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Thursday, December 12, 1974
Agrahayana 21, 1896 (Saka)

LOK SABHA DEBATES

(Twelfth Session)



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LOK SABHA DEBATES

LOK SABHA

Tuesday, December 12, 1974
Agrahayana 21, 1896 (SAKA)

The Lok Sabha met at Eleven of the Clock.

(MR. SPEAKER in the Chair)

OBITUARY REFERENCE

MR. SPEAKER: Hon. Members, I have to inform the House of the sad demise of Shri Gokulananda Mohanty who passed away at Bhadrak in Orissa on the 4th December, 1974 at the age of 76.

Shri Gokulananda Mohanty was a Member of the Third Lok Sabha during the years 1962 to 1967. He was also a Member of the Orissa Legislative Assembly during the years 1952 to 1957. He joined the Freedom Movement during his student days and suffered imprisonment on a number of occasions. A noted social worker, he devoted a major part of his life in rural uplift and social reforms.

We deeply mourn the loss of this friend and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may stand in silence for a short while, to express its sorrow.

(The Members then stood in silence for a short while).

ORAL ANSWERS TO QUESTIONS

Indian Ocean

*435 SHRI N. E. HORO:
SHRI R. V. SWAMINATHAN:
Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Shri Lanka has also taken initiative to make the Indian Ocean a Peace-Zone; and

(b) the gist of the talks held between the Foreign Minister of India and Sri Lanka in that regard in November, 1974?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS):

(a) Sri Lanka has played a leading part in promoting the proposal.

(b) During the visit of the Foreign Minister to Sri Lanka in November 1974, further exchanges on this subject took place. Both sides agreed to pursue their efforts to secure the objective of establishing the Indian Ocean as a Zone of Peace.

SHRI N. E. HORO: Sir, I had asked for the gist of the talk that is going on. I would like to know from Government, in view of the fact that the U.S. Senate has decided to curtail their expenditure on Diego Garica—they have sanctioned 18 million dollars instead of 33 million dollars—what would be the reaction of the Government? Would not the demand ore effort for keeping the Indian Ocean a zone of peace become a futile exercise?

Also, in view of the fact that the American and Russian leaders have agreed to some kind of a settlement

in the international field, would that not suffice? And, in that situation, is not our government's commitment for keeping this as a zone of peace a futile exercise?

SHRI BIPINPAL DAS: Sir, it does not matter whether the amount spent by the U.S. is 18 million or 33 million dollars. We are opposed to the expansion of this particular base because that will disturb the peace of the area which will endanger the whole area. Now the question is this. We welcome detente in other parts of the world and as U.S.A. and Russia want the detente to be extended to this part of the world, we very much desire that the base of the Diego Garcia should not be extended.

SHRI N. E. HORO: One of the reasons why the U.S. is trying to improve their defence position in Djego Garcia is the presence of the Russian Navy. I would like to know from Government whether in any talks with the U.S.S.R. Government leaders we have made efforts in this regard.

MR. SPEAKER: Mr. Horo, this is the same question which was posed during this session and the Minister said that even the Secretary-General of U.N.O. denied that there was any presence of the Russian naval base in the Indian ocean. This was very categorically mentioned in this House.

SHRI BIPINPAL DAS: Sir, I agree with what you have said. I can only say that a military base is certainly different from a naval presence. Further, this is the way through which Russian ships have to go. This is the usual practice. But, building up of a base and expansion of it certainly makes a difference because it will cause disturbances in the whole region.

SHRI R. V. SWAMINATHAN: Sir, the UK Government have now granted permission to USA to have its

base there. I would like to know, what is the reaction of our Government and I would also like to know whether they have taken up this matter with UK, in consultation with Sri Lanka?

SHRI BIPINPAL DAS: Sir, UK Government had an agreement even earlier and they have simply repeated this. We are certainly very unhappy about it that the UK Government have finally agreed to grant some additional facilities to the USA for the expansion of the Diego Garcia base.

श्री नरसिंह नारायण पांडे : दियेगो गांगिया में नौसेनिक अड्डा न बनाया जाए इसके सम्बन्ध में भारत सरकार ने अप्री तक कौन से ऐसे कदम उठाए हैं या लिटोरल कंट्रीज के साथ किस तरह की वार्ता की है ताकि इसका शार्नित का जोन बनाने के लिए ऐसी स्थिति पैदा की जा सके जिससे यू एसए या द्वासरी जो इम्पीरियलिस्ट फौसिस है उनके सम्बन्ध में ऐसे बेसिस के खिलाफ कार्रवाही करने में मदद मिल सके ?

SHRI BIPINPAL DAS: Sir, we have repeatedly said in this House and in the other House as well as publicly, that we have been making efforts in cooperation with Sri Lanka and other countries in the United Nations to declare the Indian Ocean as a zone of peace. We have been repeatedly raising the matter in the United Nations. We did this in 1971 in 1972 and in 1973. Even this year a resolution was passed in the United Nations. Our efforts have been to create a world-wide public opinion through the UN forum so that this area can be declared a zone of peace.

SHRI R. S. PANDEY: Sir, is it not true that many countries have taken the initiative to make the Indian ocean a zone of peace? Particularly, the Asian countries met in Lusaka and they have passed a una

nious resolution asking the big powers not to hob-nob in the Indian Ocean. I would like to know, what is the reaction of the Government?

SHRI BIPINPAL DAS: Sir, what the hon. Member says is quite true. They have not listened to our appeal up till now. We have been repeating this.

SHRI INDRAJIT GUPTA: From the replies that the Minister has given up to now, I get the impression that the concept of a zone of peace in the Indian Ocean seems to be co-terminus with the projected base at Diego Garcia. May I know from the Government, whether their concept is as limited as that or whether it also includes, for example, the activities like the recent naval exercises carried out by the fleets of the Five CENTO Powers, namely, USA, UK, Iran, Turkey and Pakistan off the Karachi coast in the northern part of the Indian Ocean and how do they view this type of activity in relation to the demands which we, along with Sri Lanka and other countries, have made to keep the Indian Ocean a Zone of peace?

SHRI BIPINPAL DAS: Sir, it is not true that our idea of the Indian Ocean being a zone of peace is confined only to the military base of Diego Garcia. It is not true. We have been repeatedly expressing our opposition to these kinds of exercises, which took place recently and which have taken place earlier. But, this time, it was on a larger scale. It was near the Pakistan border. We feel that it will encourage certain circles in Pakistan to go against the Shimla process and disturb peace in the whole area. We have been opposed to these kinds of exercises all the time.

SHRI VASANT SATHE: Apart from our repeated protests and creating world opinion, it is true that India may not be in a position to

take any positive steps to prevent this activity on behalf of the neo-colonialist and imperialist forces threatening the peace in this region. What is the reaction of Government to a recent suggestion of some pacifist organisations who wanted to take a ship of pacifist volunteers to Diego Garcia as a matter of protest very much as the New Zealand people wanted to do at the time of the French nuclear explosion in the S. W. Pacific area?

SHRI BIPINPAL DAS: Any organisation is free to take up any course of action like the pacifist organisations. But so far as Government are concerned, we function at the political level and we have said we are opposed to the expansion of this base in Diego Garcia.

SHRI DINESH CHANDRA GOSWAMI: The naval presence in Diego Garcia was the main irritant in the way of Indo-US relations. May I know whether this subject was formally or informally discussed between the US and India or with the other CENTO powers, to which reference was made by Shri Indrajit Gupta? If not, is there any proposal to hold such a discussion in the immediate future?

SHRI BIPINPAL DAS: We have taken up this matter with the Governments concerned.

SHRI KRISHNA CHANDRA HALDER: From the point of view of keeping the Indian Ocean a zone of peace, have Government sent any official protest note to the UK Government for allowing a military base in Diego Garcia to the US? If so, what is their reply?

SHRI BIPINPAL DAS: We have conveyed our views recently to Dr. Henry Kissinger when he was here. We have communicated our views also to their ambassador stationed in New Delhi. So we have been conveying our views to the US, our op-

position to the expansion of the base in Diego Garcia. Their reply, as I stated earlier in this House itself, is that their views continue to differ from our views

SHRI KRISHNA CHANDRA HALDER: Have you sent a protest note to the UK?

SHRI BIPINPAL DAS: Conveying our views or protest is as good as sending an official protest note.

DR. RANEN SEN: He is asking about UK.

Compensation to Indians for their Assets left behind in Burma

***437. SHRI S. N. MISRA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the payment of compensation to the persons of Indian origin who left behind assets in Burma figured in the talks held with the Prime Minister of Burma when he last visited India; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) This question was discussed in the talks during the visit of President of Burma, U. Ne Win, to India in April, 1974.

(b) The Claims which were submitted to the Burmese authorities under the provisions of the Notification of the Burmese Government dated December 6, 1973 are under the consideration of Burmese authorities.

SHRI S. N. MISRA: By what time do Government except a settlement would be arrived at?

SHRI BIPINPAL DAS: It is very difficult to say from our side by what time a settlement will be arrived at. We last took up this matter with the Burmese President whom he was here. The matter is still under discussion.

श्री बिपिनपाल दास का विवरण यह है कि वर्षा में अधिकारी बिहार के लोग बसे हुए हैं और वे वहां बहुत परेशान हैं वे गंदी वस्त्रों में रहते हैं और काकी दुखी हैं। क्या इस तरह की शिकायतें आपको मिली हैं और इसके सम्बन्ध में आपने वहां के राष्ट्रपति के साथ कोई चर्चा की थी?

SHRI BIPINPAL DAS: The question is about compensation to be paid by the Government of Burma for the enterprises taken over.

श्री बिपिनपाल दास का विवरण है इसीलिए लोड कर आया है।

राष्ट्रपति मर्दाना पर जारी भी दिया है आपको बिहार ही नज़र आता है।

SHRI R. V. SWAMINATHAN: This matter has been dredging on for more than 15 years. Not only compensation is not paid to the Indians, but when the Indians left Burma, they deposited their money with the Burmese Government and with Burmese banks because they could not bring it. Even that money is not paid. The aggrieved people have been approaching the External Affairs Ministry. But no action has been taken. I would like to know whether Government will expedite it and ask the Indian Embassy there to take up this matter seriously. I think they are taking it very lightly. I have personal experience. I myself have to get some compensation from Burma for property I left there 20 years ago.

SHRI BIPINPAL DAS: In the notification of the Burmese Government dated 6th December 1973, they

have said that the cash and bank balances which have been nationalised will be refunded to the owners after deduction of tax.

SHRI R. V. SWAMINATHAN: Will he ask our Embassy in Rangoon to take up the matter seriously?

SHRI BIPINPAL DAS: Certainly we have been doing it.

SHRI VAYALAR RAVI: The minister mentioned about the latest correspondence in April 1974 8 months have passed since then. Is it a small period? What steps is the Government taking to speed up the matter?

SHRI BIPINPAL DAS: We certainly realise the difficulties that the people are suffering from and we also realise that there has been considerable delay in this matter. But except pursuing the matter at the governmental level and ambassadorial level, I do not think we can do anything more.

राजस्थान के शिवरों में शरणार्थी

* 444. श्री भूलबहू डागा: क्या पूर्ण और पुर्वर्णन मंत्री यह बताने की कृपा करेंगे कि

(क) इस समय राजस्थान में कितने शरणार्थी किन-किन शिवरों में हैं और वे उन में कब से रह रहे हैं;

(ख) यब तक उन पर कुल कितना व्यय हो चुका है और इस समय उन पर प्रतिदिन कितना खर्च हो रहा है; और

(ग) वे शरणार्थी शिवरोंमें कब तक रहेंगे और उन्हें वापिस पाकिस्तान भेजने की क्या योजना है?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND RE-HABILITATION (SHRI G. VENKATESWAMY): (a) The number of Pak national refugees in Rajasthan as

on 10-12-1974 is reported to be 47258 (43782 in camps and 3476 outside camps). A statement giving the names of the existing camps in Rajasthan is laid on the Table of the Sabha. The refugees have been staying in Rajasthan ever since they crossed over from West Pakistan as a result of Indo-Pak Conflict of 1971.

(b) The total expenditure incurred as reported by the State Government upto September, 1974 is Rs 254.35 lakhs. Daily expenditure being incurred comes to an average of about Rs 50,000.

(c) The Government of Pakistan is continually being pressed to accept their responsibility of these persons who are their nationals and who are entitled to return to their country whenever it is possible to do so in safety and honour till then these persons are being provided with temporary relief assistance in camps.

Statement

Camps in Rajasthan State

Barmer District

1	Barmer
2	Mahabar
3	Busala
4	Nimbla
5	Sajitara
6	Rajdal
7	Harsani
8	Turbi
9	Girab
10	Balewa
11	Gadra Road
12	Chohtan
13	Kaparau
14	Alamsar
15	Dhanau

16. Addl. Dhanau
17. Mithrau
18. Mithekatala
19. Bijrad
20. Kelnor
21. Binjasar
22. Bakhasar I
23. Bakhasar II

Jaisalmer District

24. Sitorai

Jalore District

25. Jeran

श्री जी० बैंकटस्वामी भवती महोदय न बताया है कि इन शरणार्थियों पर लगभग 4 करोड़ रुपया खर्च हो गया है और 50,000 रुपया रोज़ का खर्च होता है । ये शरणार्थी 1971 से पाकिस्तान में हमारे यहा आये हुए हैं और आज 1974 है—तीन माल बीत गये हैं । मैं यह जानना चाहता हूँ कि उन लोगों के वापिस पाकिस्तान न जाने का क्या कारण है ।

श्री जी० बैंकटस्वामी शिमला एम्प्रीमेट के तहत इन लोगों को वापिस लेने के सम्बन्ध में गवर्नर्मेट आफ़ इंडिया और पाकिस्तान के बीच जो कारेस पांडेस हुआ है, उस में पाकिस्तान ने इन लोगों को वापिस लेना मान लिया है । लेकिन अभी तक इस बारे में कुछ नहीं हुआ है ।

श्री भूलचन्द डागा क्या कारेसपांडेस हो रहा है और पाकिस्तान ने क्या उत्तर दिया है ?

श्री जी० बैंकटस्वामी पाकिस्तान उन को वापिस लेने के लिए तैयार हो गया है ।

श्री भूलचन्द डागा क्या ये लोग इस लिए वापिस नहीं जाना चाहते हैं, क्योंकि उन्हें कोई भय है ?

श्री जी० बैंकटस्वामी पाकिस्तान उन को लेने के लिए तैयार है, लेकिन ये लोग जाने के लिए नयार ही हैं ।

श्री भूलचन्द डागा हिन्दुस्तान इव लोगों पर 4 करोड़ रुपये की बनराशि लग्जरी कर चुका है और 50,000 रुपये रोज़ लग्जरी कर रहा है । क्या यह सारी रकम पाकिस्तान से रोकवर की जायगी ?

श्री जी० बैंकटस्वामी जब ये लोग वापिस जायेंगे, तब यह रकम इस से ज्यादा ही होगी । उस बक्त हम देखेंगे कि क्या रास्ता अत्यार करना है ।

श्री जगन्नाथ राव जोशी ये जो गरणार्डी सिध में आ कर राजस्वान के सीमा-खेत में बस गये हैं, और वापिस जाने के लिए तैयार नहीं है, उन को समझ बझा कर वापिस जाने के लिए तैयार करने की इप्टि मराठकस्तान से एक प्रतिनिधि मण्डल आया था । इस के बाबजूद वे लोग वापिस नहीं जा रहे हैं । क्या मरकार कोई ऐसा कदम उठाने का विचार कर रही है कि हमारी तरफ से भी कोई प्रतिनिधि मण्डल बहा यह देख कर आये कि वहा की स्थिति क्या है ?

श्री जी० बैंकटस्वामी पाकिस्तान से पहले जितने लोग आये थे, उन में से कुछ लोग वापिस भी गये हैं । बैस्ट पाकिस्तान से राजस्वान में 60,247 व्यक्ति और गुजरात में 14,506 व्यक्ति, यानी कुल 74,753 व्यक्ति आये । अब तक राजस्वान में 10,718 व्यक्ति और गुजरात से 5,564 व्यक्ति, यानी कुल 16,282 व्यक्ति वापिस पाकिस्तान जा चुके हैं । इस बारे में हमारे आफिशल बही गये थे । उन्होंने उन लोगों से कहा कि आप पाकिस्तान जाइये, मगर कोशिश करने के बाबजूद यह मसला हल नहीं हो रहा है ।

श्री जगन्नाथ राव जोशी : मंत्री महोदय ने कहा है कि कुछ लोग वापिस गये हैं । वे लोग

वहां की बदतर हालत को देख कर अपनी जान त्वचेली पर रख कर बापिस गये हैं।

श्री श्री० बेंकटस्वामी : यहां की हालत बदतर नहीं है। वे लोग यहां की बहुत अच्छी हालत देखकर दी यहां रह रहे हैं। (व्यवचार) यहां पर एजूकेशन बर्गरह की सब फँसिलिटीज हैं।

श्री रामकंबर मन्त्री हिन्दुस्तान और पाकिस्तान के बीच में व्यापार समझौता हो गया है। इन शरणार्थियों के बारे में बातचीत भी हुई है। वे लोग मरने के लिए तैयार हैं, लेकिन बापिस जाने के लिए तैयार नहीं हैं। इस लिए कोई समझौता कर के उन्हें यहां ही बसा दिया जाये। उन लोगों की जिन्दगी बड़ी ख़राब हो रही है। मैं यह जानना चाहता हूँ कि सरकार कब तक इस पर विचार कर के कोई निर्णय करेगी।

श्री रामकंबर मन्त्री महोदय बताएं वि-इस पर कुछ चिन्ता है या नहीं? इस के बारे में कुछ तो नहीं है।

श्रमण महोदय यह आपका क्वेश्चन नहीं है। It is a suggestion for action which cannot be the subject of a supplementary.

श्री भाल रिह चौरा मन्त्री महोदय ने यह बताया कि वे जाने के लिए तैयार नहीं हैं तो मैं यह जानना चाहता हूँ कि क्या विसी ने हिन्दुस्तान की सिटिकेनेशनप के लिए अप्लाई किया है? किया है तो कितनों ने दिया है, उन का रेशियों क्या है और उस पर गवर्नरमेट का निर्णय क्या है?

श्रमण महोदय : आप ने यह तो पूछा नहीं है कि निस ने किया किस ने नहीं किया। I do not think it relates to his Ministry.

श्री पंजाल लाल बालपाल : क्या सरकार को यह मालूम है कि बाड़मेर जालीर और जैसलमेर से जो मुसलमान चले गए हैं उन की प्राप्टी पर वहां के प्रभावशाली लोगों ने बँड़ा कर लिया है, सरकार के पास वह नहीं आई है और क्या सरकार उस प्राप्टी को उन से निकाल कर के इन जगहों में जो नए रेप्यूजीज आए हैं जो वहां से बापस जाने के लिए तैयार नहीं हैं उनको बमाने की कोशिश करेंगी?

श्री श्री० बेंकटस्वामी ऐसी कोई उन्कारेंगे, हमारे पास नहीं है।

श्री पंजाल लाल बालपाल मैंने डिरेक्ट मिनिस्ट्री को लिखा है।

MR SPEAKER He is the Rehabilitation Minister, not the Defence Minister

Dengue Haemorrhagic Fever

*446. SHRI SHRIKISHAN MODI:
SHRI D. D. DESAI:

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

(a) whether Dengue Haemorrhagic fever has become a major national health problem now;

(b) if so, whether the disease is common in many parts of the country;

(c) if so, the estimated number of cases and fatalities in the country; and

(d) the action taken to keep the disease under control?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR KARAN SINGH). (a) No Sir

(b) and (c). There have been occasional outbreaks of Dengue Haemorrhagic Fever in certain urban areas in the country during the last decade. A Statement indicating the number of cases and deaths during the years 1971—1974 is placed on the Table of

the Sabha [Placed in Library See
No LT-8735/74]

(d) This fever is spread by Aedes mosquitoes which generally breed in artificial collections of water. State Governments and the local bodies have been advised to effective source reduction measures by elimination of such breeding places. Anti-larval and anti-adult mosquito measures are also being taken by these authorities.

बी बीकिलन भोवी में भवंती महोदय का स्वान स्टेटमेंट की तरफ दिलाना चाहता है। राजस्थान में मन् 1971 में 14 बीमार हुए थे इस बीमारी से, 72 में 268 और 73 में 334। इस तरह राजस्थान में हर साल यह बीमारी बढ़ रही है। तो 71 में जब यह बीमारी हिन्दुस्तान में आ गई थी तो राजस्थान में इस की रोकथाम के लिए क्या उपाय किए गए और नहीं किए गए तो क्यों नहीं किए गए? फिर यह जो बीमारी हर साल बढ़ रहा है राजस्थान में उस बीमारी के लिए आप क्या कदम उठा रहे हैं?

डा० कर्ण सिंह राजस्थान में जो बीमारी बढ़ रही है उस का दायित्व राजस्थान के स्वास्थ्य मन्त्रालय पर है। हम ने तो सारे देश के जितने स्वास्थ्य मन्त्रालय हैं उन को विशेष सूचना भेजी है इस बीमारी के बारे में और उनसे अनुरोध किया है कि क्या क्या कदम उन को उठाने चाहिए इस को काढ़ा में लाने के लिए यह राजस्थान में दुर्भाग्य से बढ़ रही है तो राजस्थान के स्वास्थ्य मन्त्रालय को इसके विषय में अवश्य देखना चाहिए।

बी बीकिलन भोवी अध्यक्ष महोदय राजस्थान के पास इतने साधन नहीं है कि इतने बड़े क्षेत्र में वह इस बीमारी की रोकथाम कर सके। तो क्या आप उस को विशेष मदद दन के लिए कोई कदम उठाएंगे?

डा० कर्ण सिंह हर एक बीमारी के लिए तो हम हर एक राज्य को मदद नहीं दे सकते। बहुत सारी बीमारियां हमारे देश में हैं और

दुर्भाग्य से राजस्थान में यह बढ़ भी रही है। यह तो एक कार्टीन्युइंग प्रोसेस है। तो इस संबंध में कोई विशेष धनराशि देने की हमारी योजना नहीं है। लेकिन वह इस संबंध में चेतन्य रहे और इस में अधिक सक्रिय रहें तो मुझे आशा है कि इस का निराकरण करने में वह सफल हो सकते हैं।

बी भाषा बीपक सिंह शास्त्री में भवंती महोदय में जानना चाहता हूँ कि इस रोग का जो विवरण उन्होंने प्रस्तुत किया और बताया कि इस की जिम्मदारी न्यूटन के स्वास्थ्य मन्त्रालय पर है, तो जैसे कि और बीमारियों की रोकथाम के लिए वेक्सीन तैयार की जाती है, क्या भवंती महोदय ने स्टेट सरकार के लिए कोई ऐसे आदेश यहा से भेजे हैं कि इस प्रकार की कोई वैक्सीन तैयार की जाय जिस में इस बीमारी वा निवारण हो सके?

डा० कर्ण सिंह अध्यक्ष महोदय, अर्भा० पा० सुखना मुझे आई है कि जिम्मे बता देना चाहता हूँ। उम वर्दे नेशनल इस्टीट्यूट आफ वैम्युनिकेल डिजीजेज ने एक विशेष टीम भेजी है उन को इस के बारे में राय देने के लिए।

यह जो बीमारी है यह एक वायरल बीमारी है, इस का अभी तक कोई वैक्सीन नहीं बना।

बी भाषा बीपक सिंह शास्त्री: इस प्रकार वा वैक्सीन बनाने के लिए आप की कोई योजना बन रही है?

डा० कर्ण सिंह अभी इस का वैक्सीन इन्वेन्टर नहीं हुआ है। लेकिन इस की रोकथाम पार्ना जो मड़ा रहता है उम को बदल कर और उम की सकाई कर के उम को भरने से हो सकती है।

DR. H. P. SHARMA: The hon. Minister has recommended more vigilance to the Rajasthan Government. But is he aware that there has been

an increasing incidence of the disease in Delhi also which is directly under his jurisdiction?

DR. KARAN SINGH: I mentioned Rajasthan because that was the question the hon. Member had raised. We have sent special instructions to every Health Directorate in the country

Review Committee on Workers' Education Scheme

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

(a) whether Government have appointed a Review Committee for the purpose of assessing the scheme of workers' Education;

(b) if so, the terms of reference and the personnel of the said committee; and

(c) the criteria of appointing members of the said Committee?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) Yes, Sir

(b) A copy of the Government Resolution is placed on the Table of the House. [Placed in Library See No LT-8736/74.]

(c) The intention was to have a small compact Committee, of eminent and experienced persons in the fields of education, trade unions and industry, to evaluate the Workers' Education Programme.

SHRI P. G. MAVALANKAR: From the copy of the Resolution placed on the Table, I see that one of the terms of reference is:

"To evaluate the performance/achievements of the Central Board for Workers' Education having regard to the resources provided to the Board by Government."

May I, therefore, ask whether this Committee will be functioning within

the restriction of the funds made available, or, if the Committee were to say that funds are needed, whether the Government would make available those funds. I also want to know whether the experience in U.K. particularly, where the workers education programmes are going on very satisfactorily for many generations, will also be considered by the Committee.

SHRI BALGOVIND VERMA: This Committee is to evaluate the working of the workers' education programmes. They can certainly make recommendations whichever they think are desirable. So far as the experience of other countries is concerned, certainly we do make use of this wherever possible.

SHRI P G MAVALANKAR: I think, I have not made myself clear. One of the terms of reference of this Committee is:

"To evaluate the performance/achievements of the Central Board for Workers' Education having regard to the resources provided to the Board by Government."

If the resources provided are a certain amount, will the Government make further resources available to the Committee if they were to recommend that more funds are necessary?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): In pursuance of the recommendations made by the Estimates Committee, a Committee has been appointed by the Government to review the Workers' Education Scheme in various institutions including the institution mentioned by the hon. Member. The Workers' Education Review Committee will go into the working of the various educational institutions meant for workers' education and see in what manner improvements are to be made, and if the Review Committee, in their wisdom, comes to the conclusion that improvements are to be

¹⁹ e, with respect to those they will also examine the budget position, funds allocated, for the purpose of Workers' Education Review Committee, and they are free to make such recommendations as they would consider necessary in regard to finances also

Another point raised by the hon Member is about considering the experience of the workers education programmes in other countries, especially, in U.K. I do hope that the Workers' Education Review Committee—though we do not like to give any suggestion in this regard—will certainly take into account not only what is obtainable with regard to workers' education in England but also in other countries, while making recommendations on this subject

SHRI P. G. MAVALANKAR. While I appreciate the fact that this Review Committee has necessarily to be a smaller one, a compact one, with competent people, may I know why is it that this Committee does not include any representatives from some of the better known national labour unions or organisations. I would particularly like to point out that in Ahmedabad the Mazdoor Mahajan has been doing excellent work for many decades with regard to workers' education. I know that as a matter of personal experience also. I go and give talks to the workers there. How is it that no representative of that Mazdoor Mahajan is included in this particular committee?

SHRI RAGHUNATHA REDDY: When we constituted this committee, I may submit with great respect, we did not take into account the trade union organizations as they existed in the nature of trade union organizations. We thought we might take some of the leading representatives of the trade union movement, the working class movement, as such. Therefore, from the names themselves, it would be very clear that leading representatives of the trade union

movement like Shri G. Ramanujam, General Secretary of the INTUC, Shri Anthony Pillai and Shri K. G. Srivastava are already there. We have taken these names not because they are General Secretaries or office-bearers of the respective trade unions, but we have taken them only because they are leading representatives of the working class movement as such and not because they represent a particular trade union. That is the reason.

With regard to the question the hon Member has raised, any trade union organization or any workers' educational institution, I suppose, is free to submit their views or any memorandum thereof, for the purpose of the Review Committee and, I have no doubt in my mind that the Review Committee, in their wisdom, would welcome such steps being taken by any trade union organization with respect to any suggestions they choose to make

श्री तुकम चन्द्र कल्पाय अध्यक्ष महोदय, मैं माननीय मंत्री जी से जानना चाहता हूँ कि यह जो समिति का गठन आपने किया है—क्या यह पक्षपातपूर्ण नहीं है ? इस में सभी मजदूर संगठनों के लोगों को आप ने निम्ननिवत्त नहीं किया है। मैं जानना चाहता हूँ कि इस में कितने सदस्य हैं, उन के नाम क्या हैं और क्या इस में बी० एम० एस० का भी कोई सदस्य है ? यदि है तो उस का नाम क्या है ?

श्री बालगोविंद बर्जा : यह कहता है इस समिति में जो सदस्य लिये गये हैं उस में पक्षपात हुआ—गलत है। इस समिति में योग्य व्यक्तियों का समावेश किया गया है। हमें रिप्पू कमेटी ने कुछ गाइड लाइन्ज दी थीं, उन के आधार पर हम ने ऐसे लोगों को लिया है जिन का दोहरा नियन्त्रण फील्ड में अनुभव है या इण्डस्ट्री के क्षेत्र में अनुभव है। इस में वे ही लोग हैं जो बोर्ड अफ वरकर्स एज्युकेशन पर चिरंजिनेट हैं।

श्री हुकम चन्द कच्छवाय : बी० एम० एस० मेरे प्रतिनिधिको मर्यादा नहीं लिया गया ?

श्री बालगोविंद बर्मा : इस लिये कि वह रिक्यानाइज्ड नहीं है ।

श्री हुकम चन्द कच्छवाय : अध्यक्ष महोदय, मुझे कामा कीजिये—मुझे वर्मा जी के सम्बन्ध में कुछ नहीं कहना है, लेकिन इन के जो दूसरे मंत्री हैं, वे पक्षप्राती हैं, जानमूल्क कर डी० एम० एस० के प्रतिनिधि को नहीं लेना चाहते हैं, जब कि ऐसे कई लोगों को लिया है जिन को मान्यता प्राप्त नहीं है । इस लिये भेरा आरोप है कि जो संगठन सब प्रकार की मान्यता रखता है उस को इन्सोने अभी तक नहीं बुलाया है, ऐसा क्या किया गया है ?

MR. SPEAKER: You want to put questions or want to make comments?

प्रौ० मचू दण्डवते : बी० एम० एस० मैं मोडिफिकेशन कर के एच० एम० एस० को निया है ।

श्री हुकम चन्द कच्छवाय : अध्यक्ष महोदय, मैं कामा चाहता हूँ—मुझे इस का उत्तर चाहिये । मैं काम नहीं चलने दूँगा ।

अध्यक्ष महोदय : प्रगत ऐसा हर मेम्बर करने लगे कि उत्तर अगर उस के मतलब का न हो तो वह काम नहीं चलने देगा—तो किस वरद से चलेगा ।

श्री हुकम चन्द कच्छवाय : वह मामला काफ़ी दिनों में चल रहा है

अध्यक्ष महोदय : हम काम नहीं करते, आप बोलते जाइये—मैंने आप को नहीं बुलाया है—फिर भी आप बोलते जा रहे हैं—

The hon. Member will not be recorded.

SHRI HUKAM CHAND KACHWAI: (*)

MR. SPEAKER: Nothing will go on record. We will not carry on till this gentleman sits. I have called Mr. Sathe. He is now interrupting him. There is no question of the Minister's replying. I cannot compel him to reply as the hon. member likes. If he has got any grievance he can represent. But, he cannot hold up the whole proceedings of the House.

(Interruptions)

MR. SPEAKER: I cannot compel the Minister to answer in a particular way. He can write to the Minister or to me. Mr. Sathe.

Supply of Japanese Steel

*448. SHRI VASANT SATHE:
SHRI DHAMANKAR:

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

(a) whether attention of Government has been drawn to the news item appeared in the Press on the 13th November, 1974 regarding stoppage of steel supply by Japan;

(b) if so, the reaction of Government thereto; and

(c) the steps taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). It is not correct to say that Japan stopped supply of steel as reported in the Financial Express.

(c) Does not arise.

SHRI VASANT SATHE: Sir, I would like to know from Government whether it is a fact that in Japan itself, now due to rise in the cost of labour, the cost of steel production is going up. And there has been a proposal from Japan to set up a steel plant of sophisticated type in India. Has the Government any idea of considering such a proposal?

(*) Not recorded.

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI CHANDRAJIT YADAV): Sir, this was a specific question regarding the stoppage of supply of steel by Japan. The hon. Member is now asking a new question as to whether Japan has proposed to establish a new steel mill in India of the sophisticated nature. There is no proposal like this at the present moment.

SHRI VASANT SATHE: But, if there is such a proposal, will you consider that?

SHRI BISWANARAYAN SHASTRI: Sir, May I know from the hon. Minister, what is the total quantity of steel that has been supplied by Japan to India?

SHRI CHANDRAJIT YADAV: Sir, this import differs from year to year. According to our requirements, a prior assessment is made; we make advance assessment. I can say for the information of the hon. Member that last year, for example, we placed orders with the Japanese and others and a quantity of 5,38,000 tonnes of steel got supplied over to this year.

SHRI P. VENKATASUBHAIAH: Sir, stepping up of steel production in the country is quite necessary in order to avoid imports of steel from Japan. Keeping that in view, may I know from the hon. Minister whether the proposed steel mills at Visakhapatnam and Vizianagaram will be started soon, because there is an apprehension among the people of Andhra Pradesh that these steel plants will not see the light of the day?

SHRI CHANDRAJIT YADAV: Sir, I agree with the hon. Member that the steel production has to be stepped up in our country and we should meet indigenously the requirements of our country. All necessary steps have been taken and we are still almost about a million tonne short of steel, and therefore, we have to import

about half a million to one million tonne of steel. We are trying our best. So far as the existing steel mills are concerned, we are taking all necessary steps to increase the production of these mills. This year, production has appreciably risen in the earlier months. So far as the other southern steel mills are concerned, it is not correct to say that they will not see the light of the day. I would take this opportunity to remove this sort of apprehension from the minds of the people that these steel mills will not come into existence and that they will not see the light of the day. But, the fact is otherwise. I have asked very recently the consultant to take necessary steps to prepare the detailed project reports and I am sure, before the end of this month or early next month, necessary steps will be taken for the preparation of DPRs. Therefore, I would like to say that the promises made by the Prime Minister will be fulfilled and steps will be taken to see that these steel mills come up and that there is no scope for this sort of confusion that these steel mills will not come up.

SHRI RANABAHADUR SINGH: Is it true that Japan has stopped the supply of steel because of the disagreement between our country and Japan regarding the price of iron ore that was being supplied by us and our country has moved that the price of Indian iron ore should be in keeping with the international price whereas the price that is being paid by Japan is far below that? I would like to know whether this stoppage of supply of steel is due to this disagreement?

SHRI CHANDRAJIT YADAV: Sir, perhaps, the hon. Member did not listen to me properly. I made it very clear that Japan has not stopped the supply of steel to our country. Rather, the fact is otherwise. This year, the demand for steel is not as much as in the previous years. Therefore, we took the initiative. We had placed order with

Japan and we wanted that 67,000 tonnes of steel, which was to arrive in our country, should be deferred. Therefore, it is not correct to say that there is any disagreement. Our relations with Japanese exporters have been very good. Rather, they were good enough not to insist on supply and that part order was cancelled, though according to the contract, they could take certain steps but they did not take. But as far as the iron ore price is concerned, that is a different matter. We have been negotiating with our importers about the iron ore price time and again and there are no such strained relations between us and Japan on this question.

SHRI RANABAHADUR SINGH: I had also asked whether the price of Indian ore being paid by Japan is far below the international price of ore

SHRI CHANDRAJIT YADAV: This question should be addressed to the Ministry of Commerce because this concerns them

SHRI D N TIWARY. How does the price of imported Japanese steel compare with that of indigenous steel?

SHRI CHANDRAJIT YADAV: Actually, there is no question of comparison of prices. We purchase those types of steel which we require and which we are not manufacturing in our country or are in short supply from Japan or any other country, for that matter, and we pay the international price

SHRI CHAPALENDU BHATTACHARYYA: Will the hon. Minister let us know the projections about the future import of steel from Japan? Have the figures been worked out? How much are you going to import in the coming year?

SHRI CHANDRAJIT YADAV: I gave the latest figure. In 1974-75, we placed an order for import of about 4,80,000 tonnes. For the next year, it is still being worked out. We work out in advance and then place orders.

SHRI P R. SHENOY: Is it a fact that one unit for the production of galvanised sheets in Rourkela is lying idle for want of steel?

SHRI CHANDRAJIT YADAV: I require fresh notice.

MR. SPEAKER: The question hour is over.

जी हृकम बन्द करवाय ग्राधल महोदय, मेरा व्यवस्था का प्रश्न है। मरी महोदय ने सदन को गुमराह किया है। मेरे प्रश्न का उन्होंने उत्तर नहीं दिया। उन्होंने जानवृत्त कर गलत जानकारी दी है (अवधारणा)

सम्बन्ध महोदय वह आप मुझे नियम कर दीजिये।

WRITTEN ANSWERS TO QUESTION

Army Recruiting Centre in Kerala

*434. **SHRI C K. CHANDRAPPAN:** Will the Minister of DEFENCE be pleased to state

(a) whether Government have taken a final decision to set up a recruiting centre at Kerala for army; and

(b) if so, the facts thereof?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) and (b). Two Army Recruiting Offices which cover Recruitment to Navy also are already functioning at Ernakulam and Calicut in Kerala State; they are considered adequate, for the present, for carrying out recruitment to the Army and the Navy from the State.

A new Recruitment Office for the Air Force is being set up shortly, in the State.

Mini Steel Plants

*436. SHRI M. S. PURTY:
SHRI GAJADHAR MAJHI:

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

(a) the number of mini steel plants sanctioned by the Union Government during the current year to the different States; and

(b) the amount of money sanctioned and the time by which these mini-plants are likely to start functioning?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI CHANDRAJIT YADAV): (a) During the current year, Letters of Indent/C.O.B./Industrial Licences have been granted to 118 parties for setting up of electric furnace units, mainly for the production of Mild Steel ingots, in the various States, as indicated below:

States/Union Territories	No.of units
1. Andhra Pradesh . . .	10
2. Bihar	4
3. Delhi	1
4. Gujarat	5
5. Haryana	8
6. Himachal Pradesh . . .	1
7. Karnataka	6
8. Madhya Pradesh . . .	12
9. Maharashtra	20
10. Orissa	2
11. Punjab	9
12. Rajasthan	13
13. Uttar Pradesh . . .	13
14. West Bengal . . .	14
TOTAL . . .	118

This does not include units specifically licensed for production of alloy and special steel and castings

(b) Government have not sanctioned any money to these units as there is no scheme of central assistance. The schemes are in various stages of implementation and no forecast can be made as to the date of commissioning of these units

Production of Saleable Steel in Rourkela Steel Plant

*438 SHRI BIRENDER SINGH RAO: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the production of saleable steel in the Rourkela Steel Plant has been seriously affected during the month of October, 1974 due to power crisis in the State;

(b) the loss of production as a result thereof, and

(c) the steps taken by Government to increase the production?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI CHANDRAJIT YADAV): (a) Yes, Sir. Production of saleable steel in the Rourkela Steel Plant was affected in the month of October 1974 due to shortage in supply of power

(b) The estimated loss of production on this account in terms of saleable steel is 22,318 tonnes

(c) Measures have been taken to optimise the generation of power at the Captive Power Plant at Rourkela. Constant liaison is being maintained with Central Water and Power Commission and the Orissa State Electricity Board and other power supply grids in the Eastern region with a view to securing power for Rourkela Steel Plant on priority. Arrangements have been made to augment power supply to the plant from the Damodar Valley Corporation through the Bihar State Electricity Board system.

Pak proposal for Nuclear Free Zone of South Asia

*439. SHRI MADHU LIMAYE: Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether Pakistan has made any proposal for a nuclear free zone of South Asia;

(b) whether China and Japan are regarded as part of South Asia for the purposes of this nuclear free zone;

(c) which countries have supported Pakistan proposal; and

(d) the reaction of the Government to this proposal?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI YESHWANTRAO CHAVAN): (a) Yes, Sir.

(b) Pakistan has not formally intimated the limits of the zone to be included in South Asia, but has indicated informally that China and Japan are not to be included;

(c) No country other than Pakistan has co-sponsored this proposal.

(d) In the view of the Government of India, Pakistan's proposal is not motivated by any genuine considerations for promoting the cause of disarmament. The proposal is only aimed at putting pressure on India to accept discriminatory international safeguards on its peaceful nuclear activities. The Government cannot, therefore, support the proposal. It is also not in accordance with generally recognised principles and procedures which should be observed before a proposal is submitted to the U.N. General Assembly or endorsement, namely that there should be agreement among the States concerned and that consultations should be held among them to consider the matter including the geographic extent of the region to be covered, before the proposal is put before the U.N. General Assembly. At the United Nations General Assembly, India has voted against Pakistan's draft resolution on the subject.

Death and Sickness due to Preventive Inoculation against Cholera in Kerala

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

(a) whether the attention of Government has drawn to the fact that two persons have died and 43 others had undergone treatment in hospital, at Kavalpadi area in Palghat district, Kerala, just after receiving preventive inoculation against cholera;

(b) if so, whether any enquiry has been made by the authority concerned into the incident; and

(c) if so, the findings thereof.

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) It is understood from the State Government authorities that three persons of Kavalpadi area died after receiving anti-cholera inoculation and 50 persons were admitted in the district hospital for observation.

(b) and (c). Detailed investigations were carried out by the Director of Health Services, Kerala and the district health authorities. These showed some deficiencies in the sterilization of syringes and needles to have been taken.

Spreading of Filaria by Mosquitoes

*441. SHRI JHARKHANDE RAI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Indian doctors have found out mosquitoes which spread filaria and chest disease; and

(b) if so, what steps Government have taken against it?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) Yes, Sir.

(b) The National Filaria Control Programme which was launched in 1965 is being continued during the Fifth Five Year Plan. The Programme is reviewed periodically and necessary remedial measures are taken where possible.

Non-implementation of Labour Court Decisions in Gujarat

*442. SHRI ARVIND M. PATEL: Will the Minister of LABOUR be pleased to state:

(a) whether there are certain managements in Public and Private Sectors in Gujarat State who have not implemented the decisions of the Labour Court;

(b) if so, the reasons therefor; and

(c) the action taken by the Government against those managements?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) to (c). Information is being collected and will be laid on the Table of the House.

Recommendations of Bhagwati Committee Report

*443. SHRI V. MAYAVAN: SHRI JYOTIRMOY BOSU:

Will the Minister of LABOUR be pleased to state.

(a) whether Union Government have failed to implement even a single recommendation of the Bhagwati Committee on unemployment so far;

(b) if so, the main reasons for the same; and

(c) whether in view of the growing unemployment in the country, Government are considering to implement them immediately?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) to (c). The recommendations of the

Committee along with the comments of the Inter-Ministerial Working Group consisting of the representatives of the Planning Commission, the Ministries of Finance, Agriculture, Works and Housing, Industrial Development, Labour, Transport and the State Governments of Kerala, Maharashtra, Uttar Pradesh and West Bengal, which was set up to examine the same have been sent to the Ministries concerned for further action. In a number of cases, steps to implement the recommendations are being initiated subject to the availability of resources. In the remaining cases the matter is under consideration.

Textile Workers Suffering from Byssinosis

*445. SHRI ISHAQUE SHAMBHALI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether 12 per cent textile workers suffer from byssinosis; and

(b) if so, the steps suggested as a preventive against it?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) and (b). No separate data is available regarding the incidence of byssinosis among the textile workers in the country. However, according to the information available with the employees. State Insurance Corporation, the incidence of silicosis and occupation pulmonary fibrosis which includes byssinosis for the year 1972-73 was 0.3 per 1000 insured persons. The All India Institute of Medical Sciences, New Delhi have recently undertaken a study of occupational hazards of textile workers among the employees of the Swantantra Bharat Mills, Delhi. The study covers about 6,000 textile workers and includes diseases such as byssinosis. The results of the study have not yet become available.

Modern carding machines, which are dust-proof, are less likely to cause

this disease. Regular medical check-up such as patch test to sensitivity and pre-employment examination will be useful in preventing the disease among the textile workers.

پاکستانی کارجے میں بھارتیہ بھ۔بھاگ میں
سینیک تے یاری

* 449. **बी. भारत बी. बड़े :**

बी. जनसाधारण चोरी :

क्या इसका मती यह बताने की कृपा करेंगे कि

(क) क्या 1971 के भारत-पाक युद्ध के परिणामस्वरूप जो भारतीय भू-भाग अभी तक पाकिस्तान के पास है उसका उपर्योग पाकिस्तान द्वारा सैनिक तैयारी के लिए किया जा रहा है, और

(ख) यदि हा, तो तत्सम्बन्धी तथ्य क्या है?

एसा संक्षी (बी. स्वर्ण तिह) : (क) और (ख) जिमला समझौते की शर्तों के अनुसार 1971 के युद्ध के दौरान अन्तर्राष्ट्रीय सीमा के भाष्य-साथ, कठजे में किए गए क्षेत्र से सेनाओं की वापसी हुई थी और जम्मू काश्मीर में दोनों पक्षों के बीच समझौते द्वारा एक नियन्त्रण रेखा अकित की गई थी। तथापि, पाकिस्तान जम्मू और काश्मीर के एक भाग को 1947 से अपने अवैध अधिकार में रखे हुए हैं। इन जेकों में पाकिस्तानी सेना की कोई प्रसामान्य गतिविधियां नहीं देखी गई हैं।

Expenditure on Compensation and Rehabilitation of West Punjab and East Bengal Refugees

*450. **SHRIMATI BIBHA GHOSH GOSWAMI:** Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the compensation paid and rehabilitation expenses incurred for the West Punjab refugees; and

(b) the compensation paid and rehabilitation expenses incurred for the East Bengal refugees?

THE MINISTER OF SUPPLY AND REHABILITATION (SHRI R. K. KHADILKAR): (a) It is presumed that the Hon. Member is referring to refugees from former West Pakistan.

Expenditure incurred by the Government of India on the relief and rehabilitation of displaced persons from former West Pakistan upto 31st March, 1973 was Rs. 208.47 crores. Against this, a sum of Rs. 100.27 crores has been recovered on account of loans and housing, partly by adjustment against compensation due, and partly in cash. Total amount of compensation given to displaced persons from former West Pakistan upto 31st March, 1973 is Rs. 191.36 crores—out of the Compensation Pool which includes urban evacuee property and Government built property contributed to the Compensation Pool. The amount of compensation mentioned above does not include compensation given in the shape of agricultural land and property in rural areas. This consisted entirely of acquired evacuee land and property in rural areas which was not computed in monetary terms, and was used for giving compensation on a land to land basis, in accordance with the prescribed scale.

(b) Expenditure incurred on the relief and rehabilitation of Displaced Persons from former East Pakistan upto 31st March, 1973 is Rs. 384.63 crores. Against this, an amount of Rs. 2.33 crores has been realised on account of loans. The sum of Rs. 384.63 crores mentioned above includes a figure of Rs. 22.12 crores which represents the loans which have been remitted and does not involve any fresh out-go.

Compensation has not been paid to the refugees from erstwhile East Pakistan, because, under the Nehru-Liaquat pact of April, 1960, these persons retained their proprietary rights

in the properties left behind by them in that country and they can sell, exchange or dispose of their property.

Wage rise for Workers in different Sectors of Industry

***451. SHRI SARJOO PANDEY:**
DR. RANEN SEN:

Will the Minister of LABOUR be pleased to state:

(a) how much wage rise was calculated for the last three years for industrial workers, mine workers, jute workers, textile workers, plantation workers and agricultural labourers vis-a-vis the rise in the cost of living index; and

(b) the difference of wage between a woman and male worker in traditional industries for the same work?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) and (b). Information is being collected and will be laid on the Table of the House.

