

**Fifth Series, No.26**

**Tuesday, March 25, 1975**  
**Chaitra 4, 1897 (Saka)**

# **LOK SABHA DEBATES**

**Thirteenth Session  
(Fifth Lok Sabha)**



सत्यमेव जयते

**LOK SABHA SECRETARIAT**

**New Delhi**

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## LOK SABHA DEBATES

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### LOK SABHA

Tuesday, March 25, 1975/Chaitra 4,  
1897 (Saka)

The Lok Sabha met at Eleven of the  
Clock

[MR. SPEAKER in the Chair]

#### ORAL ANSWERS TO QUESTIONS

लोक सभा के लिए हुए तीन चुनावों में से  
प्रत्येक चुनाव के बाद दायर की गई चुनाव  
याचिकाएं

\* 484. श्री जगन्नाथ राव जोशी :

श्री माधवराव सिंचिया :

क्या बिधि, न्याय और कम्पनी कार्य

मन्त्री यह बताने की कृपा करेंगे कि .

(क) लोक सभा के लिये हुए गत  
तीन चुनावों में से प्रत्येक चुनाव के बाद  
कितनी चुनाव याचिकाएं दायर की गईं; और

(ख) उनमें से कितनी चुनाव याचिकाओं पर एक, दो, तीन या चार वर्षों में फैसला दे दिया गया और कितनी चुनाव याचिकाएं सम्बन्धित लोक सभा की अवधि समाप्त हो जाने के कारण व्ययग्न हो गईं ?

THE MINISTER OF STATE IN THE  
MINISTRY OF LAW, JUSTICE AND  
COMPANY AFFAIRS (DR. SARAJINI  
MAHISHI) : (a) and (b). A statement  
containing the requisite information is  
laid on the Table of the House.

#### Statement

(a) The number of election petitions  
filed after the general elections to Lok  
Sabha held in 1962, 1967 and 1971 is  
as follows:—

1962	..	46
1967	..	52
1971	..	58

(b) The details are as follows:—

Election Petitions disposed of within—

	One year	Two years	Three years	Four years	Five years	Remarks
1962	28	8	7	2	1	Dealt with by Election Tribunals
1967	34	14	4	..	..	Dealt with by High Courts
1971	38	16	1	..	..	3 petitions still pending

No election petition lapsed on account of the expiry of the concerned Lok Sabha.

श्री जगन्नाथ राव जोशी : अध्यक्ष जी, सदन के पटल पर जो जानकारी रखी गई है उससे यह बात साफ है कि चुनाव याचिकायें हर चुनाव के बाद कम होने के बदे बढ़ रही हैं। 1962 में 46, 1967 में 52 और 1971 में 58 हो गई। जो जानकारी दी गई है उससे यह लगता है कि एक साल में लगभग आधी चुनाव याचिकायें ही निपटाई जाती हैं। मैं सवाल पूछना चाहता हूँ—हर चुनाव के बाद बढ़ते हुए काम को देख कर इस काम को जल्दी निबटाने की दृष्टि से जिन जिन उच्च न्यायालयों से न्यायाधीशों के रिक्त स्थानों की पूर्ति के लिये मांग आई है, उन स्थानों को पूरा क्यों नहीं किया गया? मुझे जानकारी मिली है—जैसे इलाहाबाद उच्च न्यायालय में, जहाँ प्रधान मंत्री जी का मामला चल रहा है, 10 स्थान रिक्त हैं जिनकी अभी तक पूर्ति नहीं हुई है—इसका कारण मैं जानना चाहता हूँ?

DR. SAROJINI MAHISHI: After the amendment of the Representation of the People's Act in 1966, the work that was being done by the Election Tribunals has been shifted to the High Courts and the High Courts are free to have as many Judges as they want in order to expedite the disposal of election petitions. They can increase the number of Judges on the election side and the provision in the law itself makes it clear that they should be expedited and cleared as early as possible. It is not correct to say that less than 50 per cent are cleared in the first year and very many dragged on. If the hon. Member carefully goes through the statement, he will see that after the 1971 elections itself, out of 58, 38 and 16 were cleared during the first and second year and one was disposed of during the third years.

श्री जगन्नाथ राव जोशी : अध्यक्ष जी, मैंने स्पष्ट रूप से इलाहाबाद उच्च न्यायालय के बारे में सवाल किया था, जहाँ 10 स्थान रिक्त हैं—उसके बारे में इन्होंने नहीं बतलाया।

डा० सरोजिनी महिषी : जहाँ कहीं भी बैकेन्सी फिल-अप करने की बात आती है, उसके लिए कोशिश की जाती है। कई बार सूचनायें एडीकैट नहीं आती हैं, इस लिए उनको फिर से रेफर किया जाता है, इसमें थोड़ी देर हो जाती है, फिर भी जगहों को जल्द से जल्द भरने की कोशिश की जा रही है।

श्री जगन्नाथ राव जोशी : 1971 में जितनी चुनाव याचिकायें थीं उनमें से 3 अभी बाकी हैं, यानी पांच सालों में भी ये नहीं निबटाई जा सकीं। इन में से एक तो प्रधान मंत्री जी की ही है। यदि स्नैप-पोल हो जाता, तो इन चुनाव-याचिकाओं को निबटाने के पहले ही दूसरा चुनाव हो जाता। इस लिये चुनाव याचिकाओं के निबटाने की प्रक्रिया को सरल बनाने की दृष्टि से क्या इस काम को विधि आयोग को सौंपा गया था? यदि हाँ, तो उनकी राय क्या थी? यदि नहीं, तो क्यों नहीं सौंपा गया?

डा० सरोजिनी महिषी : 1966 के अमेन्डमेन्ट के बाद ये बहुत जल्दी निबटाई जा सकती हैं, सभी हाई कोर्ट्स में चल रही हैं। स्टेटमेन्ट में जो संख्या दी गई है उससे स्पष्ट है कि इनको जल्दी से जल्दी निबटाने की कोशिश की जा रही है। 1971 के इलैक्शन के बाद इस समय 3 हाई कोर्ट में हैं और चार सुप्रीम कोर्ट में हैं। माननीय सदस्य ने यह सवाल कल्पना से पूछा था। कान्पनिक दृष्टि से वे ऐसा सोच सकते हैं, लेकिन इसमें देर की बात नहीं है।

श्री जगन्नाथ राव जोशी : मैंने यह सवाल इस लिये पूछा था कि इनको निबटाने में दो-तीन साल लगते हैं—इस लिये इसकी प्रक्रिया को ज्यादा सरल बनाने की दृष्टि से आप क्या कर रहे हैं, क्या इस मामले को विधि आयोग को सौंपा गया था? इस तरह से ये जल्दी नहीं निबटाई जाती हैं, अधिक से अधिक इनको एक साल में समाप्त करना ही चाहिए।

**अध्यक्ष महोदय :** आप कल्पना की बात छोड़ दीजिये।

**श्री जगन्नाथ राव जोशी :** मैं कल्पना नहीं कर रहा हूँ, यह तो फैक्ट है।

**डा० सरोजिनी माहिषी :** इसी लिये यह काम इलैक्शन ट्रिब्यूनल से उठा कर हाई कोर्ट में लाया गया है। अगर कहीं जज की कमी है तो मुख्य न्यायाधीश उसकी व्यवस्था कर सकते हैं। इस लिये जजों की कहीं पर कमी है, उसकी वजह से देरी हो रही है—ऐसी बात नहीं है। चूंकि माननीय सदस्य का प्रश्न कल्पना के आधार पर ही अवलम्बित था, इस लिये मैंने ऐसा उत्तर दिया।

**SHRI JAGANATH RAO JOSHI:** My question is pertinent to the question of simplifying the procedure of disposal of election petitions. My question was whether the matter was referred to the Law Commission.

**अध्यक्ष महोदय :** आप छोड़िये इस बात को, यह तो शुभ कल्पना है।

**श्री नवल किशोर शर्मा :** अभी मंत्री महोदय ने कहा कि हाई कोर्ट को यह अधिकार है कि वे जितना जज इलैक्शन पेटिशन के मामले में चाहे, नियुक्त कर सकते हैं। क्या इससे यह समझा जाय कि इलैक्शन पेटिशन के मामले में हाई कोर्ट को नये जज नियुक्त करने का अधिकार है? यदि ऐसा नहीं है तो क्या मंत्री महोदय इस बात को ध्यान में रखेंगी—हर प्रान्त में जो इलैक्शन पेटिशन आते हैं, जिनका हमको अन्दाजा हो जाता है—उसको ध्यान में रखते हुए हाई कोर्ट में इलैक्शन पेटिशन के फैसले के लिये कुछ नये जजों की नियुक्ति की मंजूरी दी जायगी ताकि इलैक्शन पेटिशन के मामलों पर जल्द विचार किया जा सके?

**डा० सरोजिनी माहिषी :** हाई कोर्ट में न्यायाधीश जो होते हैं उनमें से किसी की

सविस की जरूरत हो जाती है इलैक्शन ट्राइब्यूनल की तरफ तो जरूर भेजते हैं क्योंकि इन के सेज को जल्दी निपटाना होता है। उसके बाद फिर उस तरफ ले सकते हैं। इसलिये अगर चीफ जस्टिस चाहते हैं तो उनमें से किसी की सविस ले सकते हैं।

**श्री नवल किशोर शर्मा :** ऐवरेज को देखते हुए नये जजेज की नियुक्ति का अधिकार देने क्या?

**SHRI P. G. MAVALANKAR:** The present arrangements regarding disposal of election petitions undoubtedly involve lot of delays. It is true that the statement says, no election petition lapsed on account of the expiry of the concerned Lok Sabha. Nonetheless petitions go on dragging for two or three or four years. I want to know whether Government are thinking in terms of bringing in some amendments to the existing procedure to avoid these delays which take place. Secondly, the provision in Sec. 86(7) of the Representation of the People Act for expeditious trial of every election petition and its conclusion within 6 months from the date of its presentation to the High Court has not been complied with. Why?

**DR. SAROJINI MAHISHI:** Continuous efforts are being made to comply with the provisions like section 86(7) of the Representation of the People Act. In spite of the best efforts some cases do drag on for the evidence to be collected and in some cases there are adjournments from time to time and in certain cases appeals are preferred before the Supreme Court and so these things take place. But as I said continuous efforts are being made to expedite the whole thing.

**SHRI N. K. SANGHI:** Sir, there is inordinate delay which takes place in all these matters because number of issues are involved, and frivolous and serious issues are being taken up by the petitioners and so in view of those things may I know whether the Government is thinking in terms of bring-

ing in some legislation to see that only limited issues are allowed to be raised in the election petition to avoid unnecessary delay in the finalisation of these petitions?

**DR. SAROJINI MAHISHI:** These are matters for the judiciary and that is the best authority to judge which is frivolous and which is not frivolous.

**श्री मूल चन्द डागा :** इलेक्शन पेटीशन का डिसपोजल करने के लिए स्पेशल ला थाफ कोई बनाना चाहती हैं ताकि डे-टू-डे काम में कोई बाधार न पड़ सके और आसानी से काम हो सके जिस से पेटीशन जल्दी डिसपोज थाफ हो सके ? जो सी० पी० सी० है उस के अलावा स्पेशल ला लाकर ऐक्सपेडाइट करने के लिये कोई नया ला बनाना चाहते हैं ?

**डा० सरोजिनी महिषी :** यह एक अच्छा सुझाव है ।

**PROF. MADHU DANDAVATE:** The number of petitions has gone up from 46, 52 etc to 58. Ultimately the petitions get piled up. What concrete steps are taken to see that immediate electoral reforms are introduced before the forthcoming Lok Sabha election so that such malpractices as in Barpeta can be avoided?

**DR. SAROJINI MAHISHI:** I have already answered this question several times in the floor of the House. There are various suggestions for electoral reform and some of them have been incorporated on the Bill which is before the House. For your information I may say that there will be discussion with members of the opposition also, with their leaders etc. so that you can put forth your view at that time.

**MR. SPEAKER:** Is there any reform in which all the present members can be re-elected?

**श्री रामावतार शास्त्री :** सभी जो इलेक्शन पेटीशन के मामले होते हैं वह बहुत ही खर्चीले होते हैं, यहाँ तक कि प्रायः तीर से

झिंटा हटें चुनाव में खर्च करने की जरूरत है उस से भी ज्यादा इलेक्शन पेटीशन करने में खर्च हो जाता है । तो क्या सरकार के सामने कोई इस तरह का प्रस्ताव है कि कम से कम खर्च हो इलेक्शन पेटीशन में ? इस सिलसिले में आप ने कोई विचार किया है ? यदि हाँ, तो क्या ? ख करने का विचार रखती हैं ?

**डा० सरोजिनी महिषी :** इलेक्शन पेटीशन में हमारे अफाल से तो खर्चा ज्यादा नहीं होना चाहिये । अगर माननीय सदस्य करते हैं किहीं चीजों पर तो इसके लिये सरकार क्या कर सकती है ।

**श्री रामावतार शास्त्री :** आप का तरीका ही ऐसा है कि बहुत ज्यादा खर्चा होता है ।

**डा० सरोजिनी महिषी :** नहीं होना चाहिये । अगर होता है तो हम क्या करेंगे ।

**SHRI B. V. NAIK:** Sir, I wanted to know....

**MR. SPEAKER:** I am just waiting. I thought that you would wait for my permission. But, you started putting the question without that. I do not come in. Anyway, you may now put your question.

**SHRI B. V. NAIK:** Sir, as in the case of the last three elections, as many as 153 decisions have been taken either by the Tribunal or by the High Courts in the subsequent two elections. May I know from the hon. Minister that in view of our hon. Member Shri P. G. Mavalankar's and his Committee on Electoral Reforms appointed by Shri Jayaprakash Narayan having brought in the question of the validity of the election and the electoral practices, has the Law Ministry analysed these 153 decisions given by the High Court and found out in what percentage of cases, they have confirmed the electoral results? In other words, in what percentage of cases, have they turned down the election petitions so that they will give life to the practices that have been carried on?

**MR. SPEAKER:** No, please. This is a deliberate question that you are putting.

**SHRI B. V. NAIK:** All right, Sir. Let the Minister say in how many cases out of 153, they have confirmed the elections.

**MR. SPEAKER:** No, please. Next question. Shrimati Parvathi Krishnan

**Memorandum from National Federation of Indian Women to amend the Dowry Act**

\*485. **SHRIMATI PARVATHI KRISHNAN:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have received a memorandum from the National Federation of Indian Women (NFIW) asking Government to amend the Dowry Act to make the giving and accepting of dowry a cognisable offence;

(b) if so, the decision of Government thereon, and

(c) whether there is any proposal contemplated by Government to ensure the abolition of this social evil in 1975—the International Women's Year?

**THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR SAROJINI MAHISHI):** (a) Yes, Sir, a memorandum has been received.

(b) and (c). The matter is being examined along with certain recommendations made on the subject by the Committee on the Status of Women.

**SHRIMATI PARVATHI KRISHNAN:** May I know what are the demands that are there in the memorandum that has been received? And what is the reaction of the Government to them?

**DR. SAROJINI MAHISHI:** The memorandum has been received from the National Federation of Indian Women and a few demands have also been placed therein. Because the piece of legislation has not been effective in

the last fourteen years, a few suggestions have been made by them. One of them is that the offence should be made cognisable. The second suggestion is that the punishment should be enhanced to three years or fine of Rupees ten thousand with a minimum punishment of three months or two thousand rupees. The Committee on the Status for Women have also suggested certain things. They are under consideration.

**SHRIMATI PARVATHI KRISHNAN:** In view of the fact that the Dowry Act has not been effective in its implementation, I would like to know what machinery does Government propose to set up in order to see that the implementation is effective? Dowry is one of the social evils in our country and it is, perhaps, most oppressive where women are concerned. So, apart from going into these demands, what machinery does the Government propose to set up to see that the Act is implemented effectively?

**DR. SAROJINI MAHISHI:** A Bill was discussed in the year 1959 and the hon. Member had made a speech. I do remember now that she has mentioned therein that dowry for the consideration of the marriage should not be there. At the same time, if gifts are given out of affection and love from the relatives, there should not be any restriction. But, of course, the line between the two is so very delicate and many take them in the garb of gift that are given out of love and affection for the bridegroom and the bride. Therefore, it has not been found easy to implement this thing. And, as the matter stands to-day, this is a bailable offence, noncompoundable and non-cognizable. Many suggested that the offence may be made cognizable. The matter was taken up. But on account of the difficulties involved it could not be made. Now, on the basis of suggestions that have been made by the different committees the Government has been considering whether there should be some coordinating cell to see that it is implemented very effectively. Some of the committees have sug-

gested that instead of the State Government's sanction the village panchayats should also be allowed to give the sanction. These matters are under consideration.

**SHRIMATI MUKUL BANERJI:** As Mrs. Parvathi Krishnan has said the Dowry Act is not being implemented. I would like to know whether Government is thinking of taking help of the various women's voluntary organisations in this regard. These voluntary organisations can be very helpful as they are conscious of the evils of dowry.

**DR. SAROJINI MAHISHI:** It goes without saying that we always seek the help of the voluntary organisations and their efforts in this regard are always appreciated.

**SHRIMATI MAYA RAY:** I support Mrs. Parvathi Krishnan. We would like to know as to what the Government is thinking and in consultation with whom. It is no good going into long rambling dialogue to explain this evil. We wish to know how you propose to rectify this state of affairs. Uptil now, nothing has been done. We want to know what steps, one, two, three and four the Government is going to take.

**DR. SAROJINI MAHISHI:** As the hon. Member has rightly put it, this piece of legislation has not been effectively implemented. Rather it could not be implemented without proper enlightenment in the society. Society has got to cooperate and come forth with all the difficulties that they experience.

**MR. SPEAKER:** So far it has been ladies show. Why should not men also be protected? After all there are many women who do not like to marry a poor boy. About five bachelors are sitting near me.

**DR. SAROJINI MAHISHI:** I would like to inform the hon. Members that no specific proposals, as such, are under the consideration of the Government except the suggestions given by

the different women's organisations. Consultation in this regard will be made and serious think will have to be given. Certainly, we shall consult the hon. Members who are taking keen interest and also the various social organisations in the country.

श्री विभूति मिश्र : अध्यक्ष जी, पहले बीमेन का तो सुधार हो। यही जबर मांगती हैं, यही गहना मांगती हैं। जरा पहले यह सुधार करें अपना।

श्री अध्यक्ष महोदय : विभूति मिश्र जी, आप की तो उम्र अब चली गई है डाउरी वाली।

श्री विभूति मिश्र : मेरी उम्र तो चली गई लेकिन मेरे बेटे हैं, पोते हैं, हम लोग क्या करें।

**MR. SPEAKER:** Let the men also have some chances.

**SHRI S. A. KADER:** Mr. Speaker, Sir, no one would deny that the dowry system is an evil which should be eradicated and especially in this International Women's year, it should be tackled more firmly. There is no doubt about it. But, this House being a supreme body, a start should be made from this House. I would like to know, how many marriages have taken place after the constitution of this House and how many have accepted dowry and how many have rejected dowry?

**DR. SAROJINI MAHISHI:** The information which the hon. Member is asking is not available with us. But, certainly, I may inform the House that this particular question of social legislation, marriage, divorce etc. come under Entry 5 of the Concurrent List. As a result, the State Government have got to implement these things and they can come up with certain amendments in order to get the concurrence of the Central Government. There is no difficulty in that case. If they come up with certain amendments to the law. Therefore, Central Government by itself cannot implement



this thing. This has got to be done in consultation with the State Governments.

MR. SPEAKER: This does not refer to his question.

DR. SAROJINI MAHISHI: The first part of his question dealt with this thing. The second part of the question was concerning information ...

MR. SPEAKER: I will have to make a rule that no MP should marry without the Speaker's permission.

SHRI B. N. REDDY: Sir, I would like to know what machinery has been evolved to eradicate this dowry system. This is the main question which has been asked by Shrimati Parvathi Krishnan. Now, the Minister has not given any reply to that question. This shows that Government have not come to any definite conclusions in regard to eradication of this evil and this is only under consideration. They appoint so many Committees. But, this is only under consideration. I would like to know whether it is a fact that Government have not come to any definite conclusions in regard to eradication of this evil.

