीत करने के लिए भी व्यवस्था करनी चाहिए।

16.00 hrs.

भाज सम्पूर्ण देश के लिए मूल्य नीति निर्धारित करने की जिम्मेदारी केन्द्र सरकार की है तो फिर आप यह क्यों नहीं करते कि जीवन के लिए आवश्यक तथा धन्य वस्तुओं की कीमतें अलग अलग निर्धारित कर के प्रत्येक दूकानदार को कहें कि वह अपने यहां उन को घोषित करे। राज्यों के ऊपर यह काम सीपा गया है। लेकिन राज्य सरकारें अपने कर्तव्यों से विमुख हो कर के और इसे बड़े दूकानदारों के रहम पर छोड़ दिया गया है। अतः आप राज्यों को इस प्रकार का निर्देश दें कि हर दूकान पर चाहे वह किसी भी कीमत का सामान क्यों न हो, उसका मूल्य घोषित किया जाना चाहिए ताकि गरीबों और मजदूरों को मालूम हो सके कि कौन सी चीज किस भाव में है। भाज सुबह एक भाव है, शाम को दूसरा भाव है, इस प्रकार से जो व्यापारी कर रहे हैं उन के ऊपर कड़ी कार्यवाही की जाय।

**SHRI BISWANARAYAN SHASTRI** (Lakhimpur) Mr Chairman, Sir, the Essential Commodities Amendment Bill, 1974, seeks to plug certain loopholes that existed in the original Act. I think, the scope of the Bill is very limited. Therefore, I do not want to discuss the economic policy or the production policy or the distribution policy. I shall confine myself to the Bill itself.

The hon Minister, in his introductory speech, has stated that the Bill is aimed at providing more stringent punishment to the profiteers, black-marketeers and hoarders. If this aim is achieved by this amending Bill, we shall be very glad and, I am sure, that the people from all sections will support it. But there are certain ifs and buts because, as it appears to me, as a



[Shri Biswanarayan Shastri]

layman—I am not a lawyer—that certain essential commodities which are described as foodstuffs come under the control of the Agriculture Minister; industrial goods, cosmetics and certain other things come under the Industrial Development Ministry and the Ministry of Petroleum and Chemicals and the enforcement of the law comes under the Home Ministry. But the Ministry of Commerce is bringing this amending Bill. Perhaps, the Ministry of Commerce deals with trade and commerce and, therefore, it is the responsibility of this Ministry. If there is no coordination between all these Ministries and more particularly in the States where the smuggling, black-marketing and hoarding occurs, if they do not come up with a determination to prevent these social vices, this amending Bill will not be very much effective. Therefore, I ask the hon. Minister who has brought this amending Bill that he must ensure us that this will be done and that there will be coordination between all these Ministries at the Centre and the State Governments also will act as they are expected to do.

The black-marketing and hoarding is now becoming a common rule rather than an exception. For this purpose, legalistic measures alone will not be sufficient. Unless there is a public opinion and public consciousness against this evil, and for this purpose, there should be some publicity through public media so that the people come up to the expectations of the Government, the anti-social elements who indulge in black-marketing and hoarding can be brought to book. It has been stated that punishment has been enhanced. Sir, as you have stated, when you were speaking from here, there should be summary trials. It is expected that when there is a case against a hoarder or a smuggler or a black-marketeer, it should be disposed of very quickly, as far as possible. But the punishment that has been provided here is the maximum of one year imprisonment. Without being a lawyer, from my common sense, I can

say that, except the capital punishment, no court has so far awarded the maximum punishment provided in the law; the punishment awarded is always lower than what has been provided in the law. Therefore, it is our apprehension that, in such cases, the punishment will be very light.

Now I refer to Clause 4 where it is said: "...may order confiscation of—

- (a) the essential commodity so seized;
- (b) any package, covering or receptacle in which such essential commodity is found; and
- (c) any animal, vehicle, vessel or other conveyance used in carrying such essential commodity."

All these will also be seized and those who own these will also be punished. But there is a proviso under Clause 5(b) (2) which says.

"Without prejudice to the provisions of sub-section (1), no order confiscating any animal, vehicle, vessel or other conveyance shall be made under section 6A if the owner of the animal, vehicle, vessel or other conveyance proves to the satisfaction of the Collector that it was used in carrying the essential commodity without the knowledge or connivance of the owner himself.. " etc.

This will serve as a big loophole for those persons who, in collusion with smugglers or black-marketeers, carry on this business because it will be a very easy plea for them to take that they have no knowledge or they have not given their consent. In my opinion—I cannot say from the legal point of view—it should have been left to the trying court to decide whether those animals or vehicles or vessels were used with the consent or connivance of the owners because that would come out during the course of evidence and other processes in the court and the trying magistrate could decide whether the persons who owned these had any knowledge of these things being used or had given their consent.



Similarly, the punishment of imprisonment has been increased from five years to seven years. You have already pointed this out. Under the Cr. P. C., as it is, certain magistrates cannot impose a fine of Rs. 5,000. I do not know whether, by the special provision of this Bill, the Cr. P. C. is deemed to be amended to that effect and if so, I do not know why the provision of sentence of imprisonment for seven years is not included here.

Lastly, I would like to state that, by this Bill, if the Ministry—wants to eradicate this social evil to a great extent, they would have to frame certain rules and ask all others concerned to be vigilant to prevent black-marketing and hoarding. Along with this amending Bill, there should also be efforts to see that there is no hoarding of the marketable surplus. Whatever is the marketable surplus in respect of all the essential commodities, that should be equitably and evenly distributed all over the country. Then this Bill will be effective.

With these words, I support the Bill.

श्री मूल खन्व डाया (पाली) :

1955 से 74 तक एसेशियल कमोडिटीज एक्ट लागू है। आप, मेहरबानी करके यह बताइए कि कितने आदमियों को आप ने आज तक सजा दी, कितनों को जेल भेजा, कितनों के ऊपर कैसेज चलाए? कानून पास कीजिए, कोई मना नहीं करता और जरूर कल अखबारों में खबर आएगी कि श्रीमान् चट्टोपाध्याय ने खबर दी है कि नाम निकाला जायगा और ब्लैक-लिस्ट किया जायगा इस तरह का काम करने वालों को, खूब खुशी से कीजिए, लेकिन मुनाफाखोरी और इस तरह की चीजें तो चलती रहेंगी। आप ने सारे सैकंसे में प्राविजो रखा है। कोई सेक्शन पड़ ले सब में प्राविजो है। कोई ऐसा सेक्शन नहीं है जिस में प्राविजो न हो। तो क्या सेक्शन है, क्या कानून बनाया है? एवरी सेक्शन हैज गाट बन प्राविजो।

आप का इरादा क्या है? आप कहते हैं कि नोन-वेलेबिल प्राविजो रख दिया है, बड़ी अच्छी बात है, अखबारों में खबर आजायगी, लेकिन जिस को आप 7 साल की सजा देंगे वह कचहरी में जा कर रीजनेबिल ग्राजुअस पर छूट जायगा और छुटेगा। मैं 1955 से यही देखता आ रहा हूँ। चट्टोपाध्याय साहब, आप बहुत बड़े प्रोफेसर हैं, आप का दिमाग हम से बहुत बड़ा है, लेकिन हम कानून की छोटी छोटी अदालतों में जाते हैं, रोजाना देखते हैं, हम जानते हैं कि यह कुछ नहीं है, मखौल है।

मैं कभी कभी एक गलत बात कहता हूँ—लोग भूखे मर जायें, मुझे बरदाश्त है, लेकिन लोगों का चरित्र न गिरावड़े। आप ने कानून के द्वारा लोगों का चरित्र गिराया है। आप मुझे माफ़ कीजिए—यह 1955 का स्टेटमेंट है—भूखे रहने से कुछ लोग मर जायेंगे, वह मुझे बरदाश्त है, लेकिन नैतिकता का पतन होने से तो सारा देश मर जायगा। यह तो सारे देश को खत्म करने का तरीका है, इस से नैतिकता खत्म हो जायगी। आप के एसेन्शियल कमोडिटीज एक्ट में क्या कमी है आप के ला-इम्प्लीमेंटेशन की रिपोर्ट में कहा गया है—क्या हमारी गलती नहीं है, यह आप का खुद का डिफेन्स है, ठीक तरह से इन्वेस्टीगेशन नहीं होता है, आप के आफिसरज अच्छे नहीं हैं, इसके कारण यह सारी गड़बड़ है, हमारे कानून में गड़बड़ नहीं है। सब बातों के लिए कानून हैं लेकिन—inefficiency in the actual conduct of the case faulty investigation and inadequacy of sentences actually awarded.

इस में यह कहीं नहीं कहा गया है कि कानून डिफेन्स है। प्रोफेसर चट्टोपाध्याय यह चमत्कृत हैं पुलिस कंस्टेबिल सब काम कर लेगा। आप अपने प्राविजो को देख



[श्री मूल चन्द डाहा]

लीजिए—आप धीका-छ पकड़ लेंगे, बेल, गधे, छोड़े पकड़ लेंगे—पकड़ लीजिए, लेकिन उन को चारा कौन देगा। श्रीमान्, इस कानून में जोर फायदा उठावेंगे और गरीब मारा जायगा। यह कानून सफ़ाई का आला है जिस से गरीब पिसता है और धनवान छूट जाता है। आप कहते हैं कि धीकल को पकड़ लेंगे, गधे को पकड़ लेंगे, बैलों को पकड़ लेंगे, मैं पूछता हूँ किस किस को पकड़ेंगे, कौन पकड़ेंगे? आप कहते हैं कलैक्टर साहब पकड़ेंगे—लेकिन कलैक्टर साहब मेरे और आप जैसे नहीं हैं। आप तो सुबह से लेकर 9 बजे रात तक काम करते हैं, लेकिन कलैक्टर तीन घण्टे काम करता है, बाकी टाइम भ्रमता रहता है। कानून बनाने वाले यह नहीं सोचते कि कलैक्टर ऐसा करता है, भाराम करता है। इसी लिए मैंने कहा कि कुछ लोग मर जाय तो अच्छा है, लेकिन नैतिकता नहीं मरनी चाहिए। अब जगह आप ने इस कानून में प्रावीजो जड़ दिया है। सजा क्या देंगे— 3 साल। अगर आप को सजा देनी है तो पूरी सजा दीजिए। इन्वेन्टीगेशन कौन करेगा, कौन उस को कोर्ट में लायेगा, ? कुछ नहीं होगा उस की जमानत हो जायगी।

आप का ला-कमीशन कहता है —

'While the general rule at common law was that the *scienter* was a necessary element in the indictment and proof of every crime, and this was followed in regard to statutory crimes even where the statutory definition did not in terms include it.... there has been a modification of this view in respect of prosecutions under statutes, the purpose of which would be obstructed by such a requirement. It is a question of legislative intent to be construed by the Court'

यहाँ इन्टेन्शन का सवाल है। आप कहते हैं कि हम प्रिज्यूम कर लेंगे। अब मान

लीजिए मेरे नीकर ने गाड़ी में चाल रख दिया, आप कहेंगे कि गाड़ी को कन्फिस्केट कर लो। मैं कहूँगा कि मैं इम्प्रेसेंट हूँ, लेकिन आप कहेंगे—नहीं, इस का फीसला जज करेगा। इस तरह से बर्डेन आफ प्रूफ शिफ्ट हो जायगा।