Employment in Organised Sector and Registered Unemployed

452. SHRIMATI BHARGAVI THAN-KAPPAN: Will the Minister of LABOUR be pleased to state:

(a) how many women are there in employment in organised sectors;

(b) how many men are there in organised sectors;

No. of work-seekers at the end of December

Age Groups	1971		1972		1973	
	Women	Men	Women	Men	Women	Men
(figures in Lakhs)						
20-24	.	.	2.97	23.07	3.94	31.66
25-34	.	.	1.23	9.7	1.72	12.81
35-44	.	.	0.23	1.8	0.31	3.38
45-54	.	.	0.05	0.4	0.07	0.55
55 and over	.	.	0.02	0.1	0.03	0.15

*Covers all public sector establishments and non-agricultural establishments in the private sector employing 10 or more workers.

(c) how many men or women are there on live register for employment in last three years; and

(d) how many men and women out of them are in the 20 to 30 and 31-37 age group?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) and (b). The number of women and men employed in the organised sector of the economy* at the end of December, 1973 was 21.09 lakhs and 170.08 lakhs, respectively.

(c) and (d). The number of women and men on the Live-Register of Employment Exchanges at the end of December in the last three years is as follow:—

Year	Women	Men
(figures in lakhs)		
1971	5.83	45.17
1972	7.63	61.33
1973	9.18	72.99

The classification of work-seekers according to age-groups, is available for the following groups:

below 14 years, 15 to 19, 20-24, 25-34, 35-44, 45-54 and 55 or more.

The number of women and men work-seekers in the nearest relevant age-groups are given below:

**Aluminium Factory in Jeypore,
Orissa**

*488. SHRI K. PRADHANI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether any licence has been issued for an Aluminium Factory at Jeypore in Orissa;

(b) if so, who is the licensee; and

(c) the reasons for delay in starting the factory?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI CHANDRAJIT YADAV): (a) Yes, Sir.

(b) M/s. Aluminium Corporation of India Limited, Calcutta.

(c) The company has not taken "effective" steps for the implementation of the licence.

Pending Demands of E.P.F. Staff Federation

*345. SHRI VAYALAR RAVI: Will the Minister of LABOUR be pleased to state:

(a) the main demands of the E.P.F. Staff Federation still pending with Government for final decision and approval; and

(b) the steps Government have taken to settle these demands of the workers of that organisation?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): The Provident Fund Authorities have reported as under:—

(a) and (b). The main demands of the All India Employees' Provident Fund Staff Federation as contained in its letter dated the 31st October, 1974 include introduction of scales of pay prevailing in 'A' Class Banks in the Employees' Provident Fund Organisa-

tion, revision of formula for the payment of dearness allowance, payment of bonus and revision of yard-stick for sanction of additional staff.

Construction of Flats for Employees of Lady Hardinge Hospital, New Delhi

4185. SHRI SUKHDEO PRASAD VERMA: Will the Minister of HEALTH AND FAMILY PLANING be pleased to state:

(a) the progress made so far in the construction of flats for employees of New Delhi Lady Hardinge Hospital near the hospital premises; and

(b) the number of flats likely to be constructed during the year 1974-75?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b) The land earmarked for the expansion of the Lady Hardinge Medical College and Hospital, New Delhi is at present occupied by the P & T Department and the CPWD. The construction of residential units for the employees of Lady Hardinge Medical College and Hospital, New Delhi on this land will be taken up when the same has been vacated by the P & T Department and the CPWD for which necessary action is being taken.

Ban on New Routes and Vehicles for State Transport Services

4186. SHRI C. JANARDHANAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have banned the addition of new routes and vehicles for the State Transport Services;

(b) if so, the facts and reason therefor;

(c) whether the Kerala State Government have pleaded for reviewing this directives; and

(d) if so, Government's response thereto?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) and (b). With a view to achieving economy in the consumption of high speed diesel oil, several measures were suggested to the State Governments, including suspension of grant of permits for buses for new routes, for additional buses on the existing routes and for new goods vehicles, for the remaining part of the year 1974-75.

(c) and (d). Representations were received from some State Governments and several Transport Associations etc. against the suggested restrictions. The position has accordingly been reconsidered by Government and the above instructions are being revised.

Over-Crowding in Buses on D.T.C. Route No. 320

4187. SHRI BHOLA MANJHI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government are aware that buses on DTC Route No. 320 from Secretariat to Shahadara are always over-crowded;

(b) whether the first bus which used to leave Secretariat at 7.10 in the morning has been cancelled recently and the bus leaves at 7.45 A.M.;

(c) whether this change of timing has put the teachers who have to go to Shahadara to lot of inconvenience and they are not able to reach their schools in time;

(d) whether Telephone Exchange Staff relieved after night duty are also inconvenienced; and

(e) if so, whether D.T.C. propose to restart first bus at 7.10 A.M.?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) During peak hours, there

is some overcrowding in the buses operating on this route.

(b), (c) and (e). Due to non-availability of traffic, the trip provided on route No 320 at 7.10 A.M. from the Central Secretariat has been cancelled. However, in order to meet the demand of the teachers for an early morning service, a trip has since been provided at 6.45 A.M.

(d) No such complaints has been received from the Office or Staff of the Telephone Exchange.

भारतीय सेना को प्रशिक्षण देने में प्रयुक्त भावाओं

4188. श्री शंकर दत्तस्थिति: क्या रक्षा मंत्री यह बताने की कृपा करें कि :

(क) भारतीय सेना को प्रशिक्षण देने के लिये किन-किन भावाओं का प्रयोग किया जाता है नथा क्या इस उद्देश्य के लिये कोई प्रकाशन भी निकाल गए है ; और

(ख) यदि हां, तो उसका व्योग क्या है ?

रक्षा मंत्री (श्री स्वर्ण सिंह) : (क) और (ख). भारतीय सेना में हिन्दी श्रीरामचन्द्री दांतों भावाओं में प्रशिक्षण दिया जाता है। इस प्रयोजन के लिए 502 पुस्तिकारण/प्रकाशन निकाले गये हैं। इन में से 386 प्रकाशन रामचन्द्री में है और 116 हिन्दी में है ?

Pelletisation Plant in M.P.

4189. SHRI G. C. DIXIT: Will the Minister of STEEL AND MINES be pleased to state whether there is any proposal to establish a pelletisation plant in Bastar District (M.P.) during the Fifth Five Year Plan period?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): A proposal is under consideration for setting up a Pelletisation Plant based on Balladilla iron ore fines. The scheme has, however, not been included in the Draft Fifth Plan.

Samples received for testing by Central Drugs Laboratory, Calcutta

4190. SHRI D. P. JADEJA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) how many samples were received for testing by the Central Drugs Laboratory, Calcutta during the year 1973;

(b) how many samples were declared sub-standard; and

(c) the action taken against the manufacturers of sub-standard drugs?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M ISHAQUE): (a) to (c). Information is being collected and will be laid on the Table of the Sabha when received.

Workers laid off in Uttar Pradesh due to Power Crisis

4191. SHRI NOORUL HUDA: Will the Minister of LABOUR be pleased to state:

(a) whether thousands of workers in Uttar Pradesh have been laid off due to industries being hit by acute power crisis;

(b) whether the laid off workers and employees are being denied lay off compensation by the employers as admissible under the laws; and

(c) if so, the measures Government are taking to force the employers to abide by the labour rules and regulations?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BAL-GOVIND VERMA): (a) According to the information made available by the Government of Uttar Pradesh which is the appropriate Government in this case under the Industrial Disputes Act, the number of workers laid off in Uttar Pradesh for different periods due to the power cut

during January to August 31, 1974, was reported to be 94,787. While information about the number of workers laid off during September and October 1974 for the State as a whole is not yet available with the State Government, the number of workers laid off for different periods during September and October 1974 in Kanpur, as intimated by the State Government is 11,134 and 11,599 respectively.

(b) and (c). Presumably reference is to the reported directive from the Employers' Association of Northern India following which the authorities of some of the textile mills in Uttar Pradesh are reported to have decided to pay lay off compensation strictly in terms of the Uttar Pradesh Industrial Disputes Act which inter alia provides that lay off compensation after the expiry of first 45 days would be payable if the lay off comprises continuous periods of one week or more beyond the first 45 days. The Ministry of Labour have no information about non-payment of compensation payable under the law. Specific complaints, if any, in this regard could be brought to the attention of the State Industrial Relations Machinery

Memorandum by Trinagar Welfare Association to General Manager of D.T.C.

4192 SHRI RAMDEO SINGH: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether a deputation of Trinagar Welfare Association (Regd) met the General Manager of Delhi Transport Corporation on 23rd September, 1974 and presented a Memorandum to him;

(b) if so, the contents of the memorandum; and

(c) whether the General Manager gave an assurance to implement the bus services as demanded in the Memorandum within a week; if so, the action taken in the matter so far?

THE MINISTER OF STATE IN THE MINISTER OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) Yes, Sir.

(b) The main points raised in the Memorandum are as under:—

(i) Provision of telephone facility at Trinagar Bus Stand Booth.

(ii) Operation of two special trips on route No. 58 at 9 A.M. and 9.30 A.M. from Trinagar to Central Secretariat via Patel Nagar and Shankar Road and vice-versa at 5.15 P.M. and 5.45 P.M.

(iii) Stepping up of frequency of services on route No 301.

(iv) Rectification of irregular operation of the services on route No. 50-C.

(c) No such assurance was given by this officer. However, the DTC proposes to augment the services to and from Trinagar, when additional buses become available, keeping in view the overall commitments in respect of the city.

The telephone authorities are not releasing any new telephone lines, for the present.

Production of Anode Copper in Khetri Copper Project

4193. SHRI SHIV NATH SINGH: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether smelter plant of Khetri Copper Project is ready and if so, date fixed for producing Anode copper from the Plants;

(b) whether two technicians deputed by M/s Outokumpu of Finland who erected Flash Furnace in the Khetri Copper Project have been sent back; and

(c) if so, the reasons therefor and possible repercussions of this on the commissioning of the smelter plant?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) The Smelter Plant at Khetri Copper Project was commissioned in November, 1974 and the production of anode copper has already started.

(b) and (c). M/s Outokumpu of Finland had deputed five Engineers and Technicians for Smelter start-up operations at Khetri. The work and conduct of one of the Engineers was not found upto the mark and M/s Outokumpu were asked to replace him. Accordingly M/s. Outokumpu deputed another Engineer on 28th October and the person concerned was released from the project on the 6th November 1974. As this was a case of replacement of one Engineer by another the question of its repercussion on the commissioning of the plant does not arise.

Protest with Bangladesh against Oil Exploration in Bay of Bengal

4194. SHRI VIRBHADRA SINGH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have lodged any protest with Bangladesh regarding the off-shore areas in the Bay of Bengal which Dacca has awarded to a Western firm for exploration; and

(b) if so, the facts thereof and the response of Bangladesh in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). No, Sir. Both the Governments have already agreed that the maritime boundary between the two countries, as well as the question of exploration, should be settled by mutual discussion. Discussions at a technical level have started between the two countries.

Medical Seats for Sons/Daughters of Central Government Officers posted in States

4195. SHRI S. D. SOMASUNDARAM: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether sons/daughters of Central Government Officers of Andhra origin posted to Andamans are not preferred for medical seats in Andamans quota nor in Andhra Pradesh as they have not stayed anywhere continuously for four years; and

(b) if so, whether Government will consider modification of rules such that sons/daughters of Central Government Officers who move from one place to another do get adequate chances in getting medical seats either in the present place of posting or in their native State or in the Central Government Universities?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Sons/daughters of Central/State Government servants posted to Andamans including those from Andhra Pradesh, are considered for medical seats against the Government of India reserved seats by the Andamans and Nicobar Administration.

(b) Question does not arise.

Hijacking of D.T.C. Buses by Students

4196. SHRI BISHWANATH JHUNJHUNWALA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether hijacking of D.T.C. buses by college students as a protest against inadequate bus service continues unabated;

(b) if so, the number of DTC buses hijacked during the last 1-1/2 years and the extent of damage caused, if any;

(c) what steps were taken to increase the present bus facilities to meet the students demands; and

(d) whether any student-DTC committee has been formed to sort out temporary difficulties and if so, when and how it is functioning?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) Yes, Sir.

(b) 198 buses were hijacked by students during the period from July, 1973 to November, 1974. Assessment of the loss caused to DTC by hijacking, damaging etc., of its buses has not been completed.

(c) Besides operating a large number of special bus trips for students, some new regular services have also been introduced. These are the Sugam Seva 210 from the Central Secretariat to Shakti Nagar via Maurice Nagar, Sugam Seva 430 from Govind Puri to Central Secretariat covering the Kalkaji College complex and a fast Sugam Seva 81 from Moti Nagar to Maurice Nagar to connect West Delhi with the Campus colleges. A number of feeder services like 611, from Dhaula Kuan to Sujan-Singh Park linking Dhaula Kuan College complex with Mudrika Seva, have also been introduced.

(d) An Apex Committee comprising the Dean of Students' Welfare, Delhi University, Additional District Magistrate, Delhi, representatives of the Delhi University Students' Union and DTC officials considers all the fresh demands of students for provision of transport facilities. Meetings are also fixed by the Dean, Students' Welfare, Delhi University to discuss urgent or ad hoc problems as and when these arise. Further, several DTC officials have been deputed to maintain liaison with the authorities of the colleges falling in their respective jurisdiction so as to attend promptly to the grievances, demands, requests of the students in the matter of transport facilities.

विज्ञापनी वी का उत्पादन

4197. वी महाराष्ट्र के लिए वाप्तः क्या स्वास्थ्य और परिवार नियोजन मंत्रीलय यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान बनस्पति वी में मिलावट की ओर दिलाया गया है और मार्च, 1974 से अक्टूबर, 1974 तक कितने निर्माताओं के यहां छापे मारे गये ?

(ख) क्या पंजाब राज्य में रजपुरा बनस्पति वी फैक्टरी पर भी छापे मारा गया था; और

(ग) यदि हां, तो इस मन्त्रालय में क्या कार्यवाही की गई है ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उप मंत्री (वी ए० के० एम० इसहाक) :

(क) से (ग) : अपेक्षित मूल्यांकन एकत्र की जा रही है तथा नमा पटल पर रख दी जायेगी ।

Supply of Rail Coaches to Bangladesh by Bharat Earth Movers Limited

4198. SHRI RAJDEO SINGH: Will the Minister of DEFENCE be pleased to state:

(a) whether Bangladesh has placed an order with the Bharat Earth Movers Limited for the supply of 50 rail coaches at a cost of Rs. 4 crores before March, 1975;

(b) since when Bharat Earth Movers Limited has entered the business of rail coach manufacture; and

(c) also whether this is the first chance for the Bharat Earth Movers Limited to enter the export market for its other products?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI RAM NIWAS MIRDHA): (a) Bharat Earth Movers Limited has received an order for the manufacture and sup-

ply of 50 Rail Coaches with spares from the Bangladesh Government. The total value of this order is Rs. 4.45 crores. These Rail coaches and spares are to be supplied before March 1975.

(b) The rail coaches are being manufactured since 1947 when this factory was a part of the then Hindustan Aircraft Ltd., Bangalore. The factory was, however, transferred to Bharat Earth Movers Ltd., with effect from 1st January 1965.

(c) This is the first export order of Bharat Earth Movers Ltd. for Rail coaches but the Company has been exporting earth moving equipment since 1969-70.

Bauxite in South Kanara District of Karnataka

4199. SHRI P. R. SHENOY Will the Minister of STEEL AND MINES be pleased to state:

(a) whether bauxite ore is available in South Kanara District of Karnataka State in large quantities;

(b) whether there is any representation to establish an aluminium plant in the District; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) As a result of Surveys conducted in South Kanara District of Karnataka, Department of Geology & Mining, Government of Karnataka have estimated reserves of 8.26 million tonnes of Bauxite in the localities of Paduvare, Naganakalvare, Madugal, Doddahare and Guppipara Plateaux. Geological Survey of India also recently estimated about 0.50 million tonnes of Bauxite from Kuddarka and Kallamandkuru Plateaux of the District while studies for Bauxite on a large number of other plateaux did not yield encouraging results. During the current field

season programme for 1974-75 of the Geological Survey of India, detailed studies by large scale mapping, pitting, Trenching and Sampling are also proposed to be continued in parts of Niddedi and Kuddarka Plateaux.

(b) and (c). There is no proposal as yet to establish an aluminium plant in South Kanara. The investigations are still continuing in the District and a view for Commercial exploitation of the bauxite deposits can be taken on completion of the work which is in progress. The main deposit located till now, is at Paduvare in Bairdur Taluk and the benefications test, or the samples drawn from this deposit, have not given encouraging results.

अन्तर्राजीय मार्गों पर दिल्ली परिवहन निगम द्वारा बसों को चलाना रद्द करना

4200. श्री भारत सिंह चौहान : क्या नौवहन और परिवहन मंत्री यह बनाने की कृपा करेंगे कि

(क) गत ८ महीनों में अन्तर्राजीय गार्जियाबाद, फरीदाबाद अन्य और मार्गों पर प्रत्येक महीने में दिल्ली परिवहन निगम ने कितने बसों के दियों को रद्द किया,

(ख) इसके परिणामस्वरूप आंमनन प्रतिदिन कितने यात्रियों का असुविधाहीन है;

(ग) इस बारे में क्या अन्तर्राजीय अधिकार स्थाई कार्यवाही की गई अवधारणा करने का विचार है?

नौवहन और परिवहन मंत्रालय में राज्य मंत्री (श्री एच० एच० त्रिवेदी) :

(क) मे (ग) : दिल्ली परिवहन निगम ने गत ८ महीनों में गार्जियाबाद, फरीदाबाद, आदि की कोई भी बस सेवा नहीं रद्द की। परन्तु इस संबंधित अधिकारी में अन्तर्राजीय मार्ग पर निर्धारित संख्या में केरे नहीं लगाए जा सके। गत महीनों (अप्रृत्यून तथा जुलाई 1974) में लुप्त फेरों की प्रतिशतता अधिक थी परन्तु यह प्रगती रूप से कम हो रही है। केरों के

लुप्त होने के मुख्य कारण निगम के पास अपनी गाड़ियों की मरम्मत तथा अनुरक्षण की पर्याप्त सुविधाओं का न होना है। इस स्थिति में सुधार लाने के लिए अंतर्राजीय डिपुटेडों का निर्माण तथा मोजूदा डिपुटेडों में सुधार करके रखखाल के स्थानों में दृढ़ि की गई है। चालू विनायी वर्ष में निगम ६ नये डिपो खोल सकी है। गाड़ियों के रखखाल की व्यवस्था को और मुद्रू बनाने के लिए अंतर्राजीय डिपुटेडों के निर्माण का प्रस्ताव है, ताकि उम समय जो वसे चल रही है उनकी अपेक्षा मधिक संख्या में बसों को चलाया जा सके।

Shortage of Blood in Blood Banks

4201. SHRI DINEN BHATTACHARYYA Will the Minister of FAMILY PLANNING be pleased to state:

(a) whether Government are aware that the Government Blood Banks in the country are facing acute shortage of blood;

(b) whether it is due to the low amount of money paid to the blood donors by Government Hospitals and the higher amount paid by the private blood banks who are exporting blood to foreign countries;

(c) if so, the reaction of the Government thereto; and

(d) whether Government will ban the private blood banks in the country, and if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE) :

(a) There is, in general, shortage of blood in Blood Banks. However, most cases needing blood as an immediate life saving measure are provided with blood in the Government Hospitals, although the percentage of people not getting it has not been worked out.

(b) No.

(c) Question does not arise.

(d) No. The private blood banks cannot be banned unless alternative arrangements to meet the requirement of blood are made.

Low Production in I.I.S.C.O.

4202. SHRI PURUSHOTTAM KAKODKAR:
SHRI D. D. DESAI:
SHRI SHANKAR DAYAL SINGH:
SHRI SHRIKISHAN MODI:
SHRI ANANDI CHARAN DAS:
SHRI P. GANGADEB:
SHRI RAGHUNANDAN LAL BHATIA:

Will the Minister of STEEL AND MINES be pleased to refer to the reply given to Unstarred Question No. 447 on 14th November, 1974 and state:

(a) the reasons for low production in I.I.S.C.O.;

(b) whether any steps have been taken to boost the production; and

(c) if so, the broad outlines of steps taken?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) The low production in the steel plant of IISCO when compared to the rated capacity of the plant, has been mainly due to the run down condition of the plant and equipment as a result of neglect of rehabilitation, programme and inadequacy of replacement, repair and maintenance programmes over the years before the take over of the management by the Central Government.

(b) and (c). After the take over, a comprehensive scheme of Plant Rehabilitation was drawn up. This scheme is being implemented at an estimated cost of about Rs. 43 crores. With the

completion of the Plant Rehabilitation Scheme by 1976-77, the production in the plant is expected to increase close to the rated capacity.

Retrenchment of Workers by Mercury Travels India Limited

4203. SHRI SAMAR MUKHERJEE:
Will the Minister of LABOUR be pleased to state:

(a) whether his attention has been drawn to the retrenchment of 25 permanent workers by Mercury Travels India Limited in Calcutta; and

(b) if so, the action taken to reinstate the workers?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) Yes, Sir.

(b) The matter falls essentially in the State sphere and has been brought to the notice of the Government of West Bengal.

Nation-wide programme against Polio

4204 SHRI SAROJ MUKHERJEE:
Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether there is any nation-wide programme of immunising children against Polio and educate parents on do's and don'ts concerning the disease; and

(b) if so, the outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) No. There is no nation-wide programme for immunizing children against Polio. However, the health education aspect on immunization is being pursued through Health organisations at various levels.

(b) Does not arise.

दिल्ली के यमुना-पार क्षेत्र में बैडिकल कालेज
और अस्पताल खोलना

4205. श्री ईश्वर चौधरी : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में यमुना पार रहने वालों की संख्या कितनी है ;

(ब) उनको चिकित्सा देने के लिए डेडिकल कालेज व अस्पताल खोलने का निर्णय कब लिया गया था ;

(ग) इस बारे में इस बीच क्या कार्यवाही की गई और आगे को क्या कार्यवाही की जायेगी, और

(द) उम क्षेत्र में डेडिकल कालेज तथा बड़ा अस्पताल कब तक आरम्भ हो जायेगे ?

स्वास्थ्य और परिवार नियोजन बंचालप में उप संचारी (श्री ए० के० ए० इतहाक) :

(क) 1971 की जनगणना के अनुसार दिल्ली के यमुनापार क्षेत्र की आबादी 4,65,323 है।

(ख) शाहदरा में स्थापित होने वाले एक अस्पताल के आधार पर एक डेडिकल कालेज खोलने का फैसला जुलाई 1971 में किया गया था ।

(ग) और (द). शाहदरा में डेडिकल कालेज खोलने का प्रश्न दिल्ली प्रशासन द्वारा शाहदरा में एक अस्पताल की स्थापना करने पर निर्भर करता है। फिलहाल कालेज ने दिल्ली विश्व विद्यालय के कैम्पस में प्रकृत्वर 1971 से काम करना शुरू कर दिया है। शाहदरा में एक डेडिकल कालेज और एक बड़ा अस्पताल के काम शुरू करने में कुछ समय और लगने की सम्भावना है।

युद्ध में और नति प्राप्त सेविकों के आविष्टों को भूमि का आवंटन

4206. श्री जावहरलाल तिविया : क्या राजा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वीर नति प्राप्त सेविकों के ऐसे आविष्टों को राज्यवार संख्या कितनी है

जिनको भूमि आवंटन के उपयुक्त माना गया था ;

(ख) उन में से कितने ऐसे हैं जिनको अभी तक भूमि का कब्जा नहीं दिया गया है ;

(ग) उन के मामलों को शीघ्र निपटाने के लिए क्या कार्यवाही की जा रही है ; और

(घ) ऐसे मामलों को अभी तक न निपटा पाने के क्या कारण हैं ?

राजा बंचालप में उप संचारी (श्री ए० श० ए० पट्टनाथक) :

(क) से (घ). युद्ध में मारे गये सेविकों के आविष्टों को भूमि का आवंटन सम्बन्धित गज्ज चक्रों द्वारा किया जाता है जिन्हे इस मामले को असता देने का अनुरोध किया गया है।

इन्होंकि सम्बन्धित राज्य चक्रों द्वारा जारी किए गये सामान्य आदेशों में दी गई व्यवस्थाओं के अधीन इन मामलों में भूमि का वास्तविक आवंटन जिला और निमन्तर स्तरों पर अधिकारियों द्वारा किया जाता है। अत मारी गई मुक्तना जो तीनों संनाशों के मध्ये पिछले कार्यों के सबध में है, के एकत्र वर्ते में लगने वाला समय और प्रयत्न मध्यमांतर परिणामों के अनुहृत नहीं होगा ?

Payment of Wages to Workers of Krishan Kumar Cotton Mills Ltd., Malwa in Gujarat

4207. SHRI VEKARIA: Will the Minister of LABOUR be pleased to state:

(a) whether Government are aware that the workers of Krishan Kumar Cotton Mills Ltd., Malwa in Gujarat State have not been paid their wages since long;

(b) if so, the reasons therefor; and

(c) the steps Government propose to take to settle this dispute and get the workers their wages and other dues?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) to (c). The State Government who were addressed in the matter have informed that the Mill was closed down on 16-2-1971 and it could not make the payment due to financial difficulties, and that since the Workers' Union, namely, the Majoor Mahajan Sangh, Mahuva had filed an application for payment of wages before the Payment of Wages Authority at Mahuva, no action in the matter is required to be taken by the State Government.

New Shipping Services by Shipping Corporation of India

4208. SHRI BANAMALI PATNAIK: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is proposed to launch four new shipping services by the Shipping Corporation of India;

(b) if so, the countries between which the services are proposed to be launched; and

(c) the prospects thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):
(a) Yes, Sir.

(b) 1. Regular coverage of Manila and Bangkok from Calcutta and Madras.

2 Service between Bombay and Pacific Coast of USA and Canada with container oriented fast ships.

3. Extension of liner service connecting Calcutta and Madras with U.S Atlantic Coast Ports to cover Bombay.

4. Increased coverage of export cargoes from Madras and Cochin by existing liner services.

(c) The additional coverage, which is in fact an extension of coverage of the existing services, is intended for promotion of India's exports and to meet the demands of the Trade.

देवली से कोटा तक की सड़क को राजमार्ग के रूप में घोषित करना

4209. SHRI BANAMALI PATNAIK: क्या मोबहन और परिबहन मर्ती यह बताने को हृषा करेंगे कि :

(क) क्या राजस्थान में देवली से कोटा तक सड़क जो दिल्ली बम्बई सड़क का एक भाग है को राजमार्ग के रूप में घोषित कर लिया गया है, और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

मोबहन और परिबहन मंत्रालय में राज्य मंत्री (श्री एच० एच० क्रिष्णदी) :
(क) पांचवीं योजना काल के दौरान मोबहन राष्ट्रीय राजमार्ग पढ़र्ता में घोषित करने वे लिए नई मड़कों के बारे में अभी कोई आनंद निर्णय नहीं किया गया है अतः इस समय यह बताना सम्भव नहीं कि कौन सी मड़क अवधा मड़के मौजूदा योजना अवधि में राष्ट्रीय राजमार्ग के रूप में नी जायगी।

(ख) प्रश्न नहीं उठता।

Aluminium Project in Gujarat

4210. PROF MADHU DANDAVATE: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the proposed aluminium project in Gujarat, to be set up with financial assistance from Iran, will not be able to meet Iran's requirements of export from India; and

(b) if so, whether Government propose to utilise the financial assistance from Iran for completing the aluminium project at Ratnagiri in Maharashtra for which the infra-structure is already being set up?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) The alumina plant proposed to be set up in Gujarat is intended to meet the specific requirements of Iran.

(b) Does not arise.

Setting Up of Ancillary Industries

4211. PROF. NARAIN CHAND PARASHAR: Will the Minister of DEFENCE be pleased to refer to the reply given to Unstarred Question No. 9798 on the 9th May, 1974 regarding Setting up of ancillary industries and state:

- (a) whether the decision has since been implemented in this regard; and
- (b) if not, the likely date by which a decision would be taken by the Government?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI RAM NIWAS MIRDHA): (a) Yes, Sir. The scheme is being implemented and a high power Central Committee under the Chairmanship of the Raksha Utpadan Mantri periodically reviews the progress in the implementation of the scheme

(b) Does not arise.

आपूर्व को एलोरेंजी के समान मान्यता प्रदान करना

4212. श्री लालजी भौमि: क्या स्वास्थ्य और वरिचार नियोजन मंत्री यह बताने की इच्छा करें कि

(क) क्या सरकार ने भारतीय चिकित्सा की केन्द्रीय परिषद की स्वापना कर के आपूर्व को एलोरेंजी के समान मान्यता प्रदान की है,

(ख) क्या यह मान्यता अवधार में नहीं पारही है और योजना प्रयोग एलोरेंजी पर ही अधिक जोर द रहा है, और

(ग) यदि हा, तो सरकार इम दिशा में क्या कार्यदाही कर रही है?

स्वास्थ्य और वरिचार नियोजन मंत्रालय में उप अधीक्षी (श्री द० के० द००० हस्ताक्ष) : (क) से (ग) ० राज्यों से अपेक्षित सूचना एकत्र की जा रही है तथा उपलब्ध होते ही ऐसी जावशी ।

Steel Allocation to Consumers

4213. SHRI PRABODH CHANDRA:
SHRI YAMUNA PRASAD
MANDAL:
SHRI K. MALLANNA:

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

- (a) whether Steel consumers have either failed or desist to lift their allocations; and
- (b) if so, the remedial measures proposed?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b) Some consumers are reported to be not lifting the allocations made to them by the Steel Priority Committee. These allocations are being offered by the main producers to other consumers.

Missing Road Links Between India and Nepal

4214. SHRI BHOGENDRA JHA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the present position with regard to the unbroken roadways from the U.P.-Bihar-Nepal border via Sitalmari, Shaharghat, Hariakhi-Jay Nagar-Lawkaha Laukahi, Birpur and Forbesganj and whether all the missing links in this border road have been completed; if so, the facts thereof;

(b) whether pucca road from Madhubani-Raj Nagar to Pipraghat of Kamala river and again from the other side of Kamala river to Babu Barahi-Khutauna and beyond has been completed but these roads remain unutilised for through service due to lack of bridge over river Kamala near Pipraghat; and

(c) if so, the stage at which the proposal for the bridge to connect Raj Nagar and Babu Barahi stands?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) to (b). The Govt. of India are primarily responsible for roads declared as National Highways. All roads other than National Highways in States are primarily the responsibility of National Highways. All roads The proposed roads are all local roads and the Govt. of Bihar are therefore, primarily concerned with their development. None of these roads figures in the proposals submitted by them for the loan assistance under the Central Aid Programme of State Roads of inter-State or Economic Importance or new additions to the existing National Highway System during the 5th Plan period.

(c) Does not arise.

Iron ore shipped from Paradip Port

4215. SHRI CHINTAMANI PANIGRAHI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the quantity of iron ore shipped from Paradip Port in 1971-72, 1972-73, 1973-74 and 1974-75 to-date;

(b) the total cumulative loss that has been incurred by Paradip Port so far; and

(c) the steps being taken to prevent this loss?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) The quantity of iron ore shipped from Paradip Port during the years 1971-72 to 1974-75 (upto 30th November, 1974) was as under:—

(In lakh tonnes)

1971-72	17.98
1972-73	18.74
1973-74	20.30
1974-75	9.64
upto 30th November 1974)	

(b) The total cumulative revenue deficit of the Port from the date of its commissioning upto 31st March 1974 was Rs. 8.24 crores.

(c) The following steps have been or are being taken to prevent the loss:

(i) Paradip Port Trust have approached the authorities concerned to ensure continuous supply of iron ore to the Port to enable it to fully utilise its plant capacity. Development of Port capacity to handle 4 to 5 million tonnes of iron ore in the Fifth Plan envisaged.

(ii) The Scale of Rates of the Port is being revised.

(iii) The General Cargo Berth under construction is likely to be completed by the end of current year and after the commissioning of the General Cargo Berth, the Port is expected to build up general cargo of about 4 to 5 lakhs tonnes per annum.

(iv) Economy measures have been taken to reduce the expenditure of the Port, wherever possible.

Settlement of Dues and Claims of Local People in Meghalaya

4216. SHRI B. K. DASCHOWDHURY: Will the Minister of SUPPLY AND REHABILITATION be pleased to refer to the reply given to Unstarred Question No. 1358 on the 1st August, 1974 regarding Expenditure on former East Pakistan Refugees in Meghalaya and state:

(a) the reasons for the delay in disbursing the dues of local contractors in Meghalaya in connection with their work for the Bangladesh refugees and the claims of local people for compensation for damage to their lands and crops; and

(b) when it is proposed to settle these dues and claims?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKATASWAMY): (a) and (b). The required information is being collected from the Government of Meghalaya and it will be laid on the Table of the Sabha on receipt.

Rising Steel Prices in Andhra Pradesh and Madhya Pradesh

4217. **SHRI Y. ESWARA REDDY:** Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Regional Controller of Iron and Steel had raided to unearth bogus units and to dehoard stock in Andhra Pradesh and Madhya Pradesh;

(b) if so, the facts thereof; and

(c) whether this has an impact on the rising steel prices in these States?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). The Regional Iron & Steel Controller, Hyderabad carried out 941 inspections in his Region between 1st July, 1972 and 30th November, 1974. Supplies of iron and steel were suspended to 123 units for suspected mis-utilisation, pending further investigations. 15 units were debarred from receiving iron and steel materials under Clause 28B of the Iron & Steel (Control) Order, 1956. 14 cases were referred to C.B.I. and one case to the A.P. State Police for investigation. 67 cases were referred to concerned Directors of Industries for suitable action.

(c) Market prices of several categories of steel have shown a downward trend in the last few months.

Persons arrested for Drugs Adulteration

4218. **SHRI AJIT KUMAR SAHA:** Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the number of persons arrested so far for drugs adulteration during the last three years, year-wise; and

(b) the number of arrested persons who received punishment by the courts?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

Ferro-vanadium Project, Orissa

4219. **SHRI ARJUN SETHI:** Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have finally taken decision for the establishment of FERRO-Vanadium Project at Rairangpur, Mayurbhanj District of Orissa;

(b) if so, the salient features thereof; and

(c) the specific programme drawn up for the current financial year in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). The Ferro-vanadium Project to be set up in Orissa has been included in the draft Fifth Five Year Plan. The proposed capacity of the plant is 480 tonnes of ferro-vanadium and 48,000 tonnes of pig iron per annum.

(c) The Steel Authority of India Ltd. are taking action for updating the project estimates prepared earlier by the consulting Engineers for the Industrial Development Corporation of Orissa Ltd., for purposes of taking an investment decision.

Boosting of Calcutta Port Trade

4220. **SHRI NAWAL KISHORE SHARMA:** Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the attention of Government has been drawn towards a news item appearing in the Economic

newspaper dated the 16th November, 1974 under the heading "Boost to Calcutta port's trade";

(b) whether some meeting of the Commissioners of Ports was held in the recent past;

(c) if so, the decisions arrived at the meeting; and

(d) the export trade expected to be boosted up as a result of adoption of new methods as recommended in the meeting?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) to (d). Government have seen this news-item which appeared in the Economic Times dated 16-11-1974. The report was in regard to the opening of the Port Commissioners' Analogue Model of River Hooghly. On this occasion, mention was made about the reason for decline in traffic of Calcutta Port and the hope was expressed that the constraints from which the Port had suffered would be removed after the commissioning of the Farraka Barage and the Haldia Dock System. No special meeting of the Port Commissioners was held in regard to improvement of the traffic of the port although the Commissioners have from time to time discussed this subject.

Liquid crystal thermal devices for Family Planning

4221. SHRI G. Y. KRISHNAN: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Scientists at the National Physical Laboratory, New Delhi have developed "liquid crystal thermal devices" which may have role in the Family Planning Programme; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Scientists at the National Physical Laboratory have

developed a 'Liquid Crystal Thermal Device' which helps in determining the day of ovulation.

(b) Ovulation in women occurs normally about 14-15 days before the onset on the next menstrual period. At the time of the ovulation, there is slight rise in the body temperature. The device developed by National Physical Laboratory helps in detecting this rise in body temperature. The device contains some organic material which does not change directly from the solid phase to the liquid phase on heating but passes through an intermediate phase which is called a liquid crystal phase of the material. For detecting the body temperature this liquid crystal thermal device (in the form of film) is put in contact with any part of the body such as on the forehead. The colour of the device changes with the rise in the body temperature which is indicative of ovulation having taken place. Clinical trials to assess the efficacy of this device have just started.

P.L.O. as future Ruler of West Bank Territory

4223. SHRI YAMUNA PRASAD MANDAL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the decision of Arab Summit regarding P.L.O. as the future ruler of West Bank Territory; and

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

THE DEPUTY MINISTER IN THE MINISTRY CF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Government have seen reports of the decisions of the Arab Summit Conference held at Rabat from 26th to 29th October, 1974, which, among other things, affirmed the rights of the Palestinian people to establish an independent national authority under the leadership of the Palestine Liberation

Organisation as the sole legitimate representative of the Palestinian people on any liberated Palestinian land.

(b) Government have always upheld the inalienable rights of the Palestinian people in their homeland in Palestine and recognised the PLO as the legitimate representative of the Palestinian people.

Benefit of Labour Laws to Workers Engaged in Tailoring Industry

4224. SHRI MOHAMMAD ISMAIL: Will the Minister of LBOUR be pleased to state:

(a) whether Government are aware that the workers engaged in tailoring industry are denied the benefits of Industrial Disputes Act and other Labour Laws; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) The Labour Laws are generally applicable to workers employed in the tailoring industry. No complaints regarding denial of benefits have been received by Government.

(b) Does not arise.

Health and Family Planning Centres of Dadra and Nagar Haveli

4225. SHRI R. R. PATEL: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the number of Health and Family Planning Centres functioning in Dadra and Nagar Haveli as on the 31st March, 1974;

(b) the number of more centres to be opened in these Territory during the next five years; and

(c) the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) There were 2 Primary Health centres and 3 main rural Family Welfare Planning Centres and 10 sub-centres functioning in the territory as on 31-3-1974.

(b) It is not proposed to open any more Centres during the next five years;

(c) Question does not arise.

Scanty Support to Pak Proposal for Nuclear-free-zone in U.N. Political Committee

4226. SHRIMATI PARVATHI KRISHNAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Pakistan proposal for a nuclear-free-zone received hardly any support in the United Nations Political Committee;

(b) if so, the facts thereof; and

(c) the countries which supported that proposal?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) to (c). Pakistan's draft resolution received 84 votes in favour, 2 against and 36 abstentions, as compared to India's draft resolution which received 90 votes in favour, none against and 32 abstentions. A statement showing the voting pattern on the two draft resolutions is attached.

Statement

Voting Pattern on Indian and Pakistani draft resolutions on the item on nuclear-free-zone in South Asia

- I. Countries which voted for the Indian Resolution but voted against Pakistan's resolution (2) India and Bhutan.
- II. Countries which voted in favour of the Indian Resolution but abstained on Pakistan's resolution. (193).

Bangladesh, Bulgaria, Byelorussian SSR, Cuba, Cyprus, Czechoslovakia, GDR, Greece, Guyana, Hungary, Malawi, Mongolia, Poland, Portugal, Thailand, Ukrainian SSR, USSR, Yugoslavia and Zambia. (Mauritius voted for Indian draft but did not participate in voting on Pakistani draft).

III. Countries which abstained on Indian resolution but voted for the Pakistani resolution (15)

Central African Republic, China, Colombia, Congo, Dahomey, El Salvador, Gabon, Ivory Coast, Jordan, Mali, Niger, Pakistan, Qatar, Saudi Arabia and Sierra Leone.

(Swaziland voted for Pakistani draft but did not participate in voting on Indian draft).

IV. Countries which abstained on both resolutions (17)

Barbados, Burma, Denmark, Fiji, France, FRG, Indonesia, Israel, Italy, Libya, Malaysia, Nigeria, Norway, Sweden U.K., Tanzania and USA.

V. Countries which did not vote on either resolution (15)

Albania, Chad, Equatorial Guinea, Grenada, Guinea-Bissau, Haiti, Jamaica, Khmer Republic, Lesotho, Luxembourg, Maldives, Malta, South Africa, Trinidad and Tobago and Zaire.

VI. Countries which voted in favour of both resolutions (68)

Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Belgium, Bolivia, Botswana, Brazil, Burundi, Canada,

Chile, Costa Rica, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, Gambia, Ghana, Guatemala, Guinea, Honduras, Iceland, Iran, Iraq, Ireland, Japan, Kenya, Kuwait, Laos, Lebanon, Liberia, Madagascar, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Oman, Panama, Paraguay, Peru, Philippines, Romania, Rwanda, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Yemen

Dismissal Cases of Indian Oil Workers, Duhajan pending before Tribunal

4227. SHRI KRISHNA CHANDRA HALDER Will the Minister of LABOUR be pleased to state

(a) whether certain dismissal cases of Indian Oil Workers, Duhajan, Assam are pending before the Tribunal for years together;

(b) if so, the reason for the inordinate delay in the disposal of cases before the Tribunal Officer; and

(c) the steps taken by Government to expedite this matter?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BAL GOVIND VERMA): (a) to (c). The dispute between the management of Oil India Limited, Duhajan and their workmen over the alleged illegal dismissal of 13 workmen was referred to the Presiding Officer, Industrial Tribunal, Dibrugarh for adjudication in January, 1971. The Tribunal gave an interim award in June 1972. With a view to expediting its early disposal, the dispute was transferred to the Central Government Industrial Tribunal at Calcutta in October, 1974.

देश में भारिक संस्थाओं द्वारा चलाये जा रहे
प्रस्ताव

4228. श्री मुख्य राज संगी . क्या
स्वास्थ्य और परिवार नियोजन मंत्री यह बताने
की कृपा करेगे कि

(क) देश में कितने प्रस्ताव धार्मिक
संस्थाओं द्वारा चलाये जा रहे हैं ;

(ख) किम-किस धार्मिक संस्था द्वारा
कितने कितने प्रस्ताव चलाये जा रहे हैं ,

(ग) उनका राज्यवार व्योग क्या है ,
और

(द) सरकार द्वारा उन्हें कितना प्रत्युदान
या सहायता दी गई ?

स्वास्थ्य और परिवार नियोजन मंत्रालय
में उप संचारी (श्री ए० के० एम० इसहाक) :
(क) से (द) सूचना एवं वी जा रही है
तथा उपलब्ध होते ही भेज दी जायगी ।

Production of Iron Ore, Coal Manga-
nese Ore and Copper Ore

4229 SHRI S. R. DAMANI Will
the Minister of STEEL AND MINES
be pleased to state.

(a) whether production of iron ore,
coal, manganese ore and copper ore,
has picked up in the current year,

(b) the broad outlines thereof with
corresponding figures of last year, and

(c) the steps taken to improve pro-
duction to meet fully the internal
demand and export commitments in
the current year?

THE DEPUTY MINISTER IN THE
MINISTRY OF STEEL AND MINES
(SHRI SUKHDEV PRASAD) (a) and
(b) The production figures of iron
ore manganese ore, coal and copper
ore during the period January—Septem-
ber 1973 and January—September,
1974 are given below —

(In Lakh Tonnes)

Sl No	Name of Mineral	January- Sept '73	January- Sept '74
1. Iron Ore	256.4	252.4
2. Manganese Ore	11.0	10.2
3. Coal	582.0	615.6
4. Copper Ore	7.8	10.1

(c) Following steps have been taken
to increase production to meet the
internal demand and export commit-
ments.—

Iron Ore.—The anticipated produc-
tion during the year 1974-75 is expect-
ed to take full care of the require-
ments for internal consumption and
export targets, subject to the avail-
ability of transport for movement to
the consuming/exporting sectors.

Manganese.—The production of
manganese is already more than the

internal demand and commitments for
export

Coal.—Intensive working of the
open cast mines and the mechanical
underground mines, timely procure-
ment of needed equipment, rationali-
sation and re-organisation of transport
facilities, ensuring un-interrupted
power supply, expansion of existing
mines, arrangements for adequate
supply of inputs, are some of the mea-
sures taken to improve production

Copper.—Apart from intensifying
the development of existing mines of

the Khetri Copper Complex and the Indian Copper Complex, steps have been taken for development of open cash mining at the Chandmari Copper Project, construction of 1000 tonne capacity concentrator plant and development of Rakha (Phase I) Project. Feasibility studies have been taken up for Rakha (Phase II) Project and Malanjkhand Project. As a result of these measures, production of copper metal is expected to go upto 45,000 tons by the end of the Fifth Plan.

Discussions with Nepal's Permanent Representative at U. N. regarding Nuclear-Free-Zone for South Asia

4230. SHRI K. MALLANNA:
SHRI D. B. CHANDRA
GOWDA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India's Foreign Secretary has held discussions with Nepal's Permanent Representative at the U.N. in New York regarding the attitude of Nepal on the proposal for a Nuclear-Free-Zone for South Asia, spearheaded by Pakistan at the U.N.; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). As part of the continuing dialogue between the Governments of India and Nepal, the discussions between India's Foreign Secretary and Nepal's Permanent Representative to the United Nations at New York covered inter alia Pakistan's proposal for a nuclear-free-zone in South Asia. These discussions being diplomatic exchanges are confidential and it would not be in the public interest to disclose their contents. It may be mentioned that Nepal has voted affirmatively on both the Indian and Pakistani draft resolutions on the subject.

Allocation from Petroleum Levy for Development of CSTC and CTC

4232. SHRI R. N. BARMAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Centre has allotted any money from the petroleum levy for the development of CSTC and CTC at Calcutta; and if so, the amount of the grant;

(b) whether State Government has made any representation to the Centre for a bigger allocation for the CTC, particularly in view of the serious depletion of its fleet in the fire at the Rajabazar depot recently; and

(c) the reaction of Government to the request of the State Government in this respect?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):

(a) The Govt. of India have agreed, in principle, to advance loans not exceeding Rs. 6 crores to the Calcutta State Transport Corporation and Rs. 2 crores to the Calcutta Tramways Company, through the Govt. of West Bengal, for the purchase of buses and tram cars. The actual releases will be restricted to the expenditure to be incurred by the two undertakings during the current financial year for the purposes indicated.

(b) Yes, Sir.

(c) In view of the present financial position, it has not been possible for Govt. to agree to a higher allocation for the Calcutta Tramways Company.

प्राचीन लोकों में विस्मयरियों के लिए राष्ट्रों की धनुयां

4233. की विषय विषय : प्राचीन साहस्र वर्षों विविध भाषी वह कहानी की हुया कहाँ दि :

(क) क्या भारत सरकार हारा प्राचीन लोकों में विस्मयरियों के लिए विभिन्न राष्ट्र

सरकारों को वर्ष 1974 में अनुदान का प्राप्ति दिया जाता है,

(क) यदि हा, तो यह कितनी राजनीति है,

(म) क्या इस अनुदान के उपयोग के बारे में रिपोर्ट प्राप्त हो गई है, और

(ब) यदि हा, तो रिपोर्टों सम्बन्धी तथ्य क्या है?