DR. SAROJINI MAHISHI: Sir, there is some confusion. In the year 1961, the Dowry Prevention Act was passed and under Section 2 of the Act, what is meant by dowry has been clearly defined as that which has been given in consideration for the marriage. Section 4 of the Act says what should be the punishment in cases where the offence is committed. Earlier, I have said that this is not a cognisable offence and it is a bailable offence. Therefore, now, some committees have suggested that it should be made a cognisable offence. The hon. Member may be aware that this is already there, these sections are there. The State governments have to implement this. With the sanction of the State Governments or with the officers appointed by the State Governments in this regard, these cases have got to be launched. But, if the State Govern-

ments are not effectively doing it, and if they come up with certain amendments in order to do it effectively, the Central Government will certainly consider that. The whole thing can be implemented only if there is enlightenment in the society and there it becomes a bit difficult. Therefore, if the hon. Members also take some interest in enlightening the society about this, I think there would not be any delay in implementing this.

SHRI RAJA KULKARNI: Does the definition of dowry under the Act include also the demand by prospective bridegrooms for cars and houses?

DR. SAROJINI MAHISHI: If the marriage is to be celebrated only on the condition that these terms should be fulfilled, then, this is part of the dowry. But, if the hon. Member thinks of other cases, where the father or the father-in-law, out of love and affection, gives cars and other things, then, it may not be considered as dowry.

श्री शंकर दयाल सिंह : एक महिला ने सवाल पूछा और एक महिला मन्त्री जवाब दे रही हैं। मेरे लिए यह दिक्कत है कि पालिसी का सवाल है, इसलिए शंकर जी कैसे चुप रहे।

अध्यक्ष महोदय: न वह महिला है और न आप शंकर।

श्री शंकर दयाल सिंह : भारतीय राष्ट्रीय महिला मंच की ओर से आप सरकार को दिया गया है। यह एक सामाजिक प्रश्न अधिक है। लैजिस्लेशन आप कितने भी पास कर दें उनका इम्प्लेमेंटेशन आरिख समाज को ही करना होगा। तीन तरह से दहेज प्रथा समाप्त हो सकती है। एक तो प्रेम और प्यार के द्वारा। जब मियां बीबी राजी तो क्या करेगा काजी? लड़का लड़की जब दोनों राजी हो जाते हैं तो मांगने वाले देखते रह जाते हैं। एक तो यह है।

जहां दहेज की बात है वहां बैठकर राष्ट्रीय महिला संघ के द्वारा क्या धरना दिया जाएगा।

जो लोग दहेज ले कर शादियां करते हैं उनका यदि सामाजिक बहिष्कार किया जाएगा तो क्या सरकार उसमें मदद करेगी ?

**डा० सरोजिनी महिषी :** जहां तक दहेज की बात है मैं जवाब भी दे चुकी हूँ और काफी बहस भी उस वक्त हुई थी जब इसके बारे में यहाँ बिल पास हुआ और गिफ्ट बरीरह दहेज में आते हैं या नहीं इस पर बहस काफी हो चुकी है। मैं माननीय सदस्य की जानकारी के लिए याज्ञवल्क्य स्मृति से एक श्लोक उनके सुनना चाहती हूँ :

प्रातृमातृपितृदेव्य अर्घ्यग्निं पाहन्तम् ।

अधिवदीन काष्ठ च स्त्रयधन परिकीर्तितम् ।

भाई बाप और मा जो कुछ प्रजे देते हैं अग्नि के समाने उठे हुए पति पत्नी को वे गिफ्ट में दिए जाते हैं और वह स्त्रीधन होता है। अब दोनों को गिफ्ट में शामिल किया जाए यह डिमांड करना मुश्किल होता है। दूसरा सवाल यह जो पूछा है भारतीय महिला संघ के धरने के सम्बन्ध में, मेरा निवेदन है यह सवाल उन से पूछा जाए मुझ से नहीं।

कमेटी ने यह भी सज्जेंट किया है कि गवर्नमेंट सर्वेस कंक्ट रूल्ज में यह व्यवस्था कर दी जाय कि अगर कोई दहेज ले कर शादी करता है तो उसको गवर्नमेंट सर्विस में डिबार कर दिया जाए।

**Oil and Gas Reserves at Baramura in Tripura**



\*486. **SHRI D. D. DESAI:**

**SHRI RAGHUNANDAN LAL BHATIA:**

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether oil and gas found in Baramura near Agartala have been examined by the experts;

(b) if so, the outcome thereof;

(c) whether drilling of more wells has also started; and

(d) if so, the broad features thereof?

**THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA):** (a) and (b). A few gas horizons have been encountered in the first well drilled at Baramura structure in Tripura. These are presently under test. No oil has been found at Baramura.

(c) No, Sir.

(d) Does not arise.

**SHRI D. D. DESAI:** My question has not been properly replied to. Part (a) of the Question was put because there was a report from the ONGC which stated that gas and oil had been found in Tripura near Agartala. There are already two oil-producing States and a third is being added. So we are interested in it.

I do not know what happened to part (b). In part (c) the question was whether drilling of more wells has also started. This refers to drilling of more wells in off-shore Kutch, Bombay High to which the hon. Minister often refers, and to the Bay of Bengal where he has some programme. I wanted to know what additional progress has been made in these areas. As soon as I get this information, I shall ask the supplementaries.

**SHRI K. D. MALAVIYA:** This Question refers only to Baramura, and not to Kutch or any other place. In answer to part (c) of the Question I have stated, "No, Sir". So long as the result of the first well which is under test is not completed, it is not possible to locate another site for drilling another well. So, the Question was about Baramura and I have given the answer.

**SHRI D. D. DESAI:** If you look at it closely, you will find that the

question whether drilling of more wells has also started does not refer to Baramura at all, though the heading has been given "Baramura in Tripura", but it relates broadly to oil drilling. Anyway, I do not want to enter into an argument.

MR. SPEAKER: It is a specific question which you have asked.

SHRI D. D. DESAI: What are the ways in which the Ministry is going to utilise the gas and oil which have been found in Tripura State and what is the product pattern found to be possible out of the analysis of the first samples which were drawn and exhibited?

SHRI K. D. MALAVIYA: I have already said that gas has been encountered. When gas is encountered in any well, it does not mean that gas has been produced in adequate quantities in such a manner that we start building our plans as to how to utilise the gas. At a particular level gas was encountered by the first and second series of tests. The final tests are still to be conducted. After that we will find out whether adequate quantities of gas will be found in this region or not, whether more wells have to be drilled or not, and if so, the places where the wells have to be drilled. Only after all these exercises have been completed, a scheme can be thought of with regard to the utilisation of the gas.

SHRI D. D. DESAI: I may draw the attention of the hon. Minister to a report in the Tribune on 28.2.1975 that an ONGC spokesman displayed in a glass oil sample from Baramura. They had claimed that the oil had been sent for analysis and that the annual plan of ONGC would include Baramura.

SHRI K. D. MALAVIYA: I think the report was not on the basis of ONGC information. Somewhere somebody might have said about some oil being found and that being put in a jar. As a matter of fact, the answer which I have given is the

latest, accurate answer, namely that we have encountered some gas there at a certain level. There are more horizons which have to be tested there. It is taking some time. It is a complicated well and, therefore, only after adequate tests have been completed can we formulate a scheme.

SHRI SAMAR GUHA: I want to know from the hon. Minister when this first encounter of gas was made; secondly why so much of time is taken for the analysis of the gas which can be done in a single day or in just a few hours; thirdly whether it is a fact that this area is more or less structurally in contiguity with the immense quantities of gas found in the Bangla Desh area, being almost on the border line, and why Government is delaying the taking up of more drilling of wells to ascertain whether it has the same structure as in Bangla Desh through the geo-geological procedure, why Government is dilly-dallying in this matter.

SHRI K. D. MALAVIYA: Government is not adopting any dilly-dallying tactics in its programme of exploration of oil or gas in this area. This is a very compact structure. The first well was started in July 1972. It was not completely finished. Because of the very intricate nature of the structure and many complications, the drilling had to be terminated. In the 2807 metres of depth that we drilled, we encountered several layers of gas. We have tried to find out the quantity of the gas coming out from these structures. There is no difficulty in analysing the gas, as the hon. member rightly said. But the quantitative assessment is difficult because the well has not been completely drilled. There are very great pressures and so it had to be terminated. Now we are going to drill three wells. Roads are being constructed for that purpose. As soon as the roads are constructed, these three wells will be drilled along with a complete examination of these structures also.

**SHRI H. K. L. BHAGAT:** Where do we stand today in terms of percentage of indigenous oil and gas in relation to our total consumption? What will be the position in five years? Can we expect to be self-sufficient within 10 years?

**MR. SPEAKER:** I am sorry this supplementary cannot arise out of this question, which is very specific.

**SHRI DASARATHA DEB:** The minister said that due to some troubles, the first well had been terminated. But lots of reports appeared in the press when this work was terminated that some mischievous hands were being operated to stop this well. That incident took place twice. May I know whether Government has investigated into these incidents and found out the culprits? The minister says roads are being constructed to start work on three more wells. May I know whether sufficient precautionary measures will be taken so that such incidents might not be repeated?

**SHRI K. D. MALAVIYA:** I want to assure the House that there has been no mischievous handling by any person or group of persons as a result of which the well was terminated. There were genuine difficulties. This is part of the game. When you explore for oil or gas, many times you fail and do not get anything. Then you go to the next well. For the other three wells, the sites have been selected. As soon as the roads are completed, we shall proceed with the drilling in such a way that the wells are satisfactorily dug.

#### Supply of Kerosene in Bombay

\*487. **SHRI B. V. NAIK:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what is the quota of kerosene oil supplied per family per month in Bombay; and

(b) whether this is in excess of the L.P.G. supplied to households having gas stoves?

**THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA):** (a) and (b). The present monthly quantum of kerosene oil supply in the Bombay Rationing Area is as under:—

- (1) Ration card holders 8 litres per card of 2 units (whether gas consumers or not).
- (2) Non gas consumers
  - (a) Ration card holders 15 litres per card of 3 units to 9 units.
  - (b) Ration card holders 20 litres per card of 10 units and above.
- (3) Gas consumers (excluding ration card holders of 2 units) 10 litres per card

Gas consumers include consumers of LPG gas and those using gas supplies from Bombay Gas Company and Municipal Sewage Gas.

**SHRI B. V. NAIK:** Strictly this falls within the State subject because it deals with the public distribution system. But since it has been admitted, I hope that the spirit will be appreciated by the hon. Minister. I have raised this question to solve a problem. Are there any special and compelling circumstances why Bombay is getting sometimes as much as 20 times what is distributed in the villages? In the villages where there is no electricity, the supply is only one litre per family per month. Even for the purpose of lighting their huts and homes they do not have enough kerosene. How do they propose to remove this disparity which is obtaining in large parts of the country?

**SHRI K. D. MALAVIYA:** I associate myself with the sentiments expressed by the hon. Member that without avoidable delays we should take steps to reach kerosene oil to the remotest villages possible. From this point of

view, we are considering the question in the Ministry from many points of view as to how the housewife can get kerosene to cook her food and also light the house. From that point of view, kerosene has to be produced in greater quantity in the existing refineries. In that case, the production of diesel oil will be reduced. So, it is a question of balancing the requirements of diesel oil and kerosene. We have now decided to produce a little more kerosene oil in order to make it available to the housewives in the villages. At the same time, we are also importing some kerosene oil from the USSR and, if possible, from some other countries to see that we have increased quantity of kerosene for distribution. In fact, we have already increased the quantity for distribution. LPG is more convenient for housewives to use. So far as Bombay is concerned, because gas is available there and it will not be economic to transport it to great distances, it will have to be consumed as much as possible in Bombay. That is why more gas is supplied in Bombay. Government fully appreciate the spirit in which this question has been put.

SHRI B. V. NAIK: I thank the hon. Minister for this information. While there has not been such a hue and cry about the distribution of petroleum products and diesel, there is a very great cry, particularly from the poorer sections, regarding the availability of kerosene. Since almost the entire petroleum trade, minus the Burmah-Shell which is coming over to you, is coming in the public sector, will the Government think of opening depots in the mofussil areas and the interior parts of the country so that kerosene is made available to the poorer sections of the society and so that our public distribution system, like many other institutions, in this country does not become another instrument or institution of discrimination within the society between the 'haves' and 'have-nots'?

SHRI K. D. MALAVIYA: As I have said, we are actively considering the question of improving the distribution of kerosene and making more quantity of it available to the villages. From that point of view, some schemes are under consideration. Therefore, I would request the hon. Member to wait for a few more weeks till we have taken some specific decision. Then I will keep the House informed about it.

SHRI RAJA KULKARNI. Sir, I come from Bombay. There is no discrimination in favour of Bombay, so far as the distribution of kerosene is concerned. In fact, a great injustice has been done to Bombay and there was a cut of 10 to 15 per cent in the quota.

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, माननीय मन्त्री जी ने जो उत्तर दिया है इसमें उन्होंने 2 यूनिट पर 8 लिटर और 3 से 9 यूनिट तक 15 लिटर बताया है। मेरी अपनी जानकारी यह है कि यह केवल आंकड़े देने के लिये बताया गया है, वास्तव में इतना तेल मिलता नहीं है। ऐसे बहुत से लोग हैं जो गैस का प्रयोग करते हैं, तेल का प्रयोग ही नहीं करते। उनका जो तेल बचता है वह कहाँ जाता है ?

क्या यह सही है कि बहुत बड़ी मात्रा में तेल का दुरुपयोग किया जाता है, जिन लोगों को मिलना चाहिये, उन्हें नहीं मिलता है ?

क्या इस प्रकार की शिकायतें मिली हैं कि क्षेत्र के चुने हुए संसद-सदस्यों, पार्षदों या एम० एल० ए० जो सत्ताधारी दल में संबंधित हैं, उनके क्षेत्रों में पर्याप्त मात्रा में तेल बांटा जाता है और जहाँ से वित्त के लो जीतकर आये हैं वहाँ तेल नहीं मिलता है

अध्यक्ष महोदय : कछवाय जी, यह प्रश्न तो बम्बई से संबंधित है।

श्री हुकम चन्द कछवाय : मैं बम्बई के बारे में ही पूछ रहा हूँ।

श्री के. डी. मालवीय : कुछ राजनीतिक मनोभावना से प्रेरित होकर माननीय सदस्य बहुत गलत रास्ते पर चले जाया करते हैं, असल में ऐसी कोई बात नहीं है। यह बात जरूर है कि कभी कभी जिनको कैरोसिन का तेल चाहिये, उनको नहीं मिलता क्योंकि जरूरत ज्यादा है, उस मात्रा में हम दे नहीं पाते हैं। आप जानते हैं कि कूड भ्रायल की कमी है, दाम बहुत बढ़ गये हैं इसलिये कमी तो हो गई है लेकिन फिर भी प्रयत्न यह रहता है कि हम ज्यादा से ज्यादा सतोषजनक रीति से नियम बन कर, जिन्हे जरूरत है उन्हें तेल दे। फिर भी मैं यह कहना चाहता हू कि हमें भी संन्यत नहीं है कि नीचे स्तर के सभी लोगों को जिन्हे कैरोसिन चाहिये उन्हें पर्याप्त मात्रा में तेल मिल रहा है। इसी कारण प्रयत्न किया जा रहा है कि उन्हें तेल मिल सके।

श्री हुकम चन्द कछवाय : जो गैस इस्तेमाल करते हैं, वह तेल नहीं लेते, उनका बचा हुआ तेल कहा जाता है ?

अध्यक्ष महोदय : यह बम्बई का प्रश्न है, आपको बम्बई गये हुए कितनी देर हुई है ?

श्री हुकम चन्द कछवाय : आज सवेरे हू, आया हू।

SHRI N.K.P. SALVE: Since I ardently believe that the Minister is not merely in the habit of doling out merely lip-sympathy when he said that the havoc and harassment caused to the people in the rural areas who are not provided kerosene regularly need, to be looked into, that they need to be provided with kerosene and that the Minister is looking into the matter, I want to know from him in the meanwhile whether it is accepted that in the present distribution system there is far too much weightage given to the cities. I cannot understand where is the necessity for all this in Bombay. Bombay is the one place which can manage with one tin of kerosene... (Interruptions).

AN HON. MEMBER: No, no.

SHRI N. K. P. SALVE: Bombay will have riots if there was not scope for sufficient black-marketing. That is the unfortunate part of it. I know Bombay; I am closely connected with Bombay.

What I am interested in knowing is, whether or not the Ministry has realised that there is far too much weightage—whatever kerosene they are getting by way of import and all that is for them to decide—in favour of cities and how they are going to redress and remedy the undue weightage in favour of the cities. Secondly, in the rural areas, for distribution purposes at one point, they have got agents in the private sector. Is he aware that there is rampant racketeering and profiteering and that the people are put to harassment? If he is thinking of devising proper distribution system in the rural areas, has he thought of these difficulties and, if so, how does he think of removing them?

SHRI K. D. MALAVIYA: Undoubtedly, there is a little weightage to Bombay with regard to availability of kerosene oil. But the reason is very rational. The reason is that coal is not available in Bombay. It becomes very costly to carry coal from the Bihar belt and other areas. Kerosene is produced in Bombay refineries. Therefore, in course of time, historically the fact is that there is a little more availability of kerosene in Bombay.

As I have just now said, the proper distribution of kerosene in the rural areas is very desirable. From that point of view, we are revising the entire scheme and re-vamping the distribution of kerosene with a view to see that kerosene is available also in the villages and rural areas.

One fact should also be known to the House that, in the last three or four months, we have increased the supply of kerosene oil everywhere, both in rural as well as in urban areas.

**जी जयेश्वर शिख :** मायव मन्त्री महोदय को मालूम होगा कि घमेल और मई के महीनों में स्कूल-कालेजों के विद्यार्थियों के इम्तहान होते हैं, जिस के कारण बच्चाई में, और उस के साथ-साथ सारे देश में, मिट्टी के तेल की खपत और मांग बढ़ जाती है। क्या मन्त्री महोदय इस बड़ी हुई मांग को देखने हुए, वह अभी तक मिट्टी के तेल का जो कोटा रखे हुए हैं, उस में बढ़ोतरी करने के बारे में सोच रहे हैं ?

**जी के० डी० प्रालबीय :** बढ़ोतरी की है, और और भी करेंगे।

**Increase in Prices of Synthetic Detergents produced by Hindustan Lever Limited**

\*489 SHRI S. M. BANERJEE  
Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Hindustan Lever Limited have increase their prices of synthetic detergents six times during the last one year and that prices have more than doubled during this period;

(b) if so, the justification therefor and action taken by Government.

(c) whether the Hindustan Lever Limited are offering fabulous consumer schemes on Surf and Vim which clearly shows that they can afford to decrease the prices of these products; and

(d) if so, the steps taken by Government to persuade this foreign company to decrease the prices of their synthetic detergents?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (d). A statement is laid on the table of the House. (a) and (b). The prices of synthetic detergent, manufactured in the country including those of Hindustan Lever Ltd. have been increased from time to time mainly due to increase in the cost of major raw materials

detergent alkylate, a petrochemicals, and Sodium Tripoly Phosphate. Whereas the price for Surf (200 gms) was Rs. 1.77 in February 1974, it is Rs. 2.58 since February 1975.

(c) and (d) There is no control on the price of synthetic detergents. According to the manufacturers sales promotion by way of consumer incentive schemes is a normal trade practice, and it is understood that M/s. Hindustan Lever Ltd. have incurred an expenditure of only about Rs. 30,000/- on such incentive schemes in case of Surf. In the case of Vim, the expenditure on consumer incentive schemes as reported by the manufacturer was 2.5 per cent of the turnover.