मैंने इस बिल के ऊपर 5-7 अमेण्डमेंट्स रखे हैं, मैं जानता हूँ कि मुझे सब विद्वान् करने पड़ेंगे या कहूँगा कि मैं प्रेस नहीं करता हूँ। लेकिन सवाल यही है कि इस एक्ट का 7 बार एमेण्डमेंट हो चुका है, फिर भी उस का इम्प्लीमेंटेशन कौन करता है? वही आइनरी पुलिस कांस्टेबिल; वही पटवारी गांव का आइनरी मैजिस्ट्रेट, सब पैसा खाते हैं। यह क्या कानून है, आप ला मिनिस्टर को कहें ताकि उन पर भी कुछ बर्डेन आये, वरना यह आप के डिपार्टमेंट पर थोप दिया। मैं चाहता हूँ कि आप इस कानून के बारे में थोड़ा सोचिए, ऐसा कानून मत बनाइये कि बस दुनिया में नाम हो जाय, कि आप ने एसेन्शाल कमोडिटीज एक्ट बना दिया, अखबारों और रेडियो से खबर आ जाय, लेकिन नतीजा कुछ नहीं निकलेगा, मूलाफाखोर और जमाखोर उसी तरह से ज़िन्दा रहेंगे क्योंकि आप का इरादा उन को मजबूती से दबाना नहीं है। आप यह कहिए कि हम उन की जमानत नहीं लेंगे, लाइफ इम्प्रीजनेमेंट देंगे, लेकिन आप ने तो हर जगह प्रावीजो डाल दिया है। इस लिए मेरा कहना है कि या तो सक्ती से कदम उठाइये या जैसा चल रहा था चलने दीजिए। मैं फिर कहता हूँ—इस से तो पहला कानून अच्छा था। आप चाहें तो मुझ से बहस कर लें मैं बतला सकता हूँ कि किस तरह से अच्छा था, अब तो आप ने इस संशोधन से इस कानून को और कमजोर कर दिया है, हर जगह प्रोवाइडेड विस, प्रोवाइडेड वैंट—इस से कुछ फायदा नहीं होगा। यह थोप आप अपने अधिकारियों को दें। वे थोप चोरियां करवाते हैं और ग्रामियां बेते



हैं बिजनेस मैन को। आप उन को फकडो—  
मैं पूछता हूँ ऐसे कितने अवस्थितियों को आप ने  
फॉलो चढ़ाया है। जो ऐसा करवाते हैं  
वे आप के सिविल सप्लायर्स आफिसर  
हैं ।

एक और तमाशा है—हर स्टेट में  
अलग अलग कानून है। राजस्थान के लिए अलग  
कानून है, मध्य प्रदेश के लिए अलग  
कानून है, हर जगह का डिस्ट्रीब्यूशन सिस्टम  
अलग अलग है। एक जगह मेरे को कोई चीज  
3 छटाक मिलती है, उसी डिस्ट्रिक्ट में  
दूसरे को कम मिलती है—क्यों इस तरह  
का कानून बना कर मजबूत करते हैं। इस  
कानून को वापस ले लीजिए।

SHRI P. G. MAVALANKAR (Ahmedabad): I have heard with great interest the various speeches made so far on this very interesting and important debate.

I am not a lawyer like you, Mr. Chairman, or some other friends and although I am a lawyer's son, I cannot claim any expert knowledge of law. But I can tell you at the very outset that I am not taking a view that all evils and diseases of society, and all offences whether social or economic, can be dealt with only by law.

The whole difficulty is this that the Government of India and various State Governments are in the habit—increasingly in the habit—of thinking that to avoid any evil, or to meet that evil, the only thing to do is to pass a legislation and be done with it. I think this is a very defective and dangerous trend.

3.21 hrs.

[SHRI NAWAL KISHORE SINHA in the Chair].

1801 L. S.—23

I agree with what the learned professor, the Minister, said just now, namely that the Bill is a necessary and a good measure. But, I want to tell him at the same time, in all earnestness, that merely on the basis on which the amendment is brought forward you are not going to catch hold of offenders in the way you want to do. This Bill as explained by the Minister is brought forward on the basis of the report of the Law Commission. If you look at the report, you will find that there is a mention by the Commission with regard to certain approaches—not only a legal approach but also social, economic and political approaches. Whether Government has taken into consideration all these aspects is a point. The recommendations of the Commission are not only for amending the law in this or that way. I am happy that my hon. friend has referred to the amendment of the Act. Even the Law Commission Report does not say that merely an amendment to the Act will achieve the purpose or is called for. This is an amendment to the Essential Commodities Act which incidentally, shows that there is deterioration in all spheres of our community and public life as a result of which this measure is brought forward. The other day, one interesting piece appeared in newspaper report You must have read it. I am giving you an illustration, though strictly it has no direct relevance. The report said that one survey was carried out by a society called the "Friends of the Consumers' Society" in Ahmedabad—a purely voluntary body—whose aim is to protect the consumers' interests. Here we are discussing about the interests of the consumers as well. We are discussing the Essential Commodities Act. The point here, therefore is that according to this survey, in as many as 75 per cent of the weights used by all kinds of traders, business-men, shopkeepers, hawkers and vegetable vendors found to be faulty. The consumers are thus losing tremendously, because they get less quantity on account of defective weights. This is the position prevailing generally every-



[Shri P. G. Mavalankar]

where in the country. Now, are you going to meet the problem of lack of morals and lack of standards merely and solely by passing the laws? So far as this particular amendment goes, it is good. But what is the Minister or the Government doing is when the Government machinery for implementation is not tight and upright. The trouble to-day is that government machinery is merely explaining its new ideas. But, I am sorry to say that there is very much less of uprightness, there is more and more of corruption. If you offer some kind of bribe you go scotfree, without any punishment. The more you have controls you are only asking it possible for the people in government offices to have more bribes and make them possibly richer. By bribes one escapes his punishment. What is the use of passing such laws if people escape punishment by offering bribes? What is needed is this. Government should be tight and upright. Certainly it depends also on our judicial machinery that we have got. I am sorry to say that our judicial machinery and judicial approach too are not in tune with the spirit of law; they are also not in tune with the progressive dynamism that is expected of them. Therefore, I feel that something should be done with regard to this. This necessary judicial approach must also be looked into by Government. Moreover, public opinion is not yet vigilant and not yet sharp. Public opinion should be created. The people should boycott those who are indulging into social and economic offences. My last point is this. There is an absence of social sense and concern on the part of the well-to-do; the "Haves" have not yet been awakened to their obligations towards the "Have-nots". When offences are anti-social in nature, can you depend solely on laws? My question is: Will a mere amendment to the existing law do the trick? Is our bureaucracy properly geared to its new tasks? Apart from the administrative bottlenecks many things get bogged down in the vast administrative jungle whether in Delhi or in the State capi-

tals. Therefore, let us get bogged down in this administrative jungle. My fear and complaint are if you go on extending legal provisions, then you are making it possible for corruption and bribery to increase, and too much legislation is harmful to the community. Let me give this warning to my good friend, the Minister, don't let yourself be deceived that merely by passing legislation on this you have done the trick and achieved your purpose. Legislation is necessary, but you must see to it that the legislation is implemented.

Lastly, my friend, Shri Goswami and Shri Shukla have dealt with *mens rea*. I am not a student of law, but I would like to say that if you want to punish the offender, punish him, but do not make it obligatory for the offender to prove his guilt or otherwise. So, why should *mens rea* at all be introduced. It is contrary to the spirit of law; because, unless a person is proved guilty he should be deemed, to be innocent.

So, I conclude by saying that while this is an essential commodities amendment Bill, the Minister should know what is essential and what is non-essential. The essential thing is not to go on amending the laws every now and then, year after year, but having stricter implementation and by having an honest, upright and efficient Government machinery coupled with vigilant, strong public opinion.

श्री शिव नाथ सिंह (मुम्बई) :  
सभापति जी, आवश्यक वस्तु (संशोधन) विधेयक पर विचार करते समय माननीय मन्त्री जी ने बात खान मुद्दों की तरफ ध्यान आकृषित किया और कहा कि हमने आर्केस्जेड नानबेलेबिल कर लिए हैं, जहाँ मिनिमम पनिशमेन्ट था उसको बढ़ा दिया है और मैक्सिमम पनिशमेन्ट को भी बढ़ा दिया है तथा फाइन को हटा दिया है, उसकी जगह पर सजा दी जायेगी। समरी दायम के प्राविजनस भी रखे गए हैं। मोटे तौर पर इस प्रकार के प्रावधान होने के बाद ग्राम भादमी यह महसूस कर सकता है



कि कल से आवश्यक वस्तुओं की जो दिक्कत हो रही थी वह नहीं होगी। लोकसभा के बाद राज्य सभा से भी यह विधेयक पास हो गया तो फिर देश में आराम से आवश्यक वस्तुएं मिलने लगेंगी। कम से कम जितनी चाँजे हैं वह ती मिल हो जाएगी लेकिन मैं समझता हूँ कानूनों की कोई कमी नहीं है, पहले भी कानून थे आज भी हैं और प्रागे कितने ही और कानून बन जायेंगे लेकिन किस तरह से उनका इम्प्लीमेंटेशन होता है वह देखने की बात है क्योंकि उसके बिना कुछ हो नहीं सकता है।

दूसरी बात यह है कि एसोशियल कमोडिटीज के डिस्ट्रिब्यूशन और उनको एक्वायर करने की हमारी नीतियाँ रात दिन बदलती रहती हैं—चाहे गेहूँ के थोक व्यापार की बात हो या दूसरी कोई बात हो। इस संबंध में ठीक कानून न होने की वजह से जनता का कानूनों पर से विश्वास उठ गया है। अलग अलग प्रावधानों की तरफ जब हैं आँखें तो मैं आपका ध्यान दिलाऊँगा कि आपने इस प्रकार के प्रावधान रखे हैं कि पिछले कानून और नये कानून में कोई फर्क नहीं होगा। वास्तव में कोई फर्क नहीं है।

एक बात की ओर मैं और आपका ध्यान दिलाना चाहता हूँ कि यदि इस कानून में यह होता कि जितने भी आफिसर्स इसके अनुपालन के जिम्मेदार होते हैं उनसे अगर लेक्सेज होती है या लेक्स होती है तो उनको भी पनिश किया जायेगा—यदि इस प्रकार का भी प्रावधान होता कि जो अपसर अपनी जिम्मेवारी से हटेगा तो उसको सजा दी जायेगी तो अच्छा रहता। आपके आफिसर्स, आपके ड्राफ्ट्समैन और सरकारी मशीनरी बड़ी चतुर है, ऊपर से तो ढाँचा बड़ा अच्छा रखते हैं लेकिन अन्दर में खोखला रहता है।

मैं आपका ध्यान कुछ थोड़े से क्लोज़ की ओर दिलाना चाहता हूँ। क्लोज़ 6 में आपने रखा है कि पनिशमेन्ट कम से कम 3 महीने का होगा और कम से कम 6 महीने का होगा कुछ प्रावधानों में लेकिन :

Clause 6 "Provided that the court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than six months."

ऊपर वाले में लिखा है लेंस दैन श्री मंथ। कौन सा ऐसा प्रावधान है कि 6 और 3 महीने की सजा मिल जायेगी? आपने प्रावधान रख दिया और बाद में कहा है :

(2B) For the purpose of sub-sections (1) (2) and (2A) the fact that an offence under sub-clause (ii) of clause (a) of sub-section (1) or under sub-section (2) has caused no substantial harm to the general public or to any individual shall be an adequate and special reason for awarding a sentence of imprisonment for a term of less than three months or six months, as the case may be."