संविधान और परिवार नियोग बंगालव में उप बंडी (बी ४० के० ए० ८० इसहाक) : (क) राज्यों को आवायन और विवरणों के लिए कोई अनुदान नहीं दिया जा रहा है किन्तु विभिन्न राज्यों की वापिक योजनाओं में प्राथमिक स्वास्थ्य केन्द्र और उप केन्द्र खोलने के लिए धन की व्यवस्था की गई है। यह न्यूनतम आवश्यकता कार्यक्रम का एक अग्र है और इस कार्यक्रम को खोलने के लिए राज्य क्षेत्र में धन की व्यवस्था कर दी गई है।

(ब) 1974-75 के वित्तीय वर्ष में न्यूनतम आवश्यकता कार्यक्रम के स्वास्थ्य सम्बन्धी पक्ष के कार्य प्रारम्भ करने के लिए विभिन्न राज्यों का 23 75 करोड़ रुपये की रकम दी गई है।

(ग) और (ब). प्राथमिक स्वास्थ्य केन्द्र और उप केन्द्रों को खोलने के लिए कितनी रकम का उपयोग किया जाता है इसके बारे में राज्यों से कोई सूचना नहीं मिली है।

सोलां रेस्ट, कोटा, द्वारा कर्वाचारी भविष्य निवारी रत्नालय का बदला जाता

4234. बी कृष्ण चन्द्र कल्पनाव : क्या वर्ष वर्षों 2 दोष, 1973 के प्रतीक्षित प्रश्न संख्या 1627 के उत्तर के सम्बन्ध में यह बताने की कृपा करें कि :

(क) क्या दृष्टिहृदयी वर्षाय एक वर्षाय भवत्स कंपी लिमिटड की एक जाता

श्रीराम रेस्ट, कोटा, राजस्वान ने यह कहा कि वर्षों से कर्वाचारी भविष्य निवारी की राजनीति जमा नहीं कराई है, और यदि हा, तो इस उद्योग से भविष्य निवारी की धर्मी तक कितनी राजनीति बसूल की जानी जाए है;

(ब) भविष्य निवारी की पूरी राजनीति जमा कराने के लिए सरकार ने क्या पैग उठाये हैं तथा इस उद्योग के मालिकों के विरुद्ध क्या कार्रवाही की गई है, और

(ग) क्या कर्वाचारियों के बेतनों की भविष्य निवारी के लिए पूरी कटौतिया की जाती है और इस राजनीति की धर्म्मों के लिए उपयोग में लाया जा रहा है; और यदि हा, तो इसको रोकने के लिए सरकार द्वारा क्या कार्रवाही की जा रही है?

अम बंगालव में उप बंडी (बी बाल-धोकिल बर्ल) भविष्य निवारी प्राधिकारियों ने निम्न प्रकार सुचित किया है —

(क) यह प्रतिष्ठान भविष्य निवारी की देव राजनीतों का भुवतान करता रहा है और उसकी ओर कुछ बकाया नहीं है।

(ब) और (ग). प्रश्न नहीं उठते।

SAIL Directive

4235. SHRI H. N. MUKHERJEE: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether SAIL has given a new directive to ease steel shortages;

(b) if so, the broad outlines thereof; and

(c) how far the supply would be flowing to each industry?

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

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

Shifting of Head Office of Hindustan Latex Ltd.

4236. SHRI RAMAVATAR SHASTRI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether cost of transport of finished product of Hindustan Latex Ltd. is ten times the cost of transport of raw latex and whether for this and other reasons two experienced members of Board of Directors of the Company strongly recommended dispersal of future Nirodh factories and vehemently opposed shifted its Head Office from Delhi; and

(b) whether instead of paying heed to their sound recommendation, Government have dropped only those two members while reconstituting the Board of Directors?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) No. The Government is already considering to disperse the new Nirodh factories at different places on regional-cum-techno-economic grounds. As regards shifting of Head Office of Hindustan Latex Ltd., it was done strictly in accordance with the general policy of Government of India.

(b) No. It is not correct.

Advertising Asthama Cure by St. George's Homoeopathic Clinic and Pharmacy of Mangalore

4237. SHRI RAM SEWAK: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) how the "Asthama Cure" a powerful remedy consisting of seven constituents, advertised so widely by St. George's Homoeopathic Clinic and Pharmacy, of Kankandy P.O. Mangalore can be classified as Homoeopathic Medicine;

(b) if not, how the Pharmacy is being allowed to advertise the medicine as Homoeopathic so freely; and

(c) what steps Government propose to take to prevent such abuse of the science of Homoeopathy?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) In the Drugs and Cosmetics Rules 1945 under the definition of Homoeopathy medicine, combination of Homoeopathic medicines is also covered. As such 'Asthama Cure' manufactured by the St. Georges Homoeopathic Clinic and Pharmacy of Kankandy, Mangalore can be classified as a Homoeopathic medicine.

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

Statement made by Pakistan Prime Minister Re: Increase in Pakistan Defence Activities

4238. SHRIMATI SAVITRI SHYAM: SHRI CHANDRA SHEKHAR SINGH:

Will the Minister of DEFENCE be pleased to state:

(a) whether the attention of Government has been drawn to the recent Newspaper's report of Delhi-daily dated the 20th November, 1974 in which the Prime Minister of Pakistan Shri Bhutto has stated that Pakistan has to increase her defence activities;

(b) if so, the reaction of the Indian Government thereto; and

(c) whether keeping in view of the repeated threat of Pakistan, the Indian Government will increase her defence resources?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) Yes, Sir.

(b) and (c). All related developments in Pakistan bearing on our security are taken into consideration while reviewing our defence measures.

केन्द्रीय भविष्य निधि भाष्यक के दिल्ली और कानपुर स्थित कार्यालयों में विभागीय परीक्षाओं का माध्यम

4240. श्री राम रत्न शर्मा: क्या आप मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय भविष्य निधि भाष्यक के कानपुर और दिल्ली स्थित कार्यालयों में विभागीय परीक्षाओं का माध्यम अनुचित है; और

(ख) यदि हाँ, तो विभागीय परीक्षाओं का माध्यम हिन्दी बनाये जाने के लिए सरकार क्या उपाय कर रही है ?

आप मंत्रालय में उप मंत्री (श्री बाल-योदिन्द बर्मा) : भविष्य निधि प्राप्तिकारियों ने निम्न प्रकार सूचित किया है :—

(क) और (ख). निम्न श्रेणी लिपिक के पद के लिए विभागीय परीक्षा के सामने में उम्मीदवारों को परीक्षा पत्र 2 (अंकगणित और सामान्य ज्ञान) को अप्रेजी या जिस राज्य में वे रहते हैं, उसकी प्रावेशिक भाषा में उत्तर देने का विकल्प प्राप्त है। ये विभागीय परीक्षाओं में हिन्दी का बैकल्पिक माध्यम के रूप में व्यवहार करने की इजाजत देने के प्रश्न पर विचार किया जायेगा।

Payment of 1500 Bills by D.S.P.

4241. SHRI ROBIN SEN: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether attention of Government has been drawn to a news report published in the Calcutta edition of an English newspaper dated 11th October, 1974 to the effect "The D.S.P. had to pay the bills of another 1500 as the Contractor firms maintained that they had to keep the trade union leaders in good humour for the sake of industrial peace";

(b) whether the report is correct; and

(c) if so, the names of such trade union leaders?

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

(b) No, Sir.

(c) Does not arise.

Import of Drugs which are Manufactured Indigenously

4242. SHRIMATI ROZA DESHPANDE: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether Government orders for drugs worth crores of rupees are being given to foreign firms despite higher prices while the same drugs manufactured by Indian firms are available; and

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

THE MINISTER OF SUPPLY AND REHABILITATION (SHRI R. K. KHADILKAR): (a) No, Sir.

(b) Does not arise.

Ban on Use of Hexachlorophene in Cosmetic and Toilet Goods

4243. SHRI S. N. MISRA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government have since taken a decision on the question of banning the use of Hexachlorophene in cosmetic and toilet goods; and

(b) if so, the nature thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). Yes. A notification prohibiting the import and manufacture of cosmetics containing hexachlorophene is being finalised in consultation with the Ministry of Law,

Rourkela Fertiliser Plant

4244. SHRI GAJADHAR MAJHI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Rourkela Fertiliser Unit has established several new records of production during September, 1974; and

(b) if so, the salient feature thereof?

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

(b) The record achievements of Rourkela Fertilizer Plant during September, 1974 are given below:—

Item	September, 74	Previous Record
	(Tonnes)	(Tonnes)
Ammonia Production (Monthly)	9335.20	8259.70
Ammonia Production (Daily)	369.00 (on 28-9-74)	356.80
Nitric Acid Production	28037.40	26352.50
Calcnum Ammonia Nitrate Production (Monthly)	24173.00	23823.00
CAN Loading (Daily)	1988.91 (on 30-9-74)	1587.00

रियायती दरों पर दबाई समाई करने की
योजना

4245. श्री ईश्वर शौधरी: क्या
स्वास्थ्य और परिवार नियोजन मंत्री यह
बताने की हुया करेंगे कि उन क्षेत्रों में जहा
नरीक लोग रहते हैं आवश्यक दबाईया
रियायती दरों पर उपलब्ध कराने की कोई
योजना है?

स्वास्थ्य और परिवार नियोजन मंत्रालय
में उप नंदी (श्री ए. के. एम. इशाहा०):
आनियार्थ और शौधन रक्षक योविधि के तथा
शाश्वत और पर दरों में उपयोग में आने वाली
दबाईयों को बढ़े रखने पर सस्ते दामों में
बनाने की एक योजना पर स्वास्थ्य और
परिवार नियोजन मंत्रालय विभाग कर रखी
है; इस योजना के अन्तर्गत इस संक्षेपमें ए

जो लगभग 100 आनियार्थ दबाईयों को
एक सूची तैयार की गई है उनका निर्माण
करने और देहात में चिकित्सा सम्बन्धी
सहायता पहुँचाने वाली प्रमुख एजेंसियों अर्थात्
प्राथमिक स्वास्थ्य केन्द्रों व उप केन्द्रों के
जरिये लोगों को देने पर विचार किया
जायेगा।

प्राचीवी योजना में न्यूनतम आवश्यकता
कार्यक्रम के अन्तर्गत शौधियों के लिए
रखी गई राशि को बढ़ा कर प्रत्येक प्राथमिक
स्वास्थ्य केन्द्र के लिए 12000 और उप केन्द्र
के लिए 2000 रुपये कर दिया गया है।

इस योजना को कार्यान्वयित करने के लिए
जिन काली शौधियों की जहरत पहुँची
जाना पर्याप्त भावा में उत्पादन करने के लिए,
पैट्रोलियम और रहायन मंत्रालय हारा और
उपराय बढ़ते जा रहे हैं।

Proposal to introduce generic names of Drugs

4246. DR. SARADISH ROY: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether the Government are considering to introduce generic names of drugs instead of the brand names; and

(b) if so, when, and the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A K M. ISHAQUE): (a) and (b). A Committee on Drugs and Pharmaceuticals Industry constituted by the Ministry of Petroleum & Chemicals is considering question whether it would be in the national interest to substitute brand names by generic names and if so, the manner and extent to which it should be done. The Panel appointed by this Committee has since furnished its report to the main Committee and the same is under consideration.

आवश्यक दवाओं का उचित वितरण

4247. श्री रामरतन जार्हा: क्या स्वास्थ्य और परिवार विवोलन मंत्री यह बताने की धूमा करेंगे कि आवश्यक दवाओं के समान तथा उचित वितरण करने तथा उन्हें सही दरों पर उपलब्ध कराने के लिए सरकार द्वारा क्या कामेवाही की जा रही है?

स्वास्थ्य और परिवार विवोलन भवालय में जर्हा जार्हा (जी ए० फै० ए० इस्तहान) : अस्थिराव और जीवन रक्षक औषधियों तथा शीम तीर वर वर्गों में उपयोग करने वाली दवाओं को जड़े बैंकाने पर सर्ते दामों में

बनाने की एक योजना पर स्वास्थ्य और परिवार नियोजन मंत्रालय विचार कर रही है। इस योजना के अन्तर्गत इस मंत्रालय द्वारा, जो लगभग 100 औषधियों दवाओं की एक सूची तैयार की गई है, उनका निर्माण करने और देहात में चिकित्सा सम्बन्धी सहायता पहुंचाने वाली प्रमुख एजेंसियों अधिकृत प्रार्थित स्वास्थ्य केन्द्रों व उप केन्द्रों के अरिये लोगों को देने पर विचार किया जायेगा।

पाचवी योजना में न्यूनतम प्रावधानकता कार्यक्रम के अन्तर्गत औषधियों के लिए रखी गई राशि को बढ़ा कर प्रत्येक प्रार्थित स्वास्थ्य केन्द्र के लिए 12000 और उप केन्द्र के लिए 2000 रुपये कर दिया गया है।

इस योजना को कार्यान्वयित करने के लिए जिन कम्बली औषधियों की अपरत पहुंची उनका पर्याप्त मात्रा में उत्पादन करने के लिए पेट्रोलियम और स्वास्थ्य मंत्रालय द्वारा भी उपयोग बढ़ते जा रहे हैं।

Casual Labour in Railways, Mines, Plantation, Jute and Textile Industries

4248 SHRI SARJOO PANDEY: Will the Minister of LABOUR be pleased be pleased to state:

(a) how many casual workers are there in railways, mines and plantations and jute and textile industries under Central and State Governments;

(b) their monthly wage in each sector;

(c) how much money Government saves by maintaining as casual workers; and

(d) how much work load Government achieves through their 8 hours work?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOWND VERMA): (a) According to the periodic survey of labour

conditions conducted by the Director, Labour Bureau, the percentage of casual labour in various industries is as under:—

Name of the Industry	Period of Enquiry	Percentage of Casual Labour to the total workers engaged in production in the industry as a whole	Percentage of casual Labour to the total workers engaged in production in the public sector.		
		1	2	3	4
<i>Textiles</i>					
Cotton	1960-61	2.1	0.9		
Silk	1960-61	0.4	0.7		
Woollen	1971	3.2	2.7		
<i>Mines</i>					
Cole	1962-63	1.8	5.1		
Iron Ore	1962-63	8.9	28		
Gold	1962-63	2.4	2.7		
Managese	1962-63	8.5	Nil		
Jute	1971	Less than 1	Nil		
<i>Plantations</i>					
Tea	1961-62	11.4	Information not available		
Rubber	1961-62	25	—do—		
Coffee	1961-62	15	—do—		

According to the information furnished by the Ministry of Railways, there are about 3 lakhs casual workers on the Railways.

(b) The casual labour is generally employed on daily wages and not on monthly wages except in case of casual labour in Railways who are brought on regular monthly wages after completion of certain continuous period of work.

Most of the establishments where-in casual labour is employed are governed under the Minimum Wages Act and as such Central and State Governments have prescribed minimum wages by issuing notifications. The

minimum wage is generally a daily wage which is all inclusive. The casual labour in Railways is sometimes paid at 1/30th of minimum of scale of pay plus dearness allowance applicable to corresponding categories of railway staff but in no case at rates lower than those fixed under the Minimum Wages Act.

(c) The question does not arise as casual labour is employed on purely casual work which the regular worker is not expected to do.

(d) There is no difference in the workload of regular and casual labour in 8 hours work (which is the normal shift work).

Sugar Workers in the Country

4249. SHRI SARJOO PANDEY: Will the Minister of LABOUR be pleased to state:

(a) the total strength of sugar mill workers in the country;

(b) whether their wages are uniform; and

(c) if not, their wages State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) Accord-

ing to the report of the Second Central Wage Board for the Sugar Industry constituted in 1965, the total number of sugar mill workers in 1965-66 was about 2 lakhs.

(b) ..o; wages differ from zone to zone.

(c) A statement showing wages payable in terms of the recommendations of the Wage Board, as on 1-7-1974, is enclosed. However, this excludes further increases due to payment of relief, and also the wage revisions reported to have been carried out recently in U.P. and Bihar.

Statement

Wages of unskilled workers in different zones, on 1-7-1974, in terms of recommendations of the Second Central Wage Board for Suger Industry.

Zone	States included in the zone	Total Minimum wage per month (Rs.)
Central	Rajasthan & Madhya Pradesh	212.28
Northern	Punjab, Haryana, P.U., Bihar, West Bengal, Assam and Orissa.	222.28
Southern	Guerat, Tamilnadu, Pondicherry, Kerala, Andhra Pradesh and Mysore.	227.28
Maharashtra	Maharashtra only.	236.28

Rehabilitation of more Displaced Persons in Malkangiri Zone under Dandakaranya Project

4250. SHRI K. PRADHANI: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the number of families of displaced persons proposed to be rehabilitated in Malkangiri Sub-Division under Dandakaranya Project in addition to the families already settled there;

(b) the number of such families already moved for settling there or have been settled; and

(c) the nature of engagement provided to the displaced persons moved there recently for settlement?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKATESWAMY): (a) 11,000 families.

(b) 772 families have been moved during the current year for resettlement in the area.

(c) Manual reclamation of land, construction works such as nistai tanks, ratting tanks, road works etc.

Objection Against Settlement of fresh Displaced Persons in Malkangiri Zone of Dandakaranya Project

4251. SHRI K. PRADHAN: Will the Minister of SUPPLY AND REHABILATATION be pleased to state:

(a) whether the local tribals and others have raised objection to the

movement of fresh displaced persons into Malkangiri Zone of Dandakaranya Project for settlement;

(b) if so, the reasons therefor; and

(c) the steps taken by Government to avoid the resistance of local people against the influx of displaced persons into that area?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKAT-SWAMY): (a) A few local M.L.As and tribal leaders of Malkangiri area are reported to be agitating against induction of fresh displaced persons into Malkangiri area. Local tribals as such do not appear to be concerned.

(b) Unfounded fears of future non-availability of land to local tribals and discrimination against them are being propagated by the leaders of the agitation.

(c) Authorities of the State Government have been assuring the leaders of the agitation that their fears are unfounded. They have also explained to these leaders of the benefits which will accrue to the local tribals as a consequence to the Poteru Project. Further efforts are continuing to reassure the leaders of the anxiety of the Government of India as well as the State Government to safeguard the interests of the local tribals.

Ayacut Area of Poteru Dam in Dandakaranya Project

4852. **SHRI K. PRADHANI:** Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the extent of Ayacut area of Poteru Dam proposed to be constructed in the Dandakaranya Project;

(b) to what extent the proposed irrigated land belongs to local people;

(c) the number of displaced persons already settled and those to be settled there; and

(d) the total area of land handed over to Dandakaranya Project by the Orissa Government previously and at present separately?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKAT-SWAMY): (a) 1,50,000 acres.

(b) Out of 1,50,000 acres, 83,000 acres are under cultivation—61,000 acres by local people and 22,000 acres by displaced persons—and remaining 67,000 acres are irrigable and cultivable waste land at present under forest. Of the available 67,000 acres, 40,000 acres are proposed to be utilised for rehabilitation of displaced persons and the remaining 27,000 acres will be utilised by the Government of Orissa for the benefit of tribals and other local people.

(c) 6,190 families have already been settled in the area. 11,000 more families are proposed to be resettled in the command of the proposed Poteru Irrigation Project

(d) Land released previously—1,42,134 acres. No further land has been released so far.

Construction of Poteru Dam in Dandakaranya Project

4253. **SHRI K. PRADHANI:** Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the estimates of Poteru Dam in Dandakaranya Project;

(b) when it is expected to be constructed;

(c) whether any allotment has been released so far; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKAT-SWAMY): (a) The estimated cost of the Poteru Irrigation Project is Rs. 1,451.24 lakhs.

(b) The construction work on the barrage is in progress.

(c) An 'on account' payment of Rs. 71.23 lakhs to the Government of Orissa was sanctioned by the Government of India on 16-10-1974 in connection with the execution of Poteru Irrigation Scheme upto 31-3-1974.

(d) Does not arise.

Deaths due to Malaria in Delhi

5254. PROF. NARAIN CHAND PARASHAR: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the total number of deaths caused by Malaria in the Calendar year 1974 in the Union Territory of Delhi; and

(b) the comparative figures for 1972 and 1973?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE). (a) and (b). No deaths due to malaria have been reported from the Union Territory of Delhi during 1972, 1973 and 1974.

Committee to study Service conditions of Employees of Border Road Organisation

4255. PROF. NARAIN CHAND PARASHAR: Will the Minister of DEFENCE be pleased to state:

(a) whether Government have a proposal to appoint a Committee to study the conditions of service and the avenues for promotion in case of civilian employees of Border Roads Organisation; and

(b) if so, the likely date of setting up of this Committee?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) and (b). No such Committee is at present contemplated.

दिल्ली से शाहदरा-गांधीनगर तक पुल

4256. श्री भारत सिंह चौहान: क्या नौवाहन और परिवाहन मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली से शाहदरा-गांधी नगर तक नये पुल के निर्माण के प्रस्ताव को किस तिथि को अंतिम रूप दिया गया था;

(ख) योजना के अनुसार अगस्त 1974 तक किननी प्रगति हुई; और

(ग) यह पुल योजना के अनुसार कब तक पूरा हो जायेगा तथा इस पर कितनी धनराशि खर्च होगी?

नौवाहन और परिवाहन मंत्रालय में राज्य मंत्री (श्री एच० एम० त्रिवेदी) :

(क) दिल्ली से शाहदरा-गांधी नगर मडक पर किनी नये पुल के निर्माण के प्रस्ताव की अंतिम रूप नहीं दिया गया है।

(ख) और (ग) प्रगति नहीं उठते।

कच्चे लोहे का उत्पादन

4257. श्री भारत सिंह चौहान: क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) यह तीन बचों में वर्षावार कुल कितने कच्चे लोहे का उत्पादन हुआ,

(ख) इसमें से कितना कच्चा सोहा पकाया गया तथा तैयार लोहा (इस्पात) बनाया गया, और

(ग) ये कितना-कितना कच्चा लोह प्रत्येक वर्ष में किन-किन देशों को निर्यात किया गया?

इस्पात और खान मंत्रालय में उपसंचारी (श्री सुलदेव ब्रसाह): (क) चिला ई शुरौंपुर, राज्यरकेला, बोकारो और टिल्को तथा इस्को के सर्वांगीनीयी इस्पात कारखानों

में गत तीन वर्षों की अवधि में कच्चे लोहे
(गर्म लातु) का कुल उत्पादन निम्नलिखित
वा:—

	(हजार टन)
1971-72	6,597
1972-73	7,270
1973-74	6,954

(ख) उपरोक्त में से भिलाई, दुर्गांपुर,
राऊरकेला और बोकारो इस्पात कारखानों में
विकिय कच्चे लोहे का उत्पादन निम्नलिखित
वा:—

(ग) वर्ष 1971-72, 1972-73 और 1973-74 की अवधि में कच्चे लोहे
का कुल निर्यात निम्नलिखित वा

(टन)

देश	1971-72	1972-73	1973-74
जापान	1,57,044	1,74,629	1,37,870
फिलिपाइन	—	7,005	—
दक्षिणी कोरिया	6,573	—	19,025
हिमांपुर	32,399	22,291	26,252
ताइवान	—	6,906	10,084
स्लो	—	1,85,909	2,37,570
यूनोस्तानिया	22,129	9,975	—
कुल	2,18,145	4,06,715	4,30,801

नकली दबाइयां बनाने वाले कारखाने

4258. भी भारत सिंह चौहान: क्या
स्वास्थ्य और परिवार नियोजन भवी
यह बनाने की कृपा करेंगे कि

(क) गत तीन वर्षों में नकली दबाइयां
बनाने वाले कितने कारखाने पकड़े गये;

(ख) इन दबाइयों से कितने व्यक्तियों
की युवती हुई;

(हजार टन)

1971-72	874
1972-73	1,207
1973-74	1,316

टिस्को और इस्को से उपलब्ध विकिय
कच्चे लोहे की मात्रा नगण्य थी। अब गर्म लातु
का उपयोग विकिय इस्पात के उत्पादन में
अपवा इस्को कारखाने की सहायक इकाइयों
जैसे इस्को का कुली वा कारखाना में की
गई थी।

(ग) वर्ष 1971-72, 1972-73 और 1973-74 की अवधि में कच्चे लोहे
का कुल निर्यात निम्नलिखित वा

(टन)

(ग) कितने कारखाने के लाइसेंस रद्द
किये गये तथा कितने को नये लाइसेंस दिये
गये; और

(ब) नकली दबाइया बनाने वाले
कारखानों के विवर अब तक क्या कार्यवाही
की गई है?

स्वास्थ्य और परिवार नियोजन भवीता
में उद्योगी (जी ८० के० एवं० इत्यादि):

(क) से (ब). सूचना एकल की वा 'रही
और सभा पटल पर रख दी जाएंगी।

Sailing of ship of S.C.I. from Haldia Without Crew

4259. SHRI C. JANARDHANAN:
Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether a ship of the Shipping Corporation of India sailed away from Haldia on 13th November, 1974 without crew members; and

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

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI).
(a) and (b) On the 13th November, 1974 when "CHATRAPATI SHIVAJI" a tanker (87,500 DWT) of the Shipping Corporation of India was due to sail from Haldia for West Asia, Gulf to bring crude oil to India, an engine from Rating refused to obey orders of his superiors and the Master of the ship concerning his duties. All efforts in persuading him to obey orders failed. Meanwhile, the tide in the river had begun to fall and the Master apprehending the risk of further detention of the vessel at Haldia involving considerable loss and the risk of sailing with the recalcitrant Rating summoned the police who, after preliminary investigations removed the Rating from the ship. Other crew members, except one, left the ship in sympathy. The Master of the ship, after taking all the factors into consideration, sailed the vessel with the remaining staff on board on the 13th November itself.

2. Subsequently, an agreement was reached between the Shipping Corporation of India and the National Union of Seafarers of India at Calcutta about the crew members, except the disobedient seaman, rejoining the ship at Bombay. The Shipping Corporation accordingly instructed the Master of the ship to divert the vessel to Bombay in order to pick up the crew left behind. The ship anchored off Bombay on 18-11-74 and the crew, who had

also reached Bombay on that date, rejoined the ship and it sailed. The Shipping Corporation has deputed the senior most Marine Superintendent to investigate the matter further.

Reclamation of Land for Resettlement of Refugees

4260. SHRI ARVIND M. PATEL:
Will the Minister of SUPPLY AND REHABILITATION be pleased to state.

(a) whether the Rehabilitation Reclamation Organisation is behind schedule in reclaiming land for the resettlement of refugees from former East Pakistan, Tibet and the repatriates from Sri Lanka and Burma, and

(b) if so, the reasons for the delay and the area reclaimed so far?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKATESWAMY). (a) No, Sir.

(b) Reasons for delay do not arise

The Rehabilitation Reclamation Organisation have reclaimed about 1,18,405 acres for resettlement of displaced persons and repatriates and tribals in Dandakaranya and ex-servicemen in Andaman and Nicobar Islands from its inception viz. 1-11-1964 upto 31-10-1974. Besides, spare capacity of the units of the organisation has been used for reclamation on an agency basis for State Governments etc. for other purposes.

Deaths in West Bengal and Assam

4261. SHRI NOORUL HUDA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the number of deaths in Assam and West Bengal due to malnutrition, cholera, gastroenteritis and other diseases between the period 1st May to 31st October, 1974; and

(b) whether the Central Government have rushed medicines and other medical aid to assist the victims and if so, their quantum?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

Concentrator Plant of Khetri Copper Project

4262. SHRI SHIV NATH SINGH: Will the Minister of STEEL AND MINES be pleased to state:

(a) the number of days Concentrator Plant of the Khetri Copper Project has worked in a month since last one year, the number of days it was under breakdown;

(b) the reasons for frequent breakdown, and whether any sabotage in design or erection by any agency is doubted;

(c) the amount spent so far and the amount likely to be spent on modification of the Concentrator Plant since its commissioning; and

(d) whether operation of second stream of Concentrator Plant is imminent and the French Group (Vanopic) Consultant have given a trial run of the Concentrator Plant?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) The Concentrator Plant at Khetri Copper Project has on an average worked for 24 days in a month during the last one year. During the balance 42 days, out of the 330 working days, the plant operations were shut down mainly for carrying out modifications with a view to overcome certain operational difficulties, and partly due to breakdowns

(b) In the initial stages the breakdowns were mainly due to certain design deficiencies which had to be rectified. However no sabotage in design or erection by any agency is doubted.

(c) The amount spent so far on modifications to the plant is about rupees three lakhs. The additional

amount likely to be spent on this account is Rupees one lakh.

(d) The second stream of the Plant is operative. However, at present only one stream is running. The French Consultants had given a trial run of the Concentrator Plant in November, 1973.

Acid-cum-Fertilizer Plant in Khetri Copper Project

4263. SHRI SHIV NATH SINGH: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether FEDO contractor for Acid-cum-Fertilizer Plant in Khetri Copper Project have stopped the work many times because heavy amount is payable to them from Khetri Copper Project, if so, the facts thereof; and

(b) whether Khetri Copper Project is heavily under debt and financially it has become unmanageable; if so, who is responsible for this state of affairs?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) M/s FEDO stopped the construction work at Khetri in September, 1974 due to delay in the payments. A part payment was made by Hindustan Copper Ltd to FEDO in September, 1974, after which the work was restarted by FEDO. FEDO again stopped their work on 31st October, 1974 as Hindustan Copper Ltd. was not able to make progressive payments due to extremely tight resources position. However, a sum of Rs. 1 crore has recently been paid to M/s FEDO towards their outstanding bills and it is expected that FEDO would resume the work shortly.

(b) Khetri Copper Project is one of the units of Hindustan Copper Ltd. The financial position of Hindustan Copper Ltd. for the last few months has become difficult. Some of the reasons for the same are increase in excise duty on copper metal effected

from August, 1974, and inability of Hindustan Copper Ltd. to get necessary credit facilities from banks against stocks of copper concentrates and raw materials like rock phosphate fuel oil, etc. On account of the substantial quantities of copper concentrates and other raw materials stocked for the commissioning of the smelter substantial funds have been locked up against which the Company did not get requisite credit facilities from the Banks on account of the credit squeeze applied to various industries. Measures in the form of grant of Rs. 2 crores as short term loan to the Company and the recent release of Rs. 3.39 crores for Khetri Copper Project out of the budgetary provisions have been taken to ease the financial position of the Company.

Visit by Prime Minister of Hungary

4264. SHRI VIRBHADRA SINGH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Prime Minister of Hungary visited India in November, 1974; and

(b) if so, the purpose of his visit and the discussions held?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Yes, Sir. The Chairman of the Council of Ministers of the Hungarian People's Republic, His Excellency Mr. Jeno Fock paid an official visit to India from November 21 to 26, 1974, at the invitation of the Prime Minister, Smt. Indira Gandhi.

(b) The purpose of the visit was further strengthen Indo-Hungarian friendship, cooperation and mutual understanding. The discussions held between the two Prime Ministers covered bilateral and international questions of mutual interest. The exchange of views confirmed the close similarity of views of the two sides and the talks gave further momentum to the development of Indo-Hungarian co-operation.

A copy of the Indo-Hungarian Joint Communiqué issued at the end of the Hungarian Prime Minister's visit on November 26, 1974, is being placed in the Library of the House.

Cases of Lowest Tenders set aside by DGS & D

4265. SHRI M. C. DAGA: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether DGS&D set aside the lowest quotations of tenders in cases, namely, P|107|426|099|7-5-74|PL opened on the 19th September, 1974 and 202|46|390|13-3-74|27-4-74|PL opened on the 23rd July, 1974; and if so, the reasons assigned for the same;

(b) whether there is any authority on behalf of Government to enquire into serious irregularities and lapses on the part of deciding officials of DGS&D; and

(c) the number of cases wherein lowest tenders were set aside during 1973 and 1974 by the DGS&D?

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

First Case (Correct Tender No. P/107|46|099|7-5-74|PL).

Tenders were opened on 18-9-1974. First four lowest offers of large scale units were ignored in favour of the next lowest offer from a small scale unit by allowing price preference of about 14 per cent. Normally, price preference up to 15 per cent allowed to SSI units over the offers from large scale units.

Second (Tender No. 202|46|390|13-3-74|27-4-74|PL).

Tenders were opened on 23-7-74, when nine offers in all were received (six from large scale sector and three from small scale sector). The tender enquiry contained three items. Out of four offers in the zone of consideration, two did not conform fully to the

technical specifications and were ignored. The order was divided between the other two offers, as follows:—

Large Scale Unit: 46.5 M/Ts

Small Scale Unit: 42.5 M/Ts

A price preference of about 9 per cent was given to the small scale unit. A portion of the order was, however, given to the large scale unit to ensure prompt delivery.

(b) Yes, Sir.

(c) The lowest offers are sometimes ignored for valid reasons. However, statistics are not maintained and it is considered that the time and labour involved in collecting the same would not be commensurate with the results.

T.B. among Government Employees

4266 SHRI BISHWANATH JHUN-JHUNWALA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Tuberculosis continues to be major health hazard in the country;

(b) whether quite a good number of Government employees in Delhi suffer from suppressed T.B.; and

(c) whether Government have any scheme of screening the employees every year and if not, the reasons for the apathy to combat the disease?

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

(b) No information is available about suppressed T.B. cases.

(c) No scheme has been planned as there is no evidence to indicate that the incidence of T.B. among Government servants is higher than among the general adult population.

Alleged Misappropriation Cases in Khetri Copper Project

4267. SHRI SHIV NATH SINGH: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether CBI is investigating some serious bungling/misappropriation cases in purchases of materials in Khetri Copper Project;

(b) if so, the facts of such cases, and

(c) the action being initiated against the officers whose integrity appears to be doubtful?

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

(b) It would not be in the public interest to disclose the details till the CBI complete their investigations.

(c) Decision on action to be taken will follow the completion of investigations by the CBI.

Loan to Bangladesh

4268 SHRI ISHAQUE SAMBHALI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India has decided to grant an emergent loan of Rs 10 crores to Bangladesh; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Yes, Sir.

(b) The credit is meant to finance supplies of POL products, salt, pig iron and cement from India to Bangladesh.

The credit carries 5 per cent rate of interest per annum. The principal is repayable in two equal instalments on 30th September, 1977 and 30th September, 1978.

Cases regarding Adulteration of Drugs

4269. SHRI C. K. CHANDRAPPAN: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government are aware that large scale adulteration is taking place in drug industry;

(b) how many cases have been registered, culprits arrested and sentenced in each State during the last one year; and

(c) whether Government propose to take more decisive actions and give deterrent punishment to these anti-social elements as Government have done in the case of smugglers?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) The prevalence of spurious and adulterated drugs has assumed significant proportions.

(b) The information is being collected and will be laid on the Table of the Sabha.

(c) Under the provisions of the Drugs and Cosmetics Act the punishment for the manufacture and sale of misbranded and adulterated drugs is imprisonment upto 10 years and fine, with a minimum of 1 year which could be reduced for any special reason to be recorded by the Court. It is proposed to amend the Act so as to make these penalties more deterrent.

Kudremukha Iron Ore Project

4270. SHRI ARJUN SETHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the progress made in expanding the joint ventures, signed between India and Iran during the last visit of our Prime Minister especially with Iranian assistance expanding Kudremukha Iron Ore Project, starting a joint Indo-Iranian shipping line etc. within the past four months; and

(b) the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). The Agreement on Indo-Iranian Shipping Line which is a joint venture between India and Iran has been finalised. The Agreement envisages establishment of a joint shipping company called IRANO-HINDI SHIPPING COMPANY LIMITED. It will have its headquarters in Tehran and 49 per cent of the shares will be held by Shipping Corporation of India and 51 per cent by the Arya National Shipping Line. It will have the capacity of 500,000 tons to operate between the two countries as well as ports in Far East and such other ports as are mutually agreed upon. Details of other projects such as Kudremukha Iron Ore Project are at present under discussion with the Iranian authorities.

Indo-Bulgarian Agreement

4271. SHRI ARJUN SETHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have signed recently an agreement with Bulgaria in Dehi; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) A protocol was signed on October 11, 1974 at the conclusion of the first meeting of the Indo-Bulgarian Joint Commission on Economic, Scientific and Technical Cooperation.

(b) In the Protocol both sides identified areas where cooperation in the fields of food processing industry, agriculture, machine building, heavy industry and joint ventures, electronics, chemicals and pharmaceuticals and trade exchanges will be pursued.

Reactions of Pakistan on talks with Sheikh Abdullah

4272. SHRI C. K. CHANDRAPPAH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the reported view expressed by Pakistan Prime Minister that any formula adopted by India and Sheikh Abdullah to resolve Kashmir issue would not be acceptable to Pakistan unless his country is a party to it; and

(b) if so, Government's reaction on it?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Government have seen press reports to this effect.

(b) The discussions with Sheikh Mohammed Azdullah are entirely an internal matter for India, in which Pakistan has no locus standi. This has been made clear to Pakistan.

Lock out in Group of Journals Published from Bombay

4273. PROF. MADHU DANDAVATE: Will the Minister of LABOUR be pleased to state:

(a) whether lock-out has been declared in the Free Press Journal and Navshakti Group of Journals published from Bombay;

(b) if so, since when the lock-out has been declared; and

(c) the steps taken by Government to lift the same?

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, the lockout in the Indian National Press, Bombay, publishers of 'Free Journal', 'Jan Shakti' and 'Free Press Bulletin' was lifted from Novem-

ber 17, 1974 following a settlement at the intervention of the Labour Minister, Maharashtra.

उत्तर प्रदेश में विजली संकट के कारण ढलाई कारखानों में वेरोजगार कर्मचारी

4274. SHRI E.M. E.S. PUSHTI: क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विजली की कमी के परिणाम-स्वरूप उत्तर प्रदेश के ढलाई कारखानों और इस्पात ढलाई कारखानों में काम करने वाले डेफलाख से अधिक श्रमिक वेरोजगार हो गये हैं;

(ब) यदि हां, तो इस पर सरकार की क्या प्रतिक्रिया है और इन वेरोजगार श्रमिकों को रोजगार प्रदान करने के लिए सरकार क्या रवैया अपना रही है ?

श्रम मंत्रालय में उप मंत्री (श्री बालगोविंद वर्मा) : (क) और (ब). यह मामला अनिवार्यतः राज्य के कार्यक्षेत्र में आता है। श्रम मंत्रालय के पास इस विषय पर कोई सूचना नहीं है।

Reorganisation of Hindustan Steel Ltd.

4275. SHRI S. N. MISRA:
SHRI D. D. DESAI:
SHRI P. GANGADEB:
SHRI RAGHUNANDAN LAL BHATIA:
SHRI SHRIKISHAN MODI:
SHRI PURUSHOTTAM KAKODKAR:
SHRI ANADI CHARAN DAS:

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

(a) whether Government have reorganised the Hindustan Steel Ltd.;

(b) if so, the nature of changes made; and

(c) whether the reorganisation has been completed and if so, the salient features of the proposed set up?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) to (c). Presumably, the reference is to the restructuring of Hindustan Steel Limited in the context of the establishment of Steel Authority of India Limited. This matter is still under the examination of Government.

Proposed Import of Steel during next Financial Year

4276. SHRI S. N MISRA: Will the Minister of STEEL AND MINES be pleased to state:

- (a) whether Government propose to import steel during the next Financial Year;
- (b) if so, the quantity of steel likely to be imported;
- (c) the names of countries from where it will be imported; and
- (d) the foreign exchange likely to be spent as a result thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) to (d). The Import Plan for the next financial year is at present under preparation in consultation with the end-users of steel.

Unearthing of Spurious Ayurvedic Drugs Racket by J. & K. Vigilance Commission

4277. SHRI VIRENDER SINGH RAO: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

- (a) whether a countrywide racket in spurious Ayurvedic drugs has been unearthed by J&K Vigilance Commission in which top officials of various State Health Department as well as some leading Ayurvedic Pharmacy firms are involved in Srinagar;

(b) whether many people lost their lives after having taken these highly injurious drugs; and

(c) whether any arrests have been made in this matter and if so, what action has been taken by the Government?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) to (c). Information is being collected and will be laid on the Table of the Sabha when received.

Bombay Backbay Reclamation Project

4278. SHRI MADHU LIMAYE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether his Ministry used or intends to use the power conferred on it under the Indian Ports Act amendment recently enacted to stop the Maharashtra State Government from going ahead with the Bombay Backbay Reclamation Project; and

(b) if not, the reasons for not taking prompt action in view of the congestion and traffic jams the further implementation of the scheme will cause in the city?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) Presumably the reference is to an amendment to section 46 of the Major Port Trusts Act, 1963 to provide that no person shall undertake the reclamation of foreshore within the limits of a port or port approaches except with the previous permission in writing of the Port Trust Board. This power will become available after the Amendment Act is brought into force and the Major Port Trusts Act applied to the Port of Bombay.

(b) Does not arise.

Creation of atmosphere of mutual collaboration in West Asia

4279. SHRI MADHU LIMAYE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is not a fact that India has consistently supported the forces of Arab nationalism and anti-imperialism in West Asia;

(b) whether this has not generated sufficient goodwill for India in these countries, especially in the oil producing States;

(c) which of these oil producing States have offered to sell oil to India at a concessional rate;

(d) whether India's diplomacy has prepared the ground for the development of mutually beneficial commercial exchanges and collaboration in the matter of industrial development with these countries; and

(e) whether Government propose new measures to achieve greater co-ordination between the External Affairs Ministry and Commerce Ministry in this area of diplomacy and business activity?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) India has always supported the legitimate aspirations of the Arab peoples for determining their own destiny, free of foreign pressures and interference and has consistently condemned aggressive acts such as the Israeli armed aggression in West Asia.

(b) Government has every reason to believe that this policy has been widely appreciated in the Arab world.

(c) We have had bilateral discussions with a number of countries in the region including Iraq and Iran both of whom have extended deferred payment facilities as well as entered into technical, industrial and economic collaboration.

(d) and (e). The Ministry of External Affairs is in constant touch with other Ministries of the Government of India, including, of course, the Ministry of Commerce, in order to ensure a continuous coordination in such matters affecting our foreign relations in the political and economic spheres.

Indo-Japanese relations

4280. SHRI MADHU LIMAYE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the recent symptoms of world economic recession and phenomenal increase in oil prices have affected Indo-Japanese relations in general and foreign trade relations in particular;

(b) if so, in what way; and

(c) the steps which the Government propose to take to further improve relations with Japan?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) The recent symptoms of world economic recession and phenomenal increase in oil prices have had little influence on Indo-Japanese political relations. As regards trade, it is not only expanding but the balance of trade is increasingly in favour of India.

(b) The balance of trade in favour of India rose from Rs. 382.2 crores in 1972-73 to Rs. 995.6 crores in 1973-74. Not only has this been the result of the price inflation in the world last year, but in many cases the quantum of our exports to Japan has also increased.

(c) The annual bilateral discussions between the foreign offices of India and Japan took place in New Delhi in November 1974. During November also the Indo-Japan Committees for Studies on Economic Development and the Indo-Japan

Business Cooperation Committees (a representative body of the business and industries community) held discussions in India. These discussions have helped to further improve our relations with Japan.

Export of Ships

4281. SHRI MADHU LIMAYE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

- (a) whether the public sector shipyard do not have sufficient orders from Indian Shipping Lines;
- (b) whether the shipyards are exploring possibilities of exports; and
- (c) whether any success has been achieved in securing orders from abroad?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):

(a) No, Sir.

(b) Yes Sir.

(c) Yes. Sir Mazagon Dock Limited has secured export orders for a total value of Rs. 8 crores for supply of two medium sized coasters for a party in Singapore and 65 barges for Iran and Saudi Arabia. Some foreign firms countries have also shown interest in placing orders for ships on Hindustan Shipyard Limited.

Dharna by A.I.T.U.C. and its Affiliated Railway Employees Unions

4282. SHRI JHARKHANDE RAI: Will the Minister of LABOUR be pleased to state:

(a) whether Government are aware that AITUC and its affiliated railway employees unions federation members had a dharna in front of Parliament House on the 20th November, 1974 for the victimised railway employees and against compulsory Deposit Scheme of Government; and

(b) if so, Government's reaction to it?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). A Dharna took place at the Boat Club on the 20th November, 1974. The general policy of the Government is not to victimise its employees; but when the employees resort to acts of violence or serious indiscipline, appropriate action has to be taken as per laws and rules in force.

Cases of labour disputes in Gujarat

4283. SHRI ARVIND M. PATEL: SHRI VEKARIA: Will the Minister of LABOUR be pleased to state:

(a) the number of cases of labour disputes received from 1st January, 1974 to 31st October, 1974 in Gujarat State;

(b) the number of cases referred to the Tribunal/Labour Court; and

(c) the number of cases still pending and the reasons therefor?

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.

Talks with Prime Minister of Sri Lanka on Asian Security

4284. SHRI R. V. SWAMINATHAN: SHRI P. M. MEHTA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Foreign Minister of India had talks with the Prime Minister of Sri Lanka on the 19th November, 1974 and discussed the Asian Security proposal with her; and

(b) if so, whether any agreement has been reached in this behalf?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) During the talks between the Foreign Minister of India and the Prime Minister of Sri Lanka on November 19, 1974 there was no discussion on any specific proposal for security in Asia.

(b) Does not arise.

New projects to boost Defence Productions

4285. **SHRI R. V. SWAMINATHAN:**
SHRI P. M. MEHTA:
SHRI D. D. DESAI:
SHRI RAGHUNANDAN LAL BHATIA:
SHRI PURUSHOTTAM KAKODKAR:
SHRI SHRIKISHAN MODI:
SHRI ANADI CHARAN DAS:
SHRI P. GANGADEB:

Will the Minister of DEFENCE be pleased to state:

(a) whether his Ministry is considering to start new projects to boost defence productions; and

(b) the cost of expenditure to be involved in the projects?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI RAM NIWAS MIRDHA): (a) Certain new projects are under consideration of the Government to increase defence production.

(b) The cost of the projects can be indicated only after Government sanction is accorded.

Mini Steel Projects in Joint Sector

4286. **SHRI ISHAQUE SAMBHALLI:** Will the Minister of STEEL AND MINES be pleased to state:

(a) whether two mini steel projects are coming up in joint sector; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHADEV PRASAD): (a) and (b). It is presumed that the reference is to the setting up of electric arc furnace units for the manufacture of mild steel ingots in the Joint Sector. A statement showing the particulars of such units for which Letters of Intent, COB/Industrial Licences have been granted is given below.—

Sl. No.	Name	Capacity (tonnes)	Location
1.	Assam Industrial Development Corporation Ltd., Gauhati	50,000	Assam (exact location not indicated)
2.	Andhra Pradesh Industrial Development Corporation Ltd., Hyderabad	50,000	Paloncha, near Kothagudam
3.	Gujarat Industrial Investment Corporation Ltd., Ahmedabad	50,000	Bhavnagar
4.	Haryana Poly Steels Ltd., Chandigarh	50,000	Hissar
5.	Steel Complex Ltd., Feroke, Kerala	50,000	Calicut
6.	Gogte Steels Ltd., Tarapur	50,000	Tarapur (Maharashtra)
7.	Industrial Development Corporation of Orissa	18,000	Hirakud
8.	Industrial Development Corporation of Orissa	18,000	Dhenkanal
9.	Punjab Concast Steels Ltd., Ludhiana	50,000	Ludhiana
10.	Rajasthan State Industrial & Minerals Development Corp. Ltd., Jaipur	50,000	Jaipur
11.	U.P. State Industrial Development Corporation Ltd., Kampur	1,00,000	Ballia District
12.	Western Maharashtra Development Corporation Ltd., Poona	18,000	Ahmednagar

Ships obtained from Britain by Shipping Corporation of India

4287 SHRI P. G. MAVALANKAR: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the amount spent by the Shipping Corporation of India on obtaining ships from Britain during the last three years; and

(b) the mode of delivery and capacity of the said ships built in Britain for India?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H M TRIVEDI)

(a) and (b) The Shipping Corporation of India Ltd have not obtained any new ship, from U K during the last three years. However for the two bulk carriers of 75,000 DWT each ordered by them in the U K in March, 1971 a total payment of £ 96.5 million have been made till November, 1974. The first ship is expected to be delivered in December, 1974 and the other in August, 1975.