SHRI S. M. BANERJEE: I would like to know whether it is a fact that the Hindustan Lever Limited, a subsidiary of Unilever, London, a multinational corporation, obtained licence at Haldia for the production of STPP and at that time Government was taken for a ride that it would save oils used in the manufacture of soaps and instead synthetic detergents would be available to the consumers. Is it a fact that after Hindustan Lever were granted a licence during 1973, the prices of their Surf have registered a rise of 300 per cent and surf is already beyond the reach of a good number of people belonging to the vulnerable section of the society?

I would like to know whether Government is aware that surf, economy size, which was available for about Rs 4.25 per packet in January 1974 is now available at Rs. 10.75; vim which cost the consumer about Rs 1.50 last year is now costing Rs 2.75 in which was introduced by the Company during 1972 at a price of 0.75 paise per tablet is now available at Rs. 1.80 or so per tablet.

I would like to know what action has been taken to see that they do not maximise their profits and remit the same to their principals in London. In 1973 alone they remitted as



much as Rs. 146 lakhs to London. I would like to know what action has been taken in this regard.

**SHRI K. R. GANESH:** The main question that the hon. Member has asked is whether the price of surf and other detergents of Hindustan Lever has gone up. The answer is 'yes'. For instance, the price of surf in February 1974 was Rs. 1.77 and in February 1975 it has gone up to Rs. 2.58. According to the manufacturers, the prices of the major raw materials, i.e., detergent alkylate and STPP have gone up during this period, from December 1972 to July 1974; the price has gone up from Rs. 2,330 to Rs. 12,755 in respect of detergent alkylate, and it has gone up from Rs. 3,253 to Rs. 6,777, and to Rs. 8,216 in December 1974 in respect of STPP. According to the manufacturers, this is the reason for the increase in the prices of detergents.

**SHRI S. M. BANERJEE:** I would invite his kind attention to the fact that other companies like Mazda are selling detergent powder at Rs. 5/- per kilogram; they also say that it is a superior quality. No other household detergent is priced so much as surf. I also want to know whether it is a fact that recently the Hindustan Lever have advertised in the local papers announcing that a tin of vim will cost only 55 paise if somebody purchased two packets of surf. They offer a tin of Vim costing Rs. 2.75 at a concessional price of Re. 0.50 if a person buys two packets of Surf. But they are unable to reduce the price of Surf by Rs. 2 or Rs. 3. I would like to know whether any notice has been taken of this by the Government and whether any action will be taken against this multi-national giant, Hindustan Lever and whether ultimately the Government will have the courage and conviction to take it over in the larger interests of the consumer?

**SHRI K. R. GANESH:** It is a fact that the Hindustan Lever are doing some consumer incentive business.

According to them, it is a part of the trade pattern that exists here.

**SHRI S. M. BANERJEE:** This concession is available in Delhi only and not in other places. What about other places?

**SHRI K. R. GANESH:** The major point is that there is no price control. The point the hon. Member has raised about taking it over—we will try and look into it.... (Interruptions).

**DR. KAILAS:** Shri Banerjee has raised another point that other firms are offering at a reduced price. Why not the Hindustan Lever? Is this true?

**SHRI BHAGWAT JHA AZAD:** Is there no price control? The Lever Brothers are playing havoc in the country.

**SHRI S. M. BANERJEE:** Why was the price control lifted?

**SHRI K. R. GANESH:** There is no price control on detergents.

**SHRI BHAGWAT JHA AZAD:** Why not have a profit-control?

**SHRI K. R. GANESH:** That is all right. I am only explaining the position.

**SHRI BHAGWAT JHA AZAD:** This is not a reply. We want to know why profit has not been controlled.

**MR. SPEAKER:** Question-Hour is over.

श्री भागवत झा आज़ाद : प्राफिट कंट्रोल क्यों नहीं होता है? हम सब लोगों के घरों में पत्नियां कहती हैं कि सर्फ का दाम क्यों बढ़ा है? इस का जवाब मन्त्री जी को देने दीजिये।

**THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA):** Have I your permission, Sir?

**SHRI DINEN BHATTACHARYA:** That is the way of looting the consumers. Why do you use foreign brands?



**MR. SPEAKER:** It is already past 12 noon. I have already declared that the Question-Hour was over. In spite of that, you go on and the Minister wants my permission to reply. I simply fail to understand the attitude of the Member and the Minister. If you are so keen, you can make a statement. Or, I can allow an half-an-hour discussion, if you want.

**SHRI BHAGWAT JHA AZAD:** We want a discussion.

# **WRITTEN ANSWERS TO QUESTIONS** **Multinational Corporations in India**

\*488. **SHRI SARJOO PANDEY:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 2197 on the 26th November, 1974 regarding Multinational corporations in India and state:

(a) the total investment of the subsidiaries of the Multinational Corporations in Industrial, Pharmaceutical and Fertiliser sectors in 1973-74 and 1974-75;

(b) the particular of their investments in all other sectors in 1971-72, 1973-74 and 1974-75;

(c) the amount under various heads, these companies have remitted abroad, with details during 1972-73, 1973-74 and 1974-75; and

(d) what are the reasons for Government not appointing its own directors in the Board of Directors of these companies under section 408(1) of Companies Act 1956?

**THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA):** (a) As on 31-3-1974, 200 subsidiaries of multinational corporations were operating in India. Balance Sheets of 113 of these subsidiaries for the year 1973-74 are available to date. Of these 113 subsidiaries, 87 fall in the industrial sector including pharmaceuticals and 26 in

other sectors. The total investment, i.e., the value of assets of the 87 subsidiaries in the industrial sector amounted to Rs. 828.05 crores in 1973-74, including assets amounting to Rs. 108.75 crores in respect of 12 subsidiaries operating in the pharmaceutical industry. There was one subsidiary company engaged in the manufacture of fertilisers in 1973-74 but its balance sheet is not available.

The data about the value of assets of the subsidiaries of multinational corporations for the year 1974-75 are not available, since a large number of Balance Sheets of these subsidiaries for this year are yet to be filed.

(b) The available information about the value of assets of the subsidiaries belonging to other sectors i.e. sectors excluding the industrial sector is given as under:—

Year	No. of Companies	value of Assets
		(Rs. crores)
1971-72	42	96.10
1973-74	26*	89.24

\*Out of 113 subsidiaries for which the Balance Sheets have been received.

(c) According to the information maintained by the Department of Economic Affairs, Ministry of Finance, the total amounts remitted abroad by Indian subsidiaries of multinationals under various heads in 1972-73 are as under:—

	(Rs. Crores)
1. Dividends	22.88
2. Technical Know-how	1.47
3. Royalties	1.09
4. Head-office expenses	0.02

Information about remittances for the years 1973-74 and 1974-75 is not yet available with the Department of Economic Affairs, Ministry of Finance.

(d) The Government appoints directors under section 408(1) of the Companies Act, 1956 in a company after it is satisfied after making an inquiry that a company is being managed in a manner which is oppressive to any member of the company or in a manner which is prejudicial to the company or to the public interest. No such case has come to the notice of the Government in respect of these subsidiaries.

**उत्तर रेलवे के चन्दौसी ट्रेनिंग स्कूल को प्रोसरी सप्लाय करने का ठेका**

\*490. श्री बन्निक्का प्रसाद क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार इस बात की जांच करेगी कि उत्तर प्रदेश के चन्दौसी ट्रेनिंग स्कूल के मैस हेतु प्रोसरी के ठेके टेडर देने वालों को न देकर मनमाने तौर पर निजी स्थाव्यों के आधार पर लोगों को दिए गये हैं जिसके फलस्वरूप मैस को लगभग 55000 रुपये की क्षति हुई है, और

(ख) क्या इस सम्बन्ध में दोषी पाये गये अधिकारियों के विरुद्ध कड़ी कार्यवाही करने के लिये अनुदेश जारी कर दिये गए हैं ?

**रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) :** (क) सरकार के नोटिस में ऐसी कोई शिकायत नहीं आई है। लेकिन 1972 में एक शिकायत प्राप्त हुई थी जिसमें ग्रन्थ बातों के साथ-साथ गैर-कानूनी रिश्तों के बिचार से दूध सप्लाय के लिए ठेका मंजूर करने में स्कूल के प्रिंसिपल द्वारा पक्षपात करने का दोषारोपण किया गया था। उस शिकायत की जांच की गयी थी और उसे अनिवादाय पाया गया।

(ख) प्रश्न नहीं उठता।

### Bye-Elections to State Assemblies and Parliament

\*491. SHRI VIJAY PAL SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the particulars of bye-elections to State Assemblies and to Parliament pending at present;

(b) what are the details, including the votes polled by each candidate, regarding the results of bye-elections conducted for State Assemblies and Parliament in 1972-73 and 1974-75;

(c) what were the election results, including votes polled by candidates, in each of these constituencies in the election previous to the bye-election; and

(d) whether it is likely that bye-elections would be conducted for all those seats which are now vacant?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR SAROJINI MAJUMDAR): (a) A statement containing the requisite information is laid on the Table of the House. [Placed in Library See No LT-9319/75]

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

(d) The Election Commission has already approved the programmes for the bye-elections in 12 Assembly Constituencies. The remaining bye-elections will be held as early as possible.

### Commercial Production of Crude from Bombay High

\*492. SHRI HARI KISHORE SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state how much amount is likely to be spent on extraction of crude from Bombay High on commercial basis including foreign exchange on machinery installed at the site?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):** It will be possible to estimate the cost of production of crude from Bombay High, only after the full production potential has been assessed and a detailed project report prepared. The expenditure on Bombay High offshore during 1973-74 was Rs. 7.67 crores and expenditure during 1974-75 is estimated at Rs. 13.29 crores. A provision of Rs. 51.10 crores has been made for 1975-76.

#### Setting up of a Fertilizer Plant in Gujarat

\*493. SHRI VEKARIA:

SHRI D. P. JADEJA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are considering to instal a fertilizer plant in Gujarat State during the next Five Year Plan; and

(b) if so, where and the broad features thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):** (a) and (b). A letter of intent has been issued to the Gujarat State Fertilizer Company, Baroda for creation of additional capacity during the 5th Plan period for production of 5,28,000 tonnes of urea. The programme for setting up of additional fertilizer capacity during the Sixth Plan period has not yet been drawn up.

#### उर्वरक कारखानों की स्थापना के लिये धनराशि

\*494. श्री बनवाल: बाबू: क्या पट्टी-विद्युत और रसायन मंत्री यह बताने की कृपा करें कि:

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(क) इस समय देश में उर्वरक कारखाने स्थापित करने की वर्तमान योजनायें क्या हैं;

(ख) इस कार्य के लिए कितनी धनराशि की व्यवस्था की गयी है; और

(ग) उर्वरक कारखानों की स्थापना के लिये धन एकत्र करने हेतु और क्या साधन जुटाये जा रहे हैं?

**पेट्रोलियम और रसायन मन्त्रालय में राज्य मंत्री (श्री के. आर. गणेश):**

(क) में (ग). इस समय 19.81 लाख मीटरी टन नाइट्रोजन की क्षमता के 18 उर्वरक कारखाने (11 सरकारी क्षेत्र में और 7 गैर सरकारी क्षेत्र में, चालू है। 7.8 लाख मीटरी टन नाइट्रोजन की क्षमता की 5 परियोजनायें (2 सरकारी, 2 गैर-सरकारी और 1 सहकारी क्षेत्रीय) कार्यान्वित की अग्रिम अवस्थाओं में हैं, जिन से कुल क्षमता 27.61 लाख मीटरी टन नाइट्रोजन हो जायेगी। इस में इस्पात सयंत्रों में उत्पादों के रूप में निर्मित उर्वरक भी शामिल है। फास्फेटिक उर्वरक के लिये पहले से विकसित अथवा उन परियोजनाओं, जो कि मुकम्मल होने वाली हैं, में विकसित की जाने वाली क्षमता पी2प्रो5 के रूप में 8.6 लाख मीटरी टन हो जायेगी।

इन के अतिरिक्त, 14 परियोजनाएं कार्यान्वित की विभिन्न अवस्थाओं में हैं और 10 अन्य परियोजनाओं की मिश्रित रूप में मंजूरी/अनुमति दे दी गई है। इन सभी परियोजनाओं के मुकम्मल हो जाने से, कुल क्षमता के 65 लाख मीटरी टन न नाइट्रोजन तथा 17.82 लाख मीटरी टन पी2प्रो5 हो जाने की आशा है, जिसका विवरण इस प्रकार है —

(लाख रुपये में)

	सरकारी क्षेत्र		गैर सरकारी क्षेत्र		सरकारी/संयुक्त क्षेत्र	
	नाइट्रो- जन (एन)	पी 2 प्रो 5	नाइट्रो- जन (एन)	पी 2 प्रो 5	नाइट्रो- जन (एन)	पी 2 प्रो 5
(1) चालू यूनिट . . . . .	11.28	2.02	8.53	3.58	—	—
(2) परियोजना, जो मुकम्मल होने वाली है . . . . .	3.04	0.90	2.61	0.82	2.15	1.27
(3) कार्यान्वयनाधीन अन्य परियोजनाएँ	15.36	4.58	1.60	—	—	—
(4) अनुमोदित/सिद्धान्त रूप में अनु- मोदित परियोजनाएँ	9.45	3.00	5.73	0.82	5.22	0.83
कुल . . . . .	39.13	10.50	18.47	5.22	7.37	2.10

कुल एन (39.13 + 18.47 + 7.37) = 64.97 लाख मीटरी टन अथवा 65.00

कुल पी 2 प्रो 5 (10.50 + 5.22 + 2.1) = 17.82 लाख मीटरी टन

एक महत्वपूर्ण उद्योग होने के नाते, उर्वरक परियोजनाओं की संसाधनों के आवंटन में समुचित प्राथमिकता दी जानी है। रुपया संसाधनों के बारे में, सरकारी क्षेत्र में स्थापित की जाने वाली नई पारी योजनाओं के लिये पाचवी योजना के प्रारूप में 560 करोड़ रुपये का आवंटन निहित है। गैर-सरकारी तथा सहकारी/संयुक्त क्षेत्रों की परियोजनाओं के लिये, सम्बन्धित उद्यमकर्ताओं को आवश्यक सहायता अपने आप जुटाने होंगे।

रुपया समाधानों के अलावा, उर्वरक परियोजनाओं की उन सामग्रियों तथा सेवाओं, जो देश में उपलब्ध नहीं हैं, के लिये विदेशी मुद्रा की जरूरत होगी। यदि यहाँ भी, उचित ऋणों अथवा निर्यात विदेशी मुद्रा जैसा कि उपयुक्त हो, के आवंटन में सभी परियोजनाओं को समुचित प्राथमिकता दी जाती है।

**रतलाम बिबीजन में कोयले की कमी का बाल गार्डियों के चलने पर प्रभाव**

\* 495. डा० लक्ष्मी बरारयन पाण्डे :  
क्या रेल मन्त्री यह बताने की कृपा करें कि :

(क) क्या पश्चिम रेलवे के रतलाम बिबीजन में कोयले की कमी के कारण अनेक आलगाईयाँ नियमित रूप से नहीं चल पाई हैं ;

(ख) क्या इसके कारण जाबरा, मंदसौर और नीमच में रेलवे बुकिंग पर विपरीत प्रभाव पड़ा है। तथा इसके परिणामस्वरूप अप्रत्यक्ष रूप से रेलवे को वित्तीय हानि हुई है; और

(ग) कोयले की कमी को दूर करने के लिए क्या कार्यवाही की गई है ?

रैम मन्त्रालय में राष्म मन्त्री (की कुलुम्भ मन्त्री कुलुम्भ) : (क) जनवरी, और फरवरी, 1975 में रतलाम मंडल के मीटर लाइन वाले कुछ हिस्सों में, पर्याप्त मात्रा में कोयला उपलब्ध न होने के कारण केवल कुछ अमहत्वपूर्ण खण्डीय मालवाड़ियों के फेरे कम कर दिये गये थे।

(ख) जी नहीं।

(ग) अब इंजन कोयला अधिक मिलने लगा है और रतलाम मण्डल में गाड़ो चलाने में कोई कठिनाई नहीं है।

#### Complaint against Sub-Heads DAO, New Delhi (Northern Railway)

\*496. SHRI MAHADEEPAK SINGH SHAKYA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 1032 on the 19th November 1974, regarding complaint against Sub-heads working in DAO's office, New Delhi (Northern Railway) and to state:

(a) whether the investigations have been finalised; and

(b) if so, whether the Sub-Heads have been charge-sheeted for major penalty on the basis of facts revealed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Sir, Investigations in this case have since been completed. Further action as warranted will be taken after the examination of the report.

#### Accommodation for Railway Employees in Delhi

\*497. SHRI H. K. L. BHAGAT: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Ministry has any plan for the provision of additional accommodation for Railway employees in Delhi; and

(b) if so, the broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, Sir. Construction of quarters for Railway staff is a continuous process and is undertaken on a programmed basis according to the extent of funds available every year.

(b) 42 units Type I, 154 units Type II, 28 units Type III, 51 units Type IV, 36 units Type IV Spl, and 2 units Type V quarters are in various stages of progress in Delhi area.

#### Re-instatement of Railway Employees of South Eastern Railway

\*498. SHRI INDRAJIT GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the South Eastern Railwaymen's Union, affiliated to AIRF is still a recognised body;

(b) whether it is a fact that office-bearers and council members of this Union, at branch and divisional levels, have been singled out by the administration for dismissals and suspensions in connection with the strike of May, 1974;

(c) the number of permanent and temporary workers who are still removed from their jobs on this Railway, Division-wise; and

(d) whether they will be reinstated in the near future?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) No, Sir. In the context of the illegal strike in May '74, action was taken against Railway employees purely on the basis of their activities and conduct and not on the basis of their office-bearership of any particular Union.

(c) and (d). Out of 2108 employees who were dismissed/removed/terminated from service 490 have not been taken back so far. A statement giving Division-wise break-up is laid on the Table of the Sabha. Their cases are being reviewed with all possible promptitude.

### Statement

Division/Workshop/Unit	No. of staff not taken back to service so far
<i>Division</i>	
Kharagpur . . . .	129
Adra . . . . .	150
Chakradharpur . . .	33
Bilaspur . . . . .	18
Nagpur . . . . .	25
Khurda Road . . . .	3
Waltair . . . . .	26
<i>Workshops</i>	77
Stores Depots . . . .	18
Headquarters Office .	11
<b>TOTAL</b> . . . . .	<b>490</b>

### Programme for Completion of Metropolitan Railway in Calcutta

\*499. SHRI S. N SINGH DEO Will the Minister of RAILWAYS be pleased to state

(a) the salient features of the programme for Metropolitan Railway in Calcutta during the current year;

(b) the broad outlines of the work done upto date; and

(c) total amount likely to be spent for the Tube Railway and the time when it will be completed?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI

MOHD. SHAH QURESHI): (a) The actual construction work, which is in progress in two contract sections over a length of 1.8 Km. will continue during 1975-76. Tenders for few more contract sections have been received. More contracts are expected to be awarded. An outlay of Rs. 8.4 crores has been included in the 1975-76 budget.

(b) Since 1972 the Organisation had been geared up for construction and actual work had been commenced in two contract sections as above. 45.73 hectares of land have been acquired. Design and planning of Electrical, Signalling and Telecommunication Engineering, Air Conditioning and Ventilation systems etc. are in progress. An overall progress of 5.90% has been achieved upto the end of February '75.

(c) The revised cost of the Project at present has come to about Rs. 250 crores. The pace of construction work will have to be regulated to suit the present scarcity of resources. The likely date of completion, which may not be before 1981, will be fixed as soon as the resources position improves and permits us to look more clearly ahead.

### Retrenchment of Employees in Bihar during slowing down of Work

\*500 PROF. NARAIN CHAND PARASHAR Will the Minister of RAILWAYS be pleased to state

(a) whether the news item published in Hindi daily 'Nav Bharat Times' (New Delhi Edition) dated the 12th February, 1975 regarding the slowing down of work and the consequent retrenchment of employees in Bihar has been noticed by Government;

(b) if so, the reaction of Government to this news item and whether any such decision for slowing down the work has been taken by Government; and

(c) If so, the level at which the decision was taken along with the date on which it was taken?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) No decision to slow down the works referred to in the news item has been taken.