मेरी समझ में नहीं आता आप कहते हैं इंडिबीजुअल को, सोसायटी को या जनरल पब्लिक को सम्बटैशियल हार्म नहीं करता है फिर किस लिए जुर्म बनाते हैं? अगर हार्म नहीं करता है तो उसको जुर्म मत बनाओ। यह बहुत ही ऊट पटांग और मखौल के लायक है।

इसी तरह से आप ने क्लोज 10 (बी) में यह रखा कि जो भी कम्पनी इस प्रकार की एक्टिविटीज करती हुई पाई जाएगी, उस का प्रबन्धकारों में नाम निकाल दिया जाएगा। इस का मतलब यह हुआ



[श्री सिद्धान्त शिर]

कि जो पैसा उसे अपना एडवर्टाइजमेंट कराने के लिए खर्च करना पड़ता, वह उस का बच जाएगा और उस का नाम अखबारों में निकलवा कर आप अच्छा-खासा उसका एडवर्टाइजमेंट करा देंगे। मेरा ऐसा मत है कि इस से कुछ नहीं होने वाला है। हाँ, अगर आप यह प्रतिबन्ध लगाते कि अगर कोई कम्पनी इस प्रकार की एक्टिविटीज़ में हिस्सा लेती है तो उस के एसेट्स फोरफीट कर लेंगे या उस को कोई फ़रदर लाइसेन्स नहीं देंगे, ऐसा आप करते, तो मैं समझ सकता था कि इस से कुछ नतीजा निकल सकता है लेकिन अखबार में नाम निकलवाने से कुछ नहीं होगा। आज तो होता यह है कि आज एक आदमी एक नाम में काम कर रहा है, तो कल दूसरे नाम में। इसलिए अखबार में नाम निकलने से कोई लाभ नहीं होगा।

सभापति जी, यहां एक प्रश्न यह भी उठाया गया है कि कलक्टर को काफिसकेट करने का जो अधिकार दिया गया है, वह नहीं होना चाहिए और ट्रायल कोर्ट को ही यह अधिकार होना चाहिए। मेरा ख्याल है और जहां तक मैं समझ पाया हूं, क्लॉज 4 में कलक्टर काफिसकेट करेगा और क्लॉज 6 के अन्दर जो ट्रायल जज होगा, वह मुकदमे का निर्णय करेगा। मेरे ख्याल से ये जो दो अलग अलग प्राविजन्स हैं ये सही हैं क्योंकि अगर कलक्टर काफिसकेट करता है और वह प्रोपर्टी निलाम होती है, तो वह रुपया सरकारी खजाने में जमा होगा। मेरी समझ में नहीं आता है कि इस में कांफ़्लिक्शन कैसे है। अगर कोई प्रोपर्टी है या कोई बैहिकल है या कोई एनिमल है, तो उस के काफिसकेट करने का अधिकार कलक्टर को दिया गया है लेकिन उस मुकदमे में जूडिशियल प्रोनाउंस-मेंट का काम जूडिशियल कोर्ट को दिया गया है और मेरे ख्याल से ये दोनों प्राविजन्स सही हैं।

इस के अलावा माननीय सभापति जी, मैं एक आखरी बात और निवेदन

करना चाहता हूँ और वह यह है कि डिफेंस के रूप में हर क्लॉज के साथ एक प्रोवाइजो लगा दिया गया है और उस में यह रखा है कि कोई भी आर्टिकल काफिसकेट की जाएगी, तो उस के लिए ओनर को डिफेंस का राइट दिया गया है। इस का नतीजा यह होगा कि जो बड़े बड़े लोग हैं, वे तो अपना डिफेंस कर लेंगे लेकिन जो गरीब हैं, वह बेचारा मारा जाएगा। ऊट वालो, गधे वालो, या धोड़े वाले का कोई डिफेंस नहीं होगा और वह पकड़ा जाएगा लेकिन जो ट्रक वाला है वह अपना डिफेंस कर लेगा। वह कह देगा कि ट्रक तो मेरा ज़रूर है लेकिन इस को ड्राइव करने वाला आदमी दूसरा है। वह दस बात कह सकता है। वह कह सकता है कि मेरा ट्रक घर पर था और वह आदमी ले गया और उल्टे उस पर मुकदमा चला देगा या फिर कह देगा कि वह ट्रक अपने लड़के की शादी के लिए ले गया था या बर्फ की मिल्की लेने के लिए मुझ से माग कर ले गया था और अगर इस में वह स्मगलंड गुड्स ले आया है, तो इस में मेरा दोष नहीं है। इस तरह से वह बड़ा आदमी तो कभी पकड़ में आने वाला नहीं है और जो गधे वाला है या ऊट वाला है जिस के पाम कोई डिफेंस नहीं है, जो कमजोर आदमी है, वह पकड़ा जाएगा। फोरफीचर का क्लॉज तो आप के आज के कानून में भी है और आप देखिए कि कितने बड़े लोगों को आपने इस में पकड़ा है। आप जरा अपने रिकार्ड को तो देखिए। इसलिए इस तरह का प्राविजन्स इस में रखना निरर्थक ही होगा। और मेरा यह कहना है कि आप इस में प्रोवाइजो मत रखिए।

सभापति जी, मैं हाउस का ज्यादा समय न लेते हुए इतना ही निवेदन करना चाहूंगा कि इस कानून के बारे में जब लोग अखबारों में पढ़ेंगे या रेडियो पर सुनेंगे कि आज से एंमियल कामोडिटीज़ एक्ट में इतनी सहूलियतें हो



गई हैं, तो वे बड़े भुगालते में रहेंगे। इस कानून के पाम हो जाने से कोई खास परिवर्त नहीं होने वाला है। वस इतना ही मुझ कहना है।

**श्री जनेश्वर मिश्र (इलाहाबाद)**

सभापति जी, मैं माननीय जोशी जी के सकल्प का समर्थन करता हूँ और चट्टोपाध्याय जी से निवेदन करता हूँ कि वे इस विधेयक को वापस ले लें क्योंकि इससे कोई मतलब हल होने वाला नहीं है। मैं बहुत ही ईमानदारी से कहना चाहता हूँ कि 22 जून को राष्ट्रपति जी का जब अध्यादेश जारी हुआ था और और सदन का अधिवेशन 22 जुलाई को होने वाला था, तो हम मोच रहे थे कि इस एक महीने के समय में, जबकि इतनी जल्दस्त महगाई है, लोगों को खाने का ठिकाना नहीं है, कपड़ा नहीं मिल रहा है, मिट्टी का तेल नहीं मिल रहा है, जो यह अध्यादेश जारी हुआ है, उसने इन सारे हलात में कोई जल्दस्त किस्म का फर्क आया और लोग को राहत मिलेगी, लेकिन हुआ वैसा कुछ भी नहीं और जब हम को इस बिल को देखने का मौका मिला, तो हमने यह पाया कि इस में कुछ भी नहीं है। एक तरफ तो यह कहते हैं कि अगर कोई आदमी जुर्म करता है, कोई घाफेन्स करता है, तो इस कानून के वन जाने के बाद उस की जमानत नहीं होगी, लेकिन दूसरी तरफ बहुजुर्म रोकने की कोई बात नहीं करते हैं। इस बिल में इन को इस बात की चिन्ता है कि उसकी जमानत न हो, लेकिन इस पूरे के पूरे बिल में मुझे यह नहीं दिखाई दिया जहाँ पर यह दिया गया हो कि जो जुर्म करेगा, उसे कैसे पकड़ा जाए। इस में यह कही नहीं दिया गया है कि जो प्रोफिट टियर्स है, मुनाफाखोर है, जखीरेब ज है और काला बाजारी करने वाले हैं, उन को कैसे पकड़ा जायगा। यह इसमें नहीं नहीं दिया गया है। कही कोई प्रोबिजन है आप, के इस बिल में इसके बारे में? इसलिए

यह कह देना कि जो जुर्म करेगा, उस की कोई जमानत नहीं होगी, यह मैं समझता हूँ बं—मतलब बात लगती है।

दूसरी बात जो इन्होंने इस बिल में कही है वह मेन्स रिषा के बारे में है। यह कहा गया है कि पहले जो दिक्कत किसी को सजा दिलवाने में होती थी, वह अब नहीं होगी और अब मेन्स रिषा प्रूव करने की बात सरकार पर नहीं होगी और अब किसी को भी फस सकते हैं और जेल में भेज सकते हैं। इस में इन के हाथों में जो पड़ जायगा यार्न नौकरशाही के हाथों में जो पड़ जायगा, वह कौन होगा? ब्लैक मर्केंटायर्स के नाम पर होडर्म के नाम पर और स्मगलर्स के नाम पर ये किसी ईमानदार दकानदार को फसा सकते हैं और जो लोग सरकार के खिलाफ हैं, उन को फसा सकते हैं।

सभापति महोदय, पूरे के पूरे बिल में जो इन्होंने व्यवस्था की है वह केवल वितरण व्यवस्था में जो दोष है, उनको दूर करने के लिए की है। मुनाफाखोरी रोकने के लिए, जखीरेबाजी रोकने के लिए और काला-बाजारी रोकने के लिए इसमें कुछ नहीं है। इन्होंने वितरण व्यवस्था के दोष दूर करने के लिए तो लम्बी चोड़ी बातें कही हैं लेकिन असल बात जो है, उस के लिए कुछ नहीं किया है। उत्पादन में जो बहुत बड़ा मुनाफा कमाता है, उसके बारे में इन्होंने नहीं सोचा है और जानबूझकर इन्होंने ऐसा किया है। मैं पूछना चाहता हूँ कि जब में यह अध्यादेश जारी हुआ है और आज जब यह विधेयक आया है, कितनी महगाई कम हुई है। इस बात के लिए इस सरकार और इस सरकार के अफसरों पर दोष लगना चाहिए। इन की पार्टी के अन्दर से और पार्टी के बाहर से चोर बाजारियों के खिलाफ आन्दोलन होना चाहिए लेकिन ऐसा नहीं किया जाता है क्योंकि एक तरफ चोरबाजारी होगी, जखीरे-



बाजी होगी या कला-बाजारी होगी, तो दूसरी तरफ सरकार को फायदा होगा। मेरे खयाल में दोनों दोषी हैं। ये 70 फीसदी दोषी है, तो चोर-बाजारी, जखीरेबाजी और काला बाजारी करने वाले 30 फीसदी दोषी है। इसलिए मेरा कहना यह है कि अगर हम सब चोरबाजारी करने वालों के खिलाफ और जखीरेबाजी करने वालों के खिलाफ आन्दोलन करेंगे, तब कुछ लोगों की मदद हो सकेगी। (घटी)

सभापति महोदय, हम बहुत जल्दी में अपनी बात खत्म करना चाहते थे लेकिन घटी बजा कर आप और हम को फमाना चाहते हैं। तो ये लोग चाहते हैं कि जो सच्चा दुकानदार है, उस को परेशानी हो और उसके खिलाफ कार्यवाही हो, लेकिन जो मुनाफाखोर है जो उत्पन्न में बहुत ज्यादा मुनाफा लेता है उसके बारे में ये कुछ नहीं बोलेंगे। इन्होंने मेन्स रिया की बात यहां पर इसलिए रख दी ताकि जो लोग इनके खिलाफ हैं उन को ये जेल भेज सके।

सभापति महोदय, जहां तक आवश्यक वस्तुओं का मवाल है, उन के दाम बढ़ते ही चले जा रहे हैं। मैं मन्त्री जी से निवेदन करूंगा कि अगर वे कीमतों पर रोक लगाना चाहते हैं, और उस के लिए कोई कानून बनाना चाहते हैं, कोई नियम बनाना चाहते हैं, तो एपिगिल नियम बना दें कि दो फसलों के बीच में या राईस फ़मल और अगली फसल के बीच में एक किलो गेहूं या चावल आदि पर 10 पैसे से ज्यादा डेरफेर कीमतों में नहीं होने दिया जायगा। अब तो क्या होता है कि एक किलो गेहूं अगर किसान से एक रुपये से लिया जाता है, तो जब वह मंडियों में जाता है या सरकार की गल्ले की दुकानों पर जाता है, तो वह दो रुपया, तीन रुपया और सब तीन रुपया किलो बिकेगा। जब तक यह व्यवस्था चलती रहेगी, आप का