Lock-out in two factories of Bengal Potteries Limited

4288 SHRI DINEN BHATTACHARYYA Will the Minister of LABOUR be pleased to state

(a) whether attention of Government has been drawn to the illegal lock-out of two factories of the Bengal Potteries Limited by the management,

(b) whether Government are also aware that about 5,000 workers who

have not yet been paid even their earned salary, are facing tremendous financial crisis; and

(c) if so, the steps taken by Government to lift the lock-out?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) to (c) The matter falls entirely in the State sphere

Expansion of Rourkela, Bhilai and Durgapur Steel Plants

4289 SHRI RAJDEO SINGH Will the Minister of STEEL AND MINES be pleased to state

(a) whether before the expansion took place, capacity utilisation was as high as 113 per cent at Bhilai 98 per cent at Rourkela and 101 per cent at Durgapur and after expansion it came down to 78 per cent at Bhilai 46 per cent at Durgapur and 58 per cent at Rourkela, and

(b) if so the reasons for low capacity utilisation after spending nearly Rs 400 crore on expansion of these three plants?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) The highest production of ingot and saleable steel in any financial year, before and after the first expansion stages, expressed as a percentage of the installed capacities and the year in which this was achieved are indicated against each of the three steel plants at Bhilai, Durgapur and Rourkela —

PLANT:	HIGHEST PRODUCTION			
	As % of capacity	Year of achievement	As % of capacity	Year of achievement
INGOT STEEL				
Bhilai	114.4	1963-64	84.3	1972-73
Durgapur	100.6	1964-65	91.4	1966-69
Rourkela	106.5	1965-66	65.4	1972-73
SALEABLE STEEL				
Bhilai	119.0	1964-65	88.9	1972-73
Durgapur	88.6	1963-64	42.5	1967-68
Rourkela	110.5	1965-66	65.0	1969-70

(b) Expansions were designed to absorb in-built capacities provided at the Million Tonne Stage. Accordingly such reserve capacities in critical units as aided the attainment of rated capacity at the M.T. Stage would not be available during and after the expansion and, therefore, attainment of rated capacity at the expanded stage generally takes a longer time. However, the lower utilisation of capacity at these plants during the last few years has been due to a variety of reasons differing from plant to plant and often from year to year. Broadly speaking, the main factors were; the unsatisfactory working of coke oven batteries; back-log of maintenance/inadequate maintenance leading to equipment troubles and breakdowns; collapse of the steel melting shop roof of Rourkela Steel Plant in July, 1971, affecting the operation of the entire steel plant for several months; disturbed industrial relations, particularly in the Durgapur Steel Plant and to some extent in the Rourkela Steel Plant; power restrictions/failures and severe power cuts/interruptions; inadequate availability of coal and serious dislocation in rail movement on account of intermittent slow down and industrial unrest in the Railways in 1973-74.

Reinstatement of Workers of Barsua Iron Mine in Tensa, Orissa

4290. SHRI SAMAR MUKHERJEE: Will the Minister of LABOUR be pleased to state:

(a) whether 16 workers of Barsua Iron Mine in Tensa, Orissa, a captive mine of H.S.L., Rourkela were not taken back to job even after the acquittal judgement of the High Court; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). Sixteen workmen of the Tensa Iron Ore Mine were dismissed by the management of the Hindustan Steel Ltd.,

Rourkela on the basis of their conviction in a criminal case. The appeal against the judgment of an appellate Court acquitting the workmen was dismissed by the High Court of Orissa. The award of the Industrial Tribunal for the reinstatement of the workers has not been implemented as the management has obtained stay order from the High Court.

Increase in Unemployment of Educated

4291. SHRI SAROJ MUKHERJEE: Will the Minister of LABOUR be pleased to state:

(a) whether attention of the Government has been drawn to the fact that according to the figures maintained by the employment exchange the number of educated job seekers have gone up by 757,879 within a year;

(b) if so, the reaction of Government thereto; and

(c) the steps taken so far to challenge this problem?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) The numbers of educated (matriculates and above) job-seekers on the Live Register of Employment Exchanges during June, 1972 to June, 1974 were as follows:

As on	Number
30-6-1972	26,11,827
31-12-1972	32,74,782
30-6-1973	35,25,395
31-12-1973	39,01,647
30-6-1974	40,32,252

(b) and (c). While the various sectoral programmes included in the Fourth Plan in the fields of Agriculture, Irrigation, Industry, Transport, etc., have created fresh employment avenues for the unemployed persons both educated and uneducated, the Government have also during the recent years implemented a number of

special schemes designated to create employment opportunities for educated job-seekers. These are:

- (i) Programme for Educated Unemployed;
- (ii) Special Employment Programme for States and Union Territories; and
- (iii) Half-a-Million Jobs Programme.

During 1971-72, a special centrally sponsored scheme for the benefit of educated unemployed persons was started including schemes relating to expansion and improvement in the quality of primary education financial assistance to small entrepreneurs for self-employment ventures, rural engineering surveys, agro-service centres, expansion of consumer cooperative stores, investigation of road projects design units for rural water supply, etc. Under this programme for educated unemployed, an amount of Rs. 92 crores was released during the Fourth Plan period.

In 1972-73, another programme, namely Special Employment Programme for States and Union Territories was formulated. The amount released under this programme, during the Fourth Plan period was Rs. 50 crores which resulted in the creation of 3.80 lakh jobs during this period.

During 1973-74, the Government formulated the Half-a-Million Jobs programme with a view to generating employment and self-employment opportunities for the educated unemployed persons. This programme included 3 categories of schemes, namely, (i) Self-Employment Schemes, (ii) Training Schemes, (iii) Employment Incentive Schemes. Under this programme an amount of Rs. 54 crores was released during the Fourth Plan period resulting in the creation of 3.34 lakh jobs during this period.

In the current year i.e. 1974-75, another programme known as the Employment Promotion Programme has been initiated with a thrust on self-

employment schemes, with an overall provision of Rs. 40 crores in the Central Budget. It is expected that considerable job opportunities will be created during the Fifth Plan through the implementation of various schemes of development such as medium irrigation, soil conservation, industry, etc., in the corporate sector, the unorganised sectors and in the tertiary and allied services, trade and commerce, social services etc.

It will thus be seen that all possible steps are being taken by the Government to promote employment/self-employment opportunities in the country for various categories of educated job-seekers consistent with the availability of resources.

Closure of Centre for Medical Research and Training Project

4292. SHRI SAROJ MUKHERJEE: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether despite an earlier statement by Union Minister for Health in Parliament that the Centre for Medical Research and Training (CMRT) project has been "closed and has not been extended" it is still active in various places in West Bengal, and

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

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). The Minister for Health and Family Planning made the following statement in the Lok Sabha on 30th July 1974:—

"John Hopkins was running two projects, one in Calcutta and one in Narangwal. These two projects have now been concluded. They have not been extended."

The research projects under the Centre for Medical Research and Training were sanctioned for different periods and the last date of expiry

of these projects was 30th September 1973. No scheme has been extended thereafter nor any fresh scheme approved.

Submission of Report by Centre for Medical Research and Training

4293. SHRI SAROJ MUKHERJEE: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government are aware of the fact that contrary to the Health Minister's statement, the Centre for Medical Research and Training has not yet submitted the reports of research and studies conducted in West Bengal and elsewhere, nor has it yet closed down its establishment; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). Research Project Reports of the Centre for Medical Research and Training, Calcutta, for the years 1965 to 1972 and those of Narangwal for 1971 and 1972 have been placed in the Library of Parliament. The research projects under the Centre for Medical Research and Training, were sanctioned for different periods and the last date of expiry was 30th September 1973. No scheme has been extended thereafter; nor any fresh scheme approved.

Closure of Malwan Port in Ratnagiri to Konkan Coastal Passenger Service

4294. PROF. MADHU DANDAVATE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Malwan Port in Ratnagiri district of Maharashtra has remained closed for the Konkan Coastal Passenger Service; and

(b) if so, what steps are taken to ensure that a prominent port like Malwan is again re-opened for the coastal passenger service?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):

(a) Yes, Sir.

(b) The port of Malwan is a tidal port and has a very narrow approach channel which has become particularly dangerous following the wrecking and sinking of the vessel m.v. ROHINI in December 1972. The State Government of Maharashtra has been requested to arrange suitable navigational aids like provision of lighted buoys over the rock as well as the wreck and also to have the area surveyed. They have also been requested to arrange for a launch to two boats carrying passengers to and from the anchorage of the passenger vessels. The resumption of the call of the Konkan passenger vessels at Malwan can be considered after these measures have been taken.

Registered unemployed persons

4295. PROF NARAIN CHAND PARASHAR; SHRI SUKHDEO PRASAD VERMA:

Will the Minister of LABOUR be pleased to state:

(a) the total number of unemployed youngmen registered as on the 30th September, 1974 with the Employment Exchanges of the country, State-wise separately in the categories of (i) Graduates (ii) Matriculates and (iii) Non-Matriculates;

(b) the comparative number of the unemployed on the 30th September, 1972 and 30th September, 1973; and

(c) the steps taken or proposed to be taken by Government to provide employment to the various categories mentioned above?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). The total number of job-seekers on the Live Register of Employment Exchanges on 30th September, 1974 was 86.89 lakhs compared to 81.93 lakhs and 84.57 lakhs at the end of

September, 1973 and September 1972 respectively. Data regarding educational composition of job-seekers on the Live Register are collected in June and December each year. A statement showing State-wise number of (i) Graduates (ii) Matriculates and (iii) Non-Matriculates on the Live Register as on 30th June, 1974 compared with the corresponding figures as on 30th June 1972 and 30th June 1973 is laid on the Table of the House. (Placed in Library. See No. LT-8737/74).

(c) While the various sectoral programmes included in the Fourth Plan in the fields of Agriculture, Irrigation, Industry, Transport etc., have created fresh employment avenues for the unemployed persons both educated and uneducated, the Government have also during the recent years implemented a number of special schemes designed to create employment opportunities for all categories of job-seekers.

During 1971-72, a Crash Scheme for rural employment was also initiated to provide work for 1000 persons on an average in rural areas in each District for a period of 10 months in a year. During the same year, a special centrally sponsored scheme for the benefit of educated unemployed persons was also started including schemes relating to expansion and improvement in the quality of primary education, financial assistance to small entrepreneurs for self-employment ventures, rural engineering surveys, agro-service centres, expansion of consumer cooperative stores, investigation of road projects, design units for rural water supply etc. During 1972-73, another programme, namely Special Employment Programme for States and Union Territories was formulated with a provision of Rs. 27 crores on the understanding that the States would mobilise additional resources to an equal extent. In 1973-74, the Government formulated the Half-a-Million Jobs programme with a view to generating employment and self-employment opportunities for the edu-

cated unemployed persons. This programme included three categories of schemes, namely;

- (i) Self-employment Schemes.
- (ii) Training Schemes,
- (iii) Employment Incentive Schemes.

During the current year 1974-75, another programme known as the Employment Promotion Programmes has been initiated with a thrust on self-employment schemes, with an overall provision of Rs. 40 crores in the Central Budget. It is expected that considerable job opportunities will be created during the Fifth Plan through the implementation of various schemes of development such as medium irrigation, soil conservation, industry, etc., in the corporate sector, the unorganised sectors and in the tertiary and allied services, trade and commerce, social services etc.

It will thus be seen that all possible steps are being taken by the Government to promote employment/self-employment opportunities in the country for various categories of job-seekers including the educated as well as the uneducated, consistent with the availability of resources.

Construction of sea wall to prevent sea erosion in Paradip Port

4296. SHRI CHINTAMANI PANIGRAHI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have sanctioned any money for construction of sea wall for preventing rapid sea erosion in Paradip Port in Orissa;

(b) if so, the amount sanctioned; and

(c) the amount asked for by the Paradip Port Trust?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) to (c). The works on the construction of the first phase of sea wall

from chainage 1300 to 1600 M. and from chainage 4750 to 5650 M. at an estimated cost of about Rs. 110.00 lakhs have been sanctioned and are in progress. Paradip Port Trust have recently submitted an estimate for a further section of the sea wall (second phase) from chainage 1600 to 4750 M. costing about Rs. 342 lakhs. This estimate is under scrutiny in consultation with the authorities concerned.

Indian Doctors in USA

4297. SHRI B. K. DASCHOWDHURY: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state

(a) the number of Indian doctors who are now working in the USA.

(b) what percentage of the medical profession in the USA this number constitutes;

(c) how much it costs the Indian exchequer on the average to produce one doctor; and

(d) to-date what is the amount lost to India on account of the flight of doctors to America?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). About 8,000 Indian doctors—both immigrants and non-immigrants are reported to be working in the U.S.A. till October, 1974. They constitute about 22 percent of the total pool of medical doctors in the United States.

(c) and (d). According to a study conducted in 1964 by the Jawaharlal Institute of Post-graduate Medical Education and Research, Pondicherry, the estimated cost of training a doctor worked out to approximately Rs. 80,000/-. The total cost therefore, incurred on 8,000 doctors comes to Rs. 64 crores.

Scheme for extension of National Highway No. 31 from Siliguri to Darjeeling

4298 SHRI B. K. DASCHOWDHURY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether his Ministry has sanctioned the scheme to extend the National Highway No. 31 from Siliguri to Darjeeling marking that portion of the road as No. 31B;

(b) if so, the total amount earmarked for the project and amount sanctioned so far, if any; and

(c) when the proposed construction for extension of the road will start?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. VEDI):

(a) No final decision about the new additions to be made to the existing National Highway System during the 5th Plan period has yet been taken. It is, therefore, not possible to indicate at this stage the position about any road or roads which might be taken over as a national highway during the current Plan period

(b) and (c). Do not arise

Rehabilitation Assistance to Indian Enclaves Refugees

4299 SHRI B. K. DASCHOWDHURY: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the total amount so far sanctioned and disbursed in granting rehabilitation assistance to Indian Enclaves refugees; and

(b) whether the scheme is still in continuance and if so, the steps taken by Government to expedite the process?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKATSWAMY): (a) and (b). The informa-

tion is being collected from the State Government and will be laid on the Table of the Sabha.

West Bengal demand for proportionate Cess Tax

4300 SHRI B. K. DASCHOW.

DHURY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government of West Bengal has demanded more than Rs 11 crores as proportionate cess tax (road tax) realised by Government of India for using its roads within the State particularly in the coal belt areas, and

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

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H M TRIVEDI)

(a) No such proposal has been received so far

(b) Does not arise

Increase in ceiling on income for E.S.I. Scheme benefits

4301 SHRI Y ESWARA REDDY
SHRI S A MURUGANANTHAM

Will the Minister of LABOUR be pleased to state:

(a) whether Government have a proposal under consideration to increase the income ceiling for Employees State Insurance Scheme benefits;

(b) if so, the broad outlines thereof; and

(c) the present limit and when it was fixed?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). Yes, proposals are yet to be finalised.

(c) The existing limit of Rs. 500/- per month was fixed by an amendment of the Act in 1968 and given effect to from 28-1-1968.

Amendment of Plantation Labour Act, 1951 to provide for housing facility to workers

4302 SHRI NOORUL HUDA. Will the Minister of LABOUR be pleased to state

(a) whether Government have recommended the incorporation of a provision in the Plantation Labour Act of 1951 for deterrent punishment to plantation owners failing to fulfil their statutory obligation to provide housing for their workers, and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA) (a) and (b) No In the Plantations Labour (Amendment) Bill 1973 already introduced in the Rajya Sabha, a provision, empowering the Courts to require within specified period to remedy the matter in respect of which the offence was committed including non-provision of housing facilities has however been suggested. On expiry of such period or extended period for non-compliance of the said order the employer, on conviction, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one hundred rupees for every day after such expiry or with both

Payment of overtime allowance to the staff of Ishapore Ordnance Factory

4303 SHRI MOHAMMAD ISMAIL. Will the Minister of DEFENCE be pleased to state:

(a) whether certain categories of non-industrial staff in the Ishapore Ordnance Factory are not given overtime allowance; and

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

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI RAM NIWAS MIRDHA): (a) No, Sir.

(b) Does not arise.

Developing a research strategy by Indian Council of Medical Research

-4304. SHRI D. D. DESAI:
 SHRI ANADI CHARAN DAS:
 SHRI SIIRIKISHAN MODI:
 SHRI PURUSHOTTAM KAKODKAR
 SHRI P. GANGADEB:
 SHRI RAGHUNANDAN LAL BHATIA:

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

- (a) whether a new research strategy has been developed by Indian Council of Medical Research;
- (b) if so, whether the new strategy is to guide its activities into areas of national importance having a bearing on immediate public health problems;
- (c) whether concrete time-bound research projects have been formulated by its task forces; and
- (d) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) to (c). Yes.

(d) A major responsibility of the Council in future will be to identify the areas in the field of biomedical and public health research of immediate national importance. Having identified these areas, it will be the duty of the Council to formulate, on a national basis, research projects designed to provide practical and feasible solutions to such national problems. Basic research on fundamental aspects in the national institutes will be supported to a limited extent. Similarly a small proportion of research fellowships offered by the ICMR will

be for basic studies related to health. **High Priority Areas:**—

1. A few major areas of national needs in medical research are Malaria, Leprosy, Cholera and 'Filariasis'.
2. In the field of research on fertility control emphasis will be on synthesis of oral contraceptives from Indian yams, determination of actual dose schedule of oral contraceptives in under-nourished women and study on the problem of inter-relationship between nutrition and fertility.

3. Malnutrition continues to be a major factor affecting public health and attention will be paid to problem in this area.

4. There is need for researches on health delivery systems.

5. Schemes for improvement in drug testing and drug toxicology and investigation of bio-availability of drugs would be undertaken

Formulation of projects:

In the formulation of these programmes, the major consideration has been that while basic research should not be neglected, the main thrust must be towards discovering practical and feasible solutions to the major health problems facing the country.

Research in Medical Colleges:

The Council has initiated a number of steps for mobilising energising and enthusing the large body of medical colleges into joining the main-stream of medical research.

Collaboration with other scientific agencies:

To coordinate and make optimum use of resources joint advisory committees are proposed between ICMR and other Government agencies like ICAR, CSIR, etc.

वैज्ञानिक विकित्सा संस्थान

4305. भी व्यापक तिथि जावन : क्या स्वास्थ्य और परिवार विवोक्त्वा मंडी पह बताने की कृपा करें कि :

(क) क्या प्राकृतिक विकित्सा पद्धति अन्य विकित्सा पद्धतियों से अधिक सुवग्र, सरल तथा सस्ती है;

(ख) क्या सरकार ने ऐसे विकित्सा संस्थानों को कोई सुविधा प्रदान नहीं की है; और

(ग) यदि हा, तो सरकार के संचालनाधीन कुल किन्हें प्राकृतिक विकित्सा संस्थान हैं और उन्हें किस प्रकार की सहायता प्रदान की जा रही है?

स्वास्थ्य और परिवार विवोक्त्वा मंड्रालय में उप-मंडी (भी ए. के. एम. इस्टाइक) : (क) प्राकृतिक विकित्सा एक पूर्ण विकसित विकित्सा पद्धति नहीं है। किर भी, यह दवाइयों का इस्तेमाल किये बिना कुछ रोग दिशाओं का सीधा और सस्ता इलाज करती है।

(ख) और (ग). भारत सरकार द्वारा कोई प्राकृतिक विकित्सा संस्थान नहीं बताया जा रहा है। किर भी, भारत सरकार प्राकृतिक विकित्सा संस्थानों को अध्ययनार्थ पर्वतों के रेल-रेलाव, उपकरण, स्वास्थ्य जिला सामग्री के प्रकाशन के लिए सहायता के निवारित पैटने के अनुसार वित्तीय सहायता देती है बताते कि साधन उपलब्ध हो।

Distribution Control on Aluminium Ingots

4306. SHRI R. S. PANDEY: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have decided to impose distribution control on aluminium ingots; and

(b) if so, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) Formal control over the distribution of aluminium metal has been imposed under the Aluminium (Control) Order, 1970 with effect from 5th October, 1974. (b) Formal control has been considered necessary and expedient for maintaining and securing equitable distribution of aluminium metal.

Transportation of Coal to various Ports

4307. SHRI P. R. SHENOY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the estimated quantity of coal proposed to be transported to various ports for the years 1973-74 and 1974-75 port-wise;

(b) the actual quantity transported in 1973-74 and till date in 1974-75, and

(c) the reasons for shortfall in transport?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) During 1973-74, 10.08 lakhs tonnes of coal was proposed to be transported by sea and the corresponding figure for 1974-75 is 17 lakhs tonnes. The transport of coal by sea is on account of Railways, thermal power stations and cement industries. The break-up for the years 1973-74 and 1974-75 for these interests are as under:—

			(Lakh Tonnes)	
	Railways	Thermal power stations and cement industries		
1973-74	.	.	4.80	6.00
1974-75	.	.	5.00	12.00

Proposed Movements are not usually planned portwise, in a rigid way. However such details for the quantities actually transported are given in the answer to part (b).

(b) Quantities actually transported port-wise during 1973-74 and 1974-75 (upto November 1974) are as under:—

(Lakh tonnes)		
	port to which transported	Quantity
1973-74	Madras	1.45
	Tuticorin	3.06
	Cochin	0.25
	Bhavnagar	0.31
	Nev Lakh	0.70
	Okha	0.10
	Sikka	0.07
1974-75 (April '74 to Nov. '74)	Madras	1.27
	Tuticorin	1.35
	Cochin	0.42
	Bhavnagar	0.28
	Nev Lakh	0.34

(c) It is a fact that coastal shipping has not attracted sufficient tonnage in recent years. The uneconomic nature of the present freight structure, delays in turn-round, particularly at the Calcutta Port, are the more important among the reasons for this.

New Mangalore Harbour

4808. SHRI P. R. SHENOY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the time by which the new Mangalore Harbour is expected to be completed;

(b) whether after completion of the harbour work, the employees of the

harbour project will be absorbed in the new Port Trust to be formed; and

(c) whether the old Mangalore Port Trust will be merged with the new Mangalore Port Trust?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT) (SHRI H. M. TRIVEDI):

(a) The Port of New Mangalore has been declared a Major Port from the 4th May, 1974 and it is already open for limited traffic. The entire project is expected to be completed by the middle of 1975.

(b) and (c). No decision has yet been taken for the constitution of a Port Trust for New Mangalore. The question whether the old Mangalore Port Trust would be merged with the New Mangalore Port Trust will be considered at the appropriate stage.

The personnel requirements for the operation and maintenance of the New Mangalore Port will vary from the personnel requirements at the construction stage. Depending on the requirements of the Major Port, after all construction work is completed, the staff strength will be determined.

श्रीराम रेयन्स, कोटा में अस्थावी कर्मचारी

4809. श्री हुकम चाहर कलावायः क्या अब मंदी 2 मार्ज, 1973 के असारांकित प्रश्न संबंधी 1627 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि:

(क) क्या र्मस्से दिल्ली कलाव एवं जनरल मिल्स सिमिटेड ने अपनी शाखा श्री राम रेयन्स, कोटा, राजस्थान, में हृष्टारों कर्मचारी कई बर्षों से अस्थावी आशार पर नियुक्त कर रखे हैं;

(ख) क्या वही संघरा में कर्मचारी वहाँ दैनिक मजूरी तथा ठेके के आशार पर काम कर रहे हैं; और यदि हैं, तो इस समय उनकी संख्या कितनी है; और

(ग) इन कर्मचारियों को स्थानी कर्मचारियों को मार्ग द्वारा बाले नियमों के अनुसार उनको देख लाभ दिलाने के लिए सरकार द्वारा क्या कार्यवाही की जा रही है?

अब मंत्रालय में उप-मंत्री (श्री बाल-बोधिन वर्मा) : (क) से (ग). यह मामला अविद्यार्थ राज्य के क्षेत्राधिकार में आता है। इस संबंध से, असन्तुष्ट कर्मचारी और उनकी यूनियनें अपनी उचित शिकायतों को, यदि कोई हो, राज्य अधिकारियोंका संबंध तत्व के पास भेज सकते हैं और उनके माध्यम से उन्हें दूर करवा सकते हैं।

हिमाचल प्रदेश में चाय बागानों की और कर्मचारी भविष्य निधि की बकाया राशि

4310. श्री हुकम अच्छ कल्याणः क्या अब मंत्री यह बताने की हुपा करेंगे कि :

(क) हिमाचल प्रदेश में इस समय कितने चाय बागान हैं और उनके क्षा नाम हैं जिन पर कर्मचारी भविष्य निधि की राशि बकाया है तथा उन पर कितनी कितनी राशि बकाया है;

(ख) भविष्य निधि की इस रकम को जमा करवाने के लिए सरकार द्वारा क्या कार्यवाही की जा रही है; और

(ग) सरकार द्वारा उनको कब नोटिस आरी किये गये थे और उसके क्षा परिणाम निकले?

अब मंत्रालय में उप-मंत्री (श्री बाल-बोधिन वर्मा) (क) से (ग). भविष्य निधि प्राधिकारियोंने सूचित किया है कि हिमाचल प्रदेश में दो चाय सम्पदोंने भविष्य निधि के सम्बन्ध में चूकाना में चूक की है। सम्बन्धित और दसाने वाला एक विवरण समा की भेज पर रखा रखा है।

विवरण

कर्मांक चूक कर्ता नोटिस देने की तारीखें और बागानों के की गई कार्यवाही नाम

1. मंत्रसं मंत्रालय इस प्रतिष्ठान ने करवारी, कांगड़ाबेली 1973 से भुगतान में चूक डी स्टेट, की है। प्रतिष्ठान को भविष्य निधि निरीक्षक/पालमपुर क्षेत्रीय कार्यालय द्वारा 13-10-1972, 6-3-73 और 27-5-74 को अनु-पालन सूचित करने के लिए नोटिस जारी किये गये थे। कर्मचारी भविष्य निधि और परिवार पेंशन निधि अधिनियम, 1952 की बारा 7क के अधीन 2/73 से 10/74 तक की अवधि के लिए भविष्य निधि की बकाया राशियों का निर्धारण करने के लिए 28-11-74 को एक नोटिस आरी किया गया है। बारा 7क के अधीन कार्यवाहीयां 13-12-74 के लिए नियत की गई हैं।

2. मंत्रसं पुरन यह प्रतिष्ठान करवारी, चन्द बिहारी 1968 से कर्मचारी भविष्य निधि और परिवार पेंशन अधिनियम के अनुर्यात आता है, जूकि अनुपालन नहीं हो रहा था, इसलिए 3/68 से 1/72 तक की अवधि के लिए 3,123 30 रु की राशि निर्धारित की गई और बस्ती संबंधी प्रमाण पत्र कल्पनदर को भेजा गया। इस अवधि

नियोजक ने उसके परिष्कार में अधिनियम की प्रदोषिता पर विचार उठाते हुए न्यायालय में एक दीक्षानी दावा दायर किया। यह मामला न्यायालय में लम्बित है।

आहंजहांपुर आयुष कारखाने के कर्मचारियों को भारत रक्षा कानून तथा 'आंसुका' के अन्तर्गत बन्दी बनाया जाना

4311. श्री हुकम चन्द्र कल्याण : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आहंजहांपुर आयुष कारखाने के कुछ कर्मचारियों को भारत रक्षा कानून तथा 'आंसुका' के अन्तर्गत बन्दी बनाया गया है;

(ब) यदि हां तो इसके क्या कारण हैं और

(ग) बन्दी बनाए गये कर्मचारियों को मुक्त करने के सम्बन्ध में सरकार की भावी योजना तथा नीति क्या है?

रक्षा बंदोलय (रक्षा उत्पादन) में राज्य बंदी (श्री राज निवास निर्बाचित) : (क) आहंजहांपुर क्लोइंग कंपनी का कोई कर्मचारी "आंसुका" के दबीन बन्दी नहीं बनाया गया है। परन्तु स्थानीय पुलिस द्वारा कुछ कर्मचारियों को भारत रक्षा कानून के अन्तर्गत बन्दी बनाया गया है;

(ब) इन कर्मचारियों ने अगिंकों को कार्य न करने के लिए भड़काया और छेंटरी की सुरक्षा तथा रक्षा स्टोरों से उत्पादन को बंदरे में दालकर हिला और उत्पाद की वित्ति उत्पन्न करने के लिए उक्साया।

(ग) पकड़े गये अविक्षितों को धन जमानत पर छोड़ दिया गया है और उनके विषद् मालिनी न्यायालय के विचाराधीन है।

आहंजहांपुर रिप्पर आर्टिस्ट फैक्ट्री के कर्मचारियों के विचार कवित बांधवाही

4312. श्री हुकम चन्द्र कल्याण : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आहंजहांपुर आयुष कारखाने के कुछ वरिष्ठ अधिकारियों के विचार गवन और आहंजहांपुर के अरोपों के बारे में कोई उच्च स्तरीय जांच की जा रही है;

(ब) क्या सरकार को इस बात का पता है कि इस मामले को रक्षा-दफा किया जा रहा है और इस बारे में स्थानांतरित किये गये वरिष्ठ अधिकारी अभी तक उन स्थानों पर नहीं गये हैं जहां पर उनका तबादला किया गया था ; और

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

रक्षा बंदोलय (रक्षा उत्पादन) में राज्य बंदी (श्री राज निवास निर्बाचित) :

(क) जी हां श्रीम् ।

(ब) आहंजहांपुर क्लोइंग फैक्ट्री से स्थानांतरित किए गये अफसरों में से 4 अफसरों ने पहले ही नई नियुक्तियों पर कार्यभार ग्रहण कर लिया है। एक अफसर जो निलम्बन दबीन है, को अभी जाना है।

(ग) इस सम्बन्ध में आग कार्रवाई, जांच बोर्ड की रिपोर्ट और स्थानीय पुलिस तथा केन्द्रीय अन्वेषण ड्यूटी के जांच परिणाम प्राप्त हो जाने के पश्चात् की जाएंगी।

Take Over of Lakshmi Narayan Trust Maternity, Dhanbad

4313. SHRI RAMAVATAR SHASTRI: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether he is aware that Lakshmi Narayan Trust Maternity

Dhanbad is on the verge of collapse as published in the 'Coalfield Gazette' on 2nd June, 1974 and the demand of the people that "Government should immediately take it over"; and

(b) the action taken by the Government on this popular demand to save this Hospital from being collapsed?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) No such information has come to the notice of this Ministry. We are however trying to ascertain the facts.

(b) Does not arise.

Coverage of Rice Mills in Bihar under E.P.F. and F.P.F. Act, 1952

4314. SHRI RAMAVATAR SHASTRI: Will the Minister of LABOUR be pleased to state:

(a) how many rice mills situated in the State of Bihar have so far been covered under the Employees Provident Funds and Family Pension Fund Act, 1952 till 30th September, 1974 and how many remain still to be covered; and

(b) the names of those uncovered rice mills and the reasons for delay?

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

Delay in Non-supply of Information regarding Acquittal Cases to E.P.F.C. Bihar

4315. SHRI RAMAVATAR SHASTRI: Will the Minister of LABOUR be pleased to state:

(a) whether no timely information was given to the Regional Provident

Fund Commissioner's Bihar office regarding acquittal of several criminal cases filed against various employers under section 14 of the E.P.F. Act, 1952 as a result of which no appeal was filed against the said acquittal orders; and

(b) if so, in respect of which units and what action was taken against the conducting officials?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): The Provident Fund authorities have reported as under:

(a) and (b). During the period November 1972 to November 1974, there were three such cases of acquittal, all relating to the same establishment, M/s National Engineering Works, Dumka. For want of timely information from the Assistant Public Prosecutor, no appeal against the acquittal could be filed. The matter is being looked into.

Coverage of Factories, Establishments and Mines under E.P.F. Act in Bihar

4316. SHRI RAMAVATAR SHASTRI: Will the Minister of LABOUR be pleased to state:

(a) the number of factories, establishments and various categories of mines employing more than 15 workers falling under the various scheduled heads as prescribed in the Employees Provident Funds and Family Pension Fund Act, 1952 in Bihar State and how many stand covered till the 30th September, 1974; and

(b) the names of uncovered units with the number of employees and the reasons for not covering them?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). The Provident Fund Authorities have reported that the information is

not readily available and is being collected. It will be laid on the Table of the Sabha in due course.

Recruitment in Territorial Army

4317. SHRI P. G. MAVALANKAR: Will the Minister of DEFENCE be pleased to state:

(a) the present strength of the Territorial Army and whether Government propose to intensify the recruitment for the said Army;

(b) the functions allotted to the personnel of the said Army during the last three years;

(c) the broad outlines about training and equipment for the said Army during the last three years and whether they are adequate;

(d) if not, whether Government propose to take steps to strengthen the said Army; and

(e) if so, what are those steps?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) The present strength of the Territorial Army is approximately 34,300.

Wide publicity is carried out to attract more citizens to join the Territorial Army.

(b) The Territorial Army units were allotted the following tasks during the last three years:—

(i) They relieved the regular Army of static duties and acted in aid of civil authority.

(ii) They helped to maintain certain essential services where the life of the community would otherwise have been affected.

(iii) They provided units for Air Defence when necessary.

(c) The state of training of TA units is satisfactory and their equip-

ment is adequate for the tasks allotted to them.

(d) Does not arise.

(e) Does not arise.

Haldia Dock Project

4318. SHRI JYOTIRMOY BOSU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the main features of the Haldia Dock Project and its estimated cost;

(b) whether the cost has gone up and if so, the reasons therefor and to what extent;

(c) when the construction work started and when the project was scheduled to be completed and commissioned; and

(d) the factors responsible for delay in commissioning the project ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):

(a) The main features of the Haldia Dock System are construction of an impounded dock with a lock entrance 1000 ft. long and an iron ore berth, a coal berth, a fertiliser berth, two general cargo berths and a finger type jetty. Handling of cargo in the ore, coal and fertilizer berths will be entirely mechanised. One of the general cargo berths will have transrainer and portrainer cranes for handling container traffic. The finger type jetty will have cranes for transferring cargo from larger ships to smaller ships or into craft. Besides, the Oil jetty has already been constructed and commissioned in August, 1968. The project is now estimated to cost about Rs. 162.25 crores.

(b) The cost of the Project as estimated in 1965 was Rs. 40 crores. The plan for the Project was reviewed and certain additional works were included which were considered necessary in view of changed circumstances. The rise in cost has been principally

due to the sharp rise in prices of materials and labour during recent years and due to revised prices of various equipment being manufactured by the indigenous manufacturers.

(c) The construction work started in January, 1968. The original time-schedule for completing and commissioning the Haldia Dock System was December 1971. According to the present indications, the Haldia Dock Project is expected to be commissioned by about the middle of 1975.

(d) The delay in the construction of the dock is due to several factors like (1) change in the dimensions of the lock on the basis of anticipated availability of deeper draughts as assessed after detailed hydraulic studies, (2) difficulties in lowering the water table at the lock entrance of the dock system to enable deep excavation being carried out prior to undertaking construction, (3) general shortage of steel and cement, (4) inadequate supply of wagons for movement of construction materials, (5) low productivity of labour and unanticipated difficulties in working conditions during the monsoon period reducing considerably the availability of working time per year and (6) delay in supply of plant and equipment by indigenous manufacturers.

Effect of Snake Venom on Rheumatic Diseases

4319. SHRI JYOTIRMOY BOSU: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether according to Dr. A. Mazumdar, Director of the Madan Mohan Lal (MML) Centre for rheumatic diseases in Delhi, snake venom is extremely effective in the treatment of arthritis; and

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

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

(b) The use of snake venom in Ayurvedic preparations for treatment of some diseases is well known. Its use in the treatment of arthritis is still at experimental stage.

संतरे सदस्यों को आयुर्वेदिक टानिक का न लिया जाना

4321. श्री शोकार लाल बेरवा : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या स्वास्थ्य योजना के अन्तर्भृत संसद सदस्यों को अधिनियम, विधायीत और द्राकासब जैसी आयुर्वेदिक टानिक दवाएं नहीं दी जाती ; और

(ख) यदि हां, तो इसके कारण हैं ?

स्वास्थ्य और परिवार नियोजन लंबायन में उप-मंत्री (श्री ए० क० श्व० इतहाक) : (क) और (ख) 'अधिनियम' और 'द्राकासब' जैसी आयुर्वेदिक टानिक जो लिस्टेड आइटम्स हैं, दिल्ली में संसद सदस्यों सहित सभी लाभार्थियों को सप्लाई की जाती है बल्कि कि इनका नुस्खा सेक्रेट चिकित्सा प्रधिकारियों द्वारा दिया यद्या हो। वह काउटर साइन किया गया हो। 'गिलाजीत' को जो एक नान लिस्टेड आइटम है आवधालयों में स्टोर नहीं किया जाता और इसलिये जब भी रोगी के लिए जिसमें संसद सदस्य भी शामिल है, इसे लेना बतलाया जाता है तो बाजार से प्राप्त करके उन्हें यह सप्लाई कर दिया जाता है।

परिवार नियोजन के फलस्वरूप जनसंख्या में कमी

4322. श्री शोकार लाल बेरवा : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) परिवार नियोजन के फलस्वरूप देश की जनसंख्या में गत तीन वर्षों में कितनी कमी हुई है,

(ब) परिवार नियोजन के लिए विकासत की नई पढ़ रिपोर्ट का बीता क्या है ; और

(ग) उन पर कितना व्यय किया गया ?

स्वास्थ्य और परिवार नियोजन विभाग द्वारा देश में उप-मंत्री (बी ८० के० ए० इस्तहाक) :
(क) अनुमान है कि पिछले तीन वर्षों (1971-72 से 1973-74) के द्वितीय परिवार नियोजन के परिणाम स्वरूप ९२ लाख जन्म रोके गये हैं और इस लिए जनसंख्या वृद्धि में इसी सीमा तक कमी हुई है।

(ब) परिवार नियोजन अपनाने वाले व्यक्तियों को नसबन्दी की सुविधाओं के लाभ-साक्षर लिपिक सूच, नियोज, आयोगाम, बैंकी, आयदार टिकिया और बाये जाने वाले बर्नरिटोडक भी उपलब्ध किए जा रहे हैं।

(ग) पिछले तीन वर्षों के द्वितीय नियोजन पर को अनुमानित व्यय इम है, वह इस प्रकार है :—

1971-72	6175.66	लाख रु०
1972-73	7974.30	लाख रु०
1973-74	5377.25	लाख रु०

उपर्युक्त आंकड़े अनियम हैं क्योंकि विभाग देश में अभी तक सभी राज्यों से जेकापरीकित आंकड़े प्राप्त नहीं हुए हैं।

देश में एस-रे रीलों की कमी

4323. बी औंकार लाल बेरवा : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में एस-रे रीलों की कमी अबी भी आ रही है ;

(ब) यदि हाँ, तो इस सम्बन्ध में आत्म-निर्भरता कब तक प्राप्त कर जी बाबेगी ;

(क) इस समस्या में इनकी कितनी कमी है ; और

(ब) इस कमी को कहाँ-कहाँ से पूरा किया जाता है ?

स्वास्थ्य और परिवार नियोजन विभाग देश में उप-मंत्री (बी ८० के० ए० इस्तहाक) :
(क) देश में एस-रे फिल्मों की कमी होने के बारे में कोई सूचना नहीं है।

(ब) से (क). देश की बर्तमान आवश्यकता १८ लाख से २० लाख बर्न बीटर है। इस आवश्यकता को आंशिक रूप में देश के द्वितीय भाग तैयार करके और अधिकांश आवश्यकता को आयात द्वारा पूरा किया जा रहा है। सरकारी लेनदेन में वह रहे भेंट्स हिन्दुस्तान फोटो फिल्म, ऊटबमन्ड को अनुकूल आमता (लाइसेन्स-केरिटी) नीं लाख बर्न बीटर है। जनवरी से अक्टूबर, १९७४ तक इन्होंने ६,५४,८५६ बर्न बीटर फिल्म तैयार की। उद्योग और दिविस आपूर्ति मव ल०८ उरकार्ट सेक्टर में कि और यूनिट बोर्ड के बारे में विचार कर रहा है। एस-रे रीलों को परिचय जमेंगी, ब्रिटेन, बेल्जियम और परम्परागत लोतो से आयात करने के बाये इन्हे भेंट्स हिन्दुस्तान फोटो फिल्म के माध्यम से जमें लोटारिक उपतंग (बी० आई० आर०) से जुड़ो रोल के रूप में आयात करने का निश्चय किया गया है ?

आमूल्यक तौर पर जांच करने वाली (मास रकीमिय) दल एस-रे आवध वेश विकास एस-रे फिल्मों का देश में निर्माण नहीं किया जाता है और इसमां में भूमिका करने पर भी वे उपलब्ध नहीं होती। इस विभाग की सिक्कारक पर आयात एवं निर्वात के मुख्य नियंत्रण द्वारा नियंत्रण वेंट इन्डिया लिमिटेड को इन फिल्मों के लिए विकेट आयात लाइसेन्स दिये जाते हैं। १९७३-७४ में उन लोडों में से शब्दें कोई तुम ७.६ लाख ग्रूप के लाइसेन्स दिये गए हैं।

1974-75 में ऐसर्वे आक्षय ऐवेंट मिमिटेंड को दस साल बत्ये का एक लाइसेन्स देने की दिक्कारिय की थी है । ऐसर्वे कोडक ने इस वर्ष अभी तक जिसी लाइसेन्स के लिए अनुरोध नहीं किया है ।

कोटा वार्ड ट्रॉलिव सेंटर की जांत की समाई

4324. श्री चौकार लाल देरवा : क्या रक्ता मरी, यह बताने की कृपा करेंगे कि ।

(क) क्या कोटा स्थित वार्ड ट्रॉलिव सेंटर में जो बर्टे और मेंटे बाटे जाते हैं वे बिना टैट रिये बाटे जाते हैं जिससे रम्स्टों तथा धन्य मासाहारियों को अच्छा मास नहीं मिलता है ।

(ब) यदि हाँ, तो इसके क्या कारण हैं, और

(ग) उक्त प्रबोचन के लिए किस उम्र से किस उम्र ८५ के बानवर बायम में साये जाते हैं ?

रक्ता बंगालव में उच्च अंगी (श्री श्रें श्री० एठानाथक) : (ग) जी, वही श्रीमन् । वार्ड प्रार्थक फॉड में बानवर नहीं बाटे जाते क्यों कि वहाँ कोई बूचड़ाना नहीं है । तैयार मास

वार्ड प्रविक्षण केन्द्र को ए० एस० सी० समाई दियो द्वारा ए० एस० सी० विशिष्टियों के अनुसार समाई किया जाता है ।

(ब) प्रश्न नहीं उठता ।

(ग) ए० एस० सी० के बूचड़ानों में काटे जाने वाले जानवर १ से ६ वर्ष की आयु मूप में होते हैं ।

वर्ष 1971-72 और 1973-74 में इस्पात का निर्यात

4325. श्री लालची लाई : क्या इस्पात और लाल मरी यह बताने की कृपा करेंगे कि :

(क) भारत ने वर्ष 1971-72 और 1973-74 के दौरान किन-किन देशों को इस्पात का निर्यात किया; और

(ब) उस निर्यात से कितनी विदेशी मुद्रा कमाई गई ?

इस्पात और लाल लंबालव में उच्च मरी (श्री सुखदेव असाह) (क) और (ब). वर्ष 1971-72 तथा 1973-74 के दौरान इस्पात का देशावार निर्यात तथा इस निर्यात से हुई विदेशी मुद्रा की आय इस प्रकार थी ।

लाल दर्नों वे तका बूचड़ाना हुआर बच्चों में

दर्न	1971-72			1973-74	
	मात्रा	मूल्य	(जहाज तक निर्यात)	मात्रा	मूल्य
1	2	3	4	5	
चबैन्टाफॉ	9700	7705	—	—	—
बैंगला देर	751	919	1652	3616	
कर्मी	24215	17095	—	—	
हाईकम	—	—	694	1027	

1	2	3	4	5
द्वारा	—	—	198	431
हांगकांग	700	586	3	5
ईरान	15870	13141	13040	13007
ईराक	435	278	1837	2961
झंडोनेशिया	690	576	—	—
जीदाह	—	—	1292	3229
जीनिया	163	112	237	386
कुवैत	790	641	1282	1954
दक्षिणी कोरिया	40599	43089	—	—
कोरिया	—	—	15747	14799
मम्बिट	74	81	—	—
मलेशिया	—	—	34	35
सूडान	3290	2892	—	—
सिंगापुर	44	40	216	264
थाइलैण्ड	101	72	420	582
सोवियत रूस	86367	79709	—	—
यू.ए.ओ. ग्राम	16152	12785	—	—
अमरीका	2037	776	—	—
कुल	201973	180497	36652	46200

Encroachment of Land by a Lady Teacher, Delhi Cantonment

(b) what action has been taken against the illegal possession by the authority concerned?

4326. SHRI SARJOO PANDEY: Will the Minister of DEFENCE be pleased to state:

(a) the outcome of the action initiated by the Executive Officer, Delhi Cantonment for the encroachment of a public land by a lady teacher; and

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) The period of notice of eviction under Section 5(1) of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 which was served on the lady teacher expired on 5th December, 1974. She has

however, not removed the encroachment so far.

(b) The Cantonment authorities propose to remove the encroachment with police assistance.

Central Aid to West Bengal, Assam, Meghalaya, Tripura etc. for spending on Bangladesh Refugees

4328. SHRI SAMAR GUHA: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the break-up of the figures of amounts of Central grant, aid and international aid, collectively or severally to West Bengal, Assam, Meghalaya, Tripura and any other State for spending on Bangladesh refugees during the days of liberation struggle of Bangladesh; and

(b) whether Government have got reports of the expenditure of such financial aids from these State Governments and if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKAT-SWAMY): (a) The following Central grant/aid and international aid, were sanctioned to the State Governments concerned for expenditure on Bangladesh refugees:—

Name of State Government	Amount of Central grant provided in cash	Amount of aid in kind out of international aid received through UN Focal Point and bilateral aid.	Rs. in crores.
West Bengal .	110.57	14.33	
Tripura .	20.22	2.48	
Meghalaya .	14.00	1.27	
Assam . .	7.14	0.47	
Bihar . .	0.14	0.01	
	152.07	18.56	

(b) The State Governments have not so far furnished complete audited accounts in respect of Central grants sanctioned to them in cash. The matter is being pursued with them vigorously. The detailed bills already submitted by the State Governments are being scrutinised by the respective Accountants General.

Service Conditions of Cinema Employees in Delhi

4329. SHRI VAYALAR RAVI: Will the Minister of LABOUR be pleased to state:

(a) whether the Cinema employees in Delhi, like booking clerks and gate keepers with long service, are being paid less than Rs. 300 and Rs. 200 per month respectively at present;

(b) whether such employees are not given any house rent allowance or medical allowance or facilities of Contributory Provident Fund;

(c) whether in view of the high cost of living, Government propose to take any steps to ameliorate their conditions, and

(d) whether Government propose to bring such employees under the purview of Labour legislation like Minimum Wages Act and Industrial Disputes Act?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): (a) and (b). According to the information obtained from the Delhi Administration, the wage rates of the employees of most of the Cinema Houses in Delhi like Booking Clerks, Gate Keepers, etc. are governed by an Award of the Industrial Tribunal, Delhi as modified from time to time by mutual settlements between the Motion Picture Exhibitors Association of Delhi and the Cine Employees Association. The present total emoluments as effective from 1st November, 1974 in

the case of the employees of most of the 'A' Class Cinemas are as under:—

Category	Starting Wage	Wages of employees who have put in 10-13 years service.
	Rs.	Rs.
1. Booking Clerk.	274/-	329/-
2. Gate Keeper.	264/-	319/-
3. Head Operator	364/-	457/-
4. Assistant Operator /Electrician.	309/-	395/-
5. Peon/Chowkidar/ Bearer	244/-	293/-
6. Sweeper/Cleaner/ Masalchi	234/-	288/-

The wages are inclusive of basic pay, Dearness Allowance and Additional Dearness Allowance which is based on cost of living Index (base year 1939—100) as compiled by the Bureau of Economic and Statistics, Delhi Administration. The employees are not being paid any house rent allowance or medical allowance at present. In addition to the wages, the employees are also getting annual Bonus varying between 8 per cent to 20 per cent of the annual earned wages. They are also covered under the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 and there is a proposal to cover these employees under the provisions of the Employees' State Insurance Act after the expiry of six months period for which a notification has already been issued by the Delhi Administration.