(c) Does not arise.

#### Fertilizer Plant working in Gujarat State

\*501. SHRI ARVIND M. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of fertilizer plants working in Gujarat State in Public Sector and Private Sector;

(b) the annual production for the year 1974;

(c) whether it is less than their targeted production; and

(d) if so, the reasons for the decline?

(b)

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) There are presently four fertilizer units in operation in the private/joint sector in Gujarat as detailed below:—

1. Gujarat State Fertilizer Company, Baroda.
2. Adarsh Chemicals and Fertilizers, Udhna.
3. Alembic Chem. Works, Baroda.
4. Anil Starch Products, Bhavnagar.

Of these, the plants of GSFC, which is in the joint sector are large sized plants for the manufacture of nitrogen and phosphatic fertilizers while the other three are single super-phosphate units.

In addition to these plants, Indian Farmers Fertilizers Coop. Ltd., in the cooperative sector has plants at Kalol and Kandla with a capacity for the manufacture of 215,000 tonnes of nitrogen and 127,000 tonnes of phosphate. IFFCO's plants went into production in February, 1975.

Capacity utility target and production in '000 tonnes of nutrients.

Units	Annual Installed Capacity		1974-75			
			Annual		Target	
	N	P <sub>2</sub> O <sub>5</sub>	N	P <sub>2</sub> O <sub>5</sub>	Production	
					(April 74--Feb. 75)	
1. Gujarat State Fert. Co. Baroda.	216.0	50.0	164.0	30.0	150.4	22.7
2. Adarsh Chem. & Fert.		11.2	..	6.5	..	5.0
3. Alembic Chem. Works.	..	3.9	..	3.6	.	3.1
4. Anil Starch Products	..	5.6	..	4.1	.	2.2

(c) and (d). Production in G.S.F.C. during the year was affected due to failure of the urea reactor in the second urea plant and power interrup-

tions. The other super-phosphate units, excepting Anil Starch, have operated satisfactorily with due regard to the demand for single super-phosphate.

Production in M/s, Anil Starch Products was affected due to mechanical problems.

**Wagons allotted to Kerala Government during 1974-75**

**\*502. SHRIMATI BHARGAVI THANKAPPAN:** Will the Minister of RAILWAYS be pleased to state:

(a) whether the number of railway wagons allotted to the Kerala Government was much less in comparison to the number of wagons demanded; and

(b) if so, the total demand of wagons for the year 1974-75 and the reasons for not meeting the demand of the State Government?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) No, sir.

(b) Does not arise.

#### **Namrup Fertilizer Project**

**\*503. DR. H. P. SHARMA:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the total cost of the Namrup Fertilizer Project and how does it compare with the original estimated cost of the project; and

(b) the reasons for such a large increase in the cost of the project?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):** (a) Against the original estimate of Rs. 29.46 crores, the project is presently estimated to cost Rs. 58.62 crores.

(b) The cost over-run is mainly due to the delay in project completion on account of slippages in the delivery of equipments and in construction activity and due to the general escalation in prices during intervening period.

**Extension of service to Employees in Bikaner Division (Northern Railway)**

**4677. SHRI SHRIKISHAN MODI:** Will the Minister of RAILWAYS be pleased to state:

(a) whether general policy of not granting extension in service to Government employees beyond 58 years is being strictly followed in Railways particularly in Bikaner Division of Northern Railway; and

(b) the names and designations of Railway officers in Bikaner Division who have been or likely to be granted the benefit of extension during first quarter of 1975 with grounds in each case?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) Yes, barring exigencies of public service and deserving cases of loyal workers during the May, 1974 strike.

(b) Shri Sohan Singh, Divisional Operating Superintendent, as a loyal worker during the May, 1974 strike,

**Re-instatement of Railway Employees (Central and Western Railways)**

**4678. SHRI G. C. DIXIT:** Will the Minister of RAILWAYS be pleased to state:

(a) the Division-wise and workshop-wise number of those permanent, temporary, monthly wage and daily wage employees of the Central and Western Railways who were dismissed or removed from service for taking part in the May, 1974 strike; and

(b) the number of the employees among them, category-wise reinstated?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) A statement is laid on the Table of the House. [Placed in Library. See No. LT-3906/75]



(b) Category-wise figures are not maintained by the Railways, there being more than 700 categories of workers on Indian Railways it would be well nigh impossible task to do so.

The information as on 8th March 1975 on Central and Western Railways is given below:

	Central	Western
(i) Permanent employees dismissed/ removed from service	457	1,436
(ii) Number taken back out of (i)	316	1,297
(iii) Temporary employees whose services were terminated	1,244	2,071
(iv) Number taken back out of (iii)	1,240	2,063
(v) Casual labour/ Substitutes discharged	4,267	3,224
(vi) Casual labour re-engaged out of (v)	4,176	1,525
Re-engagement of casual labour depends on the work needs and resources position.		

जब प्रवेश में कुछ स्थानों पर यात्री गाड़ियां चलाने की मांग

4679. श्री जनसाह प्रमान : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या आदिवासी क्षेत्रों के लोग अथवा समद सदस्यों तथा मध्य प्रदेश विधान सभा के सदस्यों की ओर से एक वर्ष पहले मध्य प्रदेश के कुछ आदिवासी क्षेत्रों में यात्री-गाड़ियां चलाने सम्बन्धी अनुरोध करने वाला कोई सम्भावित प्राप्त हुआ है;

(ख) यदि हा, तो इस पर सरकार की क्या प्रतिक्रिया है, और

(ग) उक्त अनुरोध को कब तक स्वीकार कर लिये जाने की सम्भावना है ?

रेल मन्त्रालय में उपमन्त्री (श्री बृद्ध सिंह) : (क) कटनी-सिंगरौली खण्ड पर न्यू कटनी और व्योहारी के बीच एक मिलीजुली गाड़ी और कोटवलामा तथा किरुदन खंड के बीच एक अन्य गाड़ी चलाने के बारे में सम्भावित प्राप्त हुए हैं।

(ख) और (ग) कटनी-सिंगरौली खंड की वर्तमान संचालन स्थितियों में सवारी गाड़ी चलाना वांछनीय नहीं है। स्टेशनों में से कुछ स्टेशन 18 के से 31 किलोमीटर की दूरी पर हैं और यात्रियों की सुरक्षा की दृष्टि से नियंत्रण संचार की व्यवस्था करना आवश्यक है। आवश्यक सुविधाओं के उपलब्ध हो जाने पर सवारी गाड़ी चलाने के सम्बन्ध में विचार किया जायेगा।

जैसा कि विदित है, किरुदन-कोटवलामा रेल लाइन मुख्य रूप में निर्यात वाले अग्रस्क यातायात की दुलाई के लिए बनायी गया थी। इस प्रकार, इस खण्ड की लाइन क्षमता लगभग इन आवश्यकताओं को ही पूरा कर पायेगी अन्तर्गत के दौरान भी, विद्युतीकरण के चालू काम के लिए जितना समय अपेक्षित है, उपलब्ध क्षमता पर बहुत दबाव पड़ रहा है। इसलिए इस सदर्भ में, किसी अतिरिक्त मिली-जुली गाड़ी को इस समय इस खण्ड पर चलाने में सम्बन्धित अनुरोध को स्वीकार करना व्यावहारिक नहीं है।

#### Proposal to increase the number of Judges in High Courts

4680 SHRI VIRBHADRA SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to increase the number of judges in the High Courts of those States in which

the number of cases has increased enormously; and

(b) if so, the salient features of the proposals and when a decision is likely to be taken in this matter?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) and (b). Taking into consideration the recommendations of the Shah Committee in regard to the fixing of the judge strength with a view to tackle the problem of arrears in the High Courts, the State Chief Ministers were requested in August, 1972 that a systematic review of the state of work in each High Court should be undertaken every three years and the judge strength should be re-fixed taking into account the institutions, disposals and the arrears to be cleared. The first review was to be undertaken immediately so as to be effective from 1st January, 1973. On the basis of this review, judge strength has been increased in a number of High Courts. The total judge strength of all the High Courts on 1st January, 1972 was 307 and on 1st January, 1975 it is 338. At present there are no proposals pending for the increase in judge strength of any High Court with the Central Government.

#### M/s. Tata Mills Limited

4681. SHRI SAT PAL KAPUR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number and nature of various irregularities committed during the last three years by M/s. Tata Mills Limited;

(b) the action taken against them by Government; and

(c) whether it is proposed to set up an enquiry committee to go into various irregularities, if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-

BRATA BARUA): (a) A complaint was received in February, 1978 regarding the non-compliance of Section 147 of the Companies Act, 1956 by the company as their letter heads did not have the registered address and the word 'Limited' after its name and that there was no board at the place of the business showing the registered office of the company.

(b) The matter was taken up with the company who admitted the mistake as due to inadvertence and assured compliance of section 147 of the Companies Act, 1956 in future.

(c) An inspection under section 209(4) of the Companies Act, 1956 has been ordered in this case.

#### Original and Present Equity of Foreign Drug Firms

4682. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what is the original equity, present equity, licences intent letters/permission letters/no objection letters on which production has been done during last three years, of formulations and bulk drugs by foreign firms with foreign equity between 26 per cent to 40 per cent;

(b) what were the concessions given to these firms vis-a-vis treating them at par with Indian firms, and reasons for the same;

(c) the broad features of licenced capacity, firm-wise, item-wise and the present sales; and

(d) whether the guidelines for interim price control issued in July 1974 were to help the OPPI sector, if so, whether previous discussion with different associations were held, broad features and reasons for not giving them any weightage?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). Information regarding original equity, present total paid up

capital, and total sales turn-over during the years 1971-72, 1972-73 and 1973-74 in respect of companies having foreign equity between 26 per cent to 40 per cent has been furnished in reply to Lok Sabha Unstarred Question No. 3797 answered on 18th March, 1975.

Information regarding approval No. and date on the basis of which production was done during the last three years, licensed capacity etc., is being collected and will be laid on the table of the House.

Industrial licence applications received from entrepreneurs are considered on merit. Indian companies and companies having foreign equity of less than 26 per cent are given preference in approval of manufacturing schemes over those having larger foreign equity. They are also allowed to retain higher percentage of the bulk drug for their captive consumption.

(d) No, Sir. The guidelines apply to all sectors of the drug industry without discrimination. A copy of the guidelines has been laid on the Table of the House in reply to unstarred question No. 161 answered on 18th February, 1975. During the year 1973 due to oil crisis the prices of bulk drugs and intermediate chemicals increased substantially and their availability also became difficult. A number of representations were received from IDMA, AIMO, OPPI and others seeking increase in the prices of raw materials and packaging materials. Discussions were held with the representatives of all the three Associations of the drug industry mentioned above and the guidelines were issued within the ambit of the Drugs (Prices Control) Order 1970.

On a representation from the Indian Sector a review of the guidelines is being examined.

#### **Conversion of Guntur-Macherla Line into Broad Gauge Line**

4683. SHRI Y. ESWARA REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have taken a final decision with regard to the conversion of Guntur-Macherla line from metre gauge to broad gauge;

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

(c) when the work is likely to start?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). This is an approved project and funds have been provided for it in the Budget of 1974-75 and 1975-76. Final Location survey for the composite project, Nadikude-Bibinagar new B. G. line and conversion of Guntur-Macherla M. G. section to B. G. has been sanctioned and is in progress. The construction work on the composite project will be taken up after completion of the survey.

#### **Separate Line between Poona and Lonavla**

4684. SHRI ANANTRAO PATIL: Will the Minister of RAILWAYS be pleased to state:

(a) whether the work of laying a separate line for suburban railway between Poona and Lonavla has been started, and if so, when it is expected to be completed;

(b) whether thousands of workers travel by local trains daily between Poona and Telegaon and they get late to their work because of the delay caused to their local trains by the through trains;

(c) whether the incidents of stopping through trains by these workers are often occurring; and

(d) if so, when these workers are to be given relief by starting a separate suburban line?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI

BUTA SINGH): (a) There is no proposal for laying a separate line for sub-urban trains between Poona and Lonavla.

(b) Local trains running between Poona and Lonavla carrying workers are not detained because of through trains

(c) No

(d) Does not arise

गोंडा तथा बहराइच के बीच चलने वाली रेल गाड़ियों में कोमोड टाइप का शौचालय

4685. श्री बी० श्री० शुकला : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या गोंडा तथा बहराइच के बीच चलने वाली रेल गाड़ियों के प्रथम श्रेणी के डिब्बों में केवल कोमोड टाइप के शौचालयों की व्यवस्था की गई है, और

(घ) इनमें भारतीय प्रकार के शौचालयों की व्यवस्था न करने के क्या कारण हैं ?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) : (क) और (ख) कुछ थोड़े से पहले और दूसरे दर्जे के मिल-जुलने सवारी डिब्बों में, जहाँ पहले दर्जे का केवल एक मम्पार्टमेंट उपलब्ध होता है, पाश्चात्य ढंग से प्रसाधन की व्यवस्था है। इस खण्ड पर चल रहे इस प्रकार के 6 सवारी डिब्बों में शीघ्र ही, जब वे आवधिक ओवरहाल के लिए कारखानों में भेजे जायेंगे तो, प्रसाधन बदल कर भारतीय ढंग के कर दिये जायेंगे।

**Offer of Technology from M/s. Pfizers for producing Tetracycline**

4686 SHRI BHOGENDRA JHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 1093 on the 25th February, 1975 regarding request from Pfizers Limited for regularising their excess capacity

and state what is the total estimated increase in the production of all the anti-biotics and the saving of foreign exchange if the offer of Pfizers is accepted and how will it affect the indigenous industries?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): M/s Pfizer's request envisages increase in their production capacity for Tetracycline and Oxtetracy from their current licensed capacity of 14000 Kgs., to 35 000 Kgs., and for the grant of an Industrial licence for the manufacture of 5000 BUs of Doxycycline. An integrated view will be taken on the whole question, including the foreign exchange savings, if any and the effect of the proposal on the indigenous industries by the Government in the light of the report of the Hathu Committee which is expected to be received by April, 1975

कार्यालयों में हिन्दी में किये गये कार्य का निरीक्षण

4687. श्री सुभाकर पाण्डे : क्या बच्च, न्याय और कम्पनी कार्य मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या उनके मन्त्रालय के अधिकारी अपने अधीन कार्यालयों में यह जानने के लिए निरीक्षण करने जाते हैं कि क्या उन कार्यालयों में सभी कार्य सरकार की नीति के अनुसार हिन्दी में हो रहा है,

(ख) गत वर्ष कितने अधिकारियों ने ऐसे निरीक्षण किये तथा निरीक्षण किये गये कार्यालयों की कुल संख्या कितनी है ;

(ग) निरीक्षण रिपोर्टों से विधित हुई स्थिति सामान्यतः क्या है ; और

(घ) जिन कार्यालयों में अभी भी हिन्दी का प्रयोग नहीं हो रहा है; वहाँ स्थिति सुधारने के लिए क्या कदम उठाये गये हैं ?

विधि, न्याय और कम्पनी सम्बन्धित में राज्य कम्पनी (डा० सरोजिनी महिषी) :

(क) और (ख) दो अधिकारियों ने वर्ष 1974 के दौरान तीन कार्यालयों के निरीक्षण किए।

(ग) इन कार्यालयों में हिन्दी के प्रयोग में प्रवृत्ति हुई है।

(घ) सभी कार्यालयों को अपने कार्य में हिन्दी का प्रयोग करने के लिए यथासम्भव प्रोत्साहन दिया जा रहा है?

#### Dismantling of Metre Gauge Line from New Bongaigaon to Gauhati

4688. SHRI ROBIN KAKOTI: Will the Minister of RAILWAYS be pleased to state:

(a) whether some commercial and industrial organisations of Assam have submitted a memorandum to Government strongly opposing the decision on the part of the Railway authority to convert the present metre-gauge line between New Bongaigaon and Gauhati into Broad gauge by dismantling the existing metre gauge line and they have demanded a parallel broad gauge line;

(b) if so, what action has been taken in this regard; and

(c) what capital expenditure is estimated for the proposed broad gauge line from New Bongaigaon to Gauhati and when it is expected to be completed and what will be the capital expenditure if a parallel broad gauge line is constructed from New Bongaigaon to Gauhati without dismantling the present metre gauge line?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) and (c): The relative merits of the two alternatives of (i) having straight conversion of the existing metre gauge line and (ii) constructing

an additional broad gauge line, retaining the existing metre gauge link are being examined afresh taking into account the relative costs of construction, maintenance and operation, the time required for completing the project and the requirements of traffic to be moved. Details will be known after the examination is completed.

#### Catering Contractors on Northern Railway

4689. SHRI BIRENDER SINGH RAO: Will the Minister of RAILWAYS be pleased to state:

(a) the names and addresses of the catering contractors on each Railway Junction Station on the Northern Railway;

(b) the dates from which these contractors have been working; and

(c) the reasons for the continuous renewal of licences?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). The information is being collected and will be laid on the Table of the Sabha.

#### Appointment of the Managing Director of Hindustan Organic Chemicals

4690. SHRI SHAYAM SUNDER MOHAPATRA: Will the Director of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the post of Managing Director of Hindustan Organic Chemicals has been filled up, if not, why; and

(b) whether the incumbent who had been selected has refused to join, if so, why?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). A candidate has been selected for appointment as Managing Director of Hindustan Organic Chemicals and he is expected to assume charge of this post shortly.

### Schemes to reduce consumption of Petrol

4691. SHRIMATI PREMALABAI CHAVAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the various schemes proposed or already implemented to reduce the consumption of petrol in the country;

(b) what effect have these schemes on the petrol consumption; and

(c) whether Government are considering either a total ban on operation or a heavy tax on the imported passenger cars fitted with engines above a certain horse power?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). In order to reduce the consumption of petrol following measures were taken by Government:—

(i) Price of Petrol was increased with effect from 3rd November 1973.

(ii) In November, 1973 instructions were issued to the various Offices of Government of India, State Governments and Public Sector Undertakings for curtailing the use of Government vehicles.

The overall consumption of Motor Spirit (Petrol) in the country declined by about 21.5 per cent in 1974 as compared with 1973.

(c) No such proposal is under the consideration of Central Government at present. Motor Vehicles tax on cars etc. is with in the purview of State Governments.

श्री जयप्रकाश नारायण को 9 फरवरी, 1975 को जिस रेल लाइन से यात्रा करनी थी उस पर बम विस्फोट

4692. श्री जनेश्वर मिश्र : क्या रेल मंत्री यह बताने का कृपा करेंगे कि :

(क) क्या सरकार को इस बात की जानकारी है कि 9 फरवरी 1975 को जयप्रकाश नारायण को जिस रेल से लखनऊ से गया तक यात्रा करनी थी उस रेल लाइन पर नवाब के निकट बम विस्फोट हुआ था ;

(ख) यदि हा, तो तत्सम्बन्धी तथ्य क्या है ; और

(ग) इस बारे में सरकार ने क्या कार्यवाही की है ?

रेल मन्त्रालय में उपमन्त्री (श्री बुढा सिंह) : (क) जी नहीं ।

(ख) और (ग) नहीं : प्रश्न नहीं उठता ।

Companies nationalised during the last three years

4693. SHRI G. Y. KRISHNAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 2156 on the 4th March, 1975 regarding nationalisation of companies and state whether the companies nationalised during that period are running at a loss or profit after the nationalisation?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA): The information is being collected and will be placed on the Table of the House.