यह कानून निरर्थक रहगा। यही बात आप आप के कारखानों में जो चीज बनती है, उस में हुआ करती है। उत्पादक को बहुत ज्यादा मुनाफा हो रहा है। जो चीज कारखाने में बनती है उस की लागत अगर आठ आने, दस आने, बारह आने या एक रुपया बैठती तो टैंक्स के जुड़ने के बाद वह पांच रुपये में बिका करती है और उत्पादक उस चीज का बहुत ज्यादा पैसा ले लेते हैं। लोगों को जिस कीमत पर वह चीज मिलनी चाहिए, वह मिलती नहीं है और वे लोग उस पर बहुत ज्यादा मुनाफा कमा लेते हैं। इसलिए एक नियम यह भी आपको बनाना पड़ेगा कि कारखानों में जो चीज पैदा होती है उसकी जितनी लागत आती है उम लागत से डेढ़ या पौने दो या दो गुना, सब टैंक्स आदि जोड़कर, मिल मालिकों का मुनाफा जोड़ कर, से ऊपर उसकी कीमत न जाए। जो चीज खेत में पैदा होती और जो कारखानों में होती है दोनों के दामों में आदमी के श्रम, उसके वक्त, उसकी जी जोड़ करके, एक सतुलन आपको स्थापित करना चाहिए। उपभोक्ता उत्पादक और सरकार और अगर आप यह जरूरी समझते हैं तो व्यापारी जिनको आप डीलर कहते हैं, इन चारों का एक सीखम्मा आप बना दें जो बीच बीच में निगरानी करता रहे कि दाम अनाप गनाप तो नहीं बढ़ रहे हैं। ये सब आप कर रहे नहीं, इसको मैं अच्छी तरह से जानता हूँ। कहने के लिए आप कहेंगे कि आपने चोर बाजारियों, जखीरे बाजों के खिलाफ कार्यवाई करने के लिए कानून बना दिया है लेकिन यह सब दिखावा मात्र है। राष्ट्रपति जी से जो आपने तीन अध्यादेश जारी करवाए हैं वे जल्द बाजी में करवाए हैं और यह दिखावे के लिये करवाए हैं कि आप चोर बाजारी को खत्म करना चाहते हैं लेकिन वास्तव में आपको इसको खत्म करने की इच्छा नहीं है। कौन है चोर बाजार ? बिडला है, टाटा है, बडे बडे जो रईस हैं वे जो आज उत्पादन के जरिये ज्यादा कमाया



करते हैं और आपको चन्दे दिया करते हैं, राज नेताओं की मदद करते हैं। यह एक चिट्ठी है हिडालको के एक कर्मचारी की जिससे पता चलता है कि प्रधान मंत्री से वह मिला और उनके प्राइवेट सेक्रेटरी को उसने पाँच लाख रुपया इस बात के लिए दिया कि मिर्जापुर के हिडालको कारखाने में ट्रेड यूनियन आन्दोलन न चले। यह छपी हुई है। आपको इजाजत से मैं इसको सदन की मेज पर रखना चाहता हूँ। पाँच पाँच और दस दस लाख रुपया आप शरआम बड़े बड़े मिल मालिकों से इसलिए लेंगे कि आप अपनी राजनीति चलाया करें? यह तब बात है कि जो दाम बढ़ रहे हैं आवश्यक वस्तुओं के उनको आप रोक नहीं सकते हैं। अगर आप कहते हैं तो मैं भी चट्टोपाध्याय जी को धीरे से यह चिट्ठी दे देता हूँ (व्यवधान)

**SARDAR SWARAN SINGH SOKHI:** Sir, on a point of order.

**सभापति महोदय :** आप तो पुराने सदस्य रहें हैं। आप तो जानते ही हैं कि कोई आरोप लगाना हो तो पहले उसको सूचना देनी पड़ती है। आप मेरी उदारता का अधिक लाभ न उठाएं। आपका समय समाप्त हो गया है।

**श्री जनेश्वर मिश्र :** मैं आप की उदारता का फायदा उठाना नहीं चाहता। मैं समझता हूँ कि जब तक बड़े बड़े कारखानेदारों के साथ इनकी साँठ गाँठ रहेगी तब तक आवश्यक वस्तुओं के दाम कम नहीं हो सकेंगे। केवल मात्र दिखावे के लिए ये इस काम को भी कर रहे हैं। 27 साल आपको राज करते हुये हो गए हैं। आप से महंगाई नहीं रुकी। 27 साल से आप इसको रोकते आ रहे हैं लेकिन रुकी नहीं। जो पुराना एक्ट था उस में भी मिट्टी के तेल को शामिल नहीं किया गया। अब भी नहीं किया गया है। आप लोगों की छाँख के आगे कुछ दिखाई नहीं देता है। गरीब आदमी के पास मिट्टी का

तेल न हो तो उसके घर में अंधेरा हो जाता है। जैसे और जरूरी चीजें आपने इस में नहीं रखी हैं वैसे मिट्टी का तेल नहीं रखा है। यह आपका स्मरण या कल्पना शक्ति की बात है। यह दर्शाती है कि आपकी नीतियाँ कितनी दोषपूर्ण हैं। बिड़ला का नाम लिया है तो यह न समझ बैठें कि आपका दृष्टि पर मैं दोष लगा रहा हूँ। जिन्दगी की जितनी जरूरी चीजें हैं वे आपकी मालूम ही नहीं हैं कि वे कौन कौन सी हैं। कानून बनाने से कोई फायदा नहीं होगा यह मैं कड़े शब्दों में कहना चाहता हूँ। इस वास्ते आप इस विधेयक को वापिस ले लें और आवश्यक सुधारों के बाद ही इसको लाएं। तो कर नहीं जाग कर आप कानून लाएं।

**SARDAR SWARAN SINGH SOKHI** (Jamshedpur): Sir, I support the Essential Commodities (Amendment) Bill, which has been moved by the Commerce Minister, Prof. Chattopadhyaya. This Bill should certainly check smuggling, hoarding and blackmarketing in essential commodities. This is a multi-purpose Bill. Most of these artificial scarcities are created by the greedy sharks of the society, who indulge in anti-social activities with selfish motive and personal gain at the cost of the general public. One day they will have to come to their senses, if this amended Bill is properly used by the Government machinery when it takes the shape of an Act. The main difficulty is when our Government machinery which has to implement the Act fails in its duties due to various reasons and the persons caught go scotfree and ultimately the Government is blamed, which is very true.

I want to know from the Government why stern and prompt action is not taken in time in those cases.

I have given some 31 amendments to this Bill which I hope the Commerce Minister would kindly consider, because they are meant only for strengthening the hands of the Government and they would help in taking



[Sardar Swaran Singh Sokhi]

stringent measures to stop hoarding, smuggling and blackmarketing of essential commodities and also fight inflation.

Though the Government would confiscate the essential commodities through this Act on animals and vehicles, the Government should not leave out barges and aeroplanes used for carrying essential commodities in such circumstances, as proposed by me in one of my amendments.

Even the drivers, the owners and their agents caught while transporting goods should not be spared and their vehicles, barges, aeroplanes should be confiscated and they should be put behind bars without bail and no appeal should lie for such grave offences in contravention of this Act and, for this purpose, more and more powers should be delegated to the Collectors and Judges.

The term of imprisonment should be enhanced as referred to by me in my amendments.

As you know, Sir, the essential commodities, such as, cotton, woollen textiles, foodstuffs, drugs, foodgrains, edible oil and oilseeds should be seized wherever they are moved with authority and no leniency should be shown towards the culprits who are enemies of the nation, however influential or highly placed they may be, whether they are individuals or companies, including limited companies or their Chairmen or Managing Directors.

Any person who contravenes any order under this amending Bill should be severely punished and the minimum rigorous imprisonment should not be less than one year and a fine of Rs 5,000, including confiscation of his pro-court of law.

In case of any non-compliance of the directions of the courts, he should further action. It does not matter

whatever the plea he takes, whether on mental or any other ground.

Sir, if the Government would not be strict even now, then what is the remedy left? The Ministers concerned must also personally watch and see the implementation of the Acts passed in regard to their respective Departments because simply coming with a Bill and getting it passed by Parliament would not serve any useful purpose. If there is no follow-up action and, here, I do not hesitate to say that such Ministers who are lazy, in implementing the law should be pulled up by the leader of the House. The Code of Criminal Procedure, 1898, is being replaced now and the Essential Commodities Act, 1955, is being amended by this Bill giving more powers to the judges and courts to deal with the present situation. From now onwards we have to see how the judiciary implements and interprets.

In conclusion, I would request the hon. Minister, Prof. D. P. Chattopadhyaya, to consider the amendments that I have brought forward in regard to this Bill and accept at least some of them, if not all of them.

श्री जनेश्वर मिश्र : सभापति जी, इस तरह की स्थिति सदन में न आए इसके लिए मैं आप से गुजारिश करूंगा कि कोई वादया आप अध्यक्ष महोदय से मिल कर जरूर करेंगे क्योंकि हम लोग हिन्दुस्तान भर की जनता के प्रतिनिधि हैं। मैं तो बहुत कम दिनों से आया हूँ लेकिन मुझ को खुद शर्म लगती है। हम इस स्थिति में कभी रहे नहीं है। इसलिए मैं आप से यह निवेदन कर रहा हूँ।

सभापति महोदय : अब इस चीज को भागे न बढ़ाइये।

THE MINISTER OF COMMERCE (PROF. D. P. CHATTAPADHYAYA): Sir, this Bill is very important and I am grateful to the hon. members who have participated in this discussion for having come out with very concrete



suggestions But the point is that many larger questions have been raised and discussed in connection with this Bill which only replaces the Ordinance promulgated on June 22, 1974. Larger questions like distribution system, holding the price line, establishing a sort of parity between the prices of agricultural raw materials and industrial raw materials and many other connected issues have been raised. I quite agree that there is reason for bringing these issues in connection with the discussion of this Bill. But I would humbly submit to you that, as we have already stated in the Statement of Objects and Reasons for bringing this Bill, the purpose is very limited. We have already said that it is only to make the penal provisions under the Essential Commodities Act, 1955, more stringent and to make their implementation more effective, also taking into account the recommendations of the Law Commission, we have brought this measure. So, our objective so far as this Bill is concerned, is rather limited. Therefore, if I do not touch upon the other larger questions which have been raised in this connection, I should not be misunderstood. I take note of the points of view expressed by the hon members, but if I do not devote much time on their comments and suggestions, it is simply because they are marginally or peripherally relevant and not very much. That is why I would deal with the concrete issues raised so far as this particular Bill is concerned.

First I would like to repudiate the very unfortunate allegation made by hon Member, Shri Mishra. Our party's name was dragged with regard to some malpractices, etc. I strongly repudiate these unfounded, unjustified and unwarranted insinuations and allegations. I entirely agree with the views and arguments made by several hon Members that what is important is not so much the provisions of the Bill alone, but also its implementation.

SHRI NUBUL HUDA Will to implement

PROF D P CHATTOPADHYAYA I certainly include will underlying implementation. Several suggestions have been made by hon Members that there is necessity of close coordination between different ministries of Central Government between State Governments and Central Government, ruling party and parties opposite. The problems which this Bill wants to tackle are not of a political character. The subjects may be political but the origins are social and we have to combat that.

17 hrs.

SARDAR SWARAN SINGH SOKHI What do you mean by social?

PROF D P CHATTOPADHYAYA Please sit down kindly have the patience, I will say.

MR CHAIRMAN You have asked a question he will reply. Sardar Swaran Singh Sokhi.

Let him give clarification.

I asked, what is meant by social.

MR CHAIRMAN He will give you that clarification. He says he will give you.

SARDAR SWARAN SINGH SOKHI I want to know immediately.