(c) There is no such proposal for the present.

(d) The Minimum Wages Act and the Industrial Disputes Act are already applicable to these employees and the minimum rates of wages for such employees have also been fixed

by the Delhi Administration along with the employees in Shops and Commercial Establishments.

Correction of Answer to Unstarred Question No. 5085, dated 28-7-1974
Re. sale of scrap by Rourkela Steel Plant.

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): The following reply has been given on 28-3-1974 to Lok Sabha Unstarred Question No. 5085 by Shri Chintamani Panigrahi:

(a) Yes, Sir.

(b) Sale proceeds of steel scrap and iron scrap including ingot moulds during 1971-72, 1972-73 and 1973-74, (April — December, 1973) are as follows:—

1971-72 1972-73 1973-74

Rs.507·8 lakhs	Rs. 608·7 lakhs	Rs.397·3 lakhs (approximately) (April-December, 1973)
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(c) The information is being collected and will be laid on the Table of the House."

2. Subsequently, it came to the notice of the Government that information furnished with reference to part (b) above related to total sales of Rourkela scrap made both by HSL, Central Sales Organisation and by the Rourkela Steel Plant Management, whereas the question sought information in respect of sales by Rourkela Steel Plant Management only.

3. With reference to part (c) of the question an assurance was given, as the information was not readily available.

4. I, therefore, take this opportunity to correct the answer given earlier with regard to parts (a) and (b) of

the question and also to furnish information with regard to the year 1973-74 as a whole that is for the period 1-4-1973 to 31-3-1974, as follows:—

(a) and (b) Miscellaneous items of scrap which are rerollable, industrial or melting scrap and scrap items in mixed condition or used/rejected scrap are sold by the Rourkela Steel Plant. The Plant also disposes of used iron and steel materials.

The sale proceeds for the years 1971-72 to 1973-74 are as follows:—

Year	Rupees in Lakh
1971-72	427.92
1972-73	441.57
1973-74	711.95

5. With reference to part (c) of the question the parties to whom these scrap items have been sold during the above mentioned years are furnished below:—

1971-72

1. M/s. Lalchand Hiralal & Co.
- 15, Khetwadi Main Road Bombay-4
2. M/s. Krishna Steel Industries, Main Road, Rajgangpur.
3. Konark Steel Industries, Main Road, Rajgangpur.
4. M/s. Rajendra Steel Re-rolling Mills, Mansar Road, Gurgaon (Haryana).

1972-73

1. M/s. S. P. Dey & Co., Mahatma Gandhi Road, Calcutta-7
2. M/s. Sealdah Sales Bureau, 307/1, Acharya Prafulla Chandra Road, Calcutta-9.
- M/s. Steel & Metal Craft, Nala Road Rourkela.

4. M/s. Hindustan Ispat Ltd., Maharsi Debendra Road, Calcutta-6.

5. M/s. Somnath Sahu, Rourkela.

6. M/s. Metal Forgings (P) Ltd., B.I. Mayapuri Area, Behind Rajouri Garden, New Delhi-27.

7. M/s. Khoobchand Kumar Jain, Loha Mandi, Agra-2.

8. M/s. Small Re-rolling Mills Association of Orissa, Rajgangpur.

9. M/s Kedarmull Sons, Main Rourkela-1.

10. M/s. S. L. Agarwala & Co. Rourkela.

11. M/s. Banaras Steel Rolling Mills, D/10, Small Industrial Estate, Varanasi.

12. M/s. Bijay Kumar Basant Kumar, 161/1, M. G. Road, Calcutta-7.

13. M/s. Sri R. K. Roy, C/o. UP Iron & Steel Bisra Road, Rourkela.

1973-74.

1. M/s. S. P. Dey & Co., Mahatma Gandhi Road, Calcutta-7.

2. M/s. Haryana General Trading Corporation, Secunderabad.

3. M/s. Wali Mohammad, Rurkela.

4. M/s. Kedarmull Sons, Main Road, Rourkela.

5. M/s. Jibon Bose, 466-Middle Road Calcutta-14

6. M/s. Hazarilal Joharmal Jain, Khandrua.

7. M/s. Banaras Steel Re-rolling Mills, Main Road, Rajagangpur.

8. M/s. Rijay Kumar Basant Kumar 161/1, M. G. Road, Calcutta-7.

9. M/s. Small Rerolling Mills, Main Road, Rajagangpur (Orissa).

The reply given to parts (a) and (b) of the Unstarred Question No. 5085 on 28th March, 1974 was based on information furnished by the Central Sales Organisation of Hindustan Steel, Calcutta. Since it was stated by the Sales Organisation at that time, that it will take some time to collect the information regarding part (c) of the question, an assurance had to be given.

2. Subsequently, it came to the notice of the government that information furnished in reply to part (b) of the question related to total Sales of Rourkela Scrap made both by HSL's Central Sales Organisation and by the Rourkela Steel Plant Management, whereas the question sought information only respect of sale of scrap made by Rourkela Steel Plant Management. It was, therefore, considered appropriate that the information in respect of Rourkela Steel Plant alone should be given in answer to the question. Hence the answer to parts (a) and (b) of the question is being corrected.

3. Information regarding part (c) of the question has also since been received and the opportunity is being availed of to fulfil the assurance with regard to part (c) of the question by furnishing this information

13 hrs.

**QUESTION OF PRIVILEGE
AGAINST SHRI L. N. MISHRA
IMPORT LICENCE CASE—contd.**

माध्यम भाषेवय वाजपेयी जो जो आप ने मुझे लिखा है उम तक आप आपने आपको कनफाइन रखना।

श्री अटल बिहारी वाजपेयी (रायपत्र) पहले लिखने के बाद श्री मिश्र ने बयान दिया है। वह सदन के सामने है। उस पर आपको दृंगला करना है।

माध्यम भाषेवय : वह मे कर दूंगा।

श्री अटल बिहारी वाजपेयी : उस बयान के लिए हम अलग से विशेषाधिकार प्रस्ताव दे इससे अच्छा है कि उसके बारे मे भी आप योड़ा सा सुन लें। मैं ग्राहिक समय नहीं लूँगा।

माध्यम भाषेवय नया विशेषाधिकार होगा तो वह बाद मे देखा जायेगा।

श्री अटल बिहारी वाजपेयी : मैं नई बात नहीं करना। जो श्री बाते हैं वे पुरानी से जुड़ी हैं। हो सकता है कि वे नई मालूम हों लेकिन वे ही पुरानी।

माध्यम भाषेवय पुरानी तक ही आपने को सीमित रखे।

Nothing new, because that must relate to the original motion; nothing new to be introduced.

SHRI PILOO MODY (Godhra): Is he to sign an affidavit about what he has to say?

MR. SPEAKER: Why are you offering your comments? I do not want them. Let him speak; there is his running commentary, like cricket commentary throughout the day.

श्री अटल बिहारी वाजपेयी : कल में सदन में उपस्थित नहीं था। आपने श्री ललित नारायण मिश्र के विद्व द्वारा विशेषाधिकार के प्रस्तावों पर आपने निर्णय को आज तक के लिए स्थगित रखा है और मुझे इस पर बोलने का मोका दिया है इसके लिए मैं आपका बहुत आभारी हूँ।

मैंने सदन में यह कभी नहीं कहा कि श्री ललित नारायण मिश्र ने जाइसेस देने के आदेश दिये हैं। हमारा अधियोग वह रहा है कि श्री मिश्र ने जाइसेस देने के मामले के अधिकार इसी दिलाई और विदेश व्यापार

मत्तालय छोड़ने से पहले वह इस बात का इतजाम कर गये कि इन कुछ्यात फर्मों को लाइसेंस दे दिये जाये । 9 सितम्बर 1874 को जो कुछ मैंने कहा था वह इस प्रकार है । मैं उद्धृत कर रखा हूँ ।

“श्री मिश्र ने कहा कि इन फर्मों को उनके अविवाकाल में लाइसेंस नहीं दिये गये लेकिन उन्होंने माना कि आवेदन मिला । लेकिन यह नहीं बताया कि कैसे मिला ? डाक स मिला या हाथ में मिला ?

मेरी जानकारी के अनुसार आवेदन श्री ललित नारायण मिश्र के निंदेश पर तैयार हुआ ।

श्री ललित नारायण मिश्र गलत बात है । एक दम गलत बात है ।

श्री अदल बिहारी बाजेश्वरी उनकी जानकारी थी कि उस आवेदन पत्र में कितने हस्ताक्षर सही कितने जाली हैं । मत्तालय छोड़ने से पहले उन्होंने ऐसा प्रबन्ध कर लिया जिससे इन फर्मों को लाइसेंस दे दिया जाये ।”

बड़े ताज्जुब की बात है कि जब आरोप समाया ही नहीं गया है जो बात कही ही नहीं गई है जब यह हम ने कहा ही नहीं कि आप ने अपने आदेश से लाइसेंस दिये तो उस पर आप ने अपने बयान में इतना जोर लगाया है । श्री मिश्र ने अपने बयान में इस अभियोग के लकड़न पर ही अपनी सारी ताकत लगा दी ।

उस दिन जब यह मामला उठा तो मैं उद्धृत कर रखा हूँ श्री ललित नारायण मिश्र के वक्तव्य के एक अंश को ।

“As far as I remember, I passed on the letter to the officer concerned in the normal course of business. No order was passed by me.”

मैंने कोई आदेश नहीं दिया । लेकिन नी दिसम्बर को श्री ललित नारायण मिश्र ने एक जगह जो कुछ कहा है उम्मे उन्होंने माना है कि उन्होंने आदेश दिया है । मैं उद्धृत कर रखा हूँ ।

“I have recorded, I remember, a note almost three months earlier in August and that note related to the examination of the matter in the Ministry of Law of certain legal points, discrimination, etc. This was for contesting in a court of law, not for helping anybody.

बया यह आदेश नहीं था ? मामले को अदालत में लड़ा जाये, मामले के बारे में विधि मत्तालय की राय ली जाये, क्या मत्ती महोदय का आदेश नहीं था . . . (इंटरव्हाइट) . . . मैं फिर कह रहा हूँ कि हमारा आरोप यह था कि श्री मिश्र मत्तालय छोड़ने से पहले इस बात के लिए उम्मीन तैयार कर गये कि लाइसेंस दे दिये जाये । अगर टोका-टाकी करनें तो आज बातें बिगड़ने लाली हैं । मैं जानति से अपनी बात कह रहा हूँ । मत्ती महोदय को मैं उद्धृत कर रहा हूँ । उस दिन मैंने अपने पत्र में लिखा था कि काल में मत्ती महोदय ने दो आदेश दिये । एक आदेश पृष्ठ 11 पर है और दूसरा पृष्ठ 12 पर है । मत्ती महोदय ने अपने नी दिसम्बर के बयान में दोनों आदेश जोड़ दिये हैं । अगर वह काइल बगाई जाये और प्रिवेज कमटी उस काइल में जाये तो यह बात साफ हो जायेगी कि आदेश एक नहीं था दो थे, एक पृष्ठ 11 पर था और दूसरा पृष्ठ 12 पर था । ताज्जुब की बात यह है कि 11 पृष्ठ पर जो आदेश दिया उसमें कहा गया था कि ।

“....that should be contested in the court.

12 पृष्ठ पर जो आदेश दिया उसमें यह कहा गया था कि विधि मत्तालय की राय ली जाये । श्री मिश्र ने बड़ी चतुराई से दोनों आदेश मिला दिये हैं । मैं पूछना चाहता हूँ कि कोर्ट में केस केस्ट किया जाये और विधि

[श्री अटल बिहारी वाजपेयी]

मंत्रालय की राय ली जावे वे दोनों आवेदन एक साथ दिये जा सकते हैं? अगर मंत्री महोदय ने दिवान बना दिया था कि मामले को अदालत में भेजा जाये तो फिर विधि मंत्रालय की राय किस बात पर सी जानी थी? अगर विधि मंत्रालय की राय लेनी थी तो राय आने तक आप इक सकते थे और राय आने पर कोटि में मामले को चुनौती दी जाये यह कह सकते थे।

मेरा आरोप इससे भी गम्भीर है। इस मामले में विधि मंत्रालय की राय नहीं ली गई और अगर ली गई थी तो वह राय क्या थी? श्री ललित नारायण मिश्र इसके बारे में बिल्कुल चुप हैं। अब ये दो आदेश पृष्ठ 11 और पृष्ठ 12 पर दिये गये। क्या ये लाइसेंस काड से सम्बन्धित नहीं हैं?

एक और बड़ी बात है। श्री ललित नारायण मिश्र ने 9 दिसम्बर के बयान में कहा है

"I had recorded I remember, a note almost three months earlier in August...."

लेकिन एक और म्यान पर उन्होंने कहा यह नोट अप्रैल में लगाया गया। यह राज्य सभा की कारबाही है। इसको आम तौर पर उद्भूत नहीं किया जाना चाहिए। लेकिन मामला ऐसा है कि दोनों सदनों के समने है। श्री मिश्र ने 11-9-74 को राज्य सभा में बयान देते हुए कहा है। मैं उद्देश्य कर रहा हूँ

".....I recorded in the file that legal opinion may be taken and the case contested..."

यह बात अप्रैल में हुई या अगस्त में? सबाल यह है कि पहला नोट अदालत में कट्टेस्ट करने के बारे में है या विधि मंत्रालय की राय लेने के बारे में? राज्य सभा में कुछ कहा गया है, लोक सभा में कुछ और कहा जा रहा है—

श्री एस० एस० बनर्जी : और दूसरा हाल में कुछ और।

अध्यक्ष महोदय आपने कहा मिनिस्टर ने कहा कि मैंने आईर पास नहीं किया। लेकिन आईर के दो हिस्ते हो सकते हैं।

श्री अटल बिहारी वाजपेयी, मंत्री महोदय ने यह कहा है कि मैंने आईर पास आईर पास नहीं किया है लेकिन मैंने इंटेरिम आईर पास किया है? यह निर्णय कौन करेगा?

MR. SPEAKER: The simple thing is this.

SHRI SHYAMNANDAN MISHRA (Begusarai): There is distinction between final order and interim order. The interim order apparently says....

MR. SPEAKER: He says he never passed any order.

SHRI VASANT SATHE (Akola): The interim order does not say anything. The interim order must say something about licence. It has nothing to do with the grant of licence; there must be connection with the grant of licence. Taking legal opinion has nothing to do with the grant of licences.

श्री अटल बिहारी वाजपेयी : श्री तुम्होहर राम ने 3 अक्टूबर, 1972 को भी एक आवेदन पत्र दिया था। श्री ललित नारायण मिश्र ने उस को अस्वीकृत कर दिया। सबाल यह है कि बाद में यह मामला खोला किसे गया। यह मंत्री महोदय की इजाजत से कर खोला गया।

चार्जबीट में यह माना गया है कि जो कमें अदालत में मामला ले गई— (लक्ष्यबाल) अध्यक्ष महोदय, सच्चाई सामने आ रही है। इसलिए इनको तकलीफ ही रही है। चार्जबीट से यह बात

साक है कि जिन फर्मों ने अदालत से मामला बापिस लिया, उनके बकील ने श्री ललित नारायण मिश्र को मीठी खबर दी कि मामला बापिस ले लिया गया है, काम्प्रोमाइस हो रहा है। श्री ललित नारायण मिश्र कहते हैं कि मैंने कहा था कि केस कोर्ट में कनट्रोट करो। अब श्री माधूसिंह का पत्र उन को भिला, और उस के माध्य केम विद्युतीयल की पैटेंशन भी थी, तो उन्होंने उस पत्र पर यह कहो नहीं लिखा कि यह केम विद्युती दृश्य, क्या काम्प्रोमाइस किया है, मैंने तो कहा था कि यह केम कनट्रोट विद्या जाना चाहिए, इस को बापिस कैमें ले लिया गया है? यह उन्होंने नहीं कहा।

MR SPEAKER The question was that the Minister passed the order Did he pass, the order?

श्री अटल बिहारी वाजपेयी मैं चांगोंट का एक हिस्सा रखना चाहता हूँ

On 23-11-1972 Shri Tul Mohan Ram after meeting Shri L N Mishra in his office told S Shri K V Nair and S M Pillai that the Minister had asked the CCI&E to examine the position and put up the case early. This representation was despatched to the CCI&E on 24-11-1972 from the personal section of the Minister after an acknowledgment of its receipt was sent to Shri Tul Mohan Ram by Shri L N Mishra vide his D O letter No 1438 VIP'MFT/72 dated 24-11-1972. After perusing the advice of the CCI&E in his note dated 28-8-72, the Minister had in the meantime already directed an on the spot examination of the matter at Pondicherry by S Shri K N R Pillai and K Raman who were going to that side on some other official work. The two officers went to Pondicherry in the 1st week of January, 1973."

2954 LS—6.

इस से प्रकट है कि एक दिन बाद ही मामला भेज दिया गया। पिर 5 फरवरी के आदेश का हवाला है।

प्रध्यक्ष महोदय, इस मामले में आप को एक बात भारत तथ करनी पड़ेगी। यह सम्बद्ध लोकनक्त है। इस में अफसर जो भी कम बरते हैं, उन की जिम्मेदारी मत्ती लगा या नहीं लेगा? क्या आपनी चमड़ी बचाने के लिए, मत्ती बह देगा? कि 5 फरवरी का आदेश मेरा नहीं था। मेरे बड़ा अफसोस है कि श्री ललित नारायण मिश्र वो या प्रामाणिकता के माध्य कहता चाहिए था कि 5 फरवरी का नाट मेरे आदेश पर दिया गया, या वह कहते कि नहीं दिया गया। आप उन की भाषा परिदेय। (अवक्षब्दन) वह आईंदर को स्वीकार नहीं कर रहे हैं। इस लिए वह सदन का गुमराह कर रहे हैं।

MR SPEAKER Is it directed by the Minister or by the officer?

SHRI SHYAMNANDAN MISHRA In whose name is the order passed and who issued the order? The gazette notification is made by the officer. Your orders every day come to us through the Secretary-General

MR SPEAKER I own them

SHRI SHYAMNANDAN MISHRA Please do not lay down a rule which will subvert the parliamentary democracy

MR SPEAKER The clarification will come as to where does the officer stand and where does the Minister stand

श्री अटल बिहारी वाजपेयी 9 दिसम्बर को मत्ती महोदय ने जो कुछ कहा आप उस को सुनिये

"The date of the note is admitted to be 5.2.1973, the date on which I ceased to be Minister of Foreign

[श्री अटल बिहारी वाजपेयी]

Trade. Since this note has been quoted to establish that it is in conflict with my statement before this House on August 28, 1974"

—yes, it is—

"I would like to submit that any such assumption is unwarranted and baseless."

इस का आधार क्या है ? आगे वह कहते हैं :

"Even taking the note as it is,...."

क्या ललित नारायण मिश्र का कहना यह है कि उन्होंने जो कुछ कहा उस के हिसाब से नोट नहीं है ? क्या वह सारी जिम्मेदारी अफसर पर ढाल कर अपनी जान बचाना चाहते हैं ? समीय लोकतन्त्र में मत्री की जिम्मेदारी है या नहीं ?

सी०बी०आई० ने जो जाच की है उस में एक चैप्टर है "कन्हकट आफ आफिसर्ज"। इस बार में एक अलग चैप्टर है। उस चैप्टर का अदालत से कोई सम्बन्ध नहीं है। आप प्रधान मत्री और गृह मत्री को उस चैप्टर को सम्पादित पर रखने के लिए कहिये। समीय लोकतन्त्र के गम्भीर ममले इस में जुड़े हुए हैं।

SHRI SHYAMNANDAN MISHRA: Sir, you had been a Minister also and you know the relationship between officials and Ministers ...

MR. SPEAKER: I am not a lifeless person; I have been sitting here and listening I can speak

SHRI PILOO MODY: I can understand Shri Stephen getting up, I can understand Shri Sathe getting up or other members getting up, but not your getting up.

श्री अटल बिहारी वाजपेयी अध्यक्ष महोदय, आप स्वयं मत्री रहे हैं। आप

जानते हैं कि मत्री महोदय टेलीफोन पर आदेश देते हैं, मत्री महोदय बैठक में बैठ कर चर्चा करते हैं, और किर अफसर से कहते हैं कि जो चर्चा हुई है, उन के प्रकाश में तुम आदेश तैयार कर के लाओ। क्या यह परम्परा नहीं है ?

अध्यक्ष महोदय परम्परा की बात ही है।

You must be clear where the Minister stands and where the officers stand, whether the orders are of the officers only, or the Minister's orders, or they are denied by the Minister

SHRI ATAL BIHARI VAJPAYEE: Has he denied it? (interruptions) He does not have the courage even to deny the order.

MR. SPEAKER: We must be clear in our minds

SHRI MADHU LIMAYE (Banka): Have you made up your mind already?

श्री अटल बिहारी वाजपेयी मन्त्रालय का फैमला तभी हो सकता है, जब प्रिवेलेज बमेटी के सामने मामला जायें, हम फ़इल देने, श्री एन० एन० मिश्र को एजायिन करें, और जिस आफिमर ने नोट लिखा है, उन को भी एजायिन करें। क्या उन आफिमर को बिना मुने हुए उन को दोरी बनाया जायेगा—केवल इस निति कि: मत्री महोदय हम सदन में आ बर बदान दे सकते हैं और आफिमर मुँह नहीं खोल सकता है ?

प्राय सरौन, मेरे विद्यालय बनाने की बात यह कर मैं खत्म कर दूँगा। छोटी छोटी बातें यह कर श्री ललित नारायण मिश्र अपनी जिम्मेदारी से बचना चाहते हैं। कहते हैं कि वाजपेयी जी ने पहले कहा कि सरौनी तुलमोहन राम का आम है, किर कहा कि भेरा आम है,

झीर मेरे पिताजी का नाम उन्होंने ठीक नहीं बताया । पिताजी का नाम अगर मैंने गलत बताया था, तो मैंने दूसरे दिन उस को शुद्ध कर दिया था । उन के पूर्य पिताजी का नाम है पडित रविनदन मिश्र, प्राम सरीनी—(अवधान) प्राम सरीनी मे विद्यालय बन रहा है । (अवधान) सबाल यह नहीं है कि उस विद्यालय के लिए एप्या इकट्ठा करने की बात श्री मिश्र को मालूम है या नहीं । जब मैंने 9 मित्रवर को विद्यालय का मामला उठाया, तो श्री मिश्र ने कहा कि मुझे विद्यालय के बारे में कोई जानकारी नहीं है । जब कि उन्हे जानकारी थी, यह जानते थे कि विद्यालय बन रहा है । फिर ये बहत है कि तुल्मोहन राम ने जो कुछ कहा है उस बारे में निए मैं जिम्मदार कैमे ठहराया जा सकता है ? श्री तुल्मोहन राम भी इस सदन के सदस्य है, श्री ललित नारायण मिश्र भी इस सदन के सदस्य है । दोनों सम्मानित सदस्य हैं । अब कौन गलत कह रहा है कोन सच कह रहा है इस बा फैसला कैसे होया ? इस बा फैसला प्रिविलेज बमेंटी पर संभाली है । (अवधान) अधिक मतादाय मैं इस को पूछा कर न ।

MR SPEAKER You ask me to give a ruling. Sometimes, when I am in suspense, I have got the right to ask the Member to clear a point

मुझको आपसे यह पूछाना है, आपने कहा कि उनके पिता के नाम से है उसका तो कोई जागड़ा नहीं है, उनके पिता आ नाम यह था, आपने कहा यह था, उसका तो कोई जागड़ा नहीं है । लेकिन बात यह है कि How you connect it with Mr. Mishra what was in the proceedings?

श्री अटल बिहारी वाजपेयी मैं आप को पढ़ कर सुनकर उस दिन की कार्यवाही ?

अध्यक्ष लहोदर आप मुझे यह बताइए कि उस के कार्य कैसे जोड़ा आप ने ? मुझे श्री कलीदर होना चाहिए ।

श्री अटल बिहारी वाजपेयी : मैं उद्दृत कर रहा हूँ

“यह भी एक तथ्य है कि श्री तुल्मोहन राम के माय श्री ललित नारायण मिश्र के बड़े अनिष्ट सबध है । श्री तुल्मोहन राम प्राम सरीनी जिला सहरसा के निवासी हैं । वह अपने प्राम मे श्री ललित नारायण मिश्र के पिता पूर्य पडित रविनदन मिश्र के नाम पर एक स्कूल बनवा रहे हैं ।

श्री ललित नारायण मिश्र हमको इस बा जान नहीं है ।”

यह गलतबचारी है या नहीं ?

अध्यक्ष लहोदर मैं आप ने बात पढ़ रहा हूँ । मुझे एवं बात बता दीजिए कि इस बा प्रिविलेज तो यह है कि मिनिस्टर ने कहा कि मैं ने कोई आर्डर पास नहीं किया है ।

श्री अटल बिहारी वाजपेयी यह भी है । आप जरा इन का बधान पढ़ रहे हैं । आप जरा 10 नारीख का बधान पढ़ लीजिए मेरे आरोप का 9 तारीख का (अवधान)

श्री अध्यक्ष ललित मिश्र उमना ही नहीं है । २५ दाने उडाई गई है । आईर तो आप देने नहीं रहे हैं जबकि नहीं है कि आईर क्या हाता है ?

श्री अटल बिहारी वाजपेयी आरा मुनिए इसको । 9 तारीख को मिश्र जी न क्या कहा

“Much has been said about Shri Tulmohan Ram's presumed intimacy with me. I would like to repeat again that the foregoing facts establish that I had not accepted repeated representations made by Shri Tulmohan Ram.”

फिर उन्होंने स्कूल का हवाला दिया है और कहा है कि वाजपेयी जी ने जो कुछ कहा वह ठीक नहीं है । मैंने हवाला दिया

[श्री अटल बिहारी वाजपेयी]

या स्कूल की प्रबन्धकारिणी समिति की बैठक का। उस बैठक में यह चर्चा हुई कि विद्यालय का नाम किस के नाम पर रखा जाय? उस में श्री नुलमोहन राम ने बैठक में कहा और यह सी बी आर्ट के पास है कि ललित नारायण मिश्र के पिता जी के नाम पर स्कूल का नाम रखा जाय। ललित नारायण मिश्र व्यक्ति मानी जायकर्ता है। उन के पिता के नाम पर स्कूल का नाम रखने से आधिक समस्या करीब करीब हल हो जायेगी। यह वह नहीं मानत।

अध्यक्ष महोदय किसी तरह बनाए है कि उस को इन्साम किया उस प्रामिडिंस के बारे में।

श्री अटल बिहारी वाजपेयी दिया है। इसीलिए मैं कह रहा हूँ कि श्री ललित नारायण मिश्र ने मी बी आर्ट के मामले जो बयान दिया है उसकी एक प्रति सभा पटल पर आं जां पर या फैसला करो से पहले आप उसकी एक प्रति देख ले। क्या श्री नुलमोहन राम श्री ललित नारायण मिश्र से दिना पूछे यह बात बैठक में कह मरते हैं कि स्कूल का नाम पिता का नाम पर रखा, आधिक समस्या हल हो जायेगी? आखिर सदन के दो मदस्यों के बयान हैं और याद रखें नुलमोहन राम न उस कार्यबाही पर दस्तावेज़ किए हैं।

अध्यक्ष महोदय यह नुलमोहन राम की आधिक समस्या दुर्घट्ट होने के कारण संगठा हुआ होगा।

श्री अटल बिहारी वाजपेयी नहीं, आधिक समस्या किन की हृपा से दुर्घट्ट हुई?

ललित नारायण मिश्र की हृपा में।

(अवधारण) मेरा कहना यह है कि श्री ललित नारायण मिश्र ने जानवृत्त कर सदन को गुमराह किया, तथ्यों को तोड़ा मरोड़ा, समद के साथ धोखा दिया की। आप यह सारा मामला प्रिविलेज

कमेटी को भेज दीजिए, दूध का दूध और पानी का पानी कर देनी। अगर श्री ललित नारायण मिश्र निविकार हैं, निर्दोष हैं तिलेंप हैं तो प्रिविलेज कमेटी का निर्णय उन के पक्ष में आ जायगा और अगर वह दोषमुक्त हो जायेंगे तो हम को परम प्रसन्नता होगी। प्रिविलेज कमेटी में कांग्रेस पार्टी का बहुमत है।

अब अध्यक्ष महोदय, आप सचाई का फैसला कैसे करें? इसका ये मैं ने मोशन दिया है नि आप प्रिविलेज कमेटी को भेज दीजिए।

अध्यक्ष महोदय देखेंगे किस स्टेज पर आता है।

I will see to the debate which took place yesterday and today
पहले की तो मैं ने देख ली है।

अब इस का खत्म कीजिए।

श्री अटल बिहारी वाजपेयी मेरे मोशन के बारे में आप की क्या राय है?

अध्यक्ष महोदय यह तो जो आर्गेंकिनल है मता उस का ही ले रहा हूँ। आज बाला नो नहीं ले रहा है।

श्री अटल बिहारी वाजपेयी मेरा मोशन इस प्रकार है।

अध्यक्ष महोदय नहीं, आज वा मैं ने नहीं माना। यह तो अभी पहला चल रहा है। इस बीच में नया कैसे आ सकता है?

श्री अटल बिहारी वाजपेयी: पहला बह चल रहा है कि श्री ललित नारायण मिश्र ने विशेषाधिकार के उत्तराधिकारों को हमारी सूचना पर आप विकार करे।

अध्यक्ष महोदय वह पहले ही पढ़ा है।

श्री अटल बिहारी वाजपेयी पहले से तो पड़ा है। मगर उन दो सांकेतिक कानूनों जन यह होगा कि प्रिविलेज कमेटी को मामला भेज दिया जाय। उस के लिए प्रस्ताव की आवश्यकता होगी। मेरा प्रस्ताव तयार है।

MR. SPEAKER: I must see everything.

श्री अटल विहारी वाजपेयी फिर मैं आप एक से निवेदन करना चाहता हूँ कि अगर आप समय चाहते हैं तो इस मास्से पर अपना निर्णय तब तक स्थगित रखिए, जब तक हम लोग सी भी आई के सारे कागजात न देख सकें।

अध्यक्ष महोदय अच्छा जी पिनिश कीजिए पैपर्स टु बी लेड आन दि टेबल .

ऐसे संबोध (श्रे. एल० एन० मिश्र) अध्यक्ष महोदय, कंबल इम के कि मैं अपने वयान पर ज़रूर मेरे पिता जी का नाम उन्होंने लिया है, मैं उसी वान को साफ कर देना चाहना हूँ। पहले दिन भी श्री अटल विहारी वाजपेयी जी ने, 28 अगस्त को भी उन वानाम लिया था। जैसा कि मैं ने अपने पहले वयान में कहा है मेरे पिता जी का वही वर्ष पहले म्वगंवाम हो चुका है। मैं ने उम विन कहा था कि मुझे जान नहीं है आई हैव ना नौनेज . . .

एक मानवीय सदस्य काहे के बारे में ?

श्री एल० एन० मिश्र म्बूल के बारे में ।

ओर आज भी मैं कहता हूँ कि मुझे कोई जान नहीं है कि कहीं भी उन के नाम पर कोई स्कूल है या मेरी सम्मति में है। अगर कोई कहीं किसी कोने में खोले हो या दुनिया के किसी कोने में हो तो अटल विहारी वाजपेयी जी उदादा छानबीन कर के निकाल सकते हैं। मेरे ज्ञान से, मेरी सम्मति से, मेरी क्लिप से या नौनेज में किसी तरह मेरी भी नहीं है। सरोनी शाम मेरे जिसे मैं है। हम जानते हैं, तुलमोहन राम जी मेरे रीनग मिल रहे हैं ऐलेक्षस में जब कि फरस कास्टिट्यूएंसी कृष्ण कर्णी थी, इसलिए साधारणतः मुझे जानला चाहिए या कि मेरे पिता जी के नाम से कहीं स्कूल खुला है। मैं कह रहा हूँ कि

नहीं खुला है और उस में मेरी कोई सम्मति नहीं है मेरी कोई नौनेज नहीं है। . . . (अध्यक्षात्म) . . .

मैं वाजपेयी जी की बात को साफ कर देना चाहता था और मैं उन से एक प्रार्थना करूँगा कि वे भी किसी पिता के पुत्र हैं। पिता के लिए लोगों को अद्वा और सकित होनी है। मेरे राजनीतिक जीवन या अवित्तन जीवन वा कोई महत्व नहीं है मेरे पिता जी की प्रतिष्ठा के मामले। इसलिए मैं किसी का भी मिट्टा देने के लिए तैयार हूँ लेकिन उन की प्रतिष्ठा पर आब आने नहीं दूँगा। अगर उन को जिनना है कि हम लोगों का दूनाम में क्या स्थान है तो अटल विहारी वाजपेयी जी मेरे महामान हो कर वने इलाके में रहे और देखे जा जा कर कि किनना हमारा पर्यावार क्या है और हम लोग क्या करते हैं? . . . (अध्यक्षात्म) . . .

इसलिए दूरा करने के उन का नाम लेने से पहले अपने हृदय को टटोल ले कि सत्य बोले रहे हैं या असत्य बोले रहे हैं . . . (अध्यक्षात्म) . . .

श्री अटल विहारी वाजपेयी . उन के पिता जी के खिलाफ हम ने कुछ नहीं कहा। हम उन का आदार करते हैं। लेकिन मैं मवी-महोदय के मायप इलाके में जाने के लिए तैयार हूँ और उन्हे दिखाने के लिए तैयार हूँ कि दिखाना बन रहा है। . . . (अध्यक्षात्म) . . .

श्री एल० एन० मिश्र दूसरी बात उन्होंने प्रोसिडिंग की की . . . (अध्यक्षात्म) . . .

वाजपेयी जी ने अपनी पुस्ति के लिए प्रोसिडिंग की प्रतिलिपि या कोई चीज हाउडस में पढ़ी है। कहा कि पहले दिन वा है अगर हम ने उस को देखा नहीं। तुलमोहन राम जी आज की हालत में दिल्ली में होंगा या जहा भी

[श्री एन० एन० मिश्र]

हो हम ने उन ने पूछा तक भी नहीं। प्रोतीडिप्स क्या है मैं नहीं जानता। मेरे पास कोई चीज़ नहीं है। और कोई अगर प्रस्ताव करता है प्रस्ताव मजूर हुआ या नहीं, यह भी मैं नहीं जानता। इसलिए मैं ने कहा कि अगर यह बात है तो मुझको उस का ज्ञान नहीं है, उस में मेरी सम्पत्ति नहीं है, मेरी कसेट नहीं है और मैं एक साफ़ बात कहना चाहता हूँ कि इस तरह की कोई बात नहीं है।

Now, I will come to the debate that has taken place yesterday, and to-day.

Mr. Speaker, Sir, at the outset, I would like to take up Shri S. N. Mishra's observations made yesterday.

Shri S. N. Mishra has stated that he was misheard by the Parliamentary reporters on 5th December, 1974. I would, however, like to point out that his entire charge against me hinged on my note being of 23rd November, 1972 which date happens to be the date on which the forged memorandum was seen by me in the dak. Shri S. N. Mishraji in his speech first mentioned submission of the forged memorandum on 22nd November, 1972 and then proceeded to mention recording of my note as of 23rd November, 1972, and then went on to mention its despatch along with the forged memorandum to the C.C.I. on the 24th November, 1972.

Shri S. N. Mishraji cannot now explain away his wrong dating of my note as 23rd November, 1972 by saying that he was misreported.

I would like to mention here that this date becomes significant because Shri S. N. Mishraji appears to me to try to build up a case that Tulmohan Ramji saw me, gave me the memorandum and after that, I passed

the order and that is how the whole story is being built up...

SHRI SHYAMNANDAN MISHRA: No, no.

SHRI L. N. MISHRA: That is why I am explaining the date. Otherwise, it has no significance. What he had stated was all right.

Apart from the reporters of the Parliament, who, Shri S. N. Mishra now says, misheard him, the Members of this august House as also gentlemen of the Press heard him and understood him mentioning 23rd November 1972 in that specific context. Shri S. N. Mishra's allegation was widely reported in the national press which termed Shri S. N. Mishra's observations as sensational and as having caused a stir.

SHRI PILOO MODY: This is petty.

SHRI L. N. MISHRA: I accept Shri S. N. Mishra's belated clarification. However, I would only say that with this correction, Shri S. N. Mishra's allegation regarding my complicity also falls to pieces.

SOME HON. MEMBERS: How?

SHRI L. N. MISHRA: Mr. Speaker, Sir, would you kindly permit me to request Shri S. N. Mishra to make one more correction? When I enquired, Shri S. N. Mishraji said that 12]N, that is, Note 12]N is mentioned in the charge-sheet. This is not the position. It is not in the charge-sheet (Interruptions)

SHRI SHYAMNANDAN MISHRA: I have not said that. I will come tomorrow.

SHRI L. N. MISHRA: Shri Atal Bihari Vajpayeeji in a letter has desired me to clarify my note dated 23rd August, 1972 directing re-examination of the matter with speed and submission of the file to me by the 30th.

Sir, my note of 23rd August, as also the notings on pages 11 and 12, now popularly known as 11[N] and 12[N] of the file to which Shri Vajpayee has referred, relate, to my decision to contest the case in a Court of law and obtaining the opinion of the Ministry of Law...

SHRI ATAL BIHARI VAJPAYEE: At the same time?

SHRI L. N. MISHRA: ...on the legal aspects including discrimination. My note of 23rd August, 1972 called for a speedy action only in the direction of contesting the case in a court of law and, not for speedy issue of the licences as alleged... (Interruptions)

SHRI MADHU LIMAYE: You got the cases withdrawn. Don't tell a lie. ... (Interruptions) I have proved it to the hilt. You got the cases withdrawn. ... (Interruptions)

MR. SPEAKER: Order, please.

SHRI JYOTIRMOY BOSU (Diamond Harbour): The order was given on the previous day ... (Interruptions) I have come to know. ... (Interruptions)

SHRI MADHU LIMAYE: There is evidence of that in the charge-sheet.

SHRI L. N. MISHRA: 23rd August is the date when this memorandum question was not brought. It was brought in November end, three months later. My notings have nothing to do with the memorandum and this is August and that is for contesting the case in the court of law. I will come to the High Court judgment also to which Shri S. N. Mishra has referred yesterday.

Sir, now I will take up the allegation made by Shri Madhu Limayeeji and Shri S. N. Mishraji that the pending writ petitions were withdrawn from the court on a compromise basis.

Sir, as far as I remember, I issued no orders and gave no consent at any stage for settling the case on a compromise basis either within or outside the Court. (Interruptions) After this allegation was made yesterday I have tried to ascertain the position. My information is that no offer at any stage for the compromise was made by the Ministry of Foreign Trade in respect of these writ petitions I have ascertained and on that basis I am speaking. I take full responsibility for that.

Mr. Speaker, Sir, my complicity in the matter was again alleged. I deny this allegation with all the emphasis at my command. The charge-sheet mentions as to who entered into a criminal conspiracy during the period March, 1971 to July 1974 for committing certain offences. My conduct and actions during the pendency of the conspiracy has been totally opposed to the objectives set for by the alleged conspirators. Shri Tulmohan Ram had made at least two representations to me during the pendency of the conspiracy. These representations were rejected under my instructions.

I totally refute all allegations made regarding my complicity or any personal or special interest in the matter as alleged. Now I hope the relevant papers would be seen by some of my friends in the Opposition in response to Government's offer. May I request them to have a little patience and not to take recourse to prejudiced surmises.

My colleague the Commerce Minister has already made a statement in this august House on 9.9.1974 explaining the circumstances in which the decision to issue these licences was taken long after I left the Ministry of Foreign Trade. (Interruptions).

To sum up, Sir, the issue under discussion has been the breach of privilege of the House arising out of my statement in Lok Sabha on 28th

[Shri L. N. Mishra]

August, 1974. My statement was made specifically to refute two allegations and I had said (1) that the licences in question were not issued during my period in the Foreign Trade Ministry nor had I passed order to this effect and (2) that I had nothing to do with the forging of the Memorandum. I stand by that statement.

Both these points stand fully vindicated. I submit, Sir, I cannot therefore be responsible for misleading the House in any manner whatsoever.

I have always held this House in the highest esteem. Nothing can be remote from my mind than misleading the House on any issue. I repeat, Sir, that what I told the House on 28th August, 1974 in the form of personal explanation is factually correct and is in no way in conflict with the contents of the charge-sheet as allowed.

MR. SPEAKER: What is the position about the officers noting as if they are directions from the Minister.

SHRI L. N. MISHRA: So far as 11|N and 12|N are concerned I have mentioned that they have been done under my direction but to contest in the court of law and to obtain legal opinion. These two notes were written under my direction by the Special Assistant or perhaps some other officer—I do not remember his name—to contesting in the court of law. (Interruptions)

One thing, Sir, about the issue of licences, I have nothing to do as I left the Ministry.

श्री अटल बिहारी वाजपेयी : 5 फरवरी का बीट किस समय लिखा गया—इस में पूछ-लीजिये ? यह काजंशीट भी आया है।

SHRI L. N. MISHRA: So far as noting is concerned, I cannot run away from the responsibility. I have

said 11|N and 12|N notes have been written by me. As regards 5th it has been specifically answered in my earlier statement. (Interruptions)

I want to be heard. There has been three to four days debate. Can't I get five minutes of this House? I am a Member of this House for the last 20 years. I have a right to be heard and I want justice from this House.

As stated, Sir, on 28th two things were said: No. (1) That I issued the licences; and (2) I forged the memorandum. I did not issue the licences and did not pass the order. Prof. Chattopadhyaya has accepted that he has issued the licences and not me. As regards forging the memorandum it is clear in the charge-sheet that Shri Tulsimohan Ram and Yogendra Jha forged false signatures. Therefore, these two things are clear. I am not responsible.

About official noting, that is, 11|N and 12|N they are under my direction. (Interruptions)

If you want to know more about 5th, I will say I ceased to be a Minister. On the 5th morning I became Railway Minister. Therefore, whatever happens after I left the Ministry I cannot be held responsible.

MR. SPEAKER: We had enough of it—not once but twice. I am not allowing any point of order. No more statement.

श्री अटल बिहारी वाजपेयी : प्रधान जी, मेरा व्यवस्था का प्रश्न है। 9 दिसम्बर को इन्होंने जो कुछ कहा 5 दिसम्बर के बारे में वह कुछ और कहा था और आज कुछ और कह रहे हैं। ... (अपवधान)

प्रधान महोदय : इस के बाद अब कोई व्यवस्था का प्रश्न नहीं।

श्री अटल बिहारी वाजपेयी : यह रोज अपना बयान बदल रहे हैं, आखार परिवर्तन कर रहे हैं।

अप्पाज महोदयः इम के बार अब कुछ नहीं।

Whatever it be, it is closed.

SHRI SHYAMNANDAN MISHRA
Kindly hear me Your office is involved
(Interruptions)

MR. SPEAKER From Shri Shyamnandan Mishra Shri L N Mishra himself required a clarification

(Interruptions)

MR. SPEAKER Order please The matter is now closed Not only once or twice but thrice points of order were raised and so I am sorry I have closed it

(Interruptions)

MR. SPEAKER Order please All of you kindly sit down I have heard —not once but twice or thrice The matter is now closed Kindly listen to me You know what is the position Why do you get up?

So far chances were given—not once or twice but thrice There should be an end to it Now Shri Shyamnandan Mishra has conveyed to me No more points of order They were already allowed Now, Shri Mishra wants to ask something about the proceedings He can just confine himself about the proceedings He can ask questions about that But, no points of order please It is now closed

SHRI JYOTIRMOY BOSU Sir I rise on a matter of procedure

MR. SPEAKER This is too much He wants to ask questions about the proceedings which the Secretary-General has conveyed He is only confining himself to the proceedings Let him ask questions about the tape.

SHRI SHYAMNANDAN MISHRA Sir, the hon Minister has said—he had repeated it—and he had earlier

also mentioned in his statement about my reference to his note (Interruptions)

SHRI K P UNNIKRSHNAN (Badagara) If he is allowed, then I must also be permitted

MR. SPEAKER I have allowed him to ask questions about the proceedings in the tape, the Secretary-General conveys that he wants to ask questions about that

SHRI C M STEPHEN (Muvathupuzha) Let him confine himself to the proceedings only

(Interruptions)

MR. SPEAKER May I request you that we hear him so that he will conclude in two minutes Kindly do not interrupt him

SHRI SHYAMNANDAN MISHRA Sir the hon Minister has put in my mouth that I had said on an earlier date that the minutes which he had recorded on a relevant file related to 23rd November 1972 I had according to him mentioned the date 23 11-72 and not 23 8 72 That is the main point (Interruptions) Why don't you hear me coolly? Sir, I had submitted yesterday that this confusion might have occurred in the mind of the reporter

SHRI I N MISHRA What about Press?

SHRI SHYAMNANDAN MISHRA I am coming to that Because 23rd November happens to be the day on which hon Member Shri Tulmohan Ram was closetted with the hon Minister of Commerce (Interruptions)

SHRI C M STEPHEN Sir on a point of order We want to understand you correctly

MR. SPEAKER I am not allowing any point of order I will just hear him No points of order. Let me

[Mr. Speaker]

make it clear. I am not going to allow any points of order. If Mr. Mishra wants to make any statement about the proceedings, that will be done. No points of order. I am not allowing.

SHRI SHYAMNANDAN MISHRA: I really do not know why these people take objection to this when it is mentioned in the charge-sheet, that in meeting the Minister on 23.11.72, he said that it had been despatched to CCIE—what it did say? To examine and put up the matter early. I was submitting that there might be a confusion in the minds of the reporter that 23rd was also the date to which I was referring, but that date happened to be in the month of August. So, there might be a slight confusion in the minds of the reporter, and according... (Interruptions)

MR. SPEAKER: I am not allowing any points of order. Please sit down.

SHRI SHYAMNANDAN MISHRA: Sir, can they behave like schoolboys? Certainly, we are in our own rights. I am being interrupted so many times. You do not take objection to these people behaving like this?

MR. SPEAKER: I have not allowed them.

SHRI SHYAMNANDAN MISHRA: Sir, then there had been a mixing of the para. But, even so, I submitted to you yesterday that I had heard the tapes and the tape does include a sentence which had been left out in the reporting, that this was on 23.8.72.

Now I would ask you to have the tape played here.

SHRI MADHU LIMAYE: Have you heard the tape?

SHRI SHYAMNANDAN MISHRA: Yes, I have.

SHRI MADHU LIMAYE: This is a very serious matter... (Interruptions).

SHRI SHYAMNANDAN MISHRA: You kindly ask your Additional Secretary. With his kindness, it was possible for me to hear the tape. The tape does include this sentence that this was on 23-8-72.

Secondly, I had also made a submission to you that twice in the same speech of mine the date 23-8-72 occurred. I had mentioned that the hon. Minister had recorded his note which was right in keeping with the note that was recorded on 5 February 1973. There was only a change of a word here and a word there. Otherwise, the two notes were almost identical

Let me say very clearly that your reporter also has not done me injustice to the extent, because even on that date he did mention 23-8-72 two times. And the hon. Minister should have read the entire speech of mine and then he would have come to a different conclusion. But if he did not persuade himself to do that, he should have heard me carefully yesterday when I said that the tape does include that sentence then and there.

MR. SPEAKER: You mentioned it very clearly.

SHRI SHYAMNANDAN MISHRA: I made a mention of it yesterday, and even then confusion is sought to be created.

SHRI L. N. MISHRA: No, No (Interruptions).

SHRI SHYAMNANDAN MISHRA: He has done a further misrepresentation (Interruptions).

MR. SPEAKER: It is all closed now.

श्री मधु लिमये : मेरा व्यवस्था का प्रण
है। मैं क्सेरीफिकेशन चाहता हूँ।

प्रधान मंत्रीवाच : जी नहीं।

SHRI MADHU LIMAYE: Under what rule are you preventing me?