Consultancy Inquiries received by EIL from abroad

4695. SHRI S. N. MISRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Engineers India Limited have received a number of consultancy inquiries from foreign countries;

(b) if so, the names of countries and the nature of inquiries received; and

(c) which are the proposals accepted by the Engineers India Ltd.?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):**

(a) to (c). Engineers India Ltd. have received inquiries from the U.K., Netherlands, Kuwait, Syria, Malaysia, Sri Lanka, Iran, Abu Dhabi, Iraq and Burma for providing services like technical assistance and participation in projects, collaboration with overseas engineering companies for execution of third country projects, construction of refinery pipeline, Lube Blending Plant, Detergent project, and expansion of Oil Jetty refinery etc. and provision of services of experts. Proposals in respect of Syria (Maintenance and Inspection of equipment for the oil refinery at Homs), Sri Lanka (Maintenance of petroleum refinery of Ceylon Petroleum Corporation), U. K. (Deputation of personnel to M/s. Foster Wheeler), Netherlands (Assistance to M/s. Lummus Company on thermal design of heat exchangers), Iraq (Assistance for design, engineering and construction of projects in the fields of petroleum refining, petrochemicals, fertilizers, pipelines etc. and Iran (provision of detailed engineering and procurement services for the

Tabriz as sub-contractors to M/s. Snam Progetti) have been accepted by Engineers India Ltd.

**Profits earned by certain Foreign Drug Firms in 1972**

**4696. SHRI SOMCHAND SOLANKI:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether M/s. Sandoz, Burroughs Wellcome, Bayer, Searle, and Warner Hindustan earned a profit of 23.88 per cent, 18.80 per cent, 17.49 per cent, 18.75 per cent and 15.80 per cent respectively during the year 1972;

(b) whether earning of more than 15 per cent profit amounts to flouting the Drug price Control Order, 1970; and

(c) if so, action taken against these firms?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):**

(a) Details of overall profit earned by each company are given below—

S. No.	Name of the Company	Turnover (1971-72)	Profits (1972-73)	% of column 4 to column 3
		Rs. lakhs	Rs. lakhs	Rs. lakhs
1	Sandoz (India) Ltd.	1006 56 *(12/71)	92 38	9 1
2	Burroughs Well come & Co(I) Ltd.	321 52 *(8/71)	55 69	17 3
3	Bayer (India) Ltd.	1050 95 *(11/71)	159 60	5.2
4	Searle (India) Ltd.	107 73 *(12/71)	17 51	10 3
5	Warner Hindustan Ltd.	521 89 (as given by the Co)	76 01	14 56

(\* indicate the end of accounting year)

(b) and (c). Para 14(i) (iv) of the Drugs Prices Control Order, 1970 provides that in case of actual gross

profit before tax for any particular year in respect of drug activity as shown in the audited accounts of the

manufacturer or importer exceeds 15 per cent of the sales turnover of the year, as certified by the auditor, the excess shall be funded separately and shall not be utilised for distribution of dividends but shall be utilized with the prior approval of the Central Government, for any of the following purposes, namely:—

(a) research and developments expenditure;

(b) adjustments against future profits or losses; and

(c) such other purposes as may be specified by the Central Government from time to time.

Information whether the gross profits before tax on drug activity exceeded 15 per cent and whether such profits were funded separately under the said provision of the Drugs (Price Control) Order, 1970 is being collected and will be laid on the Table of the House.

**उदयपुर में इंडेन गैस की एजेंसी का आबंटन**

4697 श्री लाल गी भाई : क्या पेट्रोलियम और रसायन मंत्रो यह बताने की कृपा करेंगे कि :

(क) उदयपुर, राजस्थान में इंडेन गैस की एजेंसी देने के बारे में कोई प्रस्ताव सरकार के विचाराधीन है ,

(ख) यदि हां, तो यह एजेंसी कब तक दी जाएगी और

(ग) यदि एजेंसी दे दी गई है तो उस पार्टी का नाम क्या है ?

**पेट्रोलियम और रसायन मन्त्रालय में उपमन्त्री (बी.सी. पी. मन्त्री) :** (क) से (ग) इण्डियन आयल कारपोरेशन में पूर्ववत् महानिदेशक राजा मन्नालाल द्वारा नामित

जीमजी बालक कुमारी और बीजवी कृष्ण वर्मा को जून, 1974 से उदयपुर राजस्थान में इंडेन बिस्तरक के रूप में पहले से ही नियुक्त कर दिया गया है ।

**Loss due to Delay in Commissioning of Haldia Refinery**

4698. SHRI GAJADHAR MAJHI:  
SHRI ARJUN SETHI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether due to the delay in commissioning of the Haldia Refinery, there have been serious losses;

(b) if so, the facts thereof; and

(c) the broad features regarding the policy of Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) to (c). The Fuel Sector of the Haldia Refinery except the Vis-breaker has gone into commercial production in January 1975. The Lube Sector is expected to be completed by the end of this year. Due to delay in the completion and the consequent increase in capital cost, the refinery is likely to incur additions\* depreciation and maintenance costs. The position with regard to the financial results of the refinery will be fully known only when the Lube Sector is also completed and the refinery is on stabilised production.

**Bomb Explosion in Train between Faintapur and Mahmudabad**

4699. SHRI R. S. PANDEY:  
SHRI AMARSINGH  
CHAUDHARI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether a bomb exploded in the luggage van of a running train



between Paintapur and Mahmudabad in the Burhwal-Sitapur Section of North Eastern Railway on the 28th February, 1975;

(b) whether any enquiry has been made into this; and

(c) if so, the findings thereof?

THE DEPUTY-MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) and (c) The case is still under Police investigation.

सेवा में व्यवधान के मामलों में क्षमादान

4700. श्री रामावतार शास्त्री :

श्री मधु बंडवले : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या उन्होंने अपने रेल बजट भाषण में गत मई-हड़ताल के दौरान रेल कर्मचारियों की सेवा में व्यवधान को रद्द करने की घोषणा की थी,

(ख) यदि हा, तो अब तक कितने कर्मचारियों के मामलों में सेवा-व्यवधान को रद्द किया गया है ?

(ग) कितने कर्मचारियों के मामले में सेवा व्यवधान को रद्द नहीं किया गया है और सेवा-भंग समाप्त न किये जाने के क्या कारण हैं; और

(घ) उनके मामले में सरकार का क्या कार्यवाही करने का विचार है ?

रेल अन्वयण में अब मंत्री (श्री बूटा सिंह)  
(क) जी हाँ, जैसा कि सदन में कहा गया है मैंने यह विनिश्चय किया है कि मई 1974 की हड़ताल में भाग लेने वाले सभी रेल कर्म-  
चारियों के सेवा-भंग को माफ़ कर दिया जाये, सिवाये उनके विरुद्ध डराने-धमकाने, तोक-फोक और हिंसा के आरोप हैं।

(ख) से (घ) अब तक कुल 5.91 लाख में से 5.80 लाख कर्मचारियों का सेवा-भंग माफ़ किया जा चुका है। यह प्रक्रिया यथा मभव पूरी तत्परता से जारी है।

Sinking of a Pier of Vaitarna Bridge

4701. SHRI SHASHI BHUSHAN:  
SHRI CHANDER SHEKER  
SINGH:

SHRI Y. ESWARA REDDY:

Will the Minister of RAILWAYS be pleased to state:

(a) whether a pier of the Vaitarna bridge has sunk which had resulted in the suspension of train movement over the bridge on Bombay Delhi and Bombay-Ahmedabad Sections of the Western Railway;

(b) the number of trains cancelled on this account or terminated at earlier stations;

(c) whether the causes of this mishap have since been ascertained;

(d) the steps taken to repair the bridge and the time by which the bridge is likely to be repaired and traffic resumed; and

(e) the alternative arrangements made for the passengers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Damage was caused to Pier No. 16 of the South Vaitarna bridge by the high tides on 24-2-75 and as a result, traffic was suspended for a few days between 24-2-1975 and 27-2-75.

(b) 15 pairs of trains were cancelled/terminated short of destination for varying periods.

(c) Yes.

(d) Immediately after the damage was noticed, protective measures were taken and the traffic was resumed on 27-2-75 with speed restrictions and

single line working on the bridge. A new bridge in replacement of the old bridge is also under construction and is programmed for completion before the next monsoon.

(e) All the services except 151/152 Rajdhani Express, 39/40 Bombay-Ahmedabad and 45/46 Bombay-Vadodara passengers have since been restored via the South Vaitarna Bridge. Restoration of the remaining services will be considered when the position stabilises.

**Take over of Crude Transport from Saudi Arabia by H.P.C.**

4702. SHRI M. KATHAMUTHU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Hindustan Petroleum Corporation has decided to take-over from EXXON the transport of crude oil by tankers from Saudi Arabia; and

(b) if so, the broad outlines thereof

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b) On the expiry of the contract of affreightment between Esso Standard Eastern Tankers Limited, and the President of India for transportation of crude to their refinery Hindustan Petroleum Corporation Limited are making alternate arrangements with Transchart in consultation with the Indian Oil Corporation for crude transportation

**Production Capacity of ICF, Madras**

4703. SHRI P. R. SHENOY: Will the Minister of RAILWAYS be pleased to state:

(a) the capacity of the Integral Coach Factory in Madras and the number of coaching actually produced in the years 1972-73, 1973-74 and 1974-75;

(b) the number of coaches proposed to be produced in the year, 1975-76; and

(c) the reasons, if any, for the decline in production?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The installed capacity of I. C. F. is 750 coaches of different types per year. The coaches actually produced are as under:—

1972-73	.	.	705
1973-74	.	.	750
1974-75 (Planned)	.	.	570

(b) An outturn of 477 coaches has been tentatively planned during 1975-76.

(c) The production is conditioned by the allocation of funds. Decline in production during 1975-76 is on account of cut in allocation of funds.

Efforts are in hand to deploy the available staff and facilities by diversifying the activities at I. C. F.

**Parliamentary-by-election from Barpeta Constituency**

4704. PROF. MADHU DANDAVATE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state,

(a) whether it is true that the Socialist Candidate Shri Biswa Goswami, for Parliamentary by-election from Barpeta constituency in Assam on 20th February, 1975 had demanded recount of votes and repolling from 'char' areas of the constituency on the ground that though large number of voters from these areas had migrated due to floods last year, heavy polling by 'non-existent' voters was recorded from the areas;

(b) if so, whether the demand for recount and repolling was rejected, and

(c) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) to (c). The ground stated in Shri Biswa Goswamy's application for recount of the votes in the above bye-election is reproduced below:

"For that a number of Char areas chosen as polling centres have been washed away by the Brahmaputra, but it is reported that polls were taken there also. If the appointed centre is already washed away, votes cannot be taken there. So this incongruity has affected the result of the poll."

The Char areas of Brahmaputra were affected by floods during the last rainy season, but the voters living in those areas had shifted their residence to other areas which were not submerged. They exercised their franchise at the polling stations which were approved by the Commission under section 25 of the Representation of the People Act, 1951.

The polling in the Char areas of the constituency was not heavy.

After going through the contents of the petition, the Returning Officer found no valid ground for ordering either a recount or a repoll and rejected the petition.

उर्वरक कारखानों के प्रबन्ध को युक्तिसंगत बनाना

4705. श्री जांबुवंत बोटे: क्या पेट्रोलिएम और रसायन मंत्री यह बताने की कृपा करेंगे कि वर्तमान उर्वरक कारखानों की प्रबन्ध व्यवस्था को युक्तिसंगत बनाने तथा उनके उत्पादन की धीमी गति में सुधार लाने के लिए सरकार का विचार क्या कार्यवाही करने का है?

पेट्रोलिएम और रसायन मन्त्रालय में राधन मंत्र: (श्री कै० आर० गणेश): देश में 328 LS-3.

सरकारी क्षेत्र के उर्वरक एककों के प्रबन्ध ढाँचे को सुनियोजित करने के कुछ प्रस्तावों पर सरकार विचार कर रही है। इस सम्बन्ध में आवश्यक उपायों पर सरकारी क्षेत्र के उर्वरक एककों के मुख्य प्रशासनिक अधिकारियों और सर्वोच्च स्तरीय प्रबन्धकों की 27-2-75 को हुई बैठक में भी विचार विमर्श किया गया था।

#### Modification in Hindu Law

4706. SHRI BHAGATRAM MANHAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to modify the Hindu Law to make it dynamic and progressive and to place women on a footing of equality with men as regards various provisions in the law; and

(b) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) Under the Hindu Law, generally women are on a footing of equality with men. However, certain suggestions made by the Law Commission in its 59th Report for amending the Hindu Marriage Act, 1955, are being examined.

(b) The suggestions of the Commission cover the grounds upon which divorce can be claimed such as cruelty, adultery, desertion, passing of an order of decree for maintenance or judicial separation as well as the doing away with the waiting periods before which a petition cannot be filed for divorce or before which divorced persons cannot marry again.

#### Fertilizer Projects with Foreign Collaboration

4707. SHRI JHARKHANDE RAI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how many fertilizer projects

are there which are running in collaboration with foreign countries in private and public sectors;

(b) how much money is invested by each of these foreign collaborators in each of these fertilizer projects;

(c) what is their installed capacity; and

(d) the names of these fertilizer projects with the rate of production?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a), (c) and (d). A statement giving particulars of fertilizer units having foreign equity participation is attached.

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

#### Statement

Name of the factories	Installed capacity		Production	
	Nitrogen	P 205	( <sup>000 tonnes</sup> ) Nitrogen (April '74- Feb '75)	P205 (April '74- Jan '75)
<b>A. PUBLIC SECTOR</b>				
Madras Fertilizers Limited . . .	164	85	71.8	37.3
<b>B. PRIVATE SECTOR</b>				
1. New Central Jute Mills (Varanasi) . . .	10	.	4.8	
2. E.I.D. Parry (Ernore) . . .	16	10	90.1	7.3
3. Coromandal (Vizag) . . .	80	73	41.4	38.8
4. I.E.L. (Kanpur) . . .	200		177.4	
5. Zuari Agro Chemicals (Goa) . . .	171	.	120.5	.
6. G.S.F.C. (Bareilly) . . .	216	50	150.4	21.6

#### Production of Oil in Bombay High

4708 SHRI H. N. MUKHERJEE:

SHRI C. K. CHANDRAPPA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the first phase of production of oil at Bombay High will go on in full swing in mid 1976;

(b) whether Government have ensured that the required number of fixed platforms and other equipments will be made available in time;

(c) if so, broad features thereof;

(d) whether Government have made

all arrangements to reach the production target at one million tonnes per year in 1980; and

(e) what is the production in Bombay High at present?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (e). At present there is no production of oil from the Bombay High structure. However, in the three wells drilled so far there, oil bearing horizons have been encountered and the production tests have shown good flow of oil. The fourth well at this structure is now under drilling. It is necessary to drill a few more wells to assess the production potential of the

structure, whereupon ONGC would be able to finalise its production programme therefrom. Meanwhile, ONGC is taking action to set up an intermediate stage of production during 1976-77 to produce oil from Bombay High at the rate of about one million tonnes per annum. To achieve its objectives, Commission is taking timely action for procuring necessary fixed platform (s) and other equipments.

**Import of Gentamycin Sulphate by certain Foreign Drug Firms**

4709. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state,

(a) what is the import of Gentamycin Sulphate by M/s. C. E. Fulford and M/s. Indian Schering for the manufacture of its formulations during the last three years;

(b) whether proposals from Indian companies for the manufacture of Gentamycin formulations were rejected during the last three years and if so, the date of application, the firm and the reason for rejection;

(c) what were the import content asked for by these Indian companies; and

(d) whether Indian Schering and C. E. Fulford have been remitting huge amounts of foreign exchange without valid industrial licences, if so, why permission was not granted to Indian firms to enable them competition to the foreign giants?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESHI): (a) Details of imports of Gentamycin Sulphate by M/s. Indian Schering

Limited and M/s. C. E. Fulford (India) Private Limited are as follows:—

S.No.	Name of the company	Year	Quantity Imported Kgs.	Value (Rs. lakhs)
1.	Indian Schering Ltd.	1972 1973 1974	6.93 21.39 32.36	4.26 13.92 21.76
2.	C.E. Fulford (India) Pvt. Ltd.	1971-72 1972-73 1973-74	8 21 37	5.15 12.93 23.87

(b) and (c). Details of proposals of Indian companies rejected during the last three years are given in the attached statement.

(d) Details of remittance made by M/s. C. E. Fulford (India) Private Limited and M/s. Indian Schering Limited during the last three years are given below —

S.No.	Name of the company	Year	Amount remitted (Rs. lakhs)
1.	Indian Schering Ltd.	1971-72 1972-73 1973-74	6.0 3.9 3.95
2.	C.E. Fulford (India) Pvt. Ltd.	1971-72 1972-73 1973-74	Nil 1.52 0.75

These companies have so far been operating in the non-organised sector. The question whether these companies are required to obtain a carrying on business licence is being examined.

On receiving representations from the Indian companies against rejection of Gentamycin Sulphate formulations; their cases are being sympathetically reviewed.

## Statements

S No.	Name of the Indian firm	Date of application	Reasons for rejection	Import content asked for by these companies	
				Quantity	Value
1	Chemical Industrial & Pharmaceutical Laboratories Ltd	22-11-1973	It is deureable for the manufacturers of bulk drug to undertake the manufacture of formulations also. Rejected because the manufacture is based on imported raw materials and the bulk drugs are not indigenously available.	400 kgs	Rs. 12 lakhs
2.	Themis Chemicals Ltd	25-5-1973	—(o)—	48 kgs	Rs. 4.32 lakhs

### Consumption of Petrol in Highway Racing Motor Car Annually

4710 SHRI RAM PRAKASH Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government are aware of the quantity of petrol consumed during the process of highway racing of motor car annually, and

(b) whether Government propose to ban the highway racing of motor cars in view of the acute shortage of petrol?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P MAJHI)

(a) No statistics in this regard are maintained

(b) State Governments are competent to regulate racing speed in accordance with the provisions of Section 120 of the Motor Vehicles Act, 1939. No such ban is under the consideration of Government of India at present.

### Clearance for Apta-Dasgaon Section of West Coast Railway

4711 SHRI SHANKERRAO SAVANT Will the Minister of RAILWAYS be pleased to state,

(a) which Railway Projects in backward areas are awaiting clearance from the Planning Commission

(b) why is the Apta-Dasgaon section of the West Coast Railway being delayed from year to year, and

(c) when will actual work on this section be started?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) to (c) No Railway project in backward areas is pending with the Planning Commission. It has not been possible to accord higher priority to Apta-Dasgaon section of the West Coast Railway in the present circumstances.

### Rise in Cost of Acquisition of Land for Calcutta Railway

4712 SHRI R. N. BARMAN: Will the Minister of RAILWAYS be pleased to state

(a) whether the estimated cost of acquisition of land for the underground railway in Calcutta has risen from Rs. 4 crores in 1971 to Rs. 10 crores in 1974,

(b) whether in 1971 the Centre had agreed to share the cost of acquisition; and

(c) if so, whether the same arrangement still exists and how this cost of Rs. 10 crores is going to be shared by Centre and State Government, respectively?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) The cost of land and properties in the sanctioned estimate at 1970 level of prices is Rs. 7.118 crores. This now stands at Rs. 13 crores.

(b) and (c). The Project was sanctioned pending a decision on the extent of financial participation by the State Government. This matter which specially includes the question of land and properties needed for the Project is now being examined by the Planning Commission in consultation with the State Government and a decision is yet to be taken.

**Cancellation of Passenger Trains during December, 1974 and January 1975**

**4713. SHRI ROBIN SEN:** Will the Minister of RAILWAYS be pleased to state:

(a) whether a number of passenger trains have been cancelled during the months of December, 1974 and January, 1975 due to acute shortage of coal;

(b) whether the attention of Government has been drawn to the statement made by the spokesman of National Coal Department that they were keeping enough stocks of coal and Railways are not lifting it; and

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

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) During the period December, 1974 and January, 1975 a daily average of 276 pairs of passenger trains remained cancelled due to shortage of coal.

(b) No.

(c) Does not arise.

**तृतीय तथा चतुर्थ श्रेणी के पदों का दर्जा बढ़ाना**

**4714. श्री भारत सिंह चौहान :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 28 फरवरी, 1975 को बजट प्रस्तुत करने समय उन्होंने इस आशय का आश्वासन दिया था कि चतुर्थ और तृतीय श्रेणी के कुछ पदों का दर्जा बढ़ाया जायेगा; और

(ख) यदि हाँ, तो रेलवे अस्पताल, ब्लाक 'बी', अमृतसर के रेडियोलाकर के पद का दर्जा अब तक बढ़ाये न जाने के क्या कारण हैं?