MR CHAIRMAN Please sit down. Prof Chattopadhyaya you may please resume your reply.

PROF D P CHATTOPADHYAYA I was submitting this. The issues are larger and are not confined to this or that political party but it concerns society as a whole and many of these problems are outside the frontiers of this party or that party or even Government as a whole and concern the body-politic and social issues as well. It has been suggested by several members particularly by Shri Dinesh Chandra Goswami for example that unless the consumer resistance grows and develops Government on its own cannot tackle these problems. As you know the essential commodities are hundreds in number and the consumers



[Prof. D. P. Chattopadhyaya]

run into millions. It is not possible for the Government to do all that is called for. I do not, in saying this, minimise the responsibility of the Government because it is very much there.

MR. CHAIRMAN: May I ask you a question? I am only suggesting to you; I have not spoken on this Bill. Mr. Janeswar Mishra said about the four pillars, char khambe, the supplier of raw material, the producers, the distributors and the consumers. Have you got in your mind anything to bring together all these four elements? Would you like to do something in the matter? At any stage you may express your opinion, if you want to.

PROF. D. P. CHATTOPADHYAYA: I have suggested already—may not be specifically in response to the points raised by him,—but when I say that there is necessity of coordination between different ministries and also coordination between State Government and Central Government and also when I say about the necessity of maintaining parity, not one to one, but a reasonable parity between the price of industrial raw material, agricultural raw material etc. I have referred to Mr. Mishra's point of view. What I was just mentioning was this, that the consumer resistance and also effective public distribution system are some of the means and mechanisms absolutely necessary to secure the objects which this bill envisages.

Sir, it has been pointed out by Shri Goswami, for example, that the Magistrate's power is not enough to tackle with the economic offences enumerated in this Bill. It is only partially true. I say partially because the magistrate who has been given the power to imprison an offender for a year has also got the power if he thinks it necessary under the circumstances of the case to refer it to the higher authority who is empowered to extend the period of imprisonment. So, limitations of that magistrate's particular power does not debar him from referring this to the

higher authority who is empowered to convict the man for a longer period and to impose a more effective penalty.

Also he referred to a sort of alleged incompatibility between Sections 4 and 6. A close reading of the same, I am sure, will persuade him that there is no incompatibility. If the appellate authority takes a decision on the basis of what section 4 enjoins, then the contention of the appellate body will prevail over the contention of the body which referred the case to it. You will find that section 4 starts with 'may order....' whereas section 6 starts with 'shall'. So, on a close reading of the clause you will find that there is no incompatibility between the two. I am not a good lawyer as he is. I have the knowledge of law that I had in my university. If he looks into it, I am sure he will be persuaded.

SHRI DINESH CHANDRA GOSWAMI: You have given powers to the Collector to confiscate the commodity. The right of appeal is with the statutory authority. That authority may give one decision. The judge dealing with the prosecution has the power to order for forfeiture of the goods. These are independent bodies. It may be in a case that an order of the one may not be agreeable to the other. And, one body will not be bound by the decision of the other body. If a prosecuting magistrate says one thing, the appellate body may say the other thing. If a statutory authority says that the goods are to be confiscated and the magistrate says 'No' or vice-versa, or if the statutory authority says the goods should not be confiscated or the magistrate says it should be forfeited to Government, in that case don't you see there is contradiction? What are you going to do in that case?

PROF. D. P. CHATTOPADHYAYA: As I said, I am not a specialist as he is. Still I am of the view that the view of the appellate body will prevail and in the confiscation clause, there is still reason to believe that the pack-



age or the covering of a vessel or transport machine which may be used for the purpose of committing economic offences are used unknowingly or not in connivance with the owners, then there is an escape clause for giving him some relief and giving him the benefit of doubt. So, I think they are not quite an independent authority. This is the presumption on which Shri Goswami is raising this point. I say that these clauses should be taken and read together.

The other point is this. He mentioned about the *mens rea*, that is, the presumption of intention. You will notice that there are two sets of criticisms against the Bill, one cancelling the other.

One set of criticism was that the Bill is not stringent enough while the other criticism is that it is presumed that the law assumes the form of a draconian character. I would suggest that even if *mens rea* is presumed, the presumption has been diluted because, under clause 8(2), the fact is sought to be proved only when the court believes it to exist beyond reasonable doubt and not merely when its existence is established by all preponderance of probability. The word 'and' is significant.

SHRI P. G. MAVALANKAR: What does it mean?

PROF. D. P. CHATTOPADHYAYA: It does mean that only on the ground of more probability, the presumption that he has done it intentionally will not be dispelled; something more is called. That makes the law more stringent.

SHRI DINESH CHANDRA GO-SWAMI: Can he give me a conceivable case where an accused person, except establishing probability on facts can prove that he did not have the intention or knowledge, because intention or knowledge may be established by surrounding circumstances or probability on facts? He cannot place his intention before the authority. Can

the hon. Minister give me a conceivable case or illustration where he can show that except probability he may produce something by which he can prove his innocence or lack of knowledge? So far as the shifting of the burden of proof is concerned, I am completely in favour of it.

SHRI D. K. PANDA (Bhanjanagar). Just to help the hon. Minister, may I submit one more thing so far as this aspect is concerned? In the Evidence Act which is a Central Act and which has been in existence for several years, there is already a chapter on presumption, and three kinds of presumption arise there. If the purpose of this clause is to prove, then I think this is not at all necessary. The Evidence Act would be sufficient to cover it.

SHRI DINESH CHANDRA GO-SWAMI: He may not answer it now, but let him please keep it in mind.

SHRI B. R. SHUKLA: I would suggest to the hon. Minister that the original section 7 of the Act completely takes care of every eventuality. It says,

"If any person contravenes whether knowingly, intentionally or otherwise .".

So, that covers all kinds of cases. Knowledge ingredient, or intention ingredient or the absence of both these ingredients are covered by section 7. So, why should we introduce a new clause? Let the old section remain as it is and it will deal with all eventualities.

PROF. D. P. CHATTOPADHYAYA: I thank him through you for this ..

MR. CHAIRMAN: Probably that is the legal advice that the hon. Minister has got.

PROF. D. P. CHATTOPADHYAYA: ..But I would again say that it was necessary. As regards the question of



[Shri D. P. Chattopadhyaya]

probability, as the hon. Member might be aware, the range of probability is between 1 and 0. So, probability of a higher degree will be taken as a fact and probability below the mean will not be taken as a fact for this purpose. I shall not go into those details, but I think to strengthen the presumption, these further qualifications have been added. Ordinarily, otherwise, it is left as it is in the law of evidence.

Then, Mr Daga as well as Prof. Mavalankar has said that law by itself is not enough. This is a point which has been repeatedly made, and very understandably so, by hon. Members. But I would only submit that law is necessary but not sufficient. Nobody has claimed that law by itself will solve all the problems. Committee of offence and capital punishment for the committing of offence are as old as human civilisation. So, it is not something that we are facing in this country during a particular period. By passing legislation or by hanging a man or even by cutting a hand, if offence could be put an end to, then during the mediaeval period itself, all economic offences or even serious types of offences, even criminal ones, could have been put an end to. So, we are not immodest in our expectations so far as this Bill is concerned. We are only saying that this is necessary. As to whether it will be sufficient, I have no illusion about it. That is why I have said that cooperation not only from State Governments but also from all the executing agencies including the executive and the legislative and even political parties and public opinion and consumer resistance are all very important ingredients for a total package for the realisation of the objective of the Bill.

I shall not take the time of the House. But I would only submit that this Bill has a limited object, namely to make the Essential Commodities Act, 1955 more effective and the penal measures more stringent.

I hope the House will agree with me that this Bill should be given a fair trial and with all co-operation from the public and the other political parties, there is every reasonable ground to believe that the objective could be realised.

SHRI P. G. MAVALANKAR: What steps has he in mind to streamline the administration to make the amendments more effective?

श्री जगन्नाथ राव जोशी (शाजापुर) :  
समिति सदस्य, अध्यादेश के विरोध में जो मैंने संकल्प उपस्थित किया था उसका जिन जिन माननीय सदस्यों ने समर्थन किया उन सभी का मैं बड़ा आभारी हूँ। मैंने प्रारम्भ में इस बात का बताया था कि इसका जो उद्देश्य है उससे मैं सहमत हूँ। मैंने यह नहीं कहा कि मैं इस से असहमत हूँ। मैंने दो बातें उपस्थित की थी। एक तो यह कि 22 जून को अध्यादेश जारी करने के बजाये जैसे आज हम इस पर चर्चा कर रहे हैं, उसी समय यह विधेयक के रूप में ही आता तो बीच में कौनसा आसमान टूटने वाला था? इतनी जल्दी करके संसद को ताक में रख कर अध्यादेश के रूप में जो यह आता तो क्यों आया—इसके लिए आप का कोई जवाब नहीं आया। प्रारम्भ में भी आपने कुछ नहीं बताया। और न अभी भी कुछ बताया।

दूसरी बात यह है कि पुराना जो विधेयक था 1955 का उसमें ऐसी कौनसी खामी थी जिसकी वजह से मोदी पब्लिक मिल्स पर 9 फरवरी, 1973 को छापा मारा गया और आज हम अगस्त, 1974 में पहुँच गए और अभी तक उसका मामला वैसे ही चल रहा है? तो 1955 के विधेयक में कौन सी खामी थी वह यदि बताते तो बात समझ में आती। पुराने और इस विधेयक में जो अन्तर है वह कोई ज्यादा नहीं है जैसे 5 साल की जगह पर 7 साल की सजा कर दी, 3 महीने की 6 महीने कर दी और जो बहिक्लिस्त होनी है उनको



पकड़ने का अधिकार कलक्टर को दे दिया लेकिन सवाल यह है कि आपकी जो मशीनरी है उसमें खामी है, उसमें लूपहोल्स हैं उनको रिपैर तम्हारे ठीक करना चाहते हैं यह आपने नहीं बताया। आप जब नए अधिकार लेते हैं तो क्या लेते हैं यह बताया नहीं जाता है। उसमें कौन सी खामी थी उसके दो चार उपकरण पेश करते तो बात समझ में आती। इस तरह से अगर आप 7 साल की जगह 70 साल सजा करते हैं तो भी क्या होया? जब बांफिन में मानसिक सम्झार नहीं है, वह जेल जाने में कतगता नहीं है और स्थिति ऐसी पैदा हो गई है कि यदि कोई आदमी जानबूझकर इसका उल्लंघन करे, एसमिशनन कमोडिटीज जिनको आप कहते हैं उनको लाकर देने की कोशिश करे और आपका यानेदार उसको पकड़ने की कोशिश करे तो जाना यानेदार का साथ नहीं देगी, उस आदमी का साथ देगी क्योंकि कम से कम वह गद्दी से चीजे लाकर जनता में देता है, बाजार में वह चीजे मिलती ही नहीं है जैसे गेहूँ, केरोसिन आयल और चावल मिलता नहीं है और जो लाकर देता है वह चोरी में ही लाकर देता यह बात सभी जानते हैं और इसी की वजह से यह सारा कुछ हुआ है। स्थिति यह हो गई है कि अपराध करते समय किसी को धर्म ही नहीं होती।

**श्री सतपाल कपूर (पटियाला)** क्या जो इस तरह से चीजे लाकर देता है उसको पदमश्री बनाना चाहिए?

**श्री जगन्नाथ राव जोशी** . आप तो भारत रत्न बन गए हैं, आप पदमश्री क्या करेंगे? तो सवाल कानून का नहीं है, सवाल कानून को चलाने और उसको इस्तेमाल करने का है, उसको प्रयोग में लाने का है। कल मैंने पढ़कर सुनाया था कि जो बड़े बड़े शासक हैं वह पकड़ में आते नहीं और जो छोटे आदमी हैं उनको आप पकड़कर नहीं देते हैं।

यह कल का नवभारत टाइम्स है जिसमें यह खबर राजधानी दिल्ली की है। यदि यह हालत राजधानी की होगी तो और जगह क्या स्थिति हो सकती है उसकी आप कल्पना कर सकते हैं। मैं इसको उद्घृत करना चाहता हूँ

**“मृष्ट अधिकारियों को भी बंध दिया जाये”**

नयी दिन्नी, मंगलवार जगपुरा एक्स-टेन्शन मार्केट एसोशियेशन ने अपने एक सदस्य दुकानदार को ख.ख एव पति विभाग द्वारा परेशान किए जाने और इस प्रकार क्षेत्रीय निरीक्षक के विरुद्ध छपटाचार के मामले को विभाग द्वारा बवाने की कोशिश करने का आरोप लगाया है। एसमिशनन ने ख.ख मंत्री को एक पत्र भेजा है जिसमें यह मांग की गई है कि क्षेत्रीय निरीक्षक के विरुद्ध छपटाचार के आरोपों की जांच की जाये। एसमिशनन की ओर से ठमस भरकार के साथ पूरा सहयोग करने का आश्वासन दिया गया है।

पीडित दुकानदार ने प्रधान मंत्री को भी एक पत्र लिख कर आरोपों की सत्यता की जांच करने की मांग की है। पत्र में कहा गया है कि जो दुकानदार मृष्ट तरीके अपनाते हैं इनकार करते हैं और अधिकारियों को उन के द्वारा निर्धारित दर पर रिश्वत नहीं देते उन्हें परेशान किया जाता है . . .