MR. SPEAKER: This is not a continuing process. This is the third or fourth time you are getting up. No points of order. I have heard enough.

श्री प्रद्युम बिहारी बाबपेती : अगर वे बार बार गलत कहेंगे तो हम खड़न नहीं करेंगे? व्यवस्था का प्रण आप हमे उठाने नहीं देंगे।

SHRI MADHU LIMAYE: Why no point of order? Under what rule are you preventing me?

MR. SPEAKER: I gave enough chances to all. This is a never-ending debate.

कुछ माननीय सचिव वाइट ग्राफ आडर।

MR. SPEAKER. No; no more points of order.

SHRI MADHU LIMAYE: You are violating the procedure. I am on a point of order.

SHRI PILOO MODY: There is nothing in the rules under which you can prevent it.

SHRI MADHU LIMAYE: You are violating the procedure. *

MR. SPEAKER: This is only to waste the time of the House. I think the points of order are just obstructions. Once, twice, thrice, four times they are coming up. At this rate, this will make it endless debate. I am not going to allow it.

SHRI PILOO MODY: You can change the procedure. But there is nothing in the rules to support you.

MR. SPEAKER: I am not allowing any more points of order.

श्री मधु लिमये : सदन की कार्यवाही नियमों के अनुसार चलनी चाहिए। आप बार बार नियमों को तोड़ते हैं, नियमों को मखौल बनाया जा —————

SOME HON. MEMBERS: No, no.

MR. SPEAKER: No more points of order. (Interruptions)

SHRI SHYAMNANDAN MISHRA: Is it proper for the Minister to refer to the press report and compare it with the record here when I made a clear statement yesterday that the tape does include it? The hon. Minister referred to the press having heard it. Is it proper for him to do so after I made a clear statement saying that the tape does include it? The main thing is whether he denies having recorded that minute on that date. What does he say about it? Let him say. Does he deny having recorded it on that day? (Interruptions).

MR. SPEAKER: Shri Pranab Kumar Mukherjee.

12.58 hrs

PAPERS LAID ON THE TABLE

PARTS X AND XI OF REPORT OF COMPTROLLER AND AUDITOR GENERAL OF INDIA FOR 1970-71—UNION GOVERNMENT (COMMERCIAL)

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the Table a copy of the following parts (Hindi version) of the Report of the Comptroller and Auditor General of India

for the year 1970-71—Union Government (Commercial), under article 151(1) of the Constitution:—

Part X—Appraisal of the working of the Indian Drugs and Pharmaceuticals Limited.

Part XI—Appraisal of the working of the Hindustan Antibiotics Limited. [Placed in Library. See No. LT-8732/74]

COAL MINES (FOURTH AMENDT.) REGULATIONS, 1974, EMPLOYEES' P.F. (9TH AMENDT.) SCHEME, 1974 AND ANNUAL REPORT OF EMPLOYEES' P.F. AND FAMILY PENSION SCHEMES FOR 1972-73

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): I beg to lay on the Table—

1. (i) A copy of the Coal Mines (Fourth Amendment) Regulations, 1974 (Hindi and English versions) published in Notification No. G.S.R. 1197 in Gazette of India dated the 9th November, 1974, under sub-section (7) of section 59 of the Mines Act, 1952.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification. [Placed in Library. See No. LT-8733/74].

2 A copy of the Employees' Provident Funds (Ninth Amendment) Scheme, 1974 (Hindi and English versions) published in Notification No. GSR 1255 in Gazette of India dated the 23rd November, 1974, under sub-section (2) of section 7 of the Employees' Provident Funds and Family Pension Fund Act, 1952.

3. A copy of the Annual Report (Hindi and English versions) on the working of the Employees' Pro-

vident Fund and Family Pension Schemes for the year 1972-73. [Placed in Library. See No. LT-8734/74].

SHRI MADHU LIMAYE (Banka): On a point of order.

MR. SPEAKER: No more points of order. That is closed.

श्री भट्टल बिहारी बाजपेयी : (बासियर) : अद्यतन महोदय, आप ने अफसरों के नीटिंग के बारे में श्री ललित नारायण मिश्र में सवाल पूछ था ।

13 hrs.

MR. SPEAKER: Whatever he said, he said

(Interruptions)

श्री भट्टल बिहारी बाजपेयी : नेकिन आप ने पूरा जवाब प्राप्त नहीं किया ।

MR. SPEAKER: Whatever it is, it is closed after the Minister's statement.

श्री भट्टल बिहारी बाजपेयी : वह आप को भी गुमराह कर रहे हैं ।

श्री यशु लिमये : पेरा स्पष्टीकरण का सवाल है ।

MR. SPEAKER: No more points of order. We proceeded to item No. 5.

SHRI ATAL BIHARI VAJPAYEE: Will you allow the Minister to mislead the Chair?

(Interruptions)

MR. SPEAKER: No, please. Secretary-General.

MESSAGES FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha —

(i) 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Tuesday, the 10th December, 1974 adopted the following motion in regard to the Foreign Contribution (Regulation) Bill, 1973—

"That this house do recommend to Lok Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Foreign Contribution (Regulation) Bill, 1973, in the vacancy caused by the resignation of Sardar Buta Singh from the membership of the said Joint Committee and communicate to this House the name of the member so appointed by Lok Sabha to the Joint Committee"

2 I am to request that the concurrence of the Lok Sabha in the said motion and also the name of the member of the Lok Sabha appointed to the Joint Committee may be communicated to this House'

(ii) 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Wednesday, the 11th December 1974, adopted the following motion in regard to the presentation of the Report of the Joint Committee of the Houses on the Foreign Contribution (Regulation) Bill, 1973 —

"That the time appointed for the presentation of the Report of the Joint Committee of the Houses on the Foreign Contribution (Regulation) Bill, 1973, be further extended up to the last day of the Ninety-third (Monsoon) Session of the Rajya Sabha"

(iii) 'I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Wednesday,

the 11th December, 1974, adopted the following motion in regard to the Joint Committee on the Code of Civil Procedure (Amendment) Bill, 1974 —

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do appoint a member of the Rajya Sabha to the Joint Committee of the Houses on the Code of Civil Procedure (Amendment) Bill, 1974, in the vacancy caused by the resignation of Shri Bipinpal Das and resolves that Shri Mohammad Usman Arif be appointed to the said Joint Committee to fill the vacancy".

(iv) 'I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Wednesday, the 11th December, 1974, adopted the following motion in regard to the presentation of the Report of the Joint Committee of the Houses on the Plantations Labour (Amendment) Bill, 1973 —

"That the time appointed for the presentation of the Report of the Joint Committee of the Houses on the Plantations Labour (Amendment) Bill, 1973, be further extended upto the first day of the last week of the Ninety-first session of the Rajya Sabha"

श्री मधु लिमावे . मैं आप के सलिल के खिलाफ बाबू प्राउट करता हूँ । पायट आफ आड़ उड़ा हूँ मदम्य का अधिकार है ।
(Shri Madhu Limave then left the House (Interruptions)

AN HON MEMBER Privilege motion

MR SPEAKER Not today No more points of order This debate is closed now We take up call attention motion

(Interruptions)

MR SPEAKER We adjourn now for Lunch to reassemble at two 13.01 hrs

The Lok Sabha adjourned for Lunch till Fourteen of the Clock

The Lok Sabha re-assembled after Lunch at four minutes past Fourteen of the Clock

[MR. DEPUTY-SPEAKER in the Chair].

‘श्री मधु लिमये (बांका) : अध्यक्ष महोदय, महाराष्ट्र के अकोला जिले से धावती ग्राम में दो नवबुद्ध हरिजनों की आखों को फोड़ दिया गया ... (प्रत्याहार) ...

एक आनन्दीय सबस्थ नवबुद्ध कहिए, हरिजन मत कहिए।

श्री मधु लिमये : वह नो आप भी जानते हैं, मैं भी जानता हूँ। उम में क्या है ? मैंने तो पहले ही कहा कि नवबुद्ध दो व्यक्तियों की आखों को फोड़ दिया गया। देवेर ब्लाइड। उन का कसूर यही था कि एक मवर्ण हिन्दू परिवार के एक व्यक्ति ने उन की बहन के साथ जो रिश्ता रखा था उम के चलते ये भाई उन के पास गए यह प्रायंता करने के लिए कि आप मेरी बहन से शादी कर लीजिए, विवाह कर लीजिए।

अध्यक्ष महोदय, आप जानते हैं छत्तीमंगढ़ में जब ट्राइबल लोगों के साथ इसी तरह का दुर्घटनाक हुआ था नो वहा के क्लैब्टर ने उन लोगों की शादी कारबाई, उम की बड़ी तारीफ हो गई। इस के बारे में मैं आशा करता था कि रघुरमेया जी गृह मंत्री जी से कोई वक्तव्य दिलायेंगे। लेकिन अभी तक कोई वक्तव्य नहीं आया। इसलिए मेरी विनाश प्रायंता है आपके मार्केन मंत्री महोदय से कि यह एक बहुत ऐसी दर्दनाक घटना है कि जिस के बारे में पूरे देश में एक धूणा की लहर फैलनी चाहिए और इसलिए मैं नाकत के साथ इस बात को उठाना चाहता हूँ।

SHRI VASANT SATHE (Akola) : This is from my constituency So, I would like to support Shri Madhu Limaye in demanding a thorough enquiry and a full statement on the facts of this serious matter.

SHRI SAMAR GUHA (Contd): I want to make a submission to you. Today a report has appeared in the press that one Anand Margi has burnt himself. Yesterday he gave a notice to the Government that he will commit self-immolation if a pearl-studded ring of the Guru which had been taken by the police is not returned. Today it has appeared in the press that he has committed self-immolation inside the Jail. This is really a horrible thing. It has taken place inside the jail after he has given proper notice.

MR. DEPUTY-SPEAKER: Should it not be raised in the Bihar Assembly?

SHRI SAMAR GUHA: This is not a political matter. . . (Interruptions) The international press will take advantage of it and it will give a bad impression about the country. What is the actual position, what actually happened, why that man was not protected, why he was not arrested before he committed self-immolation, all these things should be mentioned in the statement on behalf of the Government.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : It is now going to be 13 months since I produced photostat copies of documents against Shri D P Dhar on the floor of the House and the matter was left in the hands of the hon Speaker. I have given all the documents that were required, including the original document that was summoned from the Postal Department. Everything has been compared and they tallied to the last full stop. My submission before the House is that the matter be now brought before the House from the Chair so that the truth is established and suitable action taken.

SHRI S. M. BANERJEE (Kanpur) : In Kanpur there is a unit of the Hindustan Aeronautics Limited where we are manufacturing Avro 748 planes. But, unfortunately, because of certain technical defects which could not be rectified, the production has

come almost to a stop. It is feared that 4,000 employees working in H.A.L., Kanpur might lose their jobs or they may be transferred.

Sir, the then Minister of Defence Production, Shri Vidya Charan Shukla had assured that nobody would be retrenched. I have seen a press news that the Minister has also made a statement in the other House. Since this matter relates to the future of 4,000 employees and their family members in Kanpur, it is necessary that the Minister of Defence Production makes a statement allaying the fears in the minds of 4,000 employees. May I request Shri K. Raghu Ramaih who was also once the Minister of Defence Production to convey it to Shri Mirdha or Shri Swaran Singh to make a statement at the earliest opportunity?

धी जनेश्वर मिश्र (इलाहाबाद) :

उपाध्यक्ष महोदय, पिछले दो हफ्तों में चौथी बार निवेदन कर रहा हूँ कि इस समय न केवल उत्तर प्रदेश में, बैंसे उत्तर प्रदेश में इलाहाबाद, लखनऊ, गोरखपुर, बनारस, सब जगह और उस के बाहर भी, मद्रास से लेकर पाञ्चाब और हरियाणा तक शिक्षण संस्थाओं में एक अजीब किस्म की हत्याल है, सब जगह हड्डाल है। लखनऊ यूनीवर्सिटी की तो आज ही एक खबर पढ़ रहाथा—शाम क़ प्रशिकारी इतना घबराये कि उन्होंने पुलिस को खबर दे दी। उस के बाद वहां पुलिस पड़की चक्कन वहां कुछ नहीं था। उन अधिकारियों ने कहा कि हम लोगों को लगा कि कुछ हो रहा है, ऐसा लग रहा था। शिक्षण संस्थाओं के अधिकारी लोग सपने देख रहे हैं और घबरा रहे हैं। पूरे देश में शिक्षण संस्थाओं में आमूल परिवर्तन की जबरदस्त मांग है। यह केवल राज्यों का मामला नहीं है, इस में बनारस यूनीवर्सिटी भी आ जाती है जो सेंट्रल यूनीवर्सिटी है। मैं कई बार मांग कर चुका हूँ कि शिक्षा भंडी यहां आ कर—इस समय जो शिक्षा व्यवस्था में पूरे परिवर्तन की मांग चल रही है, उस पर वक्तव्य वें, क्योंकि इलाहाबाद यूनीवर्सिटी में तो 12-13 लाङ्के

निकाल दिये गये हैं—परमानन्द विधि, अविनाश शुल्क, आदि, जो हम लोगों के कार्यकर्ता थे। यह हालत क्यों पैदा हो रही है? मैं चारी बार निवेदन कर रहा हूँ, मैं समझता हूँ कि ग्रब शिक्षा भंडी यहां आ कर वक्तव्य देंगे।

14.13 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

SITUATION CREATED IN CASHEW INDUSTRY FOLLOWING KERALA HIGH COURT JUDGEMENT

SHRI C. M. STEPHEN (Muvattupuzha): Sir, I call the attention of the Minister of Commerce to the following matter of urgent public importance and I request that he may make a statement thereon:—

Situation created on the cashew industry as a result of judgment of Kerala High Court on 3rd December, 1974 annulling Public Notice which regulates distribution of imported raw cashewnuts.

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): Mr. Speaker, Sir, the raw cashew nuts required for processing leading to export of cashew kernels are largely supplied by imports. The import of raw cashew nuts was canalised through Cashew Corporation of India from 1-9-1970. The policy governing the distribution of imported raw cashew nuts has been laid down in the Public Notice No. 183/73-ITC/PN 29, dated 3rd November, 1973.

Briefly speaking under this Public Notice, the Cashew Corporation of India is the distributing agency to the eligible actual users. The actual users are those processors who had participated in the import and export trading of cashew nuts and operated cashew processing factories in any of

[Shri Vishwanath Pratap Singh]

the calendar years 1968, 1969 and upto 31st August, 1970. The allocation of imported nuts is on the following considerations—

(a) Allocations are made only to factories which have filed a declaration as actual users in the prescribed proforma with the Cashew Corporation of India and are accepted by Cashew Corporation of India after the date of canalisation.

(b) Any factory closed down for a continuous period of two years or more after 1st September, 1970 is not eligible for allotment.

(c) Any factory which does not conform to provisions of law relating to safety, conditions of service or fixation and payment of wages to the workmen is also not eligible.

(d) The actual quantum of allocation to each factory is determined by Cashew Corporation of India on the basis of labour strength ascertained from the muster rolls maintained by the factory and verified by the Corporation.

(e) The raw cashew nuts allotted must be processed in the factory to which the allotment has been made and transfer to other factories is not permitted.

Another important condition is that cashew kernels equivalent of 120 per cent in terms of yield of raw nuts allotted must be exported and proof of this furnished to the Corporation. This condition is to make the processing units use a minimum amount of indigenous nuts.

A number of writs challenging the aforesaid public notice were filed in the Kerala High Court and were defended by the Government of India and the Cashew Corporation of India. We have been informed by the Cashew Corporation of India and their Counsel in Cochin that the Kerala High Court on 3rd December, 1974 has pronounced the judgement on the

several writs. It is reported that the Kerala High Court has held this public notice *ultra vires* and has directed the Cashew Corporation of India to make an *ad-hoc* allotment of 250 tons of imported cashew nuts to each of the petitioners. We have sought a copy of the judgement which has not been received yet. While it would be necessary to see the judgement of the Kerala High Court and to examine its findings, yet from the information that we have upto now we may have to file an appeal against this judgement and seek a stay order. The Cashew Corporation of India has however, already issued instructions to its Counsel to approach the Division Bench of the Kerala High Court to obtain a stay of the operation of the order.

SHRI C M STEPHEN: A very, very extraordinary situation has arisen. This is a matter which concerns a very large number of workers in Kerala. Ever since canalisation, the position has been like this. The import figures are: 1970-71 64,000 tonnes; 1971-72 1,57,000 tonnes; 1972-73, two lakh tonnes; 1973-74, 1,57,000 tonnes. The export figures also have been going up: it was Rs. 52 crores in 1970-71, Rs. 62 crores in 1971-72; Rs. 69 crores in 1972-73; Rs. 75 crores in 1973-74; and the figure in 1974-75 is expected to be Rs. 111 crores. Therefore here is a real gold mine as far as our country is concerned. So far as processing is concerned, about 60 per cent is done from raw imported raw nuts and the rest from our country. These raw nuts are being imported here only for one reason; unlike in Africa, trained workers are available here. Now, the position is that as against 1,57,000 tonnes, the total labour strength of the approved factories as on date is about 1,37,000 of which 1,07,000 are in Kerala and 25,300 and odd are from Tamil Nadu. The problem here is that the total available quantity of nuts, both imported nuts and the locally available nuts, is not enough to provide work to all the workers throughout the year. It is estimated that three tonnes of raw

nuts are necessary if one worker must have work for the full year. Calculated on that basis, we find that the workers cannot have work throughout the year. Even if the supply is restricted to the labour strength of approved factories, the workers will have work only for a maximum period of eight months in a year. That is the position.

Now, this has got to be improved. It is in order to safeguard these rights of the workers that canalising was resorted to and progressively steps were being taken whereby now there is a procedure we are in a position to guarantee the wages of the workers and the workers have started getting wages regularly. There is a public sector industry which has 34 factories employing about 37,000 workers and which has now assumed a commanding position. The whole question is that this public notice has now been struck down. This is a major event that has taken place. The result will be total anarchy in the cashew industry. Factories which are genuine are coming to a close. Those factories which were not facing any risk and which have not been taken over, have also been remaining completely closed now. After this judgment, these people will go on with their demand for a share of the raw nuts which means that to that extent, articles supplied to the approved, and regular factories will be reduced. That means that in place of even 7 to 8 months' work the workers are getting, that will progressively come down to 1 month or 2 months' work. That will be the position. The result will be that the workers will lose interest and this important and major foreign-exchange earning source will gradually dry up. Along with the developments that are taking place in Africa we are facing a situation of national proportions and national importance. Here is an industry, small-scale in nature, labour-intensive and catering to 1,37,000 workers and earning for you valuable foreign exchange of about Rs. 100 crores per annum, which is going to be hit.

The purpose of my calling attention to the Minister is to make the Minister to comprehend, visualise and understand the immensity, the depth and the gravity of the problem of the situation that has arisen. There is a real anarchical position in the subconscious mind of the workers. Anything can happen. That is the present position which has got to be interfered.

I am really pained to read the statement of the Minister, wherein he says, "We have been informed by the Counsel of the Cashew Corporation of India in Cochin, that the Kerala High Court has on 3rd December, 1974 pronounced a judgement on the several writs." This happened on 3rd December, 1974 and we are to-day on the 12th December. Nine days have gone by and the Government of India had to get information from the Counsel of the Cashew Corporation of India. The Government of India happen to be the counter-petitioner No. 1 in these petitions. It is the notification of the Government of India that was attacked. It was not a CCI notification that was attacked. A Government of India's notification was attacked. The CCI is only the executing agency. The CCI has nothing else to do. Your notification was attacked. You are represented there. Your Counsel has not passed on any information to you. You had to resort to the second-hand information from a Counsel or somebody else and you say, 'We have not received any information from our man.' Well I do not want to Comment upon your Counsel. Yet, kindly enquire who this grooming gentleman is, who did not care to pass on the information to you by which the entire sub-structure of an industrial super-structure is sought to be knocked down by one single stroke of a single Judge's decision. He cannot tell us. They understand that the CCI is seeking to file an appeal before the Division Bench. Is the Government of India only a silent spectator? Has the Government of India nothing to do with this? It is your order that has been struck down.

[Shri C. M. Stephen]

Are you satisfied that as the CCI is filing an appeal against this, you have nothing to do about this?

May I demand that the Government of India must come forward and not depend on the CCI? It is your business. It is your public notice that has been struck down. It is that after your public notice was struck down, a public sector unit is shaking and a major organized industry is going to smithereens. Kindly do not remain a passivist. I would request that a person of a high calibre from your legal luminaries in New Delhi must be deputed to Cochin to file an appeal and ask for stay. Please do not depend on your lawyer who did not even care to inform you. Top priority must be given to it. This is my request. Are you prepared to do it? That is my first question.

I do not think that a solution lies exclusively limited to this only. When a crisis developed in the coal industry, you went in. When a crisis developed in the textile industry, you went in. You go in only when a crisis develops. But there is a case of a labour-intensive industry employing 1,50,000 workers and where you spend not more than Rs. 100 per head. This is the type of employment here. It is earning you foreign exchange of the magnitude of Rs. 100 crores a year. You must examine immediately the legal provisions whereby you may, if the final decision goes against you, come out with a proper statute, so that this could be taken care of and distribution may not take place. Anarchy is looming large and a difficult situation has arisen and what has been built over a number of years is sought to be razed to the ground. So, I would request the Government to go ahead with all seriousness in this matter and do not depend on CCI. Send somebody from here to file the case and obtain stay orders.

A ship is now arriving in Cochin harbour with about 8,000 tonnes. The order of the court is that all these 27

petitioners be given 250 tonnes each and out of this 100 tonnes each immediately. So, if they are given 100 tonnes each there will remain only 5,000 tonnes. There are 240 factories and a large number of workers are looking to the arrival of the ship. You are satisfied to tell me that CCI lawyer has informed you and that you are satisfied that CCI will find some solicitor. As for you you will sit in the Chair and watch the game. Is that the attitude of the Government of India? Do you think the CCI will do the job? Government of India has a job to do? I want to know whether Government of India will do the job by amending the statute or, if necessary, come up with a statute which will take care of the future of these workers?

SHRI VISHWANATH PRATAP SINGH: The hon. Member has very forcefully and in great depth analysed the situation. I very much agree with his analysis of the industry. It is very true that the imported raw cashew is in short supply and to the extent of about 1,60,000 tonnes per year, it does fall short of the installed capacity of the manufacturers, and consequently they are unable to run their factories for the full year. As he says, it is also a labour intensive industry. I will take the figure of the hon. Member. Not 1,50,000 but 1,84,000 workers are engaged in this industry. It was in this background that the Government of India canalised the import of raw cashew. There was also the export aspect of it. So many buyers in the international market resulted in pushing up the prices of the raw cashew, and this had a crippling effect on the industry itself. It was in this context that the Government adopted the canalisation policy and it was enshrined in the public notice issued on 3rd November, 1973. That 12 per cent would be for export ensured the export angle. The interest of the labourers was ensured by saying that any factory which does not conform to the labour laws and give minimum wages shall not be entitled to import ed cashewnuts.

The two vital interests of the country—the labourers and also the export earnings—was taken care of in the public notice. This had a beneficial effect. And, for the first time, the Kerala Government could revise the minimum wages for the workers of the cashew industry. It also ensured the stability of this industry.

As mentioned by the hon Member, the export earnings went up. I will not go into the details of the figures. There is no disagreement on this. The figures may a little bit differ. The judgment pronounced by the High Court on writs has left us in an unsettled condition in regard to the policy which we had adopted. The new steps that have to be taken are under way. At this juncture I may assure my hon. friend that there has been no laxity on the part of the Government. As soon as information was received telegrams were sent by Government of India for getting a certified copy of the judgment. While the pronouncement has been made by the court perhaps the actual signatures may not have been made. And we have not yet been able to get the certified copy of it. As soon as the certified copy of it was received, highest legal attention will be paid to it and Government will take steps to ensure that this commodity which is scarce is distributed on a rational basis on which the livelihood of lakhs of workers is based and also our country's export earnings depend. The hon. Member mentioned about the ships that are coming with the cashew. Already allotments had been made—about 5,400 tonnes to Kerala and about 1,250 tonnes to Tamil Nadu and 50 metric tonnes to Karnataka. As we view it, there is hardly any cashew which can be allotted to the petitioners. Since we have not actually received the judgment, we cannot say much further than this. We shall give it the highest legal attention that can be given by us.

SHRI VAYALAR RAVI (Chirayinkil): Mr. Deputy-Speaker, Sir, I fully endorse what my colleague, Shri Ste-

phen has just now said. Also I am glad that the Minister is very much aware of the problem of the cashew industry and the workers. I should pay a complement to the step taken by Central Government. The problem here is that because of the judgment of the Kerala High Court, the cashew workers may suffer and it may make a drain on our foreign exchange position. When everything is in proper shape and when the Central Government has taken steps to implement the new wage policy introduced by Kerala Government, this new problem has arisen. I would only say that Central Government has taken a very bold decision in implementing the minimum wage to the workers. This has benefited about 1,87,000 workers. A public sector corporation also came up and 36,000 workers are working with them. Unfortunately this judgment has come. I fully agree with Mr. Stephen that something should be done on the basis of a constitutional law. I would like the hon. Minister to contest in the court by the experts—Mr. Stephen is a very prominent labour leader in the cashew industry who may get very good awards for the cashew workers—about the public notices which have been declared ultra vires. Sir, now, the question is, whether the Government is in touch only with the CCI or are they in touch with Government lawyers also? But, I think, the Government solely depends on the CCI. The CCI engaged another lawyer. He is the Additional Advocate-General of Kerala. Yet they lost the case. But, my suggestion is, the Government should take the matter very seriously and send some senior lawyers from here. They should send either the Attorney General or the Additional Solicitor General. Some senior lawyers should go from here and defend the case. On this, I would like to have a categorical assurance from the Government. They should take this matter very seriously and send some senior lawyers from here, so that they will be able to argue the

[Shri Vayalar Ravi]

case and remedial measures can be found. Otherwise, this problem will become complicated. There will be a chaos, as Mr. Stephen said. Already, the Port Workers have threatened that they will not allow any ship to come to the Port, nowhere in the Kerala Ports. This will create more problems. The workers have threatened to go on strike. These writ petitions have been filed by a group of small people who are running a sort of a cottage industry, which is called Kudivaruppu in Malayalam—I do not know what is it called in English—where there is no wage, no labour law, no regulation. This is the problem. Anybody can say that he is the exporter and sell it in blackmarket. This leads to lots of malpractices. Government of India channels are importing lakhs of tonnes of cashew nut and giving it a proper shape. I would request the hon. Minister that he should take up this matter and send some senior lawyers I would like to know from the hon. Minister what other measures he is going to take to regulate the whole thing.

SHRI VISHWANATH PRATAP SINGH: Sir, the hon. Member has expressed the same concern which the Government has and I may assure him that the Government does not propose to abdicate its responsibility in this issue. We will not consider this to be an affair of the CCI only. Government will shoulder the legal responsibility on this issue and will go into it in detail. As far as the suggestion of sending some senior lawyers or the Attorney General is concerned, this is a suggestion which will receive the serious attention of the Government and this will be seriously considered.

COMMITTEE ON PETITIONS

TWENTIETH REPORT

SHRI JAGANNATH RAO (Chattrapuri): Sir. I beg to present the

Twentieth Report of the Committee on Petitions.

14.39 hrs.

STATEMENT RE. ARREST OF MEMBERS

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): Sir, as directed by you, I seek your permission to state the factual position regarding points raised in this House on the 15th November, in connection with the arrest of Shri Digvijay Narain Singh, MP and Shri Satyendra Narayan Singh, MP. According to information received from the Government of Bihar, Shri Digvijay Narain Singh, MP, Shri Satyendra Narayan Singh, MP and 15 others were arrested at Boring Road, Patna on the 4th November, 1974 at about 12 noon, for violation of prohibitory orders u/s 144 Cr P.C and rule 69 of the Defence of India Rules. It has also been stated by the Government of Bihar that a telegram regarding the arrest of these two Members of Parliament was duly sent by the District Magistrate, Patna the same day i.e. on the 4th November, 1974, but owing to unsettled conditions in the town telegram was not despatched from the Telegraph Office on that day and it was transmitted on the next day. A detailed report about the arrest of these Members of Parliament was subsequently sent on the 6th November to the Hon'ble Speaker by the District Magistrate, Patna informing him that the aforesaid Members of Parliament had been arrested on the 4th November, 1974. The Government of Bihar have also stated that Shri Digvijay Narain Singh, MP, Shri Satyendra Narayan Singh, MP and other persons arrested along with them were produced before a Magistrate on the same day. They were remanded to jail custody and lodged at Phulwari Sharif Camp Jail on the night between the 4th and 5th November, 1974. They were released

from the Jail on the 10th November, 1974.

SHRI D. N. SINGH: I am prepared to accept that the condition in Patna on the 4th was unsettled, and in view of this admission by the Bihar Government, I would like to request the Home Minister to tender a friendly advice to the Government of Bihar not to go about proclaiming that the movement of the 4th was a total failure. That is my only submission. I hope he will definitely give this friendly advice to the Government of Bihar. I have nothing else to say.

SHRI NOORUL HUDA (Cachar): It is a shameful on the part of Government to arrest MPs under DIR.

—
14.43 hrs.

STATUTORY RESOLUTION RE.
DISAPPROVAL OF REPRESENTA-
TION OF THE PEOPLE
(AMENDMENT) ORDINANCE
AND REPRESENTATION OF
THE PEOPLE (AMENDMENT)
BILL

MR. DEPUTY-SPEAKER: We take up the Statutory Resolution seeking disapproval of the Representation of the People (Amendment) Ordinance, 1974, and the Bill of Shri Gokhale to replace this Ordinance. I see the name of Shri Janeswar Mishra here to raise an objection. I do not know what he wants to say. But these objections should come...

श्री जनेश्वर मिश्र (इनहावाद) : अब मन्त्री बहुदय घरना बिल पेश करेंगे, तब मैं आपसि उठाऊंगा।

SHRI SHAMNANDAN MISHRA (Begusarai): When he moves the Bill.

I beg to move:

"This House disapproves of the Representation of the People (Amendment) Ordinance, 1974 (Ordinance No. 13 of 1974) promulgated by the President on the 19th October, 1974".

SHRI INDRAJIT GUPTA (Alipore): How much time have you allotted for the general discussion?

MR. DEPUTY-SPEAKER: We have allotted six hours for both, I think five hours for the general discussion and one hour for the rest of the stages, because this is a short Bill.

SHRI MADHU LIMAYE (Banka): Five plus one.

MR. DEPUTY-SPEAKER: I do not know. I am just telling what the Business Advisory Committee had recommended and the House had decided—altogether six hours including the passing of the Bill.

SHRI P. G. MAVALANKAR (Ahmedabad): Six hours is a very short time.

MR. DEPUTY-SPEAKER: You have decided that yourselves.

SHRI MADHU LIMAYE: It is all right.

SHRI SHAMNANDAN MISHRA: I have no manner of doubt that the 19th October 1974 would be considered to be a sad day in the history of our democracy. Many improper and wrong ordinances had been promulgated in the past, but I must say that this is the blackest and the most reprehensible of them all. If I can characterise it, I would like to say that it has been a historic catastrophe and, to use a Neptunian phrase, all Neptune's ocean is not going to wash the stain on the Government. For, what they are doing is nothing else than legitimising the corruption in the elective process itself. But I am not

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surprised because it is part of the counter revolution against democracy that this regime has been systematically carrying out. As the crisis deepens, the ordinance making powers of the Government seem to be coming into greater and greater play. It seems it has become almost a matter of political survival for this Government to take recourse to Ordinances. Just now I do not have an exact recollection but probably about 22 to 23 per cent of all legislation passed by this Hon. House is contributed by the Ordinances themselves.

No law could be considered to be dishonest. But it is in order to say that an ordinance is malafide; it is dishonest. No court would say that a particular legislation has been dishonest but any court can say that an ordinance has been dishonest and it could be struck down for malafide. That being so it would be proper and in order to examine whether this Ordinance was done in good faith, with good intentions.

It was rightly pointed out in one of the letters to the editor, which I cannot help repeating here, that no sane man can help suspecting the motives of the Government in this matter. However there is one interesting aspect of this Ordinance. It exposes the reality behind the massive mandate so proudly flaunted by this Government. This means that the full shadow of black money collected by selling files, orders quotas and permits will continue to hover over our ballot boxes and the ballot box would be exactly equivalent to the chest box of the ruling party. That is precisely the intention behind it is Ordinance and I am glad that the Government has come out in its true colour. It also means that money power will continue to distort the will of the people and equality of opportunity will continue to elude the poorer candidates. At one stroke this Ordinance sweeps off the two objectives of the provision limiting

expenditure and what are these two objectives? One is that there should be equal effective voice and equal opportunity in the election processes and secondly, the influence of big money in the electoral process should be eliminated as far as possible.

The Supreme Court has said:

"If a candidate were to be subject to the limitations of the ceiling but the political party sponsoring him or his friends and supporters were to be free to spend as much as they like in connection with his election, the object of imposing the ceiling would be completely frustrated and the beneficial provision enacted in the interest of purity and genuineness of the democratic process would be wholly emasculated. The mischief sought to be remedied and the evil sought to be suppressed would enter the political arena with redoubled force and vitiate the political life of the country. The great democratic ideal of social, economic and political justice and equality of status and opportunity enshrined in the preamble of our Constitution would remain merely a distant dream including our grasp."

This is what the Supreme Court held and I should like to know whether any hon. Member in this House disagrees with this view.

The question before the House is whether we want to control the evil influence of money on elections or not? Do you want money to control elections or elections to control the evil influence to the extent possible? That is the crucial question which must be answered before taking to any measure in this respect. The heart of the matter is whether elections should remain or go on becoming prohibitively expensive or they should become financially more

manageable, so that the ordinary people can take part in elections. But the true face of the ordinance is—it says so in very clear terms—that the poor people have no place in the elective process that we have in this country. It is not surprising, therefore, that the elected representatives of the people become much more beholden to the benefactors during the elections than to the people themselves who have elected them. They are, therefore, bound to seek assistance against promise of future favour. I would not say that the opposition parties are Simon Pure or they are not guilty of any of these evil practices. But there is nothing in the gift of the opposition which can make people contribute to their election funds.

The ruling party's recent decision to lift the ban on company donation is also a pointer in the same direction. What the ruling party proposes to do is, they would get a certificate of Rs. 2 lakhs on the basis of donations made by the companies openly, although they would have collected under the counter Rs. 2 crores. That is the facade that they want to build up now. Therefore, they have taken this view that the ban on company donations must be lifted.

SHRI HARI KISHORE SINGH (Pupri): Are you against lifting the ban?

SHRI SHYAMNANDAN MISHRA: Can I have been a party to the ban on company donation. You are a new comer to this House. We did this in the united Congress.

The other day we were told by the Minister while piloting the Bill that the alleged smugglers could not be brought on trial because their monetary resources could buy them freedom, security and immunity from the elective process, because they could buy off the witnesses and bully and subvert the processes of the

court. If money is that powerful in the hands of an individual, it is my respectful submission that where there is a confluence of this money power and the State apparatus, there would be indeed a very great tyranny perpetrated on the people.

There is a public clamour for reforming the electoral system. Is this the reform they want to inaugurate? Is it the preface that they are writing to the electoral reforms for, which the country has been agitating all this time? Not even the most gullible would, therefore, believe in their protestations about electoral reforms. But the Minister of Law said the other day that this ordinance does not prevent us from taking steps in future about electoral reforms. But when you had not implemented the unanimous recommendations of the Joint Select Committee on electoral reforms, can anybody have any faith that you would be really sincere about it? There had been many recommendations unanimously made by the Joint Select Committee. Even with regard to the ceiling to be imposed on the political parties and the political parties to be made to file election returns, there had been a recommendation from the opposition parties, but if you with all your majority are going to turn it down, where is the sense in your saying that you are going to do the same in future?

Now the Government claims that this measure is born out of solicitude for 180 candidates against whom election petitions are pending in various High Courts of the country. But may I ask whether any opposition party had asked for protection of this kind? It is also the claim of the Government that many of these election petitions, in fact the majority of the election petitions, relate to the members of the opposition parties. If that is so, would it not be in order to ask the Government whether any political party had approached the

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Government for a protection of this kind? So, your solicitude for the candidates, for the persons who have been involved in this, is rather suspicious.

SHRI N. K. P. SALVE (Betul): Did you in your return of expenses include expenses which your party had incurred on your behalf, which could have been identified as attributable to your elections?

SHRI SHYAMNANDAN MISHRA: My party is very poor. Even so, if my party was found to be spending in connection with my election, the court should take that into account in computing my election expenditure. I would have absolutely no objection to it.

May I ask my hon. friend to answer my point? Suppose my hon. friend, Shri Salve shows zero in his personal expenditure and shows all the expenditure as incurred by his political party, would be the court entertain that kind of return from the hon. Member, Salve? Would it not be a fantastic nonsense? Would it not be a great insult to intelligence? If, this argument is granted, then every candidate would show only zero as his election expenditure and all the election expenditure should be debited to the accounts of the political party. Then you can have hundreds of jeeps in your elections and show all the hundreds of jeeps as provided by your District Congress Committee or the PCC or AICC. Similarly, thousands of bottles of liquor that are being distributed by some candidates, you claim all that is done by the party. An impression has gained ground that it has been done to save the election of the hon. Prime Minister. Therefore, I thought the Government should have been extra careful in coming out with a measure of this kind. I am not going into the case because a case is pending before the court. I would not do that. But if it was

considered to be a disaster that the Prime Minister's election would be affected, then probably the more honest course was to come to the House with a constitutional amendment that the Prime Minister should not be subject to an election petition, the Prime Minister must be immune from an election petition. I do realise that party is now in a peculiar predicament because, if the Prime Minister goes, there is nobody on that side who can be placed as Prime Minister. So, probably, the party would go to pieces. We would have committed to the party to some extent if they had been in that predicament....(interruptions). But first have the courage to come before the House with a proposal of that kind. If they come forward with their predicament that if the Prime Minister goes their party will go to pieces, then we would certainly show some sympathy. My hon. friend, Mr. Limaye, may consider some persons to be better than the Prime Minister. But I do not consider any person like that. They have been just falling in line with her. They do not have the courage to come out. I rather think the Prime Minister to be a braver person than the pusillanimous and the cowardly lot which does not speak of its mind clearly.

15 hrs.

Now, I come to the purely legal aspects of the Ordinance. The first thing to note is that the Ordinance has not only a legal aspect but it has a politico-moral aspect also. It is the most immoral Ordinance. The first duty of the Parliament is to get into the politico-moral aspect of it. I can be a match for any person so far as the legal aspects are concerned.

Let me deal with the legal aspects adequately. So far as the part, validating the Act in the light of the observations made by the Supreme Court regarding defects in legislation

is concerned it is a unique Ordinance which is introducing defects and legitimising them in the present piece of legislation. The Supreme Court has not laid down any new law. What the Supreme Court did in the recent case of Mr. Amar Nath Chawla and Mr. Kanwar Lal Gupta was a restatement of the case of the law as it exists. This is, in fact, the Ordinance which is altering the law. This is the basic legal proposition which I am trying to establish.

There are two things before us which give the intention of the Government so far as the promulgation of this Ordinance is concerned. One is the statement of the hon. Law Minister which he made to the press in an informal chat and the other is the explanatory memorandum issued by the Government on the subject. So, I will deal with them now. The hon. Minister of Law had given the reasons for the promulgation of the Ordinance. One of the reasons given was that the Ordinance was necessary to make the intention underlying Section 77 clear. That was the one thing which he thought was necessary to do. Secondly, he gave the reason that the Ordinance merely restored the *status quo ante*.

The latest judgment not only ran counter in his opinion to the earlier judgments of the Supreme Court which said that the expenditure of parties should not be taken into account but it also gave a wider interpretation to certain expressions, like, expenditure incurred or authorised by the candidate. These were the two propositions which the hon. Law Minister made when he was trying to explain this black Ordinance.

Then, he referred to the two cases which had also been referred to by the Supreme Court in this regard. He referred to two cases, namely,

(1) Shri B. Rajagopala Rao Vs.
 Shri N. G. Ranga and

(2) Shri Rananjaya Singh Vs.
 Shri Baijnath Singh.

These are the two cases. A layman would feel completely at sea as to how the same two cases could yield two different conclusions. But that is what the hon. Law Minister has tried to do. He has tried to perform a feat that the same cases could have yielded different kinds of conclusions. In both these cases it was the Law Minister's contention that the court had adjudged that the expenditure incurred by persons other than the candidates for election purposes would not be taken into account in determining whether a corrupt practice was committed by the candidate. Now, the Statement of Objects and Reasons has said the same thing in some other words. It is said in the statement of Objects and Reasons: "The impression incurred or authorised" had not been construed so as to bring within its purview the expenditure incurred by a political party in its campaign." Here is a very crucial word or expression which must be borne in mind by the hon. House. The Supreme Court has not said that what is expended during the course of a campaign for general party purposes should be debited to the account of a particular candidate. The Supreme Court has made a distinction between the expenditure incurred for general purposes of the party and the expenditure incurred in connection with the election of a particular candidate. Yet, the statement of Objects and Reasons says:

"...the expenditure incurred by a political party in its campaign or by any person other than the candidate unless incurred by such third person as the candidate's agent. In other words, the provisions of section 77 and clause (6) of section 123 have been intended and understood to be restraints on the candidate's election expenditure and not on the expenditure of a political party."

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By this interpretation, the Statement of Objects and Reasons has tried to convey that the sky is the only limit so far as the expenditure of a particular political party even in a constituency is concerned, that there is no limit absolutely. How atrocious it is! This is the interpretation which they ask us to believe! If that were so, a ceiling on election expenses was meaningless. Then why don't you come forward in a straightforward manner and honestly tell the House that a ceiling on expenditure by a particular candidate is meaningless and it must be done away with? That is a course which could have been better understood by us.

Now it is clear that the Supreme Court does not adjudge that expenditure on general party propaganda should be taken into account in computing the candidate's election expenses. It does make a concession for the expenditure incurred on party propaganda or on ideological propaganda. It does make a concession in that respect. Please do not think that the Supreme Court has been unreasonable in this matter. The Supreme Court does make a concession in that regard. It is only when the political party sponsoring a candidate incurs expenditure in connection with his election as distinguished from expenditure on general party propaganda and the candidate knowingly takes advantage of it or participates in that programme or activity or fails to disavow the expenditure or consents to it or acquiesces in it, that it would be reasonable to infer, save in special circumstances, that he implicitly authorised the political party to incur such expenditure and he cannot escape the rigour of the ceiling by saying that he had not incurred the expenditure but his political party had done so. That is the clear exposition of the Supreme Court's stand. And could anybody in his senses disagree with this view? You have not disavowed. If I find not only the resources of the Ganga

flowing or even the resources of the Brahmaputra but the whole ocean inundating the Party, would I not take objection to this?

SHRI N. K. P. SALVE: Have you quoted from the judgment?

SHRI SHYAMNANDAN MISHRA: I have quoted from the judgment itself.

SHRI N. K. P. SALVE: Which page?

SHRI SHYAMNANDAN MISHRA: I can give you the page later.

These are the words of the Supreme Court . . . (Interruptions)

SHRI MADHU LIMAYE: Shrimati Mayaji has something to say.

SHRI DARBARA SINGH (Hoshiarpur): She does not need your recommendation.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Does she want to talk about Gaighata?

SHRI SHYAMNANDAN MISHRA: The Supreme Court has also said:

"This view we are taking does not run counter to any earlier decisions of this court."

These are again within quotes. It bids us, therefore, how the Law Minister could take the stand that the recent judgment was a departure from the judgments delivered in the past...

SHRI N. K. P. SALVE: That he will cite.

SHRI SHYAMNANDAN MISHRA: When the Supreme Court has said in explicit terms that its judgment does not run counter to the earlier judgments, the hon. Law Minister has told us that it does go against. Now, whose interpretation this House will believe more? The interpretation of the Law Minister or the interpretation of the Supreme Court? He had also been a Judge of the High Court. I am quoting the Supreme Court...

SHRI N. K. P. SALVE: I will also quote the Supreme Court.

SHRI SHYAMNANDAN MISHRA: I am coming to all that. The Supreme Court has referred not only to the cases which the hon. Law Minister mentioned, but, in addition, it has referred to *Madras Patodia vs. R. K. Birla and others* also. . . .

SHRI JYOTIRMOY BOSU: *Chalees Lakhwala?*

SHRI SHYAMNANDAN MISHRA: The consistent stand of the Supreme Court has been that whatever goes into and affects the election of a candidate, should be added to the election expenses on the basis of equality of opportunity. That is the basis of the limit imposed.

You are now destroying natural civilised law of equality of opportunity. . . . (Interruptions) and it would now wipe out whatever remains of the limit on ceiling.

Now, I challenge the Law Minister to quote a single judgment to the contrary. My hon. friend, Shri Salve, seems to think that there are some judgments which run counter...

AN HON. MEMBER: Yes.

SHRI SHYAMNANDAN MISHRA: . . . to the Supreme Court's judgment. If this was the law, then, may I ask my hon. friend, Shri Salve: why was Shri Amarnath Chawla made to suffer? You are protecting the prospective 180 cases, but why did you not protect Shri Amarnath Chawla's election if this is the law? . . . (Interruptions) Why not you give equal protection of law? You should have granted equal protection of law. You have done retrospective validation but protected the judgment at all. Last must be based on non-discrimination and equal application. . . . (Interruptions) But the also you have not done. You cannot ride two horses at the same time. Would it convince anybody that your

proposition that the law was that such an expenditure should not be debited to the account of a candidate was the correct law? Then, that should have been applied by the Government to the case of Shri Amar Nath Chawla's case also.

But you are doing something completely different...

AN HON. MEMBER: Would you agree to it now?

SHRI SHYAMNANDAN MISHRA: I am only stating the proposition before you. Again you ask me to sit in judgment. I will not do that.

The plain fact Mr. Deputy Speaker, is that by this judgment, they are altering the law. It is remarkable that they want the Supreme Court to interpret laws according to the social ethos and environments in one breath, but when the Supreme Court does the same, they turn against it. Would you want it to be a completely conforming Supreme Court? You do not want the Supreme Court to be keeping with the spirit of the times? They have brought out that because your expenditure is so becoming so fantastic and so gigantic that the Supreme Court is bound to take it into account.

But, now, the basic approach of the Supreme Court is contained in the following sentence:

"Before we proceed to discuss the evidence..."
I am again quoting the lines of the Supreme Court Judgment.

"Now, before we proceed to discuss the evidence bearing on this question, we must clear the ground by pointing out that not only is the incurring of excessive expenditure a corrupt practice, but also the authorising of such expenditure and authorising may be implied as well as express."

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That is the key sentence in the judgement of the Supreme Court.

"Where the authorising is express, there is no difficulty in bringing home the charge of corrupt practice against the candidate. But a somewhat difficult question on facts may arise where the charge is sought to be proved against the candidate on the basis that he impliedly authorised excessive expenditure. Whether a particular expenditure was impliedly authorised by the candidate must depend on the facts and circumstances of each case as appearing from the evidence adduced before the court.

This question would arise in a challenging form where the expenditure in connection with the election is incurred not by the candidate but by the political party which has sponsored him or his friends and supporters."

Then the Supreme Court proceeds to ask:

"Can the limit on the expenditure be evaded by the candidate by not spending any moneys of his own but leaving it to the political party or his friends and supporters to spend an amount far in excess of the limit."

That is what Supreme Court has said. The Supreme Court has laid stress on authorisation and the authorisation in the opinion of the Supreme Court can both be express and implied. Would any person having the least knowledge of law disagree with the view that the authorisation can be of two kinds? Are they going to bind the Supreme Court by saying that you cannot go into the question of implied authorisation. They are living in a peculiar world of their own if they think by this Ordinance they can bind any court to saying that they would not go into the question of implied authorisation.