**रेल मन्त्रालय में उपमन्त्री (श्री बट्टा सिंह) :** (क) जी हाँ। अराजपत्रित संवर्गों की पुनः संरचना के प्रस्ताव सरकार के विचाराधीन हैं।

(ख) प्रश्न नहीं उठता।

**Report of Tarkunde Committee on Electoral Reforms**

**4715. SHRI NOORUL HUDA:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the attention of his Ministry has been drawn to the voluminous findings of the Tarkunde Committee on electoral reforms; and

(b) whether Government intend to study the report of the Committee in depth and devise ways and means, as expeditiously as possible, to sit with Opposition Parties and others so as to bring about vital reforms in Electoral System well in advance of the next General Election?

**THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI):** (a) and (b). Certain newspapers have published reports of the suggestions said to have been made by the Tarkunde Committee on electoral reforms appointed by Shri Jayaprakash Narayan. However, proposals for amendment of Election Law were considered by a Joint Committee of Parliament and a Bill to comprehensively amend the Representation of the People Acts, 1950 and 1961, generally based on the recommendations made by that Committee in its Report was introduced in the Lok Sabha and is pending consideration in the House. Government have an open mind in the matter and will hold discussions with the leaders of political parties in this behalf.

**Agreement with Saudi Arabia to set up a Joint Commission**

**4716. SHRI M. S. PURTY:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether India and Saudi Arabia have decided to set up a joint commission to foster economic co-operation in the form of joint industrial ventures in either country using long term soft loans to be extended by Saudi Arabia;

(b) whether the Saikh Yamani, Saudi Petroleum Minister, has given some assurance to India regarding the supply of oil recently; and

(c) if so, the broad outlines thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):**

(a) The question of setting up a joint commission with Saudi Arabia to foster economic cooperation is still under consideration.

(b) No Sir.

(c) Does not arise.

**Dieselisation on Southern Railway**

**4717. SHRI D. B. CHANDRA GOWDA:** Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have decided for the dieselisation of Southern Railway; and

(b) if so, the broad outlines regarding the scheme of Government in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) and (b). The policy of the Government is to progressively dieselise freight and passenger services on saturated trunk routes with a view to speeding up the movements and thereby improve the throughput across these routes. Preference has also been accorded to railways which are far-away from the coalfields. However, due to limited availability of diesel locomotives priority in allocation has been given to freight movements. After meeting the requirements of essential freight traffic the available locomotives are selectively utilised to dieselise overcrowded long distance Mail/Express trains on a selective basis.

So far, Southern Railway has been allocated 150 B.G. and 117 M.G. main line diesels besides 15 diesel shunters thereby enabling dieselisation of freight traffic on the trunk routes. In addition, 12 B.G. pairs and 14 M.G. pairs of Passenger trains have also been put on diesel traction on the Southern Railway.

**"महत्त्वपूर्ण उद्योग" क्षेत्रों के अर्थीन विदेशी औद्योगिक कंपनियों को जारी किये गये आह्वान**

**4718. श्री हुकम चन्द कल्लायत :**  
क्या वैद्युतलक्ष्य और रसायन मंत्री यह बताते की कृपा करेंगे कि :



(क) वर्ष 1973 और 1974 में "महत्वपूर्ण उद्योग" (की इन्डस्ट्रीज) श्रेणी के अधीन विदेशी औषधि निर्माता कंपनियों को कितने लाइसेंस दिये गये; और

(ख) उन विदेशी कंपनियों के नाम क्या हैं, जिन्हें गत दो वर्षों के दौरान लाइसेंस दिये गये हैं?

पेट्रोलियम और रसायन मन्त्रालय में राज्य मंत्री (श्री को० आर० गणेश) :  
(क) और (ख). 1970 में घोषित की गई औद्योगिक लाइसेंस नीति के अनुसार आवश्यक औषधि एवं भेषज (मध्यवर्ती एवं संतान निरोधकों सहित) महत्वपूर्ण उद्योगों (की इन्डस्ट्रीज) की श्रेणी में सम्मिलित कर लिये गये थे। औषधि एवं भेषज उद्योग एवं सिविल पूर्ति मंत्रालय द्वारा 16 फरवरी, 1973 को जारी की गई प्रस विज्ञप्ति के अनुबद्ध-1 में सम्मिलित है।

जिन विदेशी कंपनियों को औषधों एवं भेषजों के निर्माण के लिए 1973 के दौर में लाइसेंस दिये गये उनके नाम और लाइसेंस की संख्या निम्नलिखित है :—

क्रम सं०	विदेशी कंपनी का नाम	दिये गये लाइसेंसों की संख्या
1.	मैसर्ज बोहरिंगर नोल लि०	2
2.	मैसर्ज सीबा आफ इण्डिया लि० (सीबा गेगी)	1
3.	मैसर्ज बैयर (इण्डिया) लिमि०	1
4.	मैसर्ज बूट्स कंपनी (इण्डिया) लिमि०	1

5.	मैसर्ज स्मिथ क्लार्क एण्ड मैच (इण्डिया) लिमि०	1
6.	मैसर्ज लैबोरेटरीज ग्रीमान्ट (प्राइवेट) लिमि०	1
7.	मैसर्ज ग्लैक्सो लैबोरेटरीज (इण्डिया) लिमि०	1
8.	मैसर्ज बरोज वैनरस एण्ड कंपनी (इण्डिया) प्राइवेट लिमि०	1
9.	मैसर्ज रोचे प्रोडक्ट्स लिमि०	1
10.	मैसर्ज मर्क शाप एण्ड घांगे आफ इण्डिया लि०	2
11.	मैसर्ज फिजर लिमि०	1
12.	मैसर्ज फालकली एण्ड कंमि- कन्स कारपोरेशन आफ इण्डिया लिमि०	1

#### Import of HSD and other Petroleum Products

4719. SHRI K. MALLANNA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government propose to import high speed diesel and other petroleum products on a priority basis; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHR C. P. MAJHI):  
(a) and (b). It is proposed to import about 1.2 million tonnes of middle distillates (High Speed Diesel Oil and Kerosene), 1.75 million tonnes of fuel oil and some quantities of Av Gas and Lubes during '975-76

Techno-Economic Survey for Mass Rapid Transport system in Delhi

4720. SHRI N. K. SANGHI: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 3679 on 19th

March, 1974 regarding construction of Ring Railway in the capital and state:

(a) whether the report of the Railway team appointed to conduct techno-economic feasibility surveys for a mass rapid transport system for Delhi has since been received;

(b) if so, the broad recommendations of the Team and Government's reaction thereto; and

(c) if not, the reasons for delay and when the report is likely to be presented to Government?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) A report on Network and Priorities of Mass Rapid Transit System has been received from the Metropolitan Transport Project Organisation (Railways), Delhi. The main techno-economic feasibility reports are expected to follow in 1975.

(b) and (c). Within an integrated mass transit system comprising of rapid transit lines and bus routes, the report has identified the extent of rapid transit line Network, its overall costs and recommended a phased construction covering a period of 20 years. The Government is examining this report and will be able to react when the techno-economic feasibility reports have been received and examined.

These latter reports are expected to be completed towards the latter half of 1975 as the M.T.P. (R) Organisation's tasks are comprehensive covering the Third Terminal for Delhi, scope of suburban rail services in addition to the intra-urban mass transit system.

**Agreement with two U.S. Firms for Oil Exploration**

**4721. SHRI VARKEY GEORGE:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Government of India entered into agreements with two U.S. firms viz. Carlsbergvev Indian group and Reading and Bates group for off-shore oil exploration in the Bengal and Kutch basin; and

(b) if so, the broad features about the contract?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):**

(a) Yes, Sir.

(b) The main terms of the aforesaid two contracts are given in the statement laid on the Table of the House in reply to Starred Question No. 30 answered on July 23, 1974.

**Demand for Increase in Prices of Crude by Oil Companies**

**4722 SHRI K LAKKAPPA:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the names of the oil companies who have demanded increase in crude oil prices so far since October, 1973;

(b) the number of times the demand for increase has been put forth by each oil company and the extent of price increase asked for each time;

(c) how many times Government have agreed to increase the prices of crude oil and the extent of increase allowed each time;

(d) whether Government have asked the oil companies each time to clarify as to why the demand for increase in prices of crude oil has been made by them; and

(e) if so, the response thereto?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):**

(a) Burmah-Shell, Caltex and Esso (EXXON).

(b) The required information is given in the statement laid on the House. [Placed in Library. See No. LT-9307/75].

(c) to (e). The oil companies were asked to clarify the reasons for the increase in prices claimed by them from time to time as was considered necessary. The price increases sought by the oil companies were as a result of the measures taken by the Government of the oil producing countries who progressively increased posted prices, the rates of royalty, tax and participation. These increases claimed by the foreign oil companies have followed the various decision taken up OPEC countries.

The foreign oil companies were allowed to import crude oil within the foreign exchange ceiling allocated to them, but the prices quoted by the oil companies were not fully recognised for recovery through product pricing mechanism.

#### पेट्रोल पम्पों का आबंटन

4724. श्री मुल्कीराज सैनी : क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1974-75 के दौरान देश भर में कितने पेट्रोल पम्प थे;

(ख) वर्ष 1974-75 के दौरान कितने नये पेट्रोल पम्प आबंटित किये गये;

(ग) वर्ष 1974-75 के दौरान उत्तर प्रदेश में कितने पेट्रोल पम्प आबंटित किये गये;

(घ) कितने पेट्रोल पम्प अनुसूचित जाति के व्यक्तियों को आबंटित किये गये; और

(ङ) अन्य पिछड़ी जातियों के व्यक्तियों को कितने पेट्रोल पम्प आबंटित किये गये ?

पेट्रोलियम और रसायन मन्त्रालय में उपसम्प्री (ओ सी० पी० मांसी) : (क) और (ख). देश भर में फुटकर पम्पों की कुल संख्या नीचे दी गई है :—

	1-1-74	1-1-75
	को	को
1. आई०ओ०सी०	3349	3555
2. बर्मा-शैल	3262	3173
3. एच०पी०सी०	1887	1868
4. कालटैक्स	1359	1206
5. आई०बी०पी०	435	480
6. ए०ओ०सी०	164	164
कुल	10456	10444

कुछ तेल कम्पनियों के बारे में 1-1-74 की तुलना में 1-1-75 में आंकड़ों में कमी का कारण इस लिए है कि नए पम्पों के खोलने की तुलना में अधिक पम्प बन्द किए गए हैं।

(ग) 1974-75 के दौरान आई०ओ०सी० ने (अब तक) और 1974 के दौरान आई०बी०पी० ने उत्तर प्रदेश में क्रमशः 10 और 7 फुटकर पम्प आरम्भ नियुक्ति पत्र, जारी किए हैं। आई०ओ०सी० के आंकड़ों में कालटैक्स से लिए गए दो पम्प शामिल हैं।

(घ) और (ङ). सूचना एकत्र की जा रही है और सभा पटल पर रख दी जाएगी।

#### Construction of Bhavnagar-Tarapore Railway Line

4725. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to expedite the construction of Bhavnagar-Tarapore railway line in

Gujarat, particularly in view of the present scarcity in Gujarat requiring relief works to be started; and

(b) if so, how and when?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) and (b). A final location engineering-cum-traffic survey is in progress for the Bhavnagar-Tarapore B.G. railway line and is expected to be completed soon. While further consideration to the proposal for the construction of this line would be given after the surveys are completed and the reports received, it may not be possible to take up this project during the present famine conditions in view of the difficult financial position.

#### **Bid to scuttle Mathura Project**

**4726. SHRI DHAMANKAR.** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether attention of Government has been drawn to the news report appearing in the 'Economic Times' dated the 3rd March, 1975 under the caption "Fresh bid to scuttle Mathura Project";

(b) if so, what is the reaction of Government to the various points/observations raised therein; and

(c) facts of the matter?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):** (a) to (c). The Government has seen the news item. Some discussions have been held regarding rephrasing of the Mathura Refinery Project. There has, however, been no decision modifying the investment decision already taken by Government with regard to the project. Work on the Refinery Project is in progress.

#### **Review of Working of Indian Law Institute**

**4728. SHRI M. C. DAGA:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have constituted a Committee to review the working of the Indian Law Institute;

(b) if so, who are the Members the Committee and what are the terms of reference; and

(c) when the Committee is to submit its final report?

**THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI):** (a) Yes, Sir.

(b) The Committee consists of:—

- (i) Shri D. V. Patel, ex-Judge of the Bombay High Court and senior Advocate, Supreme Court of India Chairman
- (ii) Shri R. N. Sharma, ex-Judge of the Allahabad High Court and Senior Advocate, Supreme Court of India Member
- (iii) Shri V.N. Lokur, Joint Secretary and Legal Advisor, Department of Legal Affairs, Ministry of Law, Justice and Company Affairs Member
- (iv) Shri Prem Nath, Joint Secretary Department of Expenditure, the nominee of the Ministry of Finance Member
- (v) Shri N. D. Sinha, Under Secretary, Department of Legal Affairs, Ministry of Law, Justice and Company Affairs Member Secretary

The Committee has been set up for reviewing the achievements and performance of the Indian Law Institute in respect of the grant-in-aid received by it from the Government of India.

(c) The Committee is in an advanced stage of deliberations and is expected to submit its report shortly.

**Revision of Electoral Rolls in Delhi**

4729. **SHRI SUKHDEO PRASAD VERMA:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the revision of electoral rolls in all the Parliamentary constituencies in the Union Territory of Delhi has been completed;

(b) whether bulk of voters in each of the constituencies has been left out to be enrolled as voters; and

(c) whether Government have taken note of the reasons and if so, the action taken thereon?

**THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SARAJINI MAHISHI):** (a) The revised electoral rolls of all Parliamentary constituencies in the Union Territory of Delhi are scheduled to be finally published on the 31st March, 1975

(b) No, Sir

(c) Does not arise.

**Opening of New Railway Station/halt at Nawapara and Baranagar**

4730. **SHRI MOHAMMAD ISMAIL:** Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any memorandum from the Nawapara Unnayan Samity, Calcutta-50 regarding opening of a new Railway Station/halt at Nawapara and Baranagar between Belgharia and Dum Dum Junction under Sealdah Division of Eastern Railway;

(b) if so, the main points thereof; and

(c) the reaction of Government thereto?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) to (c). A memorandum regarding the opening of a halt station at Nawapara between Dum Dum and Belgharia stations on the suburban section in the Sealdah Division of the Eastern Railway has been received. The need for such a station has been urged in the said memorandum. The matter has been examined in detail. Apart from the proposal being financially not viable, it is also not feasible from the engineering and operating considerations.

**Compensation to Dependents of Deceased in Accidents in Orissa**

4731. **SHRI P. GANGADEB:** Will the Minister of RAILWAYS be pleased to refer to reply given to Unstarred Question No. 1087 on the 10th November, 1974 regarding tram accidents in Orissa during the last one year and state:

(a) whether any decision has since been taken regarding the compensation to be given to the dependents of the deceased as the result of the accidents which took place in Orissa; and

(b) if so, the salient features thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) and (b). Information is not compiled State-wise but Railway-wise. No claim has been received by the S.E. Railway for compensation under the Railways Act, the Fatal Accidents Act and the Law of Torts from the dependents of the deceased as a result of the accidents referred to in reply to Unstarred Question No. 1087 answered on 19th November, 1974.

Out of six cases of Train Guards killed in the accidents, compensation of Rs. 10,000 each in 5 cases as admissible under the Workmen's Compensation Act, 1923 has been deposited.

with the Commissioner for Workmen's Compensation. Payment of compensation in the remaining case is under finalisation.

#### **Repair and Expansion of Railway Stations in Maharashtra**

4733. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state;

(a) whether certain Railway stations in Maharashtra need repairs and expansion;

(b) whether the Central Government have provided funds therefor during the current year and the provision made for 1975-76; and

(c) if so, particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) For the existing level of traffic, major expansion of Railway stations in Maharashtra is not considered necessary.

(b) and (c). Funds for maintenance and repairs, passenger's amenities and minor additions and alterations at stations are provided every year. Similar provision exists this year also. Allocation of funds is made Railway-wise and separate allocation State-wise is not made.

#### **Drugs Produced by Government Undertakings**

4734. SHRI ARJUN SETHI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of drugs which are being produced by the Government of India undertakings; and

(b) the names of the drugs and medicines manufactured by each drug unit?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R.

GANESH): (a) and (b). A statement indicating the names of the bulk drugs produced by each of the Government of India undertakings, licensed/installed capacity and the actual production during 1971-72, 1972-73, 1973-74 and 1974-75 (upto Feb. 1975) is laid on the Table of the House. [Placed in Library. See No. LT-9308/75.]

#### **Setting up of New Units by Kerala State Drugs and Pharmaceuticals Limited**

4735. SHRI VAYALAR RAVI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Kerala State Drugs and Pharmaceuticals Limited propose to set up some new units with the collaboration of Hungary for which they have already agreed;

(b) whether the request of the Kerala State Industrial Enterprises Limited for a No Objection Certificate for the visit of its representatives to the above country for having final discussions is still pending with his Ministry; and

(c) if so, the reasons for the delay and the time by which it is expected to be given?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). Kerala State Drugs and Pharmaceuticals Limited, a fully-owned Kerala Government Company and contemplating to manufacture Atrumatic Needle Sutures and Basic drugs with Hungarian Collaboration. Kerala State Industrial Enterprises Limited, a holding company of the Government of Kerala informed that in order to select the collaborators and assess the competency a preliminary discussion at Hungary is envisaged.

Kerala State Industrial Enterprises Ltd., and the Kerala State Drugs and Pharmaceuticals Ltd., have already been informed that Government have

no objection in principle to their negotiating with the Hungarians for foreign collaboration arrangements for the said products and visiting Hungary for the purpose.

**Grant of an Industrial Licence to  
C. F. Fulford**

4736. SHRI JYOTIRMOY BOSU:  
Will the Minister of PETROLEUM  
AND CHEMICALS be pleased to  
state:

(a) whether Government have recently decided to grant an industrial licence to a fully foreign-owned drug company, C.F. Fulford for setting up a Rs. 2 crores plant for the production of gentamycin sulphate;

(b) if so, the facts thereof and reasons therefor;

(c) whether it has been alleged that the firm concerned has been operating without acquiring either the industrial licence or the C O B licence; and

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

THE MINISTER OF STATE IN  
THE MINISTRY OF PETROLEUM  
AND CHEMICALS (SHRI K. R.  
GANESH): (a) and (b). In their application under I (D & R) Act, 1951 received on 13th September, 1974 M/s. C. E. Fulford (India) Pvt Ltd., proposed the manufacture of the following items—

S. No.	Item of manufacture	Annual capacity
1.	Gentamycin Sulphate	1000 kg.
2.	Tablets	160 million
3.	Injectables	8100 litres
4.	Ointments & Creams	25000 kg.
5.	Solutions	16000 litres
6.	Capsules	5,000 million

They have also proposed to expand their equity capital to Rs. 200 lakhs. No industrial licence have been granted to this unit and their application is under examination.

(c) and (d). The unit has so far been operating in the non-organised sector. The question whether this company is required to obtain a carrying on business licence is being examined.

**उर्वरक कारखानों में उत्पादन का कम होना**

4737. श्री भागीरथ भंडार : क्या  
पेट्रोलियम और रसायन मंत्री यह बनाने की  
कृपा करेंगे कि :

(क) क्या देश के उर्वरक कारखानों में  
विजली की कमी तकनीकी कठिनाइयों तथा  
दोषपूर्ण प्रबन्ध व्यवस्था के कारण उत्पादन  
गिर रहा है, और

(ख) उर्वरक कारखाना के प्रबन्ध में  
मुधार लाकर उत्पादन बढ़ाने के लिए क्या  
उपाय किये जा रहे हैं ?