मंत्री जी इस बात को भी अपने ध्यान में रखे कि रिश्वत की दर भी निर्धारित है।

That Commodity has also been controlled.

यानी कौन से स्तर पर और कौन सी दर से रिश्वत देनी चाहिए, ऐसा लयता है कि वह भी तय है और जो लोग निर्धारित दर पर कमचार्जियों को रिश्वत नहीं देते हैं, उन को परेशान किया जाता है। इसलिये जितने भी कानून बनते हैं उद्देश्य आपका और हमारा एक है लेकिन व्यवहार में जब उस को लाते



[श्री जगन्नाथ राव जोशी]

है, तो जनता को तकलीफ होती है। उसको ठीक तरह से भ्रमल में नहीं लाया जाता है। इसी अखबार में आगे यह लिखा है :

“आयुक्त खाद्य एवं पूर्ति विभाग से भी क्षेत्रीय निरीक्षक की कार्य-पद्धति के सम्बन्ध में लिखित रूप से शिकायत की गई है लेकिन उस पर कोई कार्यवाही नहीं हुई।”

यह बात मैं समझ सकता हूँ कि कोई कार्यवाही नहीं की गई किन्तु आगे लिखा है :

“उल्टे संबंधित दुकानदार को 518 पंजीकृत खाद्य कार्डों के लिए 1500 किलो के बजाय सिर्फ 708 किलो भी दिया गया जबकि एक अन्य को 300 कार्डों पर 1000 किलो भी दिया गया। गेहूँ का लाइसेंस “50 रुपये फीस” न दिये जाने के कारण विचाराधीन पड़ा है इस कारण उमीद लगाई कार्डधारी जनता भी व गेहूँ सभी में वित्तित रह गई है।”

यानी आज अगर कोई ईमानदार रहता भी चाहे तो आप की मशीनरी उस की ईमानदार रहने नहीं देगी और इस बजह से जो उपभोक्ता है, जो आम जनता है जिस के हित के लिए हम यह सब कर रहे हैं, वह परेशान रहेगा। उस ईमानदार दुकानदार ने प्रधान मंत्री को भी पत्र लिखा और खाद्य मंत्री को भी पत्र लिखा और लिखित रूप में देने पर भी कुछ नहीं हुआ है और उल्टे उस को सजा मिलती है कि 518 राशन कार्डधारियों को जितना भी और गेहूँ मिलना चाहिए उतना नहीं मिला है। क्यों नहीं मिला है? इस की जांच कौन करेगा? केवल कानून बना देने से ही यह होगा नहीं? आखिर जो कानून हम बनाते हैं वह आम आदमी के हित के लिए बनाते हैं। अब आम आदमी का हित होता है या नहीं इसको देखेंगे कौन? इस-

लिए मैं ने कल जो मांग की थी वह अपनी जगह पर है कि यह अध्यादेश जो निकाला गया है तो ऐसा क्यों किया गया यह बताएं। पहले कानून में कौन सी छामियां थीं यह आप से बताया नहीं। आज आवश्यक वस्तुओं की क्या हालत है यह पता है आप को? बम्बई में केरोसिन की बजह में कितनी गड़बड़न यह आप जानते हैं? वहां पर विरोधी दल कितना उत्तेजित है और जनता भी वहां पर डिब्बे बजाने लगी है। ऐसी स्थिति में भी केरोसिन जैसी वस्तु को आप ने आवश्यक वस्तुओं की सूची में नहीं रखा है यानी इसा दायरे को आप ने बढ़ाया नहीं है और जैसा मेरे मित्र श्री जनेश्वर मिश्र ने कहा कि आवश्यक वस्तुओं में आप ने दवाइयों को भी नहीं लिया।

श्री अटल बिहारी वाजपेयी :  
(ग्वालियर) और नमक भी।

श्री जगन्नाथ राव जोशी : नमक भी उस में नहीं आता है।

समापति महोदय आज जो चीज उत्पादित होती है वह प्रत्यक्ष रूप में बाजार में बिकने के लिए आती है लेकिन मैं पूछना चाहता हूँ कि वह पैदा कहाँ होती है। आप का कपड़ा किस से बनता है? कपास से और वह खेतों में पैदा होती है। आप की चीनी जो बनती है वह गन्ने से बनती है जो खेतों में पैदा होता है और इसी तरह से बनावृत्ति भी मूंगफली से बनता है जिसको किसान पैदा करता है। जो किसान इन को पैदा करता है उसको उसकी उपज की क्या कीमत मिलती है और ये चीजें जब बाजार में कपड़ा, चीनी और घी की शक्ल में आती हैं तो किस कीमत पर मिलती हैं। जब गन्ना मिलों में चला जाता है और उस की चीनी बनती है तो वह बाजार में आकर 5 रुपये किलो बिकती है। पहले वह 4 रुपये थी फिर साढ़े चार रुपये हुई और अब पांच रुपये मिल



रही है और उस के दाम बढ़ते ही जा रहे हैं लेकिन किसान को गन्ने का क्या मूल्य मिला। इसी तरह से कपास के दाम किसान को क्या मिलते हैं और कपड़ा जब बाजार में बिकता है तो वह किस दाम पर बिकता है। इस तरह से आप देखें कि इस के दामों में क्या कोई समानता है। मेरे मित्र श्री जनेश्वर मिश्र ने कहा है कि कीमतों में इनका फर्क नहीं होना चाहिए।

इन चीजों के दाम कैसे बढ़ते हैं यह मैंने कल भी बताया था। एक व्यापारी पीने चार रुपये हैडलिंग चार्ज लेकर गेहूँ बेचता था, लेकिन जब आप के खाद्य निगम ने इस काम को अपने हाथ में लिया तो उस के हैडलिंग चार्ज जय 5 रुपये 27 पैसे प्रति क्वींटल और अब तो वे बहुत ज्यादा हो गये हैं। इस से क्या चीज सस्ती मिलेगी। आपने किसान को मजबूर किया कि वह 105 रुपये बोटल के हिसाब में अपना गेहूँ सरकार का बेचे लेकिन आप उस को बेचते हैं 132 रुपये में। इसका मतलब क्या है। पिछली बार आप ने गेहूँ का स्ट्राइक 76 रुपये प्रति क्वींटल किसान से ले कर अपने गोदामों में भर लिया था और आप ने उसका बेचा किस भाव से? इस बार आपने 105 रुपये प्रति क्वींटल के हिसाब से लिया और बेचा है। 32 रुपये और मह बताया गया कि यह बाजार का रेट है। यानी किसान से जब गेहूँ लिया जाय ता कहते हैं कि बाजार का ध्यान रखना चाहिए और जब आप बेचते हैं तो बाजार का ध्यान नहीं रखा गया यानी स्वयं सरकार घाट तरीका अपनाए। आप इस तरह की बातें करने हैं।

इसी तरह से आप देखें कि आप का एडल-ट्रेडिंग का कानून है। आप के सप्लाय मिशन में अमेरिका का गेहूँ आया, मिलो में आया और उस में धतूरा मिला हुआ था। क्या आया धतूरा मिला हुआ मिलो? यानी एडल-ट्रेडिंग का मतलब यह होता है कि दाल में चावल मिले ता वह एडल-ट्रेडिंग है इट शुड बी होम्लेस। एडल-ट्रेडिंग का मतलब है कि चावल में गेहूँ मिला हो बंडल एडल-ट्रेडिंग लेकिन खुले रूप में धतूरा मिला दिया जाए तो वह एडल-ट्रेडिंग नहीं है। किस को आप ने दखित किया? किसी को नहीं।

क्या नहीं किया? यानी सप्लाय मिशन से इस तरह का माल आता है तो सरकार कुछ नहीं करती है और यह खुले रूप से चलता है।

मेरे आप को बताऊ कि मैं अपने गांव गया तो वहां पर लोगों ने मुझ से कहा कि आप पार्लियामेंट के मेम्बर हैं, यह देख लीजिए कि इस तरह की ज्वार हमें खाने के लिए दी जाती है और कर्नाटक के खाद्य मंत्री जी को उस का नमूना भेजा है। मैंने उन से कहा कि दिल्ली में तो इस में और पत्थर भी मिने हाते हैं। वह ज्वार सासाइटी की तरफ से सरकार की ओर से वितरण हुई है कोई बिमाना की तरफ से या निजी व्यापारियों की तरफ से नहीं। ऐसे चीज जब सरकार खुद करेगी, तो फिर आप दूसरा का कैसे दोष दे सकते हैं। केवल कानून को कड़ा करने से काम नहीं चलगा। चेंसट्री मस्ट बिगन एट ह्यम। हम चाहें जितना ठाढ़ कानून बनाय उससे भी नहीं चलेगा इसलिए मैंने न जब प्रधान मंत्री जी का 15 अगस्त का दिव्य संदेश महिलाओं को दत्त हुए गुना जमने उन्होंने कहा था कि गमनों में मन्त्री उगाया ता मुझे कुछ आश्चर्य सा हुआ क्या कि हम देखते हैं कि राष्ट्र-पति भवन में केवल गुलाब के फूल के पौधे लगे हुए हैं और दूसरे पेड़ लगे हुए हैं और पार्लियामेंट हाउस में भी हम देखते हैं कि गुलाब के फूल और दूसरे फूल लगे हुए हैं। अगर आप लूमली लगाय हात ता हम भी आते जाते खा लेते और आखिर किसी का पेट तो भरेगा। यानी समस्या का समाधान होना चाहिए यह आवश्यक है और मैं इस से इस बात में बिलकुल सहमत हूँ लेकिन मैं यह समझता हूँ कि केवल कानून बना देने से ही समस्या हल नहीं होगी। कानून ठीक ढंग में बने यह तो हमें देखना ही चाहिए लेकिन उस पर अमल भी ठीक से होना चाहिए।

अब मैं एक बात की ओर आप का ध्यान खींचना चाहता हूँ। मेरे पास यह आवश्यक वस्तु (समोशन) विधेयक हिन्दी का है और एशियन कामोडीटीज एक्ट अंग्रेजी का भी



[ श्री जयनाथ शर्मा जी : ]

है किन्तु इन दोनों में थोड़ा सा अंतर है। हिन्दी का जो विधेयक है इस में जो संश्लेषण 3 है उसमें लिखा हुआ है "जहाँ ऐसी कीमत नियत न की गई वहाँ ऐसी श्रेणी या किसम के खाद्यान्नों खाद्य तिलहनो या खाद्य तेलों की उस कीमत को" यह अंग्रेजी में नहीं लिखा है। अंग्रेजी का जो एक्ट है उस में संश्लेषण 3 इस प्रकार है।

"3. In section 3 of the principal Act, in clause (ii) of sub-section (3B,) for the words "where no such price is fixed", the words "where no such price is fixed, an amount calculated having regard to" shall be substituted."