That is the primary duty of the court to go into the question of implied authorisation and on this basis they have established the case of Amar Nath Chawla that there was excessive expenditure incurred.

Now, I come to some of the cases mentioned. In Ram Dayal versus Brijraj Singh and others, the question arose whether certain expenditure incurred by the Maharaja of Gwalior and the Rajmata in connection with the election of Brijraj Singh was liable to be included in his election expenses.

The court had pointed out that in the absence of any connection between the canvassing activities carried on by the Maharaja and the Rajmata with the candidature of Brijraj Singh, it is impossible to hold that any expenditure was incurred by Brijraj Singh which was liable to be included in the election expenses of the first respondent.

Further the court had proceeded to add:

"We agree with the High Court that under 77(1) only the expenditure incurred or authorised by the candidate himself or by his election agent is required to be included in the account or return of election expenses and thus expenses incurred by any other agent or person without anything more need not be included in the account or return, as such incurring of expenditure would be purely voluntary."

In the latest judgement the Supreme Court has said:

"These observations would show that mere incurring of expenditure by any other person in connection with the election of a candidate, without something more, would not make it an expenditure authorised by the candidate."

But if there is something more which can reasonably lend itself to the in-

ference of implied authorisation particularly having regard to the object of this provision which is to bring about, as far as possible, equality in availability of resources and eliminate the corrupting influence of big money then it would certainly be included in the election account of a candidate.

It is significant to note that in this connection the court proceeded to examine whether the evidence was sufficient to establish that Brijraj Singh travelled with the Maharaja in his helicopter and visited several villages for his election campaign and held that the evidence in this connection was not reliable. This inquiry would have been wholly unnecessary unless the court was of the view that if Brijraj Singh could be shown to have travelled with the Maharaja in his helicopter and visited several villages in connection with his election campaign that would be sufficient to invest the expenditure incurred by the Maharaja with the character of expenditure impliedly authorised by Brijraj Singh. This decision, therefore, far from contradicting the view taken by us, actually supports it.

So, my submission is in this case Ram Dayal versus Brijraj Singh the court was of the opinion that if any connection could be established between the visit of the Maharaja to several villages in connection with his election campaign then the expenditure incurred on that account would have been included in the computation of the election expenditure of the particular candidate but since no connection could be established in this case, therefore, the court ruled that it could not be taken into account. The position is quite clear It is only wrong interpretation of the which would lead to another view. Therefore, the Supreme Court is absolutely right in holding that their judgement does not counter to any judgement before and particularly this case becomes very very important in this connection.

Then I come to Rananjaya Singh versus Bajnath Singh where the Supreme Court says:

"This court had no occasion to consider whether the elected candidate could be said to have authorised any expenditure by knowingly taking advantage of the services of these persons, because no such argument was advanced before this Court. In fact, such an argument could not plausibly be advanced because the salaries paid by the father to these persons were not for the purpose of working in connection with the election."

After one or two lines the Supreme Court asserts:

"This decision does not, therefore run contrary to what we have said."

The Supreme Court has found that their view is further supported by the decisions earlier in Magraj Patodia versus R. K. Birla and other and in B. Rajgopala Rao versus N. G. Ranga. Then finally the Supreme Court says:

"The question, therefore, in cases of this kind always is whether there is something more which may legitimately give rise to an inference of implied authorisation by a candidate. What could be something more is indicated by us in the propriety formulated above, though we must confess that by its very nature. It is not possible to lay down the exhaustive enumeration of the circumstances in which that something more may be inferred."

Now, Sir, I am referring to another case which had not been referred to either by the Supreme Court or by the honourable Law Minister. That is the case of Shri D. P. Mishra versus K. N. Sharma. My submission

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there is that the Supreme Court had held that the Party could also spend in a Constituency, and not only the candidate. That proposition had been held by the Supreme Court. In that case, Shri Mishra had deposited Rs. 700/- with the Madhya Pradesh Congress Committee as an applicant for the Congress ticket. Out of this amount, Rs. 200/- were meant as application fee and the remaining Rs. 500/- were to be used in the Constituency. That is, this expenditure was to be canalised through the P.C.C.

Now, the Supreme Court said:

"In our judgment, the High Court was right in holding the amount of Rs. 500/- paid by Shri Mishra as expenditure incurred on April 1, 1963, and was liable to be included in the statement of expenditure incurred for the purpose of election."

If this proposition is established, even the Congress Committee can spend in a particular Constituency, and not only the candidate himself. This is the view of the Supreme Court and it is also supported by this Government in the case of *Shri D. P. Mishra versus K. N. Sharma*.

But, this Ordinance notwithstanding, I have a feeling, the court will not change its basic position, and swallow any amount that a Party may spend in connection with the election of a candidate I hope I have been able to establish on the basis of the case to which the Law Minister referred and the Supreme Court had also gone into with great care. I am trying to formulate my own view in this matter for the consideration of the House.

I have a feeling that the court will not change its basic position and it would not swallow that the Party may spend any amount in connection with the election of a candidate that would

not swallow any kind of a fantastic amount that may be incurred by any political party.

Do you think that the Court will not take into account many of these things which are very obvious? In fact, the Court said in a recent case that the statement of expenditure by Shri Amarnath Chawla was an insult to intelligence because much more hundred times more, than that has been incurred by the political party which had sponsored the candidate. No doubt the court would take the same view in future also. Do you think that by adding two Explanations, they can alter the substantive provision? What does Section 77(1) say? It did not have any explanation appended to it earlier. Now, what they are trying to do is to completely change the character of the substantive provision of Section 77 by adding two Explanations.

My humble submission is that by adding the explanation you cannot change the basic character of the substantive provision that would make a non-sense of the whole Section itself. You are trying to add that in a circumlocutory manner—in a round about manner which would not be accepted by the court. That would simply reduce to nullify the section itself. So, it is clear that both on politico-moral and legal grounds, this measure is most objectionable. It is an attempt to pervert the present law. It is an affront to the Supreme Court. It exposes, as I have submitted earlier, the true colour of the Ruling Party. May I say that earlier it was the same view by a galaxy of the topmost intellectuals of this country. They had come out with a statement. Are some eminent professors including Dr. K. N. Raj, Prof. M. N. Srinivas and Prof. V. M. Dandekar not the top intellectuals of the country? I ask you. They have got international reputation. They have pointed out that the Ordinance legitimises in effect the control that powerful financial and propertied interests have acquired

over electoral processes. They further says.

"It cannot but lead to further loss of faith in the possibility of reforming the state of affairs in the country without recourse to extra-parliamentary methods."

Now, Sir, they are driving the country to extra-parliamentary methods and if they wanted to come forth with this Ordinance and if indeed a majority of the candidates involved in the election petitions belonged to the Opposition then, they should have held consultations with the Opposition before coming up with a measure of this kind. When they came with an Ordinance in respect of the smugglers they did consult or at least gave a show of consultation with the Opposition. But in a matter which concerns the elective process which concerns the majority of the candidates they did not have the decency to consult the opposition Parties. So, my charge is that this has been done in a hole and corner way. This is done only for the interest of the ruling party and in doing so this party is destroying democracy in this country. We, therefore, oppose this with all the force at our command.

MR DEPUTY-SPEAKER The Resolution is before the House.

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI H R GOKHALE) Sir, I beg to move

"That the Bill further to amend the Representation of the People Act, in 1951 be taken into consideration."

श्री अनेश्वर मिश्र मेरा पायट था फ़ार्डर है। मैंने इहाने से लिख कर दिया है।

SHRI H R GOKHALE I will reply to the various points raised later on.

MR DEPUTY-SPEAKER He had written that he wanted to raise some objections.

SHRI H R GOKHALE May I submit this? This is a Consideration

Motion and if he wants to make some points, he can do so in the course of the discussion.

MR DEPUTY-SPEAKER I had said so. He had written that he wanted to object to even the introduction of the Bill.

SHRI H R GOKHALE As far as I know, I think there is no rule.

MR DEPUTY-SPEAKER I know that I find here in the Order Paper that his name has been entered. I find that the name of Mr Janeshwar Misra is written here that he wanted to raise certain objection. I suppose he has done it with the knowledge of the Speaker. I do not know.

SHRI H R GOKHALE If you think that it should be done, it is a different matter. But it will be setting up a new precedent if at the consideration stage this is done.

श्री अनेश्वर मिश्र (इनाहाबाद) उपाध्यक्ष महादय आमी बल नक यहा जा नाइसेम स्टेडल का दबाल रहा उम म मरकार की नगर म यह दर्शाल दी जानी रही कि यह सामना अदालत म जा चका है—अर वह भी नीम हजारी की बाट म—इम लिए अगर इस मदद म हम नाग इम पर उहम करेंगे तो उम प्रशालन वा अपमान हा जायेगा। मरा आपनि यह है कि मर्की महादय जो विधान पश करन जा रहे हैं जिसके विचार होने जा रहा है वह सर्वोक्त्व न्यायालय का अपमान है। उस के जरिये के निर्णयों का अपमान है। मर्की महादय जिन मुद्दों का ले कर यह विधेयक पश करन जा रहे हैं उम्ही के आवारण पर अदालतों म कुछ याचिकाये चल रही है।

MR DEPUTY-SPEAKER Why not make these points in yo "speech"

श्री अनेश्वर मिश्र इम विधेयक के पेश करने पर ही आप करना चाहते हैं।

[श्री जनेश्वर मिश्र]

उन वाचिकाओं में बहुत सी पार्टीज ऐसी होंगी, जो गलत तरीके से अपने चुनाव में आई होंगी, और उन के खिलाफ हम को बोलना होगा। तब सत्ताहुङ दल की तरफ से यह हल्ला मचेगा कि यह मामला सबजुड़िस है, इस की चर्चा न की जाये। मैं आप से स्पष्ट व्यवस्था चाहता हूँ कि क्या बहस के दोरान हम लोग उन मुकदमों के बारे में भी बहस करेंगे, जो इस समय विचाराधीन हैं, और जिन में से कुछ पार्टीज की हिफाजत के लिए यह विषेयक पेश किया जा रहा है, या इस विषेयक पर विचार करते समय हम केवल हवा से उड़ते रहेंगे। मैं इस पर प्राप की स्पष्ट रूलिंग चाहता हूँ।

MR. DEPUTY-SPEAKER: I think the Constitution and the rules are very clear, that when there is any case before the Court, we cannot refer to that case.

श्री जनेश्वर मिश्र : नेकिन यह विषेयक नो उन्ही केसिज के लिए है। हम क्या करेंगे, यही हम जानना चाहते हैं।

MR. DEPUTY-SPEAKER: We can not refer to any individual.... I am telling you that we cannot refer to any case.

SHRI MADHU LIMAYE: Why not?

MR. DEPUTY-SPEAKER. I am pointing out the rule. We cannot. It is sub judice.

श्री जनेश्वर मिश्र : तब यह बिल नहीं आता चाहिए। आप इस बिल को रोकिये और मंत्री भ्रोदय से यह बिल पेश न करने के लिए कहिये।

SHRI JYOTIRMOY BOSU (Diamond Harbour): How can the Bill come here?

SHRI MADHU LIMAYE: On a point of order.

MR. DEPUTY-SPEAKER: Do not get excited.

SHRI JYOTIRMOY BOSU: I would like to raise a point of order.

MR. DEPUTY-SPEAKER: Later on He has asked whether we can refer to cases pending before the various courts. I say we cannot because that is sub judice.

SHRI JANESHWAR MISHRA: The whole Bill is only for that.

MR. DEPUTY-SPEAKER: I do not know about that. Shri Mishra made his speech without that; he referred to various judgments already given by the courts. That is a different thing. You can refer to judgments given by the courts.

SHRI N. K. P. SALVE: In terms he said 'I will not refer to any case which is pending'.

SHRI JYOTIRMOY BOSU: On a point of order. This Ordinance has been promulgated precisely to prevent certain action being taken on the basis of the judgment that the court may deliver in future applying their mind to those cases after hearing them. It is, therefore, impossible for speakers in this House to dwell within that particular rule that when there is a case pending, you cannot discuss anything about that, because the very Bill has been brought before this House...

MR. DEPUTY-SPEAKER: I got the point.

SHRI JYOTIRMOY BOSU: to counteract the normal and natural movement or advancement of cases pending before courts of law.

Mr. Deputy-Speaker, you understand things. You also apply your mind fully to this and let the House get a free opportunity to discuss the whole thing inside out and upside down without sparing anybody.

MR. DEPUTY-SPEAKER: Within the rules and the Constitution.

SHRI JYOTIRMOY BOSU: If the rule itself is being flouted by the Minister by introducing this Bill, I am helpless. I beg your pardon at the very beginning that it would be very difficult for us to dwell within that

SHRI H. K. L. BHAGAT (East Delhi): The logic just now advanced by Shri Jyotirmoy Bosu is really fantastic (Interruption). I have purposely not used another expression, but have called it fantastic. That way every new piece of legislation which is brought here reflects a certain situation in the country. There are pending cases and causes According to us, according to the Government which has brought this Bill, a certain view of law was existing and now the Supreme Court has taken a different view. They say the law means this and this. We will speak on merit, later on. But then to say that this is brought in only to.

SHRI JYOTIRMOY BOSU: Nullify

SHRI H. K. L. BHAGAT I was not interrupting you. Let us at least observe this between ourselves

This Bill lays down a certain understanding, a certain position of law. If it is argued that this Bill may have effect on certain other petitions or pending cases, that way every legislation will have some amount of effect on other pending cases in courts or cases which arise in future. Therefore to say that we cannot discuss the Bill without referring to those cases is not....

MR. DEPUTY-SPEAKER: I will hear you again. I do not want this to go on. You have made your submission. I will hear everybody. After you have made your submission, when somebody says something and you get up and interrupt and refute it, it becomes endless.

SHRI JYOTIRMOY BOSU: He has mentioned my name.

SHRI H. K. L. BHAGAT: Because this Bill may have effect on pending cases are all the rules washed off? Is the Constitution washed off? They cannot comment on every case that is pending. It will be absolutely the negation of the rules, constitution and law. Therefore I entirely agree with you that they cannot comment on cases which are pending before a court.... (Interruptions)

SHRI JYOTIRMOY BOSU: I am only trying to highlight the fact that the Government has brought forward this Bill to prevent the law taking its normal course in the cases pending before the Courts.

SHRI SAMAR GUHA (Contd.): Sir. You observed just now that no speaker who speaks on the Bill or the Ordinance should refer to cases pending in any court. (Interruptions) I want to bring to your notice that on October 19, 1974 after the judgement of the Supreme Court the hon. Minister himself said in a Press Conference and I am quoting from a Press report; "The Supreme Court interpretation has laid down a new law. The Ordinance, the Minister said, has become necessary because 180 election petitions were pending in courts irrespective of Lok Sabha and Assembly elections." So, it is clear that the hon. Minister himself referred to 180 pending cases before courts which related to M.P.s. and M.L.A.s. are Maya. They are a reality. The M.L.A. is reality, the M.P. is reality, the pending cases are a reality and the courts are reality. They are not Maya.

(Interruptions). You have allowed Maya to go out. If the hon. Minister can refer to pending cases why should we not? Otherwise a discussion here is without any substance or meaning or objective and it will be without any realistic background unless the cases that are now in the courts are mentioned. In the same Statement it says: "The intention of the law makers was that the expenditure incurred by a political party should not be taken into account to decide whether or not the limit on election expenditure has been exceeded. He also explained

[Shri Samar Guha]

that the ordinance would have retrospective effect in respect of pending election petitions, it was not, in accordance with past practice, being applied to the very case in which the new law has laid down by the Supreme Court." The Law Minister who is going to pilot this Bill has himself categorically stated outside Parliament that in some case it would have led to speculation in respect of pending election petitions. How can you really entertain any idea of a discussion without discussing the issue for which this Bill has been introduced. It is exactly to protect the 180 cases and the hon. Minister has categorically stated so. If you do not refer to them what would be the discussion on the Bill. What will be our arguments. We are not following Maya. I do not want to know whether it is Maya or reality. We cannot raise discussion on Maya or the disembodied spirit. It will have no reality. It will be hypothetical. We want to have a realistic discussion.... (Interruptions).

SHRI S. M. BANERJEE (Kanpur): Sir, the ordinance is the direct result of the decision in an election petition by the Supreme Court, in which one of the members of this House, Shri Amar Nath Chawla was unseated. Let us forget for a moment the other cases which are pending, including the Prime Minister's case. We are not discussing them. But I want to bring to your notice that Shri Amar Nath Chawla has preferred an appeal in the Supreme Court for revision. I have with me a copy of his revision petition, which has been filed in accordance with the Constitution. Naturally, when I am discussing this ordinance and the Bill, am I not entitled to discuss what will happen to this revision petition filed by Shri Amar Nath Chawla in the Supreme Court? I have moved an amendment also. I want your ruling. The other cases might not be discussed which are sub judice according to you, but am I not entitled to discuss Shri Chawla's revision petition? A feel-

ing has rightly or wrongly been created in the country that this has been brought simply to protect certain interests—may be the Prime Minister, or any minister or any MLA or MP. There are 180 persons, including ladies and gents. I would like to know whether I am not entitled to refer to Mr. Chawla's revision petition in the Supreme Court.

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, ordinarily what you have said is right, but there has been an extraordinary measure brought by the Government. They have brought this Bill precisely because there are certain cases in various courts. The Prime Minister's case is prominent, but there are 179 other cases. Because of these cases, the minister has brought the Bill. If the bringing of the Bill is in order and does not violate the rules you have invited attention to, I do not see how we cannot discuss it. The statement of objects and reasons says:

"However, in the recent case of Shri Kanwar Lal Gupta versus Shri Amar Nath Chawla and others, the Supreme Court has interpreted the aforementioned expression 'incurred or authorised' as including within its scope expenses incurred by the political party...." etc.

Then see the next sentence:

"In view of the effect which such interpretation"—that is, the interpretation of Mr. Justice Bhagavati—

"might have, particularly with reference to candidates against whom election petitions are pending, it became urgently necessary to clarify the intention underlining the provisions contained in section 77....."

So, the Government themselves have come with an explanation that the whole purpose of this Bill is to give a reply in advance to the 180 cases already pending before the court. If a Bill comes on that basis, how are we prevented from referring to those

cases in individual as well as general terms? You cannot expect us merely to go into an academic or theoretical discussion whether there should be more money spent or less money spent. We will have to bring up a number of issues and implications involved precisely because the Minister has in his statement mentioned that he is anticipating some technical difficulties in those 180 cases, including that of the Prime Minister. So, we will have to refer to all the individual cases in detail and point out the implications and important issues involved.

बी भट्टु लिखते (वाका) : उपाध्यक्ष महोदय, मेरी राय में इस में जो 352(2) नियम आप के सामने रखा गया है वह बिल-कुल इर्टेंडेट है, इनएस्लीकेबिल है, यह लागू नहीं होता है। जब कोई साक्षात्कार नियम होता है तो भी इसका एक विशेष नियम होता है तो साक्षात्कार नियम हट जाता है और विशेष नियम आ जाता है। जैसे आज कल तीन-चार रोज़ से हम लोग प्रिवेज नॉटिस पर बहस कर रहे हैं, उस में मारे ऐसे तब्दीलों की चर्चा हो रही है जो इस बहुत तंत्र-कुपारी अदानत में विचाराधीन हैं। तो हम लोग यहों चर्चा कर रहे हैं, क्योंकि प्रिवेज का मामला आयेगा तो यह जैनरल फ्ल लालू नहीं होगा। इस लिये जरा हम लोग बोच-समझ कर रुच माइट करें।

उपाध्यक्ष महोदय, प्रधान मंत्री जी ने इन लोगों को कह दिया है कि किसी न किसी तरह से रुच को पढ़ो। मेरी लोग रुच रट कर आते हैं भी और जब बहस होने लगती है तो रुच को कोट करने लगते हैं। अब इसकी प्रारंभिक यह है....

MR. DEPUTY-SPEAKER: Please repeat your first submission. I was just looking into a book.

बी भट्टु लिखते : मैंने यह कहा है कि प्रधान मंत्री जी ने इन लोगों को बह लालू

है कि जब हम लोग बोलते हैं तो एक-के-बाद-एक रुच साइट करते जाते, उस के रेलवेस भी एस्लीकेबिलिटी के लिये कुछ मत सोचो।

The point that I made was this that when there is a general rule and there is a special rule...

MR. DEPUTY-SPEAKER: What is the special rule here?

बी भट्टु लिखते जैसा भैने कहा कि प्रिवेज पर आज हम लाग कुछ दिनों से चर्चा कर रहे हैं। हम ऐसे नथ्या पर, फैब्रिट्स पर, चर्चा कर रहे हैं जो तुलमाहन गम के केस में तीम हजारी अदानत में विचाराधीन हैं।

SHRI SHYAMNANDAN MISHRA: The hon. Minister of Railways has referred in his statement to the letter and stated that it was a forged letter. It was nobody's business to say at that stage that the letter, namely, the representation that had been made by the MPs, that was a forged representation. But he thought it proper to say that it is a forged document even in the privilege matter.

बी भट्टु लिखते इसी तरह विशेषकों के बारे में भी रुच हैं, इन पर कोई सबजुड़ियम का नियम नहीं आता है। इस लिये नहीं आता है—क्योंकि यह विशेषक ही अदानत के बजाएट को खत्म करने के लिये लाया गया है। जैसे आप ने फैब्रिट्स को कोट किया—कवरलाल युस्ता कानाम अमरनाथ चाहलाना, उसी तरह से आप ने ३०० पी० मिश के केस को कोट किया। इस लिये फैब्रिट्स पर चर्चा हो सकती है, क्योंकि सुप्रीम कोट के निर्णय को बदलने के लिये, खत्म करने के लिये ही आप यह विशेषक लाये हैं। जब इस विशेष पर चर्चा होगी तो इस बहत जो 180 पैटीकाम है उसके तथ्यों की चर्चा भी बहुत आयेगी। किस लिये ? इसलिए कि अपने यूहों के सम्बन्ध के लिये। आप सबजुड़ियम के नियम के आधार

[बी मधु लिये]

पर इतनी बड़ी बहस को सीमित या रैस्ट्रेक्ट नहीं कर सकते।

अब मैं जानता चाहता हूँ—क्या गोबले साहब को इस विवेयक के ऊपर विचार करने के लिये प्रस्ताव रखने की इजाजत दी जा सकती है? मेरी राय मैं इन को इजाजत नहीं दी जा सकती। याम बाबू को तो तो इस लिये दी गई कि उन्होंने विरोध किया है। अब इन विल के बारे में आप इन के आव्यूहदस एण्ड रीजन्ड को देखिये।

The whole statement is dishonest from A to Z.

मैं जान कर ऐसा कह रहा हूँ—मैं मती को नहीं कह रहा हूँ, मैं स्टेटमेंट को कह रहा हूँ।

बी राम सहय वाले: (गणनन्द गांव) स्टेटमेंट तो निर्जीव है।

बी मधु लिये इसी लिये कह रहा हूँ कि यह डिस-ओनेस्ट है। अब मैं आप का व्याप पंचा 2 की तरफ खीचना चाहता हूँ। इस में ये कहते हैं—

"The expression "incurred or authorised" had not been construed so as to bring within its purview the expenditure incurred by a political party in its campaign or by any person other than the candidate unless incurred by such third person as the candidate's agent."

इस तरह से तो आवोराइज्ड एक्सपर्टिंग्डर हवा में उठ गया। उपायक भूमोदय, कोन 2.1 भाष्य किया है? इन्हें एक्सपर्टिंग्डर का आध्य किया, लेकिन आवोराइज्ड एक्सपर्टिंग्डर का क्या हुआ—इस की चर्चा ये भर्ती कर रहे हैं। उसी तरह से पंचा 3 में भी यही कोट करते हैं, आवोराइज्ड एक्सपर्टिंग्डर की चर्चा नहीं करते हैं।

अब मेरा मुख्य मुद्दा है—यह विवेयक क्या है? यह एक्सपलेनेशन के अलावा और कुछ

नहीं है। एक्सपलेनेशन के बारे में बेटा आप के यह सवाल है—आप डिक्षनरी लीजिये, लीकल डिक्षनरी लीजिये—बेटा यह कहना है कि होता क्या है?

On the facts of each case and the evidence adduced in a court of law, the Supreme Court decides whether the expenditure is authorised.

यह होता है। अब मैं आप से भूज नाम चाहता हूँ—क्या स्पष्टीकरण (एक्सप्लेनेशन) जो भूम दफा है, भूल संक्षण है, क्या उस को निर्विट कर सकता है?

बी इयामनम्बन विषय यही हम ने उठाया है।

बी मधु लिये इसी लिये मैं प्लाइट आफ आर्डर उठा रहा हूँ—यह पूरा डिस-आनेस्ट है, ग्रन्टमास्टर व्याप्त है, असवैज्ञिक है, असदभावपूर्ण है, बेसार्ने से भरा हुआ है, भालाकाई है, मोटिवेटेड है। इस लिये इन को अगर इमांदारी में काम करना है तो आप इन से कहिये—यह विल आपस में... .

बी जलेश्वर विषय, गी-इ-पट के लाएं।

बी मधु लिये गी-इ-पट किस तरह में हो—आप संक्षण को बदलिये, दूसरे संक्षण से इस को स्लिप्पीचूट कीजिये। यह ट्रिकरी क्या है? यह लो और भी ट्रिकरी है। इस तरह से जल्दी का कोई अद्य ही नहीं रहता यान लीजिये—कास्टिवूम में लिया है—Equality before law and equal protection of law.

क्या आप एक्सप्लेनेशन में यह लिखते हैं कि इस के यह आपने हांगे कि सरकार एक्सप्लेनेशन सभी सोगों को डिलाई दर्तेंगे। एक्सप्लेनेशन में जो जीज संदिग्ध है उस को आप साक दर भरते हैं, जो एक्सप्लेनेशन है उस की स्पष्ट कर सकते हैं, लेकिन स्पष्ट करने के द्वारा क्या है आप भूल द्वारा की जाए

सकते हैं नियेटिव कर सकते हैं—मैं इस के बारे में आप का स्पष्ट लिख चाहता हूँ।

मैं इस के समानान्तर एक बात और कहना चाहता हूँ—जब हम लोग अमेरिकनेट्स देते हैं तो आप नियेटिव अमेरिकनेट्स नहीं सारे देते। आप चाहते हैं—नहीं, आप बिलाक बोल सकते हैं, बिलाक बोल दे सकते हैं। तो इन को कहना चाहिये था—डिलीट दिस या उस की घटन कोई कलाज लाना चाहते थे ना लाते, सेक्षिन स्पष्टीकरण के जरिये मूल धारा का जो आशय है उसको आप बदल नहीं सकते।

अमीर भैरविट्टम पर मैं नहीं जाऊगा, जब जब भाषण दृग्मा तब बोलूगा। उस बहत मैं कह रहा हूँ कि यह एक फोड़लेट और डिम्बानेट बिल है। और इन्हीं अगर हिम्मत है तो पूरा सेक्षिन 77 (1) बदले और उस पर नया विद्येयक लाये। यह कार्ड तरीका नहीं है। क्या एक सेक्षिनेशन वे जिग्य मूल धारा को नियेटिव किया जा सकता है? जिस तरह मशोधन वे जिग्य मूल; प्र० का नियेटिव नहीं किया जा सकता है उसी तरह एक सेक्षिनेशन के जरिये मूल धारा को नियेटिव नहीं किया जा सकता। मैं इस पर अधिक लिख चाहता हूँ।

16 hrs.

श्री एस० के० एस० भगत कलाज का नहीं बदल सकते यह आप का कहना है।

श्री शशु लिम्पे मैं यह नहीं कहा वि कलाज को नहीं बदला सकते। आप अमेरिकन बिल काहये इस को पूरी तरह बदलिये।

SHRI SHYAMNANDAN MISHRA
Mr. Deputy-Speaker, there are two points for your consideration. One is that, since this Bill seeks to protect the persons involved in 180 cases which are pending now before courts of law, whether it would not be in order for any Member to refer to what is contained in 180 cases which this Bill seeks to protect. After all,

these 180 cases form the basis for a measure of this kind. Therefore, you should consider whether it would not be in order,—although I have not referred to pending cases, this is a point which occurs to me.

श्री शशु लिम्पे यह जो 180 के सभ हैं क्या आप को यह जानकारी है कि सब-इलेक्शन एक स्पष्टमेज के हैं? वेरी जानकारी के आवार पर मैं यह सकता हूँ कि प्रधान मंत्री ने बैठक में गदाया तोड़ नहीं की है। He should give the details. He cannot mislead the House.

SHRI SHYAMNANDAN MISHRA
My respectful submission is that one will have to go

MR DEPUTY-SPEAKER Arrangement of convenience.

श्री शशु लिम्पे मैं तो किसी भा कायसी के सामने योड़ करता हूँ वाह स्ट्रीफल साहब हो या माननीय प्र० आ० दाम मूर्जी।

MR DEPUTY-SPEAKER The points are getting more interesting now

SHRI SHYAMNANDAN MISHRA
If the solicitude that lies at the basis of this measure relates to the 180 cases, then one will have to go into the contents of those 180 cases. Or, the Government may be well advised not to bring up a measure of this kind if it does not want those cases to be referred to. If the contention of the hon Law Minister is that the basis for this measure is those 180 cases which might be affected if no such Ordinance were passed or if no such measure were passed, then the hon Members would be quite in order to refer to those cases. That is one thing for you to consider whether you would allow this measure to be discussed and if so whether you would not permit members to go into the basis of this measure, in other words to go into the contents of those 180 cases.

[Shri Shyamnandan Mishra]

Secondly, it seeks to amend section 77 of the Representation of the People Act. There you have to consider whether an Amendment in the form of an explanation negativing the substantive provision could be permitted to be moved. If the substantive provision is allowed to remain, can you take away the content of the substantive provision by bringing in explanations which run counter to it? That is another thing which the Chair will have to consider. My humble submission is that, since the original section did not contain any explanation, it is none of the business of this Government to add explanations to it and reduce the original section 77 to a nullity. Therefore, this Amendment is not in order.

SHRI H. R. GOKHALE: I may make a brief submission only with regard to these points.

The first thing to remember is that there is a distinction between the doctrine of sub judice not applying to legislation and of the doctrine applying to merits of individual cases which are pending decision in a court of law. It is well established and I hope my hon. friend Shri Madhu Limaye will also concede—if it is necessary to substantiate it, I will do so—that the theory that legislation cannot be undertaken because there are certain cases pending, has been negatived repeatedly and Parliaments were to legislate...

SHRI SHYAMNANDAN MISHRA: Nobody has contested that.

SHRI H. R. GOKHALE: Mr. Mishra, I am making my point. Therefore, the ground that as there are petitions pending or appeals pending in course, any legislation will have the effect of being sub judice, has no substance. That is one point... (Interruptions).

I thought hon. Mr. Mishra took a very reasonable attitude in his main

speech and he rightly did not refer to any pending cases. In fact, he said that he would not refer to any pending cases and that he would refer to the general propositions arising out of the main points with which the Bill is concerned. That is what he said... (Interruptions). I am saying that he has had a choice and he made that choice when he spoke in the beginning. Therefore, what I was referring to was...

SHRI SHYAMNANDAN MISHRA: What did you say about me?

SHRI H. R. GOKHALE: If you kindly hear me, then, I will be able to tell you...

PROF. MADHU DANDAVATE (Rajapur): He did not say anything derogatory.

SHRI H. R. GOKHALE: At that time, he did not say anything with regard to the merits of any case. You referred to what you thought were the merits and the demerits of this ordinance and as to why, according to you, this ordinance should not be approved. I fully appreciate and understand that and I submit that was the correct attitude to take.

Now, if legislation is not sub judice, as it is said that it is nobody's case, then, the question arises, whether in respect of a discussion with regard to legislation it is likely to affect cases which are pending in courts, as it is said that it might affect a number of petitions and appeals which are pending in the courts...

SHRI MADHU LIMAYE: Who said it?

SHRI H. R. GOKHALE: I have said it and I will substantiate it.

SHRI MADHU LIMAYE: So many cases are pending.

SHRI H. R. GOKHALE: It is wrong to say that there is only one case in which this question has arisen. . .

SHRI MADHU LIMAYE: How many cases are pending?

SHRI H. R. GOKHALE: I am not replying to the main debate. At the moment, I may tell the hon. Member that I will give him figures to show as to how many cases in which the question of election expenses is involved are pending in the Supreme Court. I can tell that at the moment.

SHRI SHYAMNANDAN MISHRA: None of them has moved for protection.

SHRI H. R. GOKHALE: I am dealing with one point and you are referring to something else.

The question is that there are pending cases and the cases are not only one but, as I said, they are more than one. There are quite a good number of cases which I will substantiate when I am replying to the debate.

A reference was made to what I was supposed to have said in the Press discussion I did not refer to the merits of any single case. I only mentioned the fact as to how many petitions were pending. Nobody can prevent anybody from saying. . (Interruptions). It is a statement of fact that petitions are pending. To say that is one thing and it is another thing to say that I will pick out a particular petition—I am not referring to any particular petition—any petition, for that matter, and then discuss the merits of that petition. . .

AN HON. MEMBER: Here it is.

SHRI H. R. GOKHALE: . . . so that the discussion of the merits of that petition will affect the fair trial of that case. That is a very different matter. They can certainly say that so many cases are pending. If they

want to contradict me, they can do so and say that so many are not pending. That is a different matter. But the fact is that in view of the judgment of the Supreme Court, it was thought necessary that cases which are pending and in which this question has arisen, ought to be covered by an ordinance to bring the true effect to what we thought was the intention of the legislature.

This is not the first time that this has been done. Legislation has been passed by this Parliament, by other legislatures many times on occasions when, as a result of the judgments of the judiciary, it has become necessary. . .

SHRI SHYAMNANDAN MISHRA: There is no dispute about it.

SHRI H. R. GOKHALE: It has become necessary to set at right or at rest any doubt which might have arisen with regard to the true intention of the Parliament or of the legislature. Now, if this Parliament approved this Bill, then it will mean that the Parliament approves of the fact that the intention of the legislature was this. Therefore, my submission is that there is no question of any discussion with regard to the merits or demerits, the facts etc. or questions arising in any particular case.

The last point which was raised by Shri Madhu Limaye was with regard to the Explanation. First of all, I do not understand how this can be a matter of preliminary objection at all because I am astounded to hear that this goes to the root of Parliament's competence to discuss a Bill like that. In the course of discussion the Members will be entitled to say this cannot be done—although I do not admit that this cannot be done—but you will be entitled to say that this cannot be done.

Finally, I would say the whole argument proceeded on the assumption

[Shri H. R. Gokhale]

that there is contradiction between the Explanation and the main Section, it is as it were to negative the main Section that the Explanation has been given. This, I submit, is not correct. The purpose of the Explanation inter alia is to clarify what is the intent of the main provisions. That is the purpose for which Explanation has been given. There is nothing contradictory so far as the Explanation in the proposed Bill and the original Section is concerned. I submit these questions cannot arise at any rate at this stage. There is no rule. There is rule in respect of introduction of the Bill but there is no rule in respect of motion for consideration. I am putting it on the ground that these objections have been raised and, I believe, the consideration of the Bill should go on.

भी भय् लिये : एकमात्रेनेशन के बारे में उन्होंने जो कहा उस पर मैं नहीं बोलूँगा लेकिन स्कोप आप दिसकशन सब जुड़िये के बारे में एक बात में कहना चाहता हूँ— (हांटरप्लांस) आप रुलिं द रहे हैं इसलिए मैं कह रहा हूँ। उन्होंने एक फैसल और एक ग्राउंड मैशन किया है इन रिलेशन टू पेटिंग के सिस— (हांटरप्लांस) मैं गोर में भुनना चाहता था इसलिए मैंने इनको मना कर दिया था कि टोके नहीं। एक ग्राउंड आप विल के समर्थन में देंगे

There are several petitions which have taken the ground of excessive expenditure.

तो हम सोनों को भी अपनी दसोलों के पक्ष में सच अदर रेल्ट्स एज आर रेलवेट देने का अधिकार है। आप दिसायमिनेट नहीं कर सकते हैं वे अपने मनसब के लिए एक फैसल लें और हम अपने मनसब के लिए दूसरे फैसल नहीं कहेंगे क्यों आर रेलवेट ? मैं हमके आवश्यक का स्वाक्षर करता हूँ। इन्होंने एक तर्फ और एक बाउंड का अस्सेल किया है अपने विवेयक के समर्थन में तो हम सोनों को देते तर्फ और ग्राउंड

को सामने लाने की छूट मिलनी चाहिये जिससे हमारी बात साबित हो जाए गोलिटिकली। इस में दिसायमिनेशन नहीं होना चाहिये। बोक आर फैसल।

SHRI H. K. L. BHAGAT: Reference to a general situation in the context in which certain legislation is brought is one thing and commenting on the individual cases is another thing. Every legislation has a certain background. The Law Minister has mentioned its background. The Law Minister has mentioned the general situation that various cases are pending and this will apply to all cases which are pending. This is a reference to a general situation which is quite different from commenting on individual cases.

SHRI MADHU LIMAYE: I do not want him to restrict the scope of the discussion

MR DEPUTY-SPEAKER: I would not give my ruling so easily. I would like first to understand what are the issues.

Now, I would like to understand very clearly about the issues involved. We are discussing certain points of order. I completely agree with the Minister that there cannot be any objection to a Bill at the stage of consideration. But, since the name of the hon Member, Shri Janeshwar Mishra is mentioned here, I thought he wanted to raise a point. This is already on the order paper. I thought that some sort of decision has been arrived at. It is none of my duty to comment on what has been agreed to. That is why I have allowed him to raise his point. Now I see from the submissions made by different Members that there are two issues on which perhaps the Chair is expected to give a ruling—one is whether a discussion on this Bill should preclude reference to the pending cases in various courts. That is one submission that is made. This is regarding the cases that are before

the court. That is the question posed. I do not know who made this another point. I think it was Mr. Banerjee who made this point whether we can even make a reference to the case of Shri Chawla because a review petition is pending. These are the two questions which were posed. Let the Law Minister give some authoritative information about that.

SHRI H. R. GOKHALE: Mr. Chawla's review petition had been filed in the court. I do not know whether it has yet been admitted.

MR. DEPUTY-SPEAKER. These are the only two questions as far I am concerned. Mr. Limaye has also made another point. I did not refer to it because I do not think this is the point of order. I thought that this is regarding the merit of the Bill. It is for this House to decide. It has nothing to do with the point of order.

Now, even if we sit for two weeks, we cannot go into all the 180 cases. The third point is regarding the merit of the Bill. That is why I did not pay attention to it. The point here is that if, suppose, the Chair rules that this Bill does not bar reference to the different cases or the facts of the different cases in different courts, then, of course, the discussion takes a different turn with different complications. I am saying that it is very vital. But the case of Shri Chawla is peripheral and we need not go into it.

Let me first state what are the accepted practices. One of the accepted practices is that we do not discuss the merits or the facts of any case that is pending before the court. This is one of the accepted practices.

SHRI MADHU LIMAYE: That is in relation to the Bill.

MR. DEPUTY-SPEAKER: I am coming to that. I will come to this Bill and that is why I am giving

great importance to the points you are making. This is one of the accepted practices. We do not, because it is *sub judice*. Another is that the law making power of this House is un-fettered. Whatever be the case, the merits of the case, Parliament can make any law.

SHRI N. K. P. SALVE: Subject to Constitutional provisions.

MR. DEPUTY-SPEAKER: Naturally. You can even make an unconstitutional law. It is for the Supreme Court to decide, whether it is constitutional or unconstitutional. Your right is un-fettered. But, we are expected to take all these into consideration. Even hypothetically, if you make such a law and you will be taken care of by the Supreme Court or the High Courts. That is a different matter. Therefore, the question of *sub judice* does not stand in the way of law making here. These are the two things. But, here, I think we are dealing with a situation that is rather unusual. I would like...

SHRI INDRAJIT GUPTA: Be very cautious.

MR. DEPUTY-SPEAKER: I am very cautious. I know.

SHRI INDRAJIT GUPTA: Don't rush in

MR. DEPUTY-SPEAKER: I do not rush in. I am not a fool to rush in where angels fear to tread. But, here is a very ticklish issue, because as the Members had said and I think I have also once heard and saw—I do not know whether I should say the word 'beautiful'—the attractive face of our Law Minister on the Television...

SHRI MADHU LIMAYE: Why do you hear the radio and see the television?

MR. DEPUTY-SPEAKER: I saw the television. When the Ordinance

[Mr. Deputy-Speaker]

was promulgated, soon after that, he went on television and Members also had referred to it. When he was of my age, he would have been a very good looking young man. Now, the Members had also mentioned that the whole purpose of this Ordinance and the Bill now is to give protection to various Members of Parliament and Members of the Assemblies against whom there are election petitions.

SHRI MADHU LIMAYE: Protection from the judgement of the Court?

MR. DEPUTY-SPEAKER: Whatever it is, against whom there are election petitions in various Courts. This is the basic thing. This is what the Members are saying.

SHRI SAMAR GUHA: Protection from Parliament.

MR. DEPUTY-SPEAKER: I fully agree with the Minister. Once this House in the exercise of its legislative power makes a law or brings out clearly the intention of that law, Courts are expected to interpret or to act according to that law. Once we pass this, they will have to go by that. Here, it is said that these various cases are pending and that is why to give protection to that, we have.

SHRI MADHU LIMAYE: Protection from what?

MR. DEPUTY-SPEAKER: From the effect of the judgement. That is the purpose I think the Minister also agrees there. He said that this has always been the intention that a case like this should not be considered as an excessive expenditure.

SHRI MADHU LIMAYE: That is his opinion.

MR. DEPUTY-SPEAKER: He comes before this House to make that very clear and to lay down the law so that there is no confusion in future. It is quite proper. When it is so, the

question that arises is whether these various cases to which the Minister has referred need this kind of protection and if they need this protection...

SHRI N. K. P. SALVE: What protection?

MR. DEPUTY-SPEAKER: Protection of this Bill and of the Ordinance, the Ordinance and now the Bill. The whole purpose is for that.

SHRI N. K. P. SALVE: The purpose is to supersede the Supreme Court judgement?

MR. DEPUTY-SPEAKER: I did not say that the purpose is to supersede the Supreme Court. The point is to make the intention of the law very clear so that the Supreme Court may not have any doubt about it. I think that is the point.

Now if it is to protect these various members, he will help me in deciding whether we can stop there without asking the question whether they really need this or they do not really need this. This is my difficulty. I find it very difficult to give my ruling. As I said, it is rather a difficult point which has to be considered very very carefully and I cannot give my ruling offhand in this matter unless the Minister can help me further.

SHRI MADHU LIMAYE: Unless you hear our speeches.

SHRI INDRAJIT GUPTA: I am just trying to understand what you are saying. Can this question which you have formulated at the end of your observation whether the persons involved in these cases actually need this protection or not be answered without going into the facts of the cases?

SHRI SHYAMNANDAN MISHRA: That is the point.

SHRI INDRAJIT GUPTA: This question has been raised. We have got

decided it. You have not held anything about it as to whether in the course of this debate members should or should not be permitted to go into the facts of these cases. But the point is that unless these cases are gone into, the question you have formulated just now cannot be answered.

AN HON. MEMBER: Yes.

SHRI INDRAJIT GUPTA: What are we to do?

MR. DEPUTY-SPEAKER: I do not know.

SHRI INDRAJIT GUPTA: You have to make up your mind on this.

SHRI MADHU LIMAYE: After hearing our speeches, you have to decide whether it is relevant or not. Only the rule of relevance should prevail.

SHRI C. M. STEPHEN (Muvattupuzha): To say that this Bill has a limited purpose with respect to the cases now pending is not factually or legally correct. This is a law sought to be put on the statute book. It will have two effects. One is the effect on the cases now pending, the other on cases which may be coming hereafter—it is a general law being formulated.

There are two types of cases. One aimed at the particular issue formulated by you may be relevant. But here is an amendment of the election law which will have effect not only today but tomorrow, for all time to come. It will have certain statutory effects, the statutory effect will certainly be on those cases which are now pending also. That is all. But this is not the only or main purpose—that is a side effect. For future cases also, it has an effect.

My submission, therefore, is that it is the principle we are grappling with. If the purpose of the Bill, apart from the principle, is only to protect the cases now pending against the effect of the Supreme Court judgment, then

the question you postulated may be relevant; not conceding that it is irrelevant, it may become relevant. But when a law is enacted, it has some effect. What it says is that certain cases will not have this protection but certain cases will certainly have protection. Therefore, in discussing that, the question as to whether these need protection need not be gone into at all.

SHRI MADHU LIMAYE: Why not?

SHRI C. M. STEPHEN: Because the purpose is not to protect. If the effect of the law is such as will give protection, those cases will be protected.

SHRI MADHU LIMAYE: Read the statement of objects and reasons.

SHRI C. M. STEPHEN: If the effect of the law is that they will not get protection, they will not get protection.

SHRI SAMAR GUHA: The statement of objects and reasons is categorical.

SHRI C. M. STEPHEN: That is why I said two types of law are possible. If specifically it is mentioned in the law that such and such judgment will be annulled or such and such cases pending will get such and such protection or such and such law which has been invalidated will be put in the schedule of the Constitution, if these things are done, then the facts with respect to these cases will have to be considered. The Minister might have made a statement that these cases are also pending. But my submission is that the law is an amendment to the election law completely. Therefore, let us forget the fact of some cases pending, what facts are there. Even if they are not getting protection, still the law will have to come into effect all the same. Therefore the facts of the cases are absolutely irrelevant and cannot be gone into. They are not before the House. Rules 75 says what should be discussed at this stage: "On a motion referred to in rule 74 being made the principle of the Bill and its provision

[Shri C. M. Stephen]

may be discussed generally but the details of the Bill shall not be discussed further than is necessary to explain its principle." What we are now concerned with is only the principle of the Bill, not its application with respect to cases pending or which may be coming up. What we are now competent to discuss is only the principle of the Bill, nothing more than that.... (Interruptions.) The question is whether for the purpose of discussing the principles of the Bill certain facts with respect to cases pending should be adverted to or not, whether adverting to the facts of cases pending is absolutely necessary or relevant. My submission is that the principle of the Bill can be completely and exhaustively discussed without referring to the facts pending judicial decision. My two arguments are: What you are entitled to discuss at this stage is only the principle, and secondly for the purpose of discussing the principle of a Bill the facts of the cases which may be pending are unnecessary and irrelevant, therefore they need not be adverted to.

SHRI MADHU LIMAYE: If the discussion of the general principle requires certain facts to be adduced in support?

SHRI C M STEPHEN: Mr. Limaye is going into relevancy and permissibility. Relevancy is circumscribed by certain rules of procedure. Something may be relevant. But there are certain rules of procedure which say: thus far and no further, even if relevant. Rule 352(i) says that a Member while speaking shall not refer to any matter of fact on which a judicial decision is pending. There is a distinction to be drawn between cases pending and facts pending judicial decision. You may generally refer to cases but you cannot refer to facts pending judicial decision. The rule of relevancy is a mandatory provision. I have already submitted that it is not relevant. But even if it is relevant it cannot over-rule the mandatory prohibition in rule 352(i).