पेट्रोलियम और रसायन मन्त्रालय में  
राज्य मन्त्री (श्री के. आर. गणेश) :

(क) और (ख). 1974-75 के दौरान  
लगभग 12 लाख मी० टन के उत्पादन का  
लक्ष्य प्राप्त किये जाने की आशा की जाती है,  
जबकि गत वर्ष 10.6 लाख मी० टन हुआ  
था। यदि बाधाएँ, जैसे बिजली आर कच्चे  
माल की कमी, तकनीकी समस्याएँ आदि  
न होनी तो कुल उत्पादन अच्छा हो सकता  
है। इन बाधाओं के असर को कुछ सम्भव  
मात्रा तक कम करने के उपाय निरन्तर जारी  
हैं और स्ट्रीम लाइन मैनेजमेन्ट कार्यविधि  
और अधिकतम कुशलता के हेतु अभ्यास के  
लिए भी निरन्तर प्रयास किये जा रहे हैं।

**Production of Drugs**

**4738. SHRI SHARAD YADAV:**  
Will the Minister of PETROLEUM  
AND CHEMICALS be pleased to  
state:

(a) what was the total output of  
drugs in the years 1972, 1973 and 1974;

(b) what part of this drug produc-  
tion was manufactured by wholly  
foreign owned companies, partly  
foreign owned companies and indige-  
nous companies; and

(c) the steps taken by Government  
to increase the output by the indige-  
nous companies?

THE MINISTER OF STATE IN  
THE MINISTRY OF PETROLEUM  
AND CHEMICALS (Shri K. R.  
GANESH): (a) and (b). The infor-  
mation is being collected and will be  
laid on the Table of the House as  
soon as possible.

(c) The Committee on Drugs and  
Pharmaceutical Industry constituted  
under the chairmanship of Shri Jai-  
sukhlal Hathi is examining various  
aspects of drug industry. The terms  
of reference of the Committee, *inter  
alia* include:

"To make recommendations for  
promoting the rapid growth of the  
drug industry and, particularly, of the  
Indian and small-scale industries sec-  
tor. In making its recommendations  
the Committee will keep in view the  
need for a balanced regional dis-  
persal of the industry."

Report of the committee on "meas-  
ures for providing essential drugs  
and common household remedies to  
the general public, especially in rural  
areas" has been received. Based on  
this report details of essential drugs  
and common household medicines  
which will be required in large quan-  
tities are being worked out.

Government have taken the follow-  
ing measures to encourage the Indian  
sector of the drug industry:—

- (i) The Indian sector of the in-  
dustry is given preference in  
approval of manufacturing  
schemes;
- (ii) Manufacture of increasing  
number of bulk drugs  
through public sector under-  
takings;
- (iii) Industrial licences are usual-  
ly not issued to foreign firms  
for producing formulations  
unless linked with the pro-  
duction of bulk drugs;
- (iv) They are asked to take up  
production of bulk drugs  
from more basic stages and  
to make available a suitable  
portion of their bulk drugs  
production to non-associated  
formulators in the country  
as a condition for being per-  
mitted expansion in capacity  
or for taking up new activity;  
Appropriate export obli-  
gations are also imposed
- (v) Progressive reduction of  
foreign equity participation  
with corresponding increase  
in the Indian shareholding is  
imposed when they are allow-  
ed expansion of their manu-  
facturing activities
- (vi) Companies having more than  
40 per cent foreign holding  
and branches of foreign com-  
panies operating in India  
are required to obtain ap-  
proval of the Government for  
carrying on any activity of a  
trading, commercial or in-  
dustrial nature or for starting  
fresh activities

Discussions have also been held  
with the representatives of Indian  
Medical Association and Indian Drug  
Manufacturers Association regarding  
the role which the Indigenous sector  
of the drug industry should play in  
making available drugs in adequate  
quantities to meet the requirements  
of the country. This sector has also  
been asked to prepare a scheme for  
production of mass consumption  
drugs at cheap prices and to identify



such drugs out of the list given by the Hathi Committee. Discussions have also been initiated with the Public Sector undertakings producing drugs and with the Indian sector of the drug industry to work out necessary steps for larger availability of the essential life saving drugs and to reduce cost of production. These discussions are continuing and necessary action on the various aspects will be taken after the report of the Committee is received in April, 1975.

#### **Citizens' Convention in Calcutta on Electoral Reforms**

4739. SHRI SAMAR GUHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether attention of Government has been drawn to a citizen's convention held in Calcutta on the 26th February, 1975 in demand of electoral reforms;

(b) if so, broad outlines of the demand made in the convention; and

(c) the reaction of Government thereabout?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) The Government's attention has been drawn to a newspaper report regarding a citizens convention held in Calcutta on 26th February, 1975.

(b) The main resolutions relating to electoral reforms passed in the convention, as reported in the newspaper are.—

- (1) The Election Commission is to be appointed in such a manner that its impartiality is assured;
- (2) Three months before an election is held either for the entire Lok Sabha or for the entire Vidhan Sabha, the appro-

priate Government shall vacate office;

- (3) Use of Government transport and other official facilities are not to be permitted either to the Prime Minister or any other minister for election purposes;
- (4) Only one large ballot box is to be used at one polling booth instead of several, and facilities are to be provided to agents or candidates to guard the ballot boxes till the time of counting;
- (5) Votes cast in each polling booth are to be counted immediately after polling and at the place of polling;
- (6) Proportional representation;
- (7) The personal safety of candidates, election polling and counting agents and their election workers and election officers and staff is to be safeguarded against threats of physical and other injuries and intimidation;
- (8) Every candidate shall enjoy the right to carry on unhindered election work.

(c) Government propose to hold discussions with the leaders of political parties regarding amendments to election law.

#### **Allocation of Kerosene Oil to States**

4740 SHRI BILHUTI MISHRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have fixed the price for sale of Kerosene oil in various States and at important centres to the consumer; and

(b) whether the dealers charge higher prices from consumers?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):** (a) and (b). The Central Government determines the basic ceiling selling prices of bulk refined petroleum products including Kerosene oil, ex-oil companies' installations at main ports and refinery points. The retail selling prices are worked out from the basic ceiling selling prices by addition of freight, dealer's commission, sales tax and any extraordinary expenditure which the State Govts./Union Territory Administrations may allow to the dealers under local conditions. In terms of the Kerosene (Fixation of Ceiling Prices) Order, 1970 issued under the Essential Commodities Act, 1955, the State Governments and Union Territory Administrations are empowered to determine the retail selling prices at different locations and also to take action against mal-practices, if any

#### **Expansion of Refineries in Assam**

**4741. SHRI DINESH CHANDRA GOSWAMI:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is any proposal to expand the existing refineries in Assam; and

(b) if so, the extent thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):** (a) and (b). On the basis of reserves established so far by the Oil India Limited and the ONGC, crude oil to the extent of 5.30 million tonnes per annum is expected to be available from Assam oil fields by 1978-79. This is sufficient to meet the requirements of existing refineries based on Assam crude.

No additional crude over and above the requirements of existing and projected refineries is expected to be available at present.

#### **Appointment of the Chairman of IOC**

**4742. SHRI MADHU LIMAYE:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a communication has been sent by a Member of Parliament dated 2nd May, 1974 regarding the appointment of Mr. C. R. Das Gupta as Chairman of the Indian Oil Corporation Limited;

(b) what action Government propose to take against Mr. C. R. Das Gupta in giving a false affidavit before the Thakru Commission which is enquiring into the Pipelines Affairs; and

(c) what action Government proposes to take against Mr. C. R. Das Gupta for not implementing the Cabinet directives on the recommendations of the Ganga Pollution Enquiry Commission Report?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):** (a) Yes, Sir. A reply was sent to this letter on 25th May, 1974.

(b) In his letter of 2nd May, 1974, the Honourable Member referred to a false affidavit by which Shri Das Gupta tried to impeach the findings on facts of the Public Undertakings Committee. The question of privilege raised on this issue was examined by the Honourable Speaker and in his ruling on 2nd August, 1974, he held that in his affidavit, Shri Das Gupta had not made any reference, direct or indirect, to the Committee on Public Undertakings.

(c) Minister of Petroleum & Chemicals laid a detailed statement on this subject on the Table of the House on 10th May, 1974.

**Accidents in Sealdah Division during 1974**

**4743. SHRI SAKTI KUMAR SARKAR:**

**SHRI S. N. SINGH DEO:**

Will the Minister of RAILWAYS be pleased to state:

(a) the particulars of the accidents that took place during 1974 in Sealdah Division; and

(b) the action taken upto date to avert such accidents?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) During the calendar year 1974, there were 8 train accidents, i.e. 1 collision, 6 derailments and 1 level crossing accident on Sealdah Division of the Eastern Railway.

(b) Safety Organisation has been engaged in inculcating safety consciousness amongst the staff connected with the running of trains in order to ensure that the staff do not violate safety rules or indulge in shortcut methods. Special drives are also launched from time to time for this purpose. Great emphasis has been laid on the initial as well as refresher training of the staff. Thorough enquiries are held into all accidents and appropriate remedial measures are taken to prevent recurrence of similar accidents.

**Impact of additional Levy on Petrol on Transport Industry**

**4744. SHRI RAJDEO SINGH** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government are aware that the additional excise duty of 10 paise per litre on motor spirit in the wake of a five-fold increase in the prices of petroleum products since October, 1973 will further push up the

operational costs of the transport industry;

(b) whether the landed cost of petroleum crude in the country is much lower than the prices of petroleum products;

(c) if so, the break-up of prices of petroleum products—landed cost of petroleum crude, transport, refining commission of filling pumps owners—per litre; and

(d) whether Central excise and sales tax total Rs. 2.45 paise in the price of Rs. 3.39 paise of one litre motor spirit (petrol)?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) The increase in the excise duty on motor spirit is generally likely to increase the operational costs of vehicles using motor spirit

(b) The ceiling selling prices of bitumen (bulk) and naphtha used for the manufacture of fertilisers are lower than the landed cost of crude. In respect of the other bulk refined petroleum products the ceiling selling prices are higher than the landed cost because the selling prices include excise duties, transportation in case of inland points, handling and marketing expenses etc

(c) In terms of the current pricing arrangement, the ex-refinery prices of petroleum products are determined by Government at main port installations/ refinery points in terms of the principle of import parity and not on the basis of the cost of crude oil, cost of refining, refinery fuel etc. Rail freight is included at actuals from the nearest main port/refinery point. The dealers commission of Motor Spirit and High Speed Diesel Oil are Rs. 41.80/KL and Rs. 17.60/KL respectively.

(d) In Delhi, the excise duty and the sales tax amount to Rs. 2.36 per litre.

### Foot and Mouth Disease Vaccine Manufacturing Firms

4745. SHRI N. E. RO. Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there are any firms manufacturing foot and mouth disease vaccine in the country;

(b) if so, the particulars thereof along with their installed capacity;

(c) whether the Fifth Five Year Plan target for this vaccine is 15 million doses and 13 million doses approved for Bharatiya Agro Foundation; and

(d) whether the know-how for this vaccine is also available with Indian institutions and if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a), (b) and (d) Yes, Sir. M/s Hoechst Pharmaceuticals Ltd and Indian Veterinary Institute, Mukteswar are the only producers of Foot and Mouth Disease Vaccines in the country and they have installed capacities of 5 lakhs doses and 2 lakhs doses pa respectively.

The know-how for the manufacture of this vaccine is available with the Indian Veterinary Research Institute who are manufacturing it in limited quantities.

(c) Fifth Five Year Plan target for Foot and Mouth Disease Vaccine is 15 million doses and M/s Bhartiya Agro Industries Foundation has been granted a letter of intent for a capacity of 32 million doses of this vaccine per annum.

### Rejection of Applications for Advertisement in Daily Paper of Calcutta

4746. SHRI SAROJ MUKHERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether 'Daily Ganashakti' published from Calcutta and Bengali or-

gan of CPI-M, the main opposition Party in Lok Sabha, has been applying for Railway Advertisements to the proper authorities for the last two years and in spite of several reminders to the Minister and the Chairman, Railway Board, it is being refused advertisements; and

(b) if so, the reasons for this discrimination, though it has been the declared policy of the Railway Ministry not to politically discriminate while issuing advertisement to daily newspapers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, Sir. Necessary instructions have been issued to the concerned Railway for release of advertisements.

(b) Does not arise.

### Contracts with Foreign Oil Experts for Drilling Operations

4747. SHRI S. R. DAMANI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) the broad features of programmes for new oil drilling operations in the coming year,

(b) how many contracts have been signed with foreign oil experts to assist the drilling operations; and

(c) the brief particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) Drilling operation in any year, based on geological etc considerations, is a continuous process. During 1975-76 ONGC plans to deploy 40 rigs on land to drill 2,40,000 metres approximately in various parts of the country. In addition drilling operations are to be intensified by the Commission in the off-shore area by deploying three drilling units (including 'Sugar Samrat' already in operation).

The Commission expects to drill about 26000 meters during 1975-76 in the off-shore areas. Oil India Limited during that year will continue its drilling operations by deploying 4 rigs in Assam and Arunachal Pradesh.

(b) and (c). 12 foreign oil experts have been engaged in oil exploration work (inclusive of drilling work) in the country apart from engagement of a contractor for providing technical advice on deep drilling at Surinsar structure in J & K. In addition some foreign technicians have been engaged by various foreign contractors working for ONGC in its Bombay off-shore project.

#### Help of Navy sought by O. & N.G.C for Oil Exploration

4748. SHRI P. M. MEHTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the O. & N.G.C has requested the Indian Navy to help in off-shore oil exploration;

(b) if so, the broad features of the help sought from the Navy and to what extent the Navy has proved helpful for oil exploration; and

(c) what is the latest outcome of oil exploration undertaken in Gujarat State in 1974-75?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The help sought from the Indian Navy is in the nature of deputation of suitable marine officers to man ONGC's seismic and drilling vessels as well as divers. Indian Navy has provided these personnel.

(c) As a result of oil exploration work undertaken in Gujarat during the year 1974-75, ONGC has discovered three additional oil bearing structures, namely Asjol, Sisva and Sannao-Khurad.

#### Supply of Oil by Iraq and other countries to India

4749. SHRI R. V. SWAMINATHAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what will be the total requirement for crude by India in 1975; and

(b) how much India is still short of the oil requirements in 1975 taking into account the commitments already made by Iraq and other oil producing countries?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) and (b). In view of the present foreign exchange constraint and the high prices of crude oil, total crude availability during 1975-76 is expected to be about 22 million tonnes. Out of this about 8.25 million tonnes would be indigenous crude and the balance imported. After taking into account the import of crude firm up with the oil producing countries on a Government to Government basis, the balance requirement will be imported by Burmah-Shell and Caltex from their own sources.

#### Power to grant relaxation by Competent Authority

4750. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 6121 on the 9th April, 1974 regarding Memorandum by Commercial Clerks to General Manager and Chief Superintendent, Western Railway and state whether there is any rule in Establishment Code wherein the administration is empowered to grant relaxation in eligibility for a selection held six years earlier?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): Under Rule No 158 of Indian Railway Establishment Code,

Volume 1, General Managers have full powers to make rules in regard to non-gazetted railway servants under their control provided they are not inconsistent with any rules made by the President or the Railway Board and therefore, General Manager can permit the deviation from the channel of promotion.

#### **Recruitment of Staff by Oil and Natural Gas Commission in Tripura**

4751. SHRI BIREN DUTTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Oil and Natural Gas Commission authorities in Tripura do not directly recruit technical or non-technical staff from Tripura; and

(b) if so, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) All projects of the Commission, including Tripura Project, make recruitment to both technical and non-technical decentralised posts locally.

(b) Does not arise.

#### **O & N.G.C Employees working in Tripura State**

4752 SHRI DASARATHA DEB: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the total strength of employees of O & N.G.C. working in the State of Tripura at present;

(b) what is the percentage of employees belonging to Scheduled Caste and Scheduled Tribe now engaged in Tripura;

(c) whether any steps are being taken to give proper representation in the services to Scheduled Castes and Scheduled Tribes in Tripura; and

(d) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) 578 regular employees were working in the Tripura project of ONGC on 1-2-1975.

(b) Percentage of employees belonging to Scheduled Castes and Scheduled Tribes is 5 per cent and 2.25 per cent respectively.

(c) and (d). Yes, Sir. Various orders issued by the Government from time to time, regarding reservations for Scheduled Castes and Scheduled Tribes in the Central Government services and posts, have been made applicable in the Commission as a whole.

#### **Laser Beam Treatment for Throat Diseases**

4753. SHRI P. VENKATASUBAIAH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Northern Railway Central Hospital New Delhi has introduced laser beam treatment for throat diseases;

(b) if so, the steps envisaged to expand the introduction of this treatment to other hospitals; and

(c) whether any scheme has been drawn in this regard to make it available to the common man?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

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

#### **Saladipura Pyrite Project**

4754. SHRI VAYALAR RAVI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Saladipura Pyrite Project has been considerably delayed;

(b) whether this project will help conserve foreign exchange by producing Sulphuric Acid which is essential for fertiliser production; and

(c) if so, the facts thereof and the reasons for the delay?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) to (c). According to the feasibility report prepared by the Pyrites, Phosphates and Chemicals Limited, a sulphuric acid plant with a capacity of 6 lakh tonnes per annum could be set up based on pyrites deposits available at Saladipura. The production of sulphuric acid based on indigenously available pyrites instead of imported sulphur would result in a saving of foreign exchange. This project is, however, closely linked with the setting up of a fertilizer complex in Rajasthan based on pyrites and rock-phosphate available in the State. These are highly capital intensive and have not been included in the Fertilizer Programme as envisaged in the Fifth Plan Document.

#### Proposal to restrict imports of Rock Phosphate by M. M. T. C.

4755. SHRI N. K. SANGHI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether due to indifferent attitude adopted by the Minerals and Metals Trading Corporation, stocks of rock phosphate are piling up at the mine heads with the Rajasthan Minerals and Metals Limited thus shattering the economy of Rajasthan; and

(b) if so, what steps Government propose to take to ensure that Minerals and Metals Trading Corporation purchases its requirements from Rajasthan and restricts its imports to the barest minimum thus avoiding wastage of valuable foreign exchange?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) and (b). Presently, indigenous production of rock-phosphate falls short of the total requirements of the country and imports are arranged to the extent possible to bridge the gap between demand and supply. Most of the phosphatic fertilizer producers get both imported and indigenous rock-phosphate. Recently some accumulation of indigenous rock has been reported in the Jhamarkotra area of Rajasthan and this was mainly due to production being higher than what was anticipated earlier and the technical difficulties now encountered by the fertilizer manufacturers in using the indigenous rock. Every endeavour is being made to ensure maximum utilisation of the indigenously available rock.

#### Re-appointment of Judges of Supreme Court and High Courts after Retirement

4756. SHRI BIRENDER SINGH RAO: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of Judges of Supreme Court and High Courts of the country who have been appointed in various capacities after retirement during the last three years, year-wise; and

(b) the period of employment in each case?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) and (b). The information is being collected and will be laid on the Table of the House.

#### Stocks of Surgical Instruments in I.D.P.L.

4757. SHRI S. N. MISRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a huge stock of surgical instruments has piled up with surgical unit of I.D.P.L. at Madras;

(b) reasons for this accumulation; and

(c) the steps being taken to clear these stocks?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):** (a) to (c). Information is being collected and will be laid on the Table of the House.

#### **New Monopoly Houses**

**4758. SHRI JHARKHANDE RAI:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state;

(a) how many monopoly houses in India have increased since identification of 75 houses of monopolists by the Hazare Committee's Report;

(b) the names of the new monopoly houses which come under large industrial houses according to the Licensing Committee;

(c) whether Government propose to restrict the Monopoly Houses; and

(d) if not, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA):** (a) to (d). The reference is probably to the reports of Prof. R. K. Hazari styled as the Industrial Planning and Licensing Policy reports (Interim and Final) which do not identify 75 houses as monopolists.