इस में पचासान है पचास तिलहन है और न खाद्य तेल है जो कि हिन्दी के विधेयक में है। यह आप को मालूम है? यानी जल्दबाजी में अध्यादेश निकाल दिया। क्यों करते हो ऐसा हमारी समझ में नहीं आता। बुझाये में तो मोब समझ कर करवा चाहिए किसी चीज को कोई जवान ऐसी गलती करे तो बात समझ में आ सकती है। (अध्यक्ष) : मंत्री महोदय जरूर इस तरह ध्यान दें और मशौखन कर के इस को शुद्ध कर दें। मुझे ऐसा लगता है कि पुराना जो बिल है उस में ये सब शब्द हैं लेकिन नये में नहीं हैं। इसलिए इस का आप को ठीक करना होगा और कम से कम इस एमेन्डमेंट को तो आप स्वीकार करें या आप हिन्दी वाले को ही प्रमाणित करिये और हिंदी का ही विधेयक यहाँ पारित कीजिए क्योंकि वह समझ में तो आ जाता है लोगों के वरना एमेन्डमेंट सब कीजिए। इतना तो आप को करना ही पड़ेगा।

इसलिए मैंने जो सचल्य पेश किया था, वह इसी उद्देश्य से किया था कि मैं जो इन विधेयकों का उद्देश्य है, उस में अमंजूर नहीं हूँ, मैं उस के उद्देश्य से सहमत हूँ लेकिन प्रत्यक्ष व्यवहार में छूटे को तो पकड़ लिया जाता है और उन को सारा ही जाती है लेकिन जो बड़े लोग

हैं उन को पकड़ा नहीं जाता है। जो छोटे लोग हैं उन को बहुत तकलीफ होती है और उन का बहुत हैरसमेंट किया जाता है। हम जिन का हित करना चाहते हैं, उन का हित नहीं होता है और दिन ब दिन आमदनी परेशान होता जाता है, कभी चावल के लिए, कभी घी के लिए और कभी तेल के लिए और हमारा निस्तान जिस की आप बात करते हैं, वह बेचारा तो बहुत परेशान है। न उस के लिए बिजली है और न तेल और अगर ट्रैक्टर है तो टायर नहीं। ऐसी स्थिति में वह बेचारा घूम रहा है। उसकी परेशानी तो कम से कम आप न बढ़ा दें और जो बगन आप लाए, उस में उस का हित हो, इस बात को आप देखिये, किन्तु आप का जो उत्तर आया है, उस से मेरी शकाओं का समाधान नहीं हुआ। इसलिए मैं अपने सकल्प पर डटा हुआ हूँ और इस अध्यादेश का विरोध करता हूँ।

**सरदार स्वर्ण सिंह सोखी :** (जमशेदपुर) : मेरी बात सुनिये। मैं आप से पूछना चाहता हूँ कि मेरा कल नाम था, तो आप ने मुझे बोलने के लिए बुलाया क्यों नहीं? मैं कांग्रेस का सदस्य हूँ और मुझे बुलाया क्यों नहीं?

**सभापति महोदय :** आप का नाम यहाँ नहीं था।

**सरदार स्वर्ण सिंह सोखी :** नहीं, भालेडी मेरा नाम था। आप मिनस्टर साहब से पूछिए।

**सभापति महोदय :** कृपया, आप बैठिये।

**सरदार स्वर्ण सिंह सोखी :** आयन्दा मैं कांग्रेस के र्थ अपना नाम नहीं भेजूंगा, सीधे ही भेजूंगा।

**MR. CHAIRMAN:** Now, I will first put the Statutory Resolution to the vote of the House.

The question is:

"This House disapproves of the Essential Commodities (Amend-



ment) Ordinance, 1974 (Ordinance No. 2 of 1974) promulgated by the President on the 22nd June, 1974.'

The motion was negatived.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Essential Commodities Act, 1955, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: We now take up the clause-by-clause consideration of the Bill.

श्री जगन्नाथ राव जोशी : अग्रेजी और हिन्दी में जो अन्तर है —

MR. CHAIRMAN: I will take that up during the consideration of the clauses. I will ask the Minister to amend it suitably, to amend one or the other.

श्री जगन्नाथ राव जोशी : कोई एम्बेडमेंट होती है तो उस विधेयक को उसी दिन पास नहीं किया जाता है ।

MR. CHAIRMAN: Let me first ask the Minister whether he wants to make any statement with regard to the lacuna that has been pointed out in the English version. I do not find any amendment to that.

PROF. D. P. CHATTOPADHYAYA: I can only say, the items included are accepted by us. Where it has not been spelt out, the items included in the Essential Commodities Act are accepted by us and that is a correct version and an up-to-date version.

MR. CHAIRMAN: You do not propose to amend the English version of the Bill.

PROF. D. P. CHATTOPADHYAYA: I accept that. In the English version, it is included there in the appendix enumerating the subjects. These items are acceptable to me.

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SHRI JAGANNATHRAO JOSHI: In the old Act, all these items are mentioned. But they are missing here.

PROF. D. P. CHATTOPADHYAYA: In the Schedule, it is there.

MR. CHAIRMAN: There is no amendment to the Schedule. The Schedule exists as in the present Act.

SHRI JAGANNATHRAO JOSHI: In Clause 3, we are going to fix the prices. Fix the prices of what? We are going to fix the prices of what.

PROF. D. P. CHATTOPADHYAYA: I am piloting the Bill on the basis of English version. I stand by it. If there is anything left, I can consider it and include thereafter.

MR. CHAIRMAN: The hon. Minister says that the English version is the authentic copy and the parent Act on the basis of which he is piloting this Bill is also in English. There is a Schedule in the parent Act which is not being amended. Therefore, I think, that meets your objection. We all know that the English version of Bill is the authentic version. That is according to article 348 of the Constitution.

SHRI JAGANNATHRAO JOSHI: In the English version itself it is missing. (*Interruptions*)

PROF. D. P. CHATTOPADHYAYA: The English version is the authentic version and I stand by it.

MR. CHAIRMAN: For future, it is my opinion, the English and the Hindi versions should be identical. It is not unconstitutional to move a Bill in English. (*Interruptions*)

SHRI JAGANNATHRAO JOSHI: He can move an amendment.

SHRI P. G. MAVALANKAR: The Minister says that he stands by the English version. He also concedes the fact that the Hindi version is the correct version. Yet, he says that he stands by the English version. How does he reconcile these two positions?



MR. CHAIRMAN: He says that he is piloting the English version of the Bill.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Article 348 of the Constitution says

"Notwithstanding anything in the foregoing provisions of this Part, until Parliament by law otherwise provides—

"the authoritative texts of all Bills.....shall be in the English language."

श्री अटल बिहारी वाजपेयी : सर्वधर्मा न स्थिति के बारे में कोई भ्रम नहीं है। अंग्रेजी का विधेयक अधिकृत है। लेकिन प्रश्न यह है कि अंग्रेजी का विधेयक जिस संशोधित रूप में लाया गया है उसका जो संस्तरा उपबन्ध है यह अपूर्ण है। तीसरी किताब अंग्रेजी की यह है :

"In section 3 of the principal Act, in clause (ii) of sub-section (3B), for the words 'where no such price is fixed', the words where no such price is fixed, an amount calculated having regard to' shall be substituted...."

SHRI DINESH CHANDRA GO-SWAMI. There is no difference. The amendment reads like this:

"...for the words 'where no such price is fixed' the words 'where no such price is fixed, an amount calculated having regard to' shall be substituted..."

Then it will read like this:

"Where no such price is fixed, an amount calculated having regard to the price for such 'grains or variety of foodgrains, edible seeds, edible oil...prevailing or likely to prevail..."

There was confusion because in the Hindi version because of the amendments the words had to be changed. In the English version, foodgrains, edible oil, etc., have not been amended. These are there in the original Act. So, I do not see any difference. (Interruptions)

MR. CHAIRMAN: Now let us stand by the English version.

Clause 2—(Amendment of section 2)

MR. CHAIRMAN: We now take up amendments to Clause 2. We have got amendment No. 27 to Clause 2.

Dr. Laxminarain Pandeya.

डा० लक्ष्मी नारायण पांडेय : (मदसौर) : मैं अपने 27 नम्बर के संशोधन को पेश करना चाहता हूँ।

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after line 13, insert—

"(b) after sub-clause (x), the following sub-clauses shall be inserted namely:—

- (xi) soap excluding hand made soap, toothpaste and razor blades;
- (xii) fertilisers;
- (xiii) pumping sets below 5 H.P. and their accessories;
- (xiv) footwear excluding hand made footwear;
- (xv) stationery;
- (xvi) text books;
- (xvii) cotton yarns;
- (xviii) match-box;"

(27)

इस में मैंने कहा है कि पृष्ठ 1 पर कुछ वस्तुएं छोड़ दी गई हैं और उनको इस में जोड़ा जाए। नाम मैंने दिए हैं। जैसे साबुन, जिसके अन्तर्गत हस्तनिर्मित साबुन, टूथ पेस्ट और रेजर ब्लेड नहीं हैं। उबकाने नहीं हैं। चमक किसान के लिए अत्यंत आवश्यक हैं।



उर्वरक की आज किमान को अत्यन्त आवश्यकता है, उस को भी इस के अन्दर सम्मिलित नहीं किया गया है। उसे भी सम्मिलित किया जाना चाहिए। इसी तरह से पाच हास पावर से कम के पम्प सैट और उन के उपसाधन, जूते आदि जिस के अन्तर्गत हस्त-निर्मित जूते नहीं हैं लेखन सामग्री, पाठ्य पुस्तकें सूती धागा, माचिस, बैरोसिन, इत्यादि चीजे हैं जिन को इस के अन्दर अनिवार्य रूप में जोड़ा जाना चाहिए था लेकिन जोड़ा नहीं गया है। लोभो को आज इन चीजों के अभाव में बहुत परेशानी और दिक्कतें हो रही हैं। पाठ्य-पुस्तकों और लेखन सामग्री का आज चारों तरफ अभाव है। सूती धागा मिलता नहीं है। ये ऐसी चीजे हैं जिन को इस के अन्दर जोड़ा जाना चाहिए। मैं समझता हूँ कि मंत्री महोदय इस में सहमत होंगे। इन चीजों के बिना आज का जीवन चलाना कठिन हो रहा है। उर्वरक की ऐसी स्थिति है कि उर्वरक मिलता नहीं है। उसके दाम अत्यन्त बढ़ गए हैं। किमान खरीदने में अमर्ष है और छोटे किसान पर इसका बहुत ही असर पड़ा है। वे तो इस की तरफ देख भी नहीं पाते। मादुन तब बाजार सगायब हो गया है। हस्त-निर्मित मादुन का भी पता नहीं।

श्री डी० पी० चट्टोपाध्याय सावुन इस के अन्दर है।

डा० लक्ष्मीनारायण पांडेय ये जितनी चीजे मैंने बताई हैं इनका आज चारों तरफ अभाव है और इन को इस में सम्मिलित किया जाना चाहिए। ये साधारण लोगों के काम में आने वाली वस्तुएं हैं। मैं समझता हूँ कि मंत्री महोदय मेरे सलाहों को स्वीकार करेंगे।

PROF D. P CHATTOPADHYAYA  
It is there, it is already there Now, under Section 2A we can change the list from time to time. I am sorry I cannot accept the amendment I think it is not necessary If and when necessary we can take care under Section 2A

SHRI ATAL BISHAM VAJPAYEE  
Is it his contention that inclusion of kerosene is not necessary now?