My friend Mr. Limaye says: what about the privileges. The Constitution contemplates two types of things; one is the rules of procedure. The other is the rights and privileges of Members of Parliament. Article 118 covers the Rules of procedure. Rules of Procedure have been framed and they have been codified and they are binding on us, and therefore we do not look up to the British Parliament in this matter. With respect to the privileges there is article 105(3) in our Constitution and that applies to our privileges

"In other respects, the powers, privileges and immunities of each House of Parliament, and of the members and the committees of each House, shall be such as may from time to time be defined by Parliament by law, and, until so defined shall be those of the House of Commons of the Parliament of United Kingdom, and of its members and committees, at the commencement of this Constitution"

So, the rules of procedure are framed here and the House of Commons does not come in. But about privileges, we have advisedly refused to frame the law and we are being governed by the precedents of the House of Commons, according to which where the jurisdiction of the House comes, the magistrate's court does not come in and the sub judice rule does not apply. Therefore, privilege matters are not subject to sub judice. This is not a privilege motion. This is procedural. Under rule 352(1), the principle alone can be discussed without reference to the facts of any case. When you discuss the principle, you are governed by the rules of relevancy one of which, i.e. rule 352(1) says that you shall not refer to any fact which is pending judicial decision. You should not permit any irrelevant or unnecessary reference to be made.

SHRI N. K. P. SALVE (Betul): Sir, the objection compendiously is that a meaningful debate on the Bill is not possible unless facts of sub judice

matters are referred to. I shall show you precedents on this point and the ruling given by the Chair where a similar situation arose and a member raised an objection that a particular motion could not be debated without referring to certain matters which were pending in High Courts and the Supreme Court. The Speaker ruled that the motion nonetheless would be debated excepting that the facts shall not be referred to. Actually, no facts involved in any case are at all germane to the consideration of this Bill at all. What is the object of this Bill? The object of this Bill is to restore the law to its position *status quo ante* *Kanwar Lal Gupta vs. Amar Nath Chawla's* case, the postulates of section 77 as it was intended and understood before this judgment was rendered by the Supreme Court was sought to be restored, no more and no less. The facts of each case would remain what they are; they would continue, they are unaltered, so far as this law is concerned, whether this law is made or is not made. All that we are seeking to do is, on a principle, to take a decision, should it commend itself to this House to pass this Bill, that section 77 will not include party expenses. That was the clear view of the Supreme Court also in *Boddepalli Jagapala Rao vs. N. G. Ranga AIR. 1971-7SC267*, where in terms it has been stated—and this case has not been considered in *Amar Nath Chawla's* case—

"Expenditure, if any, incurred by the party which sponsored the candidature of the candidate cannot be taken into account for the purposes of determining whether the corrupt practice within the meaning of section 123(g) was committed by the candidate."

Therefore, the entire endeavour is to restore the law to the position at which it stood before this decision of the Supreme Court was rendered. Therefore, the basic premise on which the entire objection is founded, that this sort of reference to particular facts and cases is utterly indispensa-

ble, is, I submit, utterly untenable, an argument, if I may call it, of despair, and possibly—I do not like to state that since Shri Madhu Limaye has gone away, at his back—I think it is very highly politically motivated. They want to bring in irrelevant matters, utterly matters unrelated to the principles involved in this. For this purpose, permission is being sought, and if that is so, such permission shall not be granted by the Chair. (Interruptions).

SHRI SAMAR GUHA: This Bill from A to Z is political.

SHRI N. K. P. SALVE: I am referring to the decision of the Speaker on an identical point. He was in the same predicament as you are in today. And this is the precedent, at page 901 of Kaul and Shakdher, which reads thus:

"On September 26, 1955, after the Minister of Home Affairs had moved the motion for consideration of the Prize Competition Bill, a member, on a point of order submitted that the subject-matter of the legislation being *sub judice*, the discussion on the motion should not be proceeded with."

The facts were on all fours on that point of order, as they are today.

"He argued that the subject-matter of the proposed legislation fell within entry 34 of the State List and the validity of certain laws dealing with the same subject had been challenged in the High Court of Bombay. The High Court had upheld the contention of the petitioners against which the Bombay Government had gone up in appeal to the Supreme Court and the question whether the subject-matter fell within the State field was pending adjudication by the Supreme Court. While the matter was pending, the member contended, it would be difficult to have a real debate without reference to the matters which were *sub judice*."

[Shri N. K. P. Salve]

That is what is stated today.

"The Speaker ruled out the point of order and observed that the debate in the House could not prejudice the hearing of the appeal by the Supreme Court. The Speaker allowed the debate on the motion to proceed, with the only limitation that members should not refer to the facts of the particular case under appeal."

This is a precedent, an extremely healthy precedent. In view of the fact that under similar circumstances a decision of the Chair exists, I submit that there is absolutely no warrant at this juncture for both the points of order to allow or to grant permission to any Member to refer to any facts whatsoever of any particular case which is sub judice.

SHRI SHYAMNANDAN MISHRA: At the moment we are on the subject of what should be the scope of the discussion, within what ambit the discussion has to remain confined. May I draw your attention to the Statement of Objects and Reasons, particularly the sentence:

"In view of the effect which such interpretation might have particularly with reference to the candidates."

I want you to underline the word "particularly" here—

"against whom election petitions are pending, it became urgently necessary to clarify the intention underlying the provisions contained in section 77 of the Representation of the People Act, 1951, namely, that in computing the maximum amount under that section any expenditure incurred or authorized by any other person or body of persons or political parties should not be taken into account."

This is the real pivot of this Bill, particularly when it is given out as the

concrete intention. It is not mentioned in a vague way, it is the real concrete intention behind this measure. If this is the very basis, the foundation of this measure, would you not permit hon. Members to go into this very foundation?

Then, it has been urged by some hon. friends on the other side that we are at the consideration stage and, therefore, we have to remain confined to principles and we cannot go into the facts. May I submit to you that there are certain facts before the court which are public facts? I can get a copy of the affidavit, as that is public document I can get the submissions made before the court. Those facts are really public things. There is nothing secret about them. Whether they will influence the judgment or not, that is another matter. If these facts are available to us and if we seek to present those facts before you so that you might consider whether this Bill is in order or this ought to have been presented or not, I think, that is perfectly a legitimate thing for us to do.

Only by using the word "facts", please be clear in your mind that you are now trying to impose a blanket ban which cannot be accepted because many facts are really available to us. Those facts can be obtained from court on fee, on an application and so on. Those facts cannot be barred from us. Do you really suggest that those facts can be barred from us? It cannot be. If I want the facts from the courts, they will be made available to us. How can you take objections to those facts being presented to the House? If those facts are really available to us by the courts, you cannot come in the way of presenting those facts before the House.

SHRI NAWAL KISHORE SINHA (Muzaffarpur): They are mere allegations, not facts.

SHRI SHYAMNANDAN MISHRA: Then, the facts would emerge after

the judgment. Why do you take objection to those things being mentioned? Wherefrom would we produce the facts? Would we produce the facts from our hats?

SHRI JYOTIRMOY BOSU: Let the Government circulate all the plaints in respect of 180 cases so that we are able to apply our mind and come prepared to discuss this Bill in a useful way.

SHRI SHYAMNANDAN MISHRA: So, my humble submission is that if this measure seeks to insulate, and that is the primary intention of this measure to insulate 180 cases from the effect of the recent Supreme Court Judgement, then this House will have to go into many aspects of 180 cases. It is the Government which has made the basis of this measure. It is not this House which has made the basis of this measure.

Sir, the hon. Minister, the Government, can accept the veiled woman as a bride. But this House cannot accept the veiled woman as a bride. If you say that we only touch the profile but not those cases, that we accept the injunction of the hon. Minister in this matter, upto what point to go, from what point to come back and all that, that cannot be accepted.

MR. DEPUTY-SPEAKER: Very colourful language that the Bill is a veiled women.

SHRI SHYAMNANDAN MISHRA: Once you permit yourself to use these very cases as the basis of this measure, you cannot prevent us from using the same cases as the basis for our argument.

MR. DEPUTY-SPEAKER: I am in a jam!

SHRI N. K. P. SALVE: The precedent is clear before you, Sir.

MR. DEPUTY-SPEAKER: If you have quoted that precedent, I must

have to go into the entire case and satisfy myself that it is on all fours with this.

SHRI H. K. L. BHAGAT: Sir, I would request you to kindly read the last paragraph, as a whole, of the Statement of Objects and Reasons with me.

I quote:

"However, in the recent case of Kanwar Lal Gupta vs. A. N. Chawla and others (Civil Appeal No. 1549 of 1972 decided on 3rd October, 1974), the Supreme Court has interpreted the aforementioned expression "incurred or authorised" as including within its scope expenses incurred by a political party or other person referred to above."

"In view of the effect which such interpretation might have...."

I lay emphasis on the expression 'might have'.

"In view of the effect which such interpretation might have particularly."

Again, I am emphasizing the word 'particularly'.

... "particularly with reference to the candidates against whom election petitions are pending..."

Now this is the operative part of the Statement of Objects and Reasons:

"...it became urgently necessary to clarify the intention underlying the provisions contained in section 77 of the Representation of the People Act, 1951, namely..."

This is the dominant intention of the Bill:

"...that in computing the maximum amount under that section, any expenditure incurred or authorised by any other person or body of persons or political parties should not be taken into account. As Parliament was not in session, the

[Shri H. K. L. Bhagat]

President promulgated on 19th October, 1974, the Representation of the People (Amendment) Ordinance, 1974."

If you read the whole paragraph, you will find that there is no scope for interpreting it differently. The main purpose of this Bill is to clarify the position of the law, principally and predominantly. Reference to the cases comes. But incidentally as I submitted, the expression here is 'might have'. It might have the effect or might not have the effect. Therefore, to say that this Bill is being brought predominantly or principally or primarily to protect any particular cases is totally wrong interpretation of the Objects and Reasons of this Bill. The main purpose is to enunciate the principle, to clarify the position of law. That is why the paragraph says:

..In view of the effect which such interpretation might have particularly with reference to the candidates...."

This is also for application to all future cases which might occur. Therefore, to put an interpretation that the Government has considered all those cases, has gone into the facts of the cases, is wrong. How can Government do that? The facts have to be established by courts. The facts will be found out by courts. Therefore, the predominant intention of this Bill is to clarify the position in principle, in law. It might have repercussions on the pending cases or it might not have. Every legislation that is brought forth into this House will have one repercussion or another on any other case irrespective of the fact whether in the statement of Objects and Reasons a general or incidental reference to it is made or not.

My hon. friend, Shri Shyamnandan Mishra, was giving a very interesting interpretation about facts. He says that they know the facts from the Press. The facts on which the court has to judicially determine are not yet

facts in the real sense of the term. Rules specifically say that the facts on which judicial verdict are pending are not actually facts. They may be allegations, they may be absolutely false allegations. You may treat them as facts, but the court may ultimately say that they are not facts.

Even with regard to privilege matters, though academically it can be said that, irrespective of the power of the court, where certain facts have to be ascertained which are common to a privilege motion and to a judicial determination, on which conclusions can be drawn by the Parliament or by the court, academically, theoretically, it could be said that the Parliament has the power. Yet, in fact, in practice, even in the Privileges Committee—I had been a member of the Privileges Committee—where the same facts have to be determined by the court of law and the same facts have to be determined by the Privileges Committee, the practice in the Privileges Committee has been not to start a parallel inquiry but to wait for the determination of the facts by court. Cases have been kept pending in the Privileges Committee, waiting for the court verdict. Therefore, my respectful submission is that where the object of the Bill is to protect the pending cases, the law is bad. The object of the Bill is to lay down the law for future time which may affect pending cases or which may not affect pending cases and a reference to this comes only as a matter of incidence, as an incidental matter and which is rightly referred to as only an incidental reference. That is the major intention to clarify the principle as laid.

Now all these things they are bringing in obviously with political motives and to draw certain conclusions and for certain purposes. Therefore, my submission is to read that this Bill primarily intendeds to protect the pending cases would be wrong in the light of the submissions I have made.

SHRI INDRAJIT GUPTA (Alipore): Unlike many hon. Members who have

been speaking, I am like you not a lawyer...

MR. DEPUTY-SPEAKER: We are in the same boat.

SHRI INDRAJIT GUPTA: I am referring to the question once again, with your permission. The question you have posed before the House at the end of your observations a little while ago, according to you, is: whether or not these pending petitions actually require the protection of this ordinance and Bill. Now, to that, I wish to add a supplementary question. How are we to be satisfied on this point? Who is to satisfy us on that? Somebody has to satisfy us. Simply this bald statement made in the Statement of Objects and Reasons will not suffice. Somebody has to satisfy us. We cannot just take, at the face value, an assertion made by the Government through the Law Minister. Therefore, it is obvious that when replying to this question, some information, some data have to be supplied by the Government. It has not been supplied so far. He says, 'When I reply at the end of the whole discussion. I will give certain facts'. But that should have come here first of all in the body of the Statement of Objects and Reasons.

Now, Sir, in that my difficulty is this, that, if out of these 180 cases, there are some, whether they are a few or many or if it is only one case, I do not know, in which the allegation...

SHRI JAGANNATH RAO JOSHI (Shajapur): One at least I know.

SHRI INDRAJIT GUPTA:... is concerning excessive election expenditure, expenditure in excess of the prescribed ceiling, even if it is only one case. I suppose, Mr. Gokhale can come and say that since all these cases involve hon. Members, either of this House or of other Houses ...

SHRI SHYAMNANDAN MISHRA: Assemblies.

SHRI INDRAJIT GUPTA: As also the Houses in the States, he may argue that even if there is only one such case and if the other 179 cases rest on other pleas, not on the plea of excessive expenses, even then, since the rights of all members are equal, I am duty bound, in order to protect the rights of that one member, out of 180, to bring an ordinance like this. I am giving an extreme example because he has already stated that he could not give the exact figure, that there are a good number of cases pending, which deal with excessive expenses.

The point of principle involved seems to be that even if there is one case involving excessive expenditure, whether the Government has a right or not—I am not going into the merits, merits we will discuss later—to come forward with this type of legislation on the ground of protecting the right of that member. My difficulty is... (Interruptions) I would have understood if this ordinance was in terms of what is stated in the Statement of Objects and Reasons, and the Government had taken this step—because nobody likes ordinances in any case—and if the application of this ordinance had been specifically restricted to only pending petitions and the Government had said that as for the future, let us all sit down and have a discussion, we want to consult the Opposition what to do but for the time being, because these cases are pending and we want to protect them, we are having this ordinance which specifically states that its applicability extends only to the pending petitions, as for cases in the future we are not doing anything just now and we will sit with the Opposition as expeditiously as possible and have a discussion and take their views into consideration.

17 hrs.

SHRI SHYAMNANDAN MISHRA: That is in fact what the hon. Law Minister said to the Press that for future we are prepared to discuss this matter. We do not stand permanently for this view that this expenditure should not be included in the account

[Shri Shyamnandan Mishra]
of expenditure of a particular candidate. For the future our mind is open on the subject. This is precisely what he had said to the Press.

(Interruptions)

SHRI MADHU LIMAYE: Would Mr. Mishra be satisfied if Mr. Gakhale says that on compassionate grounds the judgement should not apply to the Prime Minister?

SHRI INDRAJIT GUPTA: I would humbly submit the Chair will have to now squarely face this question. There is no way of avoiding it.

MR. DEPUTY-SPEAKER: You have put me in a square. I am a round peg in a square hole.

SHRI INDRAJIT GUPTA: As to whether it is possible to proceed with the consideration of this Bill in its present form until and unless the House is given satisfaction that really these pending petitions required protection—I do not mean by that as some friends seem to be suggesting here, I do not agree with them, that all the facts relating to all those petitions are to be discussed. (Interruptions).

SHRI SHYAMNANDAN MISHRA: My hon. friend must address himself to this question if the Government tries to influence the judgement of the court in the vital aspect; is it not the intention of the Government to influence the judgment of the court in 180 cases or say even 25 per cent of those cases in one vital aspect by this measure? It is their intention to influence the court. That is the object.

SHRI INDRAJIT GUPTA: Anyway as far as those documents are concerned pertaining to those cases which are accessible documents and not secret documents, if any hon Member thinks that he can cut out something out of those vital documents which is relevant for the discussion, this is for the Chair to judge whether it is rele-

vant or not relevant. For the time being I am saying—I am finishing by posing this question—whether the consideration of this Bill can proceed without the Government giving some satisfaction to this House on the question whether these 180 cases really required protection or did not require protection. Nothing has been put before us except a bald statement or assertions contained in the Statement of Objects and Reasons.

SHRI H. R. GOKHALE: Sir, the question whether the House is satisfied or not is a question which the House will decide when the motion for consideration is put to the vote. It is not a question of some Members saying that they are not satisfied. It is not a legal point on which discussion of the consideration motion can be stopped. Even at the end of the discussion if the House comes to the conclusion on the material which is put before the House, if the House comes to the conclusion that on these facts it cannot be taken into consideration the House will vote it out.

At this stage, it cannot be stopped from being considered.

SHRI SHYAMNANDAN MISHRA: We are only seeking guidance with regard to the scope of the discussion; we are not trying to prevent the discussion. We are only seeking guidance from the Chair so far as the scope of the discussion is concerned; we are not preventing the discussion.

SHRI H. R. GOKHALE: You did not say that. But, it was said here that before some discussion, consideration cannot proceed. To that I was replying.

SHRI S. M. BANERJEE (Kanpur): Mr. Deputy-Speaker, Sir, it has been very ably argued by my hon. friend, Shri Indrajit Gupta just now and I would request you in this particular case not to rely on the legal wisdom of the hon. Law Minister because he is a party to it and he cannot be objective but he will always be subjective.

MR. DEPUTY-SPEAKER: I rely on him just as I rely on you. But, I make my own decision.

SHRI S. M. BANERJEE: I am not a legal luminary.

MR. DEPUTY-SPEAKER: Nor am I. I go by commonsense.

SHRI S. M. BANERJEE: What I say is that in this particular case, since the Law Minister is directly involved, I would request you to direct him—the Government—to call the Attorney General before the House. I am prepared to move an oral or even a written motion.....

MR. DEPUTY-SPEAKER: I shall come to that.

SHRI S. M. BANERJEE: Sir, I request you to direct the Government to summon the Attorney-General to come here. In this particular case—Shri Kanwarlal Gupta vs. Shri Amar Nath Chawla—Shri Chawla has already filed an injunction petition in the Supreme Court. And naturally, every election petition is likely to be discussed. I am going to quote that argument in the election petitions. I request you therefore to call the Attorney General to come and address the House. I shall move the motion.

SHRI H. R. GOKHALE: The narrow question is as to what should be the scope of the discussion. The question is not whether the consideration motion should be moved or not. Am I right in understanding this?

We may start the discussion on the consideration motion and, if, in the meanwhile, there are questions which are of such nature which require your ruling, you can give your ruling.

SEVERAL HON. MEMBERS: No, no.

MR. DEPUTY-SPEAKER: I am not giving my ruling. I am just trying to put it to you. Now the question is: whether, in course of discussion, Members can refer to the facts of any of

those 180 cases pending before the court. This is the question before me. Now, if we start the discussion—I have said it—there is nothing to stop it. The only point is about the scope, whether they can refer to the debits. This is a limited question. If I go by what the Minister says, we start the discussion. At this stage, I can neither stop nor permit members to make references to those cases.

At this stage, I can only say that either you proceed or leave the decision to the wisdom of the House. But, if anybody, at this stage, makes a reference, I cannot stop him and if I cannot stop him, I cannot stop others later on. That will be discriminatory.

SHRI N. K. P. SALVE: There are Members who are willing to speak, as Shri Shyamnandan Mishra spoke, without reference to the cases. Those who can speak without reference to the cases may be called now. If it is not unnecessary filibustering, then, there are Members who can speak and who can effectively participate in the discussion of this Bill. Shri Shyamnandan Mishra made a very eloquent and fervent plea to the House objecting to the Ordinance. But, not a word, not a sentence was there in his speech which referred to the facts of any of the cases which are pending. My submission, Sir, is that until your ruling, you may be pleased to direct that the discussion should commence excepting that the Members should not refer to any of the facts until your ruling comes forth on this point.

MR. DEPUTY-SPEAKER: I think I was a little irresponsible even to say that the discussion will go on and leave it to the House, to the wisdom of the House. I think that is somewhat irresponsible for me. In a moment of weakness, I was trying to run away from my responsibility. Now, I think, I have to do my duty as long as I sit here. Let us be very clear. I am in a jam, not long jump. Let me put it to you, I am in a long jam. The scope of this Bill is to replace the Ordinance, and therefore,

[Mr. Deputy Speaker]

we have also to refer to the Ordinance. What is an Ordinance? An Ordinance is an extra-ordinary law made by the President when Parliament is not in Session because the circumstances are so urgent that this particular type of law is called for. I think that is clear. Now, in the Statement of reasons for this Ordinance, Government have said—I am referring to the reasons for this Ordinance—

"The Supreme Court in the recent case of Kanwar Lal Gupta vs. A. N. Chawla and others, had, however, given a wider interpretation to the expression 'incurred or authorised' so as to include within its scope expenses incurred not only by the candidate or his election agent, but also by a political party. There was every likelihood of such wide interpretation being followed in other election petition which were pending and in which the issue related to the question of incurring or authorising of expenditure at an election."

They also further say:

"In that event, candidates who had fought elections on the basis of the provisions of the law in this behalf, as they were, well-understood and according to the previous decisions of the courts, would have been exposed to the risk of their elections being set aside, which situation would undoubtedly have been unfair to such candidates. It became therefore, necessary to clarify the intention underlying the provisions contained in section 77 of the Representation of the People Act, 1951, namely, that in computing the maximum amount under that section any expenditure incurred or authorised by any other person or body of persons or political parties should not be taken into account."

So I think it is very clear that the whole purpose of the Ordinance and the Bill is to protect the members of

this House or of the other Houses in this country from the effect of the Supreme Court judgement. We cannot get away from that.

Therefore, this question is very important whether—and this is the basis of this entire Ordinance and the Bill—members can be debarred from referring to these various cases and the facts thereto. Shri Salve has pointed out to me a certain case. I say I cannot give my opinion on that unless I study whether that particular Bill is the same like this. This is a very unusual Bill.

SHRI S. M. BANERJEE: The Law Minister wants us to discuss this without referring to those cases. It is just like the bikini suit where we can see everything but not what we want to see.

MR. DEPUTY-SPEAKER: People are tired of bikinis now.

SHRI N. K. P. SALVE: I may submit that you may rule that they refer to it.

SHRI MADHU LIMAYE: You cannot dictate. Once you say they cannot refer; now you say they can refer.

उपाध्यक्ष महोदय यह क्या तरीका चल रहा है कि हम लोग कांग्रेस पार्टी के सदस्यों को मेहरबानी पर रहें। कांग्रेस पर श्री स्टीफन पायंट आफ्रा आंडर पर खड़े हो गये। मैंने कहा कि उनको भी पायंट आफ्रा आंडर उठाने दिया जाये, और हमें भी उठाने दिया जाये। तब कांग्रेस पार्टी के सदस्यों ने उनको बिठा दिया। इस पर रुलिंग हो गया कि कोई पायंट आफ्रा आंडर नहीं उठेगा। अब तक कांग्रेस पार्टी के सदस्य आर्यु कर रहे थे कि सबज़ादिस के बल के सांसाक्षिक दोहोरे केसिल का रेफरेंस नहीं होगा, केसिल के फ़ैक्ट्स का रेफरेंस नहीं होगा। लेकिन अब ये कहते हैं कि उन को रेफर कर सकते हैं। हम उन की मेहरबानी पर कभी नहीं थे, आंदर न ही रहना चाहते हैं।

मेरे दो सुझाव हैं, जिन पर आप और
प्रधानमंत्री ।

एक तो यह है कि आप अंतर्राष्ट्रीय को
आदेश दोंगएं कि:

"A summary of the grounds taken
in the pending 180 cases be prepared
by the Law Minister for cur-
edification and enlightenment".

SHRI C. M. STEPHEN (Muvathil-
puzha): That is not before you.

SHRI MADHU LIMAYE: I am ad-
dressing the Chair.

उपाध्यक्ष महादेव, क्या आप न इस को
नाटक करनिगा है? क्या आप मूल सुना रहे हैं?
मेरा दूसरा संदेश यह है कि

"The Bill relates to a matter
which involves nullifying a judg-
ment of the Supreme Court".

SHRI C. M. STEPHEN: No.

SHRI MADHU LIMAYE: So I suggest that you leave it to the discussion of the Members. They will exercise restraint and they will mention only such facts as are relevant to their arguments.

SHRI DARBARA SINGH (Hoshiarpur): Absolutely wrong.

SHRI NAWAL KISHORE SHARMA
(Dausa): You cannot do it. This is
not possible.

चौथे संसदीय : तब यह डिक्टेट भोसीड
नहीं होगी I refuse to be dictated to by
Congress members.

SHRI NAWAL KISHORE SHARMA:
This is not to be done at your whims,
at the whims of the Opposition or of
the ruling party.

SHRI C. M. STEPHEN: You may
start referring; we will object under
the rules.

चौथे संसदीय : मैं आप से कहना
चाहता हूं कि इस पर अनगढ़ा होगा। हम इस
वात को मिला करने के लिए कि यह विल 180
लोगों के लिए नहीं, बल्कि बेबल एक
व्यक्ति के लिए, और प्रधान मंत्री के लिए,
लाया गया है, हम 180 अंतर्राष्ट्रीय
को वोट करेंगे।

अगर मेरे इन सुझावों पर इस कान्द्रा-
माइड़ को आप अंतर ये लोग मानते
तब तो ठीक है बर्ना में इल 109 के अन्तर्गत
नोटिस दे चुका हूं।

SHRI JYOTIRMOY BOSU: The question which has to be replied to
through this Bill's debate is whether
the 180 cases which have been afford-
ed protection by the promulgation of
the Ordinance deserve protection on
their merits. Without that it is almost
impossible to say a word in favour or
against this Bill. The Law Minister
should be directed immediately to pro-
duce the plaints together with affidavits,
statements because the Rae Bareli
case is the most brilliant; I have got
the affidavit and statements also; 32
jeeps ...

MR DEPUTY-SPEAKER: Do not
go into all that.

SHRI JYOTIRMOY BOSU: I have
not mentioned the case; there is no
case before the Supreme Court or the
High Court named as the Rae Bareli
case. The plaints, affidavits and state-
ments have to be circulated to the
Members and adequate time has to be
given so that we are able to apply our
mind.

SHRI DARBARA SINGH: You put
in a motion to the House.

SHRI JYOTIRMOY BOSU: All right;
I will put in a motion, under the same
rule under which Shri Raghu Ramaiah
does, that the House hereby decides

[Shri Jyotirmoy Bosu]

that the plaints, together with affidavits, and statements be circulated to the House and sufficient times be given to the Members of the House for making a thorough study so that they are able to come to their own judgement whether the ordinance has nullified the Supreme Court judgement and gone out of the way to afford protection to the persons who have been accused... (Interruptions). All right. defendants or respondents. I am not a lawyer. Only then could the moot question be decided whether the 180 cases deserve protection on their merit or not. That is the moot question. So it should be circulated; the time should be given and then only we can discuss; then only the Bill could come before the House for discussion.

SHRI P. G. MAVALANKAR (Ahmedabad): I must say, Mr. Deputy-Speaker, that it is rather extra-ordinary for Mr. Stephen to get up and suggest to the House that they had consulted among themselves and also they consulted the Minister.

SHRI C. M. STEPHEN: I did not say that at all.

SHRI P. G. MAVALANKAR: I beg your pardon; some senior Member from the Congress Party got up and suggested after some apparent consultations with the Minister and among themselves and asked you to give a certain ruling.

MR. DEPUTY-SPEAKER: They can always make suggestion.

SHRI C. M. STEPHEN: I must straightaway say that he had made two allegations: consultation and submission. I do want to say here and now that there were no consultations. There was no submission to the Chair. We said: let anybody make a reference and we will object under the rules.

MR. DEPUTY-SPEAKER: Let us have things clear. At one stage Mr. Salve did get up and say: you may rule that reference may be allowed; he said that. I hope that has gone on record. I have taken note of that too.

SHRI P. G. MAVALANKAR: I also saw some movement going on. Let not the Government depend on the opposition's mercy and vice versa. Let us go by rules and conventions: Mr. Salve quoted the Speaker's ruling in 1955. We do not know at this stage what was the precise nature of that Bill and what were the implications of that Bill. Without studying them, how can we compare the two? I have some compromise formula for your consideration. If you say merely, "Let the debate continue. If somebody says something irrelevant, the Chair will stop him" that will be very difficult because many things would have gone on record by then. Before you ask a member to sit down, there will be a lot of noise from either side. Instead of that, if the Law Minister were to provide a digest of the broad aspects of the 180 cases which are pending, for which he has come with this Bill, then we can study it and refer at least to those aspects without going into details. The Chair may kindly allow the members who participate in the discussion to refer to such of the cases—one or more—by way of illustration to strengthen some of the general and fundamental points which we may be making on this Bill. If this via media is accepted, we will be able to refer to the important aspects involved.

The hon. minister has said that Mr Amar Nath Chawla has filed a review petition in the Supreme Court. The Supreme Court has already given its judgment. If this Bill is passed, will the Supreme Court have to give a fresh judgment on that revision petition on the basis of this new Bill? I want to know how you react to this.

MR. DEPUTY-SPEAKER: How can I react?

SHRI DINESH CHANDRA GOSWAMI (Gauhati): Sir, the opposition members have contended that this Bill has been brought forth to save the election petitions of 180 persons against whom election petitions are pending, and, therefore, these things should be referred to in this House. But if we look to the Statement of Objects and Reasons, it is clear that the purpose of this Bill is not really to protect the election cases of the 180 petitions, but the purpose of this Bill is to restore the position of section 77, as Shri Salve put it, *status quo ante Kanwarlal Gupta case*. The purpose of this Bill is to properly convey the intentions of the legislature, so far as section 77 is concerned. So far section 77 was interpreted to mean that while the election expenses incurred expressly by an individual candidate would be counted, the expenses incurred by the political party would not be counted for the purpose of computing and deciding whether it exceeds the limit or not. That was the decision of many judgments of the Supreme Court. In the latest case of Shri Kanwar Lal Gupta the Supreme Court gave a judgment which, to a certain extent, is contradictory to its earlier judgment. Therefore, it was thought just and proper that the intention of the legislature, so far as section 77 is concerned, should be made clear and unambiguous.

If you please look at the Statement of Objects and Reasons, it says:

"The expression 'incurred or authorized' had not been construed so as to bring within its purview the expenditure incurred by a political party in its campaign or by any person other than the candidate unless incurred by such third person as the candidate's agent. In other words, the provisions of section 77 and clause (6) of section 123 have been intended and understood to be restraint on the candidate's

election expenditure and not on the expenditure of a political party."

That was the main intention of section 77 as it was framed and it stood the scrutiny of judiciary till now. The main object of this Bill is to make that intention clear. Whether it ultimately, and if so how, reflects on the 180 election petitions is an incidental question and it is also a moot question.

In fact, while my hon. friends are referring to the question of the pending election petitions, they have not really placed before you the sentence in the Statement of Objects and Reasons, in its proper perspective. It says:

"In view of the effect which such interpretation might have particularly with reference to the candidates against whom election petitions are pending, it became urgently necessary to clarify the intention underlying the provisions contained in section 77 of the Representation of the People Act...."

It is not as if this Bill has been brought in to protect the interests of the persons against whom election petitions are pending. This Bill has been brought in only to clarify the intention. If the House agrees with the intention for which the Government has brought this Bill, if the House agrees that the intention of section 77 should be as it is explained in the explanation in this Bill, then whether it affects the election petitions or not is a matter with which we are not at all concerned, because it may depend on the election petition and the way in which the Supreme Court interprets it in the different election petitions.

What we are concerned with is that the latest judgment of the Supreme Court on section 77 did not really reflect the intentions of the legislature and, therefore, there is the risk that the legislature's intention not being very clearly reflected in the judgment, it may adversely affect

[Shri Dinesh Chandra Goswami] some of the pending election petitions. Therefore, we wanted to express in clear and categorical terms how we feel section 77 should be understood. When this actually becomes law, how it will affect the election petitions is a matter with which this House is not directly concerned with, though incidentally it may come in.

Therefore, for the purpose of a discussion of this Bill the reference to the election petitions is absolutely an irrelevant matter. Therefore, my respectful submission is that, following the conventions and the rules that sub judice matters are not referred to in this House, you should not permit a reference to the election petitions because that will open the floodgate and will also prejudice those cases.

SHRI KRISHNA CHANDRA HALDER (Ausgram): As to what Mr. Goswami has mentioned, his arguments are contradictory.

Here in the Statement of Objects and Reasons, it is mentioned:

"However, in the recent case of Kanwar Lal Gupta vs. A. N. Chawla and others (Civil Appeal No. 1549 of 1972 decided on 3rd October, 1974), the Supreme Court has interpreted the aforementioned expression "incurred or authorized" as including within its scope expenses incurred by a political party or other person referred to above. In view of the effect which such interpretation might have particularly with reference to the candidates against whom election petitions are pending, it became urgently necessary to clarify the intention underlying the provisions contained in section 77 of the Representation of the People Act, 1951...."

It has been clearly mentioned here that it became urgently necessary to clarify the intentions underlying the provisions contained in section 77 of the Representation of the People Act, 1951 with reference to the

candidates against whom election petitions are pending.

I want to know from the hon. Minister, not only 180 cases, how many cases are concerned with excess election expenses. We are going to amend section 77 of the Representation of the People Act, 1951. From 1952, there have been so many General Elections. I want to know how many election petitions were filed against elected Members where elections were set aside for incurring more expenses than prescribed in section 77 of the Representation of the People Act, 1951. If it is the only check after passing this Bill, that is a different matter.

Before Mr. A. N. Chawla's case, naturally, there were many elections which were set aside for incurring excess expenses. So, I want to know what necessitated the Government to promulgate this Ordinance and to come before the House to pass this type of anti-people Bill. I want to know this from the Government.

श्री अनेकर मिथ (इनाहावाइ) : उपाध्यक्ष महोदय, शुरू में अब हमने अपनी प्राप्ति कर्त्ता थीं जो नव संविधान अधीक्षा तक सत्ताहावृद्धि ने जो नक्क दिये हैं उन को मैंने बड़े ध्यान से सुना है और हम को ऐसा लगा कि एक तरफ़ तो वे लोग सदवृद्धिम का नाम लेकर जो वाचिकादे हैं वे जो मुकदमे चल रहे हैं तूकि वे मेन्हाइ, हैं इस लिए कहते हैं कि उन के फैक्ट्स की बार्बा नहीं होनी चाहिये लेकिन दूसरी तरफ़ इन लोगों ने खुद ही जिस मकानद से इस को रखा है उस मकानद को आरबार दोहराया है हालांकि उस से भी भागने और कताने की कोशिश की है, एक तरह से सुनीम कोट्स का जो निर्णय वा उसको ही भागने के लिये इन्होंने हम को रखा है। मैं उस को पृक्षण सुनाना चाहता हूँ—

"In view of the effect which such interpretation might have particularly with reference to the candidates

against whom election petitions are pending, it became urgently necessary to clarify the intention underlying the provisions contained in section 77 of the Representation of the People Act, 1951...."

अब सवाल यह होता है कि एक तरफ तो आप आपने आप कह रहे हैं कि किसी भावालत में कोई मुकदमा चल रहा हो, उस के फैसले की बर्चा नहीं की जायगी—अब हम लोग कोई आनंद तो हैं नहीं, आदमी हैं, भावालत की लगात के नाम पर हम लोगों की जबान को रोकने को कोशिश की गई है। दूसरी तरफ आप हम ने देखा—गोले साहब के पास स्टीकन माहब सान्वे साहब और महाजन साहब, तीनों लोग इकट्ठे हो गये। मुनने के अलावा यह कार्यवाही हुई। और एकाएक मालवे साहब ने कह दिया कि बोलिये आप को जो कुछ बोलना है आप को क्षृत है। मतलब यह है कि इन को बहुमत का बहुमंड है। और दूसरी तरफ जब माननीय ज्योतिर्मय बमु ने कहा कि हम मोशन रख रहे हैं तो इन को जल्दी यी उस मोशन को बोट डाउन कर दिया जाय। यौं लोकतन्त्र में बहुमत का ही निर्णय हुआ करता है। लेकिन जब पूरे मुक्त के बारे में, सर्वोच्च न्यायालय के निर्णय को से कर आप कोई विवेयक पास करने जा रहे हैं, और ऐसे के नाम पर भोगवाद जनतंत्र में छुसा है तब बहुमत के नंगे नाच को रोकना भी इस संसद का कर्ज है और सरकार को तानाजाह होने से बचाना हमारा कर्तव्य है। इसलिये जिस तरह बहुमत के नाम पर थोड़े से बेस्टड इंटरेस्ट के लोगों की हिफाजत करना चाहते हैं और सुधीम कोटे के निर्णय को हत्या करना चाहते हैं, हम चाहते हैं कि ऐसा न हो और मंदी यी आपने विल को आपस से जायें तब उस पर पुनः विचार कर के फिर इस को सामें तब हम उस पर विचार करें।

MR. DEPUTY-SPEAKER: What has the Minister got to say?

SHRI H. R. GOKHALE: I have made my submissions. There is no opposition to the motion for consideration. The short point is whether, in the course of the discussion, the members will be allowed to refer to materials or facts in pending cases. That is the narrow question and I have made my submission earlier. I have said that reference to facts, to the merits of a particular case, is undesirable because it is definitely prejudicing the trial which is going on. If you say that so many cases are pending without reference to the name of the party, without reference to what is the dispute pending, what are the allegations and counter-allegations in that particular case, that is entirely a different matter. Now it is for you to decide....

AN HON. MEMBER: Statements and affidavits.

SHRI H. R. GOKHALE: I have said, facts and materials 'Materials' would include affidavits.

I would submit that this has been unprecedented, it has never been allowed. I hope you will accept that.

SHRI MADHU LIMAYE: Shall I move my motion for adjournment of the debate under rule 109?

उपाध्यक्ष महोदय, अगर मतदान का ही सवाल है तो अब मुझे इजाजत दीजिये कि आपना मोशन मूद कह और संक्षिप्त स्पीच दूँ।

I want to move it and then make a brief speech.

MR. DEPUTY-SPEAKER: I must say this is the most difficult situation in which I find myself. I thought my good friend, Mr. Salve was coming to save me . . .

SHRI MADHU LIMAYE: I am moving my motion for adjournment of the debate.

MR. DEPUTY-SPEAKER: That is only postponing.

SHRI MADHU LIMAYE: Meanwhile, I would give you more points.

MR. DEPUTY-SPEAKER: Mr. Salve did go on record at a particular stage that I might rule that reference to these cases might be made. I thought that if that was the consensus, that would make my task very easy.

SHRI N. K. P. SALVE: Reference within the rules.

MR. DEPUTY-SPEAKER: Now, that view of Mr. Salve has not been countenanced by the Law Minister. So, the ball comes back to my court. I do not know. I find it very difficult, because if we go just by technicalities, then, of course, no reference can be made to the facts of any case that is pending adjudication. But here it is the very basis of the Ordinance, and the Bill itself refers to those pending cases. That is the difficulty . . .

SHRI C. M. STEPHEN: What about the ruling that Mr. Salve gave?

MR. DEPUTY-SPEAKER: I have to study what exactly was the Bill at that time. I have not been able.

SHRI C. M. STEPHEN: That was specifically for that purpose. This is a general Bill.

MR. DEPUTY-SPEAKER: You cannot expect me, as a super man, to read that Bill, to read this Bill and also attend to the business of the House. Yes. That has been said on that occasion. I am not disputing that. But what is the background, under what circumstances, I have not been able to go into that. Sometimes even when I call the officers of the table just to check up with them something, I am distracted, and some members are distracted when they speak. There are certain facts which I want to check and I call them. I would not be able to read all what and, therefore, if you want me to base my ruling on that... (Interruptions). He has referred to some cases.

श्री मदु लिमये : कोन सा केस है ?

SHRI N. K. P. SALVE: It is a public property.

SHRI MADHU LIMAYE: You must mention the case.

SHRI N. K. P. SALVE: I wish you were here when I spoke. It is not a private property... (Interruptions).

MR. DEPUTY-SPEAKER: Why lose your tempers over this? Mr. Salve had drawn my attention to a precedent and he had read out from page 901 of this Book on Practice and Procedure of Parliament. But, as I said,—although I am not disputing it, in what context and what was the Bill . . .

SHRI N. K. P. SALVE: That I have already said. I wish to again respectfully submit that the specific issue raised in that case was the jurisdiction matter and the subject was the same. The subject matter of the Bill was to have a direct impact on the issues involved in the court. On that, the ruling was . . .

श्री मदु लिमये : यह विष बिलकुल दूसरा है !

SHRI N. K. P. SALVE: I am making my submission. Let them make their submissions. If it be correct ultimately that the Bill had a direct effect or a direct nexus with the issues involved in the case and, therefore, the Speaker ruled that that did not matter excepting that the facts of any case would not be referred to, what I submit is that the facts of that case and the facts of this case are entirely on all fours.

श्री मदु लिमये : कल मैं देख लूगा, अस्त्रो क्या है ?

श्री नरेन्द्र कुमार साहे : तीन, ताढ़े तीन चंटे ही गये !

MR. DEPUTY-SPEAKER: This brings a new element and a new dimension to the discussion and it has a

relevance to my ruling, if it is necessary at all. I shall feel very much relieved if I could rely on this, but, at least, you will give me the benefit of going through this Bill and this case and the precedent because I cannot be caught. This is a very important matter and what I say is going to have very very far-reaching effect, I know that. Therefore, it will not be fair to me and fair to the House to be rail-roaded into a ruling or into a decision. I would like to benefit from that and, if the Members on this side would like to contend that this is not on all fours with this . . .

श्री मवु निवाये । मैं आप की मदद करूँगा । मैं आप का सवक हूँ ।

MR. DEPUTY-SPEAKER: This ruling will be pending in that case, but the Minister had only got up to move for the consideration of the Bill when objections were taken and all these points of order arose and on which we have had a long and beneficial discussion. I think we can continue with the Minister moving the Bill and then the scope . . .

AN HON. MEMBER: We are to adjourn at 6 O'clock.

MR. DEPUTY-SPEAKER: He will continue tomorrow.

SHRI H. R. GOKHALE: I will reply to the speech of my hon. friend, Shri Shyamnandan Mishra, when I get the opportunity of replying to the whole debate.

I beg to move:

"That the Bill further to amend the Representation of the People Act, 1951, be taken into consideration."

For the purpose of consideration of the present Bill, it is enough to refer to the provisions of Section 77 of the Representation of the People Act, 1951, which provides that the total of the expenditure in connection with an

election, incurred or authorised by the candidate or his election agent between the date of publication of the notification calling the election and the date of declaration of the result thereof shall not exceed such amount as may be prescribed. Clause (6) of Section 123 of the said Act has specifically included the incurring or authorising of expenditure in contravention of Section 77 as a corrupt practice.

In the Indian election law, the emphasis has always been on imposing a curb on the candidate or his election agent incurring expenditure in connection with the election of the candidate in excess of the prescribed limit. This specific intention, underlying the provisions of section 77, has generally found support in the judicial pronouncements on the point during the last two decades. In other words, the expression "incurred or authorised" had not been construed so as to bring within its purview the expenditure incurred by a political party in its campaign.

However, the Supreme Court in the recent case of *Kanwar Lal Gupta v. Amar Nath Chawla and others* (Civil Appeal No. 1549 of 1972) has, by its observations, imported an element of doubt into the hitherto well-accepted and well-understood principle underlying section 77 of the 1951 Act. This judgment by giving a wide meaning to the expression "incurred or authorised" has created a serious problem, particularly with reference to candidates against whom election petitions have been filed and are still pending decision. For no fault of theirs their election might be set aside because they had participated in the elections, having regard to the then prevalent position in law, which had also received judicial approval. To meet this situation created for the candidates, it has become necessary to make clear the intention underlying section 77 of the Representation of the People Act, 1951, namely, that in computing the maximum amount

[Shri H. R. Gokhale]

under that section any expenditure incurred or authorised by any other person or body of persons, or political parties, would not be taken into account.

The President promulgated the Representation of the People (Amendment) Ordinance, 1974, to avoid a situation wherein it would have become necessary to follow the wider interpretation given by the Supreme Court in pending election petitions. It has, however, been made clear in the Ordinance that the amendment will not affect the decisions of Courts made before the coming into force of the Ordinance, which have become final. The present Bill seeks to replace that Ordinance.

Government have not been unaware of the seriousness of the problem relating to election expenses and have, in fact, endeavoured to place before the Joint Committee of Parliament constituted by the Speaker for the purpose the recommendations made by the Election Commission in regard to the legal provisions relating to election expenses, and the Committee, which included representatives of most of the major parties, after giving serious thought to the problem, came to the conclusion that due to various practical difficulties it is not possible to require political parties to account for the expenses incurred by them for the election campaign of their candidates. The Committee, however, favoured the continuance of the existing legal provisions providing for restrictions on election expenses since in almost all countries of the world where representative form of Government prevails, provisions as to election expenses have been made.

A Bill to amend comprehensively the Representation of the People Acts, 1950 and 1951 has already been introduced in Parliament and is pending in the Lok Sabha. There will be enough opportunity for the Members to make suggestions in the light of the deci-

sions of the Supreme Court during the consideration of the Bill in the House.

In the circumstances, I am sure all the sections of the House would appreciate that the President, in promulgating the Ordinance on the 19th October, 1974, and the Government, in bringing the Bill for replacing that Ordinance, only wanted to ensure that candidates who had contested elections and whose petitions might be pending in the various High Courts and the Supreme Court on the understanding of the provisions of the law as hitherto interpreted by the Courts should not be made to suffer any undue hardship consequent upon a sudden departure in the judicial interpretation of the provision.

With these words, Sir, I commend the Bill for the consideration and acceptance by the House.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Representation of the People Act, 1951, be taken into consideration".

There are two amendments to this motion tabled by Shri Atal Bihari Vajpayee and Shri Samar Guha. Both the Members are not present. So, the question of moving the amendments does not arise. Now, I do not know what we should do. The next speaker is Mr. Jyotirmoy Bosu. But, he is a hot potato.

SHRI JYOTIRMOY BOSU: Mr. Deputy-Speaker, Sir, I commence my speech now. I take it that you are going to adjourn the House. I can continue with my speech tomorrow.

MR. DEPUTY-SPEAKER: You please continue until I adjourn. I shall adjourn the House exactly at 8 O'clock.

SHRI JYOTIRMOY BOSU: Mr. Speaker, Sir, I disapprove this Bill lock, stock and barrel. The question

is: this Bill, as I can see, has been brought forward on the floor of the House in order to benefit and protect a particular person who has great influence over the State machinery and the Government in the country—I say to benefit not only the people of the country as such but also the administrative machinery of the country. We have been in Parliament for a long time and I would like him to kindly tell us one single instance where the Government has, with quick steps, what is called, 'double marching in the army', proceeded to bring in the Ordinance. They could not even wait till the commencement of the session. They brought in this Ordinance only two weeks before the Parliament was due to sit. I am posing this question. You will kindly enlighten us as that will make the debate more lively.

MR. DEPUTY-SPEAKER: Is it my duty to enlighten the Members?

SHRI JYOTIRMOY BOSU: I am making a submission. You can reject it. You have been a Professor and, as far as I know, you have not ceased to be a professor. Therefore, I request you to impart education. That will be quite in keeping with....

MR. DEPUTY-SPEAKER: I think this tribe of professor should not increase.

SHRI JYOTIRMOY BOSU: The question—the adjournment will take place immediately—that is before the House is this. This Ordinance has been enforced with great speed. Has there been any instance where an Ordinance has been enforced with great speed as this one?

MR. DEPUTY-SPEAKER: It is six. Now, what do we do? Shall we adjourn now?

17.57½ hrs.

BUSINESS ADVISORY COMMITTEE
FIFTIETH REPORT

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, with your permission, I beg to present the Fiftieth Report of the Business Advisory Committee.

MR. DEPUTY-SPEAKER: Now the House stands adjourned to meet again at 11 A.M. tomorrow.

17.58 hrs.

The House then adjourned till Eleven of the Clock on Friday, December 13, 1974/Agrahayana 22, 1896 (Saka).