PROF D P CHATTOPADHYAYA  
It is there already. The item 'petroleum' is there This item says, petroleum and petroleum products So the amendment is not necessary

MR CHAIRMAN I will now put Amendment No 27 to the vote of the House

The question is

"Page 1,—

after line 13, insert—

"(b) after sub-clause (x), the following sub-clauses shall be inserted, namely —

- (xi) soap excluding hand made soap, toothpaste and razor blades,
- (xii) fertilisers,
- (xiii) pumping sets below 5 H P and their accessories
- (xiv) footwear excluding hand made footwear;
- (xv) stationery;
- (xvi) text books;
- (xvii) cotton yarns;
- (xviii) match-box,"

Those in favour may please say Aye

SOME HON MEMBERS Aye.

MR. CHAIRMAN. Those against may please say No

SOME HON MEMBERS No

MR. CHAIRMAN. The Nos. have it  
SHRI JAGANNATHRAO JOSHI  
The Ayes have it

MR CHAIRMAN. All right, division, let the lobby be cleared.

The lobby has been cleared

I will now put the amendment again.



[Mr. Chairman].

Amendment No. 27 was put and  
negatived.

MR. CHAIRMAN: Now the ques-  
tion is :

"That clause 2 stand part of the  
Bill".

The motion was adopted .

Clause 2 was added to the Bill.

Clause 3—(Amendment of section 3  
MR. CHAIRMAN: Now we take up  
clause 3. There are a few amendments  
Are you all moving your amend-  
ments?

DR. LAXMINARAYAN PANDEY:  
I move:

Page 1, line 14,—

after "principal Act," insert—

"(a) clause (a) of sub-section  
(2) shall be omitted; (b)" (28)

SHRI JAGANNATH RAO JOSHI:  
I move:

Page 1, line 14,—

after "principal Act", insert—

'(a) in clause (a) of sub-  
section (2), the words "by  
licences, permits or otherwise"  
shall be omitted; (b)' (29)

DR. LAXMINARAYAN PANDEYA:  
I move:

Page 1, line 14,—

after "principal Act," insert—

'(a) to clause (f) of sub-  
section (2), the following pro-  
viso shall be inserted, namely:—

"Provided that a tenant of an  
uneconomic holding whose main  
source of income is from agri-  
culture shall be exempted from  
the operation of this clause."; (b)' (30)

Page 1, line 14,—

after "principal Act," insert—

'(a) to sub-section (3), the  
following proviso shall be insert-  
ed namely:—

"Provided that in case of a  
producer, the prices of food-  
grains fixed under clauses (a),  
(b) and (c) shall not be less  
than the prevailing market  
price"; (b)' (31)

समापति महोदय, मेरा संशोधन इस  
प्रकार है—

"मूल अधिनियम की धारा 3 की" के स्थान  
पर निम्नलिखित प्रतिस्थापित किया जाये

मूल अधिनियम की धारा 3 में (क)  
उपधारा (2) के खण्ड (क) की लोप कर  
दिया जायेगा , "(ख) ।"

इस को कर देने से मैं समझता हूँ  
कि विधेयक की प्रस्तुत स्थिति ज्यादा  
संगत होगी । इसी प्रकार से दूसरा  
संशोधन इस प्रकार है :



“मूल अधिनियम की धारा 3 की”  
के स्थान पर निम्नलिखित प्रतिस्थापित  
किया जाये—

“मूल अधिनियम की धारा 3 में (क)  
के खंड (ब) के पश्चात् निम्नलिखित  
परम्पुक अन्तःस्थापित किया जायेगा, अर्थात्—

“परम्पु अलाभकर जोत के अधिधारी  
को, जिस की आय का मुख्य प्रति कृषि  
हो, इस खंड की क्रियान्विति से छूट दी  
जायेगी।”

जो मूल अधिनियम विधेयक है उसके  
अनुसार तो चाहे वह छोटा किसान हो या  
बड़ा किसान हो, चाहे उसकी जोत लाभकर  
हो या अलाभकर हो, तीन चार या पांच एकड़  
का भी किसान हो, उस को इस की छूट  
नहीं दी गई है जिसके कारण छोटे किसानों  
या जिनकी खेती अलाभकर है, वे भी इसके  
अन्दर आ जायेंगे। इसलिए मेरा सशोधन  
है कि छोटे किसान को छूट दी जाये। छोटा  
किसान उस को माना गया है जिस की जमीन  
पाँच सात एकड़ तक है, बहुत से राज्यो  
में इतनी जोत को अलाभकर माना गया है  
और केन्द्रीय सरकार का भी इस प्रकार का  
आशय है कि साढ़े सात एकड़ तक की जमीन  
पर किसी प्रकार का भू-राजस्व नहीं लगेगा।  
इसलिए नहीं लगेगा कि उस को अलाभकर  
जोत माना है। मैं चाहता हूँ कि इस तरह  
की अलाभकर जोत वाले किसानों को इससे  
बंचित रखा जाये, वे इसके अन्तर्गत न  
आये।

SARDAR SWARAN SINGH SO-  
KHI: My amendment papers have  
been recovered from here by someone.  
Please ask him to bring them back.

MR CHAIRMAN: Let Dr. L. N.  
Pandeya continue his speech.

SHRI KRISHNA CHANDRA HAL-  
DER (Ausgram): How long are we  
going to face this type of thing from  
the ruling party?

डा० लक्ष्मी नारायण पांडेय मेरा  
दूसरा सशोधन इस प्रकार है कि सरकार  
आवश्यक वस्तुओं को अपने हाथ में ले सकती  
है, लेकिन उस का बाजार मूल्य उसको मिलना  
चाहिए। इस कानून से सरकार चाहे तो  
उसे ज्यादा कीमत भी दे सकती है और  
चाहे तो उसे कम कीमत भी दे सकती है।  
किसान जो चीज तैयार करता है, खाद्यान्न  
हो, दलहन हो—सरकार उन को लेगी  
तो चाहे जो कीमत दे सकती है लेकिन मैं  
चाहता हूँ कि बाजार में जो कीमत हो वह  
उस को देनी चाहिये, वरना किसान को  
कठिनाई होगी। वह ठीक है कि कई  
बार सरकार ऊँची कीमत भी तय कर सकती  
है और कम कीमत भी तय कर सकती है, इस  
लिए मेरे सशोधन को मानना जरूरी हो  
जाता है कि जो कीमते तय की जाये वे  
बाजार भाव के अनुसार तय की जाये।  
सरकार अपने मनमाने ढंग से तय न करे।

PROF. D. P. CHATTOPADHYAYA.  
I have nothing more to add by way  
of reply. I am sorry I cannot accept  
them. They will create more prob-  
lems and complications.

डा० लक्ष्मी नारायण पांडेय आप  
अनइकानामिक होल्डिंग्स (अलाभकारी  
जोत) के लिये क्या कहते हैं। यह सरकार  
किसानों की उन्नति की बहुत बातें करती  
है, लेकिन इस-साधारण सी बात को नहीं  
मानना चाहती।



[श्री सतपाल कपूर :—]

अगर उसको मैं छुट्ट दे दूँ तो हाँ, मे क्या नु, साह? होगा? सरदार को यह आश्चर्य मानना होगा कि असाधारण जोत वाले किसान अभी वठिनार में है और मेरा सशोकन उन्हीं के लिये है।

MR. CHAIRMAN: He cannot persuade the hon. Minister at the last moment.

I shall now put amendments Nos 28 to 31 to the vote of the House.

Amendments Nos. 28 to 31 were put and negatived.

MR. CHAIRMAN. The question is—

"That clause 3 stand part of the Bill"

The motion was adopted  
Clause 3 was added to the Bill

Clause 4—(Amendment of section 6A)

SHRI B R. SHUKLA: I beg to move:

Page 2, after line 9, insert—

'(b) after the existing proviso, the following further proviso shall be inserted, namely:—

"Provided further that if any case relating to the confiscation of any essential commodity, animal or vehicle is pending investigation, inquiry or trial before a Court of criminal jurisdiction, no order of confiscation of such commodity, animal or vehicle shall be made under this section, and the decision of the court shall be binding on the Collector." (40).

SARDAR SWARAN SINGH SOKHI: I am moving my amendments but with the protest that my papers have been removed from the House I have got them back just now. Please give a ruling on it why my papers were removed from here. I want to know this from you. Who has stolen my papers? They have just been brought

back. I would like to protest against it.

I beg to move:

Page 2, line 8, after 'or' insert 'any'. (46)

Page 2, line 8, after 'conveyance' insert "including barge and aeroplane". (47)

SHRI ATAL BIHARI VAJPAYEE: As a protest he may walk out of the House.

[Sardar Swaran Singh Sokhi then left the House]

MR CHAIRMAN: I am thankful to the hon Member who gave him this advice

SHRI D K PANDA: I beg to move:

Page 2, line 4, for 'may' substitute 'shall' (78).

SHRI B R SHUKLA: My brief reasons for moving my amendment are as follows.

श्री सतपाल कपूर (पटियाला)

चेयरमेन साहब सरदार स्वर्ण सिंह प्रदेशी का जो एटीच्यूड रहा है, उन के जो रिमाकर्स हैं, उन की जो स्पीच है, वह रिकार्ड से निकाल दी जाये। श्री बाजपेयी जी और श्री जोशी जी मुझ से एग्नी करेगे कि आज जिस हालत में वे यहाँ आये थे और जिस तरह से विहेव किया है, मैं समझता हूँ कि वह रिकार्ड के लिये अच्छी बात नहीं होगी।

श्री हेमचन्द्र सिंह कनेरा (भीलवाड़ा)

उन की स्पीच अससदीय नहीं है।

श्री अटल बिहारी वाजपेयी इतना कार्यवाही से निकालने का सवाल नहीं है।



लेकिन जो कुछ हुआ है उस पर सरकार और सदन को, विशेषकर हमारी कांग्रेस पार्टी को गम्भीरता से विचार करना पड़ेगा। इस की पुनरावृत्ति नहीं होनी चाहिये। मैं इस मामले को तूल नहीं देना चाहता। मैं ने उन को सुझाव दिया और वे बाहर चले गये—यह अच्छा हुआ। लेकिन आप अलग बैठ कर सोचिये कि क्या किया जाये।

श्री सतपाल कपूर: उन के रिमाक्स रिकार्ड में नहीं रहने चाहिये !

MR. CHAIRMAN: Let us proceed with the business of the House. As far as I have been able to hear him, there was nothing objectionable in the speech he made. Actually, he seemed worked up because I advised him not to speak today and that enraged him. Let us forget the incident.

SHRI B. R. SHUKLA: Under sec. 6A, the Collector has got the jurisdiction to order confiscation of an essential commodity including the vehicle, the receptacle, the animal

which has been used as carrier in contravention of an order with respect to all essential commodities. Now it also provides that even if there is no prosecution launched, even then the Collector can confiscate and if the prosecution is launched, he has got jurisdiction. Under sec. 7 of the original Act, there is also a similar provision for confiscation and sec. 7 has not been amended. To that extent, the forfeiture of the property will be made by the criminal court. So apparently there may arise a conflict between the decision of a Collector and that of the criminal court which is seized of the case. Therefore, I have tabled this amendment to the effect that whenever a case is pending relating to an offence under this Act, then the order of confiscation passed by the criminal court should be binding on the Collector. Otherwise, there would be conflict in jurisdiction.

18 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Friday,*

*August 23, 1974/Bhadra 1,  
1896 (Saka).*