The definition of larger industrial houses for adoption in the Monopolies and Restrictive Trade Practices Act, 1969 is given in detail at pages 2 to 3 of the Third Annual Report pertaining to the execution of the provisions of the Monopolies and Restrictive Trade Practices Act, 1969, laid on the Table of House on the 18th Decem-

ber, 1974, wherein it was stated inter-alia that the definition of larger industrial houses adopted in the Industrial Licensing Policy Inquiry Committee report was on the basis of assets along with the assets of inter-connected undertakings exceeding Rs. 35 crores, and the definition of larger industrial houses to be adopted for licensing restrictions has been brought in conformity with the provisions of the M. R. T. P. Act, 1969, i.e., on the basis of a lower limit of assets along with the assets of inter-connected undertakings of not less than Rs. 20 crores. No list on the basis of the definition of the Monopolies Inquiry Commission or Industrial Licensing Policy Inquiry Committee reports is being maintained. As was pointed out by the Monopolies Inquiry Commission (1965) at page 165 of its Report, the directive principle in Article 39 of the Constitution of India does not condemn the concentration of economic power as such, but only such concentration of economic power as may be to the common detriment. The scheme of the M. R. T. P. Act also enables inter-connected undertakings to effect substantial expansion upto 25 per cent without any approval from the Central Government under certain circumstances. The position about the growth in the assets of undertakings coming within the mischief of the M. R. T. P. Act is given in Chapter III (viii) of the Third Annual Report.

#### **Demand to increase the Stoppage of Himachal Express at Kiratpur**

**4759. PROF. NARAIN CHAND PARASHAR:** Will the Minister of RAILWAYS be pleased to state;

(a) whether there has been a demand to increase the stoppage for Himachal Express at Kiratpur Railway Station (Northern Railway) in view of the importance of this station for Himachal Pradesh; and

(b) if so, whether the Northern Railway authorities have accepted this demand?



**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) Yes.

(b) The duration of stoppage of Himachal Express at Kiratpur Sahib Railway Station is being increased from 2 minutes to 4 minutes from 1.5.75.

**Implementation of decision for condoning of break in Service**

**4760. PROF. NARAIN CHAND PARASHAR:** Will the Minister of RAILWAYS be pleased to state:

(a) whether the assurance given by the Railway Minister in his Budget Speech on the 20th February, 1975 for condoning the break in service of Railway employees has since been conveyed to the Zonal authorities;

(b) if so, whether the implementation of this decision has started at all levels; and

(c) if not, the reasons for the delay and the likely dates by which the implementation would commence and be completed?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) Yes.

(b) Yes.

(c) Does not arise.

**Representation from People of Siliguri**

**4761. PROF. NARAIN CHAND PARASHAR:** Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any representation from the people of Siliguri in West Bengal for the provision of an overbridge so as to remove long standing grievances of the people;

(b) whether an alternate scheme for the construction of 5 KM. of railway line linking the NJP Rangapani line

with the Siliguri-Katihar line has also been proposed so as to connect NJP with North Junction; and

(c) whether Government have considered both the proposals and taken any decision in the matter and if so, the nature of the decision taken; and

(d) if not, when the decision is likely?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) Yes.

(b) Yes.

(c) and (d). The proposal for provision of road overbridge at Siliguri has been examined and found neither feasible nor justified. The alternative of providing a 5 KM long link, would be even costlier and a detailed survey would be necessary for it. Final decision on the proposal will, however, be taken after detailed investigation.

**Final Location Survey made during last Five Years**

**4762. PROF. NARAIN CHAND PARASHAR:** Will the Minister of RAILWAYS be pleased to state:

(a) the names of the railway lines which have been under construction or have been constructed during the past five years on which final location survey and the construction work have been carried on simultaneously, zone-wise; and

(b) the reasons for doing so in each case?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) and (b). A statement is attached.

*Statement*

The names of the new lines, which have been constructed or which have been under construction during the

past five years, on which construction work was taken up before the completion of final location surveys and the two were in progress simultaneously, together with the reasons thereof, zone-wise, are given below. It may be pointed out that the final location survey preceded the construction work in those sections of the lines on which work was taken up.

S No.	Name of the line	Reasons for simultaneous construction and final location survey.
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1	2	3
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#### Northern Railway

- |                                    |   |
|------------------------------------|---|
| 1. Sahibzada-Saharanpur B.G. line. | To meet the urgent traffic requirements of the area formerly served by the S.S. Light Railway, construction was authorised before completion of final location survey.  |
| 2. Raitak-Bhiwani B.G. rail link.  | The construction was authorised before completion of final location survey to enable the Railway to acquire land quickly for avoiding losses due to sharply rising land prices.   |
| 3. Gohana-Panipat B.G.             | These are restoration works which were approved to meet the long standing and persistent demand of the local people before completion of final location survey and to enable the Railway to acquire land before sowing season, with the object of avoiding losses due to price increases. |
| 4. Dalmau-Daryapur B.G.            |   |

#### North Eastern Railway

- |                              |  |
|------------------------------|--|
| 5. Saraighat-Partapganj M.G. | These are restoration works. The work was required to be |
|                              |  |

1	2	3
---	---	---

- |                               |   |
|-------------------------------|---|
| 6. Partapganj-Forbesganj M.G. | } undertaken urgently before sowing season. Hence construction was authorised before completion of final location survey, to enable the Railway to take possession of land. |
|                               |   |

Issue of a licence to M/s. Burroughs Wellcome to produce 'Emetin'

4763. SHRI VAYALAR RAVI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether even though license was given to Burroughs Wellcome and Company for producing 'Emetin' which is used for injection, they are not producing it; and

(b) if so, the reasons therefor and the steps taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). M/s Burroughs Wellcome and Company (I) Pvt Ltd are licensed to produce 250 kgs p.a of Emetine HCl. The actual production of the company during the last four years is indicated below:—

Year	Quantity produced
1970-71	127.92 kgs.
1971-72	65.91 kgs.
1972-73	23.83 kgs.
1973-74	15.23 kgs.

Information as to whether the company have stopped producing this drug and the cut back in the production are being ascertained and will be laid on the Table of the House. Appropriate measures would be taken thereafter.

**Companies producing Atrumatic Needle Sutures**

4764. SHRI VAYALAR RAVI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the names of companies which produce Atrumatic Needle Sutures in the country;

(b) whether Government are aware that these companies charge very high price for this product compared to the international market price; and

(c) if so, the steps Government propose to take to increase its production and the names of firms which propose to take up the production of this item together with the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) Only M/s. Johnson and Johnson (India) Limited, Bombay are manufacturing Atrumatic Needle Sutures in the country in the organised sector.

(b) Information is being collected and will be laid on the Table of the House.

(c) Kerala State Drugs and Pharmaceuticals Limited, a Government of Kerala owned unit are exploring the possibilities of manufacturing needled sutures with Hungarian collaboration and are yet to submit a manufacturing proposal.

**मध्य प्रदेश में एक रसायन कारखाने की स्थापना का प्रस्ताव**

4765. श्री गंगा चरण बीसित : क्या पेट्रोलियम और रसायन मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश सरकार ने राज्य में एक रसायन कारखाना स्थापित करने का कोई प्रस्ताव केन्द्र सरकार को भेजा है ;

(ख) यदि हाँ, तो तत्सम्बन्धी मुख्य बातें क्या हैं, और

(ग) केन्द्र सरकार का उस पर क्या प्रतिक्रिया है ?

पेट्रोलियम और रसायन मन्त्रालय में राज्य मन्त्री (श्री क० आर० गणेश) : (क) में (ग) हाल में कोई प्रस्ताव प्राप्त नहीं हुआ। तथापि मध्य प्रदेश सरकार में स्थिति का पता लगाया जा रहा है।

**भुसावल डिबीजन में निर्मित किये जाने वाले उपरि पुल**

4766. श्री गंगा चरण बीसित : क्या रेल मंत्री यह बनाने की कृपा करेंगे कि मध्य प्रदेश में भुसावल डिबीजन में वर्ष 1974-75 के दौरान निर्मित किए जाने वाले नए उपरि पुलों सम्बन्धी व्यय क्या है ?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) 1974-75 के दौरान मध्य प्रदेश में भुसावल मण्डल में वर्तमान व्यय समझौते के बदले ऊपरी पुल बनाने का कोई नया प्रस्ताव नहीं है।

**Funds for achieving target for Electrification of Railway for 1974-75**

4767. SHRI VIRBHADRA SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) what is the target for the electrification of the railway lines during the year 1974-75 and funds allocated for the purpose;

(b) whether the electrification programme on various routes is being carried out as per schedule; and

(c) if not, the reasons for the same?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) 200 route kms. of Bhestan-Virar section of Virar-Sabarmati Railway Electrification

Project and 69 route kms. of Panskura-Haldia Railway Electrification Project were targetted for completion during 1974-75.

Rs. 4.00 crores and Rs. 0.70 crore have been allotted for these two projects respectively during 1974-75.

(b) No.

(c) Section	Target	Reasons
Virar-Bhestan	May '74	The section was energised in stages by Dec. '74. Delay was due to delay in receipt of tele-communication cables.
Panskura-Haldia.	1974-75	The section from Panskura to Durgachak was energised in Feb. '75, the balance is expected to be completed by June '75. Delay has been due to: <ol style="list-style-type: none"> <li>(i) Delay in laying of tracks in bulk handling yard by Calcutta Port Commissioner.</li> <li>(ii) Delay in supply of repeater station and cable hut equipment by Indian Telephone Industries, Bangalore.</li> </ol>

#### Downward trend in passenger traffic during September-December, 1974

4768. SHRI VIRBHADRA SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether there has been a downward trend in passenger traffic on the Railways during September-December, 1974; and

(b) whether Government have made any study in this matter, if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No; the trend on the other hand was an upward one. The average number of passengers per month during the period September to December, 1974 was 204.18 millions as against 202.57 millions per month during the period April to August, 1974, excluding the month of May, 1974, which was an abnormal one owing to the general strike of railway-men.

(b) Does not arise.

#### Sriram Bearing Limited

4769. SHRI SAT PAL KAPUR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number and nature of various irregularities committed during the last three years by M/s. Sriram Bearing Limited,

(b) the action taken against them by Government; and

(c) whether it is proposed to set up an enquiry committee to go into various irregularities, if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA): (a) As per the records of the Company with the Registrar of Companies the Company does not appear to have committed any irregularities in complying with the provisions of the Companies Act, 1956 during the last three years.

(b) Does not arise.

(c) An inspection of the books of account of the Company has been ordered under section 209(4) of Companies Act, 1956.

**M/s. Goa Carbon Limited**

**4770. SHRI SAT PAL KAPUR:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number and nature of various irregularities committed during the last three years by M/s. Goa Carbon Limited;

(b) the action taken against them by Government; and

(c) whether it is proposed to set up an enquiry committee to go into various irregularities, if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). The Registrar of Companies has reported that the company has delayed in complying with Sections 303, 159, 264 and 125 of the Companies Act, 1956 during the last three years. The Registrar of Companies took up these irregularities with the company and in view of the explanations offered by the company, no further action was considered necessary.

During the year 1974 several letters were received alleging that the company delayed the allotment letters/refund orders against application monies received in connection with the public issue of 4,50,000 equity shares of Rs. 10 each.

The matter was taken up with the company and on an enquiry the company replied that in view of the large number of applicants the refund orders and regret letters might have been delayed in transit. The company, however, assured that all the queries made either to themselves or to their issue house have been attended to promptly. The company further explained that out of more than 1,45,000 and odd refund orders posted during the month of February, 1974, only about 1000 or so, remained uncashed as on 15-6-1974.

(c) No, Sir.

**M/s. Jay Engineering Works Ltd.**

**4771. SHRI SAT PAL KAPUR:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number and nature of various irregularities committed during the last three years by M/s. Jay Engineering Works Limited; and

(b) the action taken against them by Government; and

(c) whether it is proposed to set up an enquiry committee to go into various irregularities, if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). No irregularity under the Companies Act, 1956 has been reported by the Registrar of Companies in this case. However, inspection of the books of account of the company has been ordered under section 209A of the Companies Act, 1956 and irregularities, if any will be known only on receipt of the inspection report.

(c) A Committee has been appointed under section 15 of Industries (Development and Regulation) Act, 1951, to enquire into the affairs of this company on 17-10-1973.

**Achievement of freight targets during 1973-74 and 1974-75**

**4772. SHRI RAM PRAKASH:** Will the Minister of RAILWAYS be pleased to state:

(a) what are the details of the amount earned as railway freight charges during the last two years; and

(b) what was Government's target on this account during 1973-74 and 1974-75?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI

**BUTA SINGH:** (a) The amount of railway freight earned during the last two years, was as under:—

1972-73	Rs. 720.68 crores
1973-74	Rs. 680.41 crores

(b) The information is given in the table below. The amount of freight charges for the year 1974-75 as indicated in table below is only for 10 months, i.e., upto January, 1975, the month up to which the accounts have been closed so far:—

	1973-74	1974-75
(i) Target (as per Budget Estimates).	784.70	899.82
(ii) Target (as per Revised Estimates).	709.56	899.82
(iii) Actual freight earned.	680.41	745.33*
		*(upto January, 1975).

#### Popularity of 'Janata Soap'

**4773. SHRI DHAMANKAR:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the popularity of 'Janata Soap' has been assessed; and

(b) whether 'Janata Soap' is not popular among consumers, and if so, the reasons therefor?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):** (a) and (b). The organised sector of soap industry was required to introduce Janata toilet soaps in the market within 3-6 months from 19th September, 1974, when the informal price control was lifted. It will be some time before the popularity of the Janata toilet soap among consumers can be properly assessed. Assessment of the popularity is being taken up.

#### Allopathic Drug Manufacturing Companies

**4774. SHRI MAHADEEPAK SINGH SHAKYA:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the present number of allopathic drug manufacturing companies in India and the broad features of the capital actually invested as well as the profits earned by them during the last three years; and

(b) the steps being taken by Government to check their long continuing profits?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):** (a) There are over 2300 allopathic drug manufacturing units in the country out of which 119 units are in the organised sector. Statistics about the capital invested by these units, its broad features and the profits earned by these units have not been maintained. A study of 88 companies in the organised sector including foreign companies operating in the small scale sector showed that capital employed by them including reserves and loans stood at about Rs 363 crores approx. during the year 1974. A statement indicating the profits earned by foreign companies is laid on the Table of the House (Placed in Library. See No. LT-3909/75). Information regarding profits earned by companies having foreign equity between 26 per cent to 50 per cent have already been furnished in reply to Lok Sabha Unstarred Question Nos. 3797 and 3846 replied on 18th March, 1975.

(b) The prices of drugs are statutorily controlled under the Drugs (Prices Control) Order, 1970, which, *inter alia* seeks to curb excessive profits.

The said order also provides for a maximum gross profit before tax of 15 per cent of the sales turnover and in case of excess profit, excess shall be

funded separately and shall not be utilized for distribution of dividends but shall be utilized with the prior approval of the Government for the purposes specified by the Government in the order.

Committee on Drugs and Pharmaceuticals Industry headed by Shri Jaisukhlal Hathi is looking into various aspects of drug industry and its terms of reference *inter alia* include:—

“To examine the measures taken so far to reduce the prices for drugs for the consumer, and to recommend such further measures as may be necessary to rationalise the prices of basic drugs and formulations.”

The Committee is likely to submit its report in April, 1975 and Government will take a view on the profit aspect thereafter.

**Foreign countries collaborating with India in Oil exploration projects**

4775. SHRIMATI PARVATHI KRISHNAN;

SHRI SARJOO PANDEY:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how many foreign countries are collaborating with the Government of India in the projects of oil exploration;

(b) how many oil projects are working in the country at present; and

(c) their names and production rate in 1972-73, 1973-74 and 1974-75?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI G. P. MAJHI): (a) to (c). The two principal agencies engaged in oil exploration in the country are the Oil and Natural Gas Commission and the Oil India Limited. While ONGC is a public sector enterprise, in OIL,—Government of India

and the Burma Oil Company of U.K. hold equal shares. For off-share exploration, contracts have been signed with Carlsberg India Group of USA for the Bengal basin and with Reading and Bates Group also of USA for the Kutch basing. The production of oil by ONGC and OIL during 1972-73, 1973-74 and 1974-75 (estimated) is as under:

Year	Rate of production of ONGC	Rate of production of OIL
	(in tonnes)	(in tonnes)
1972-73	4.11	3.13
1973-74	4.62	3.08
1974-75 (estimated)	4.51	3.08

#### Growth of Drug Industry

4776. SHRI D. D. DESAI;

SHRI P. GANGADEB:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are considering uninterrupted growth of drug industry in the public and private sectors under Indian management;

(b) whether any steps have been taken in this regard; and

(c) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). With a view to ensuring the regulated and rapid growth of drug manufacture and further with a view to ensuring that all essential drugs are made available to the consumers at reasonable prices, Government have constituted a Committee on Drugs and Pharmaceutical Industry headed by Shri Jaisukhlal Hathi with *inter alia* the following terms of reference:—

"To recommend measures necessary for ensuring that the public sector attains a leadership role in the manufacture of basic drugs and formulations, and in research and development."

"To make recommendations for promoting the rapid growth of the drugs industry and, particularly, of the Indian and small scale Industries' sectors. In making its recommendations the Committee will keep in view the need for a balanced regional dispersal of the industry".

The Committee is likely to submit its report in April, 1975

In the meantime, however, discussions have been initiated with the Indian sector of the drug industry and the public sector undertakings on various aspects of the industry including the steps required for larger availability of essential life saving drugs at cheap prices, arrangements for adequate availability of raw materials, the related production programme and necessary institutional arrangements, etc.

Appropriate action will be taken by the Government in the light of the recommendations made by the said committee

#### Jacking up of 'Sagar Samrat' in Bombay High

4777. SHRI D. D. DESAI:  
DR. LAXMINARAYAN  
PANDEYA:  
SHRI P. GANGADEB:  
SHRI SHRIKISHAN MODI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Sagar Samrat was jacked up at the fourth location in the Bombay High in the last week of February, 1975; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):  
(a) Yes, Sir.

(b) As on 20th March, 1975 the well had been drilled to a depth of 1,159 metres. Further drilling is in progress.

#### Oil and Gas reserves at Baramura in Tripura

4778. SHRI D. D. DESAI:  
SHRI P. GANGADEB:  
SHRI ANADI CHARAN DAS:  
SHRI SHRIKRISHAN MODI:  
SHRI PURUSHOTTAM  
KAKODKAR:  
SHRI RAGHUNANDAN LAL  
BHATIA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether gas had been located at a depth of 4,000 metres in Tripura recently;

(b) if so, whether test drilling has been completed upto 2,000 metres; and

(c) if so the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):  
(a) to (c). In the first well drilled to a depth of 2,813 metres at Baramura structure in Tripura, a few gas horizons have been encountered. The well is under conventional testing.

#### Legal aid to workers

4779. SHRI D. D. DESAI:  
SHRI P. GANGADEB:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 2897 on the 3rd December, 1974, regarding legal aid to workers and state:



(a) whether the recommendations of the Expert Committee on Legal Aid entitled 'Processual Justice to the People' have since been examined;

(b) if so, the results of the examination;

(c) whether any decision has since been taken thereon, if so, the broad features thereof; and

(d) when the decisions are going to be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR SARAJINI MAHISHI): (a) and (b). The examination of the recommendations contained in the Report of the Expert Committee on Legal Aid is continuing.

(c) and (d). No, Sir. The final decision can be taken in the matter after the comments of the State Governments, etc., who are vitally concerned with the implementation of the proposed scheme and who have already been approached in the matter, have been obtained and analysed. In view thereof, it is difficult for Government to indicate a firm date by which a decision in this regard would be taken.

#### Investigation against Ballarpur Paper and Straw Boards Limited by M.R.T.P Commission

4780. SHRI B. V. NAIK: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the application of M/s. Ballarpur Paper and Straw Boards Limited, under the M.R.T.P. Act, 1969 for salt works at Gobarna has been referred for investigation by the Monopolies and Restrictive Trade Practices Commission; and

(b) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Shri BEDABRATA BARUA): (a) Yes, Sir.

(b) Does not arise.

#### Linguistic classification of Railway employees

4781. SHRI B. V. NAIK: Will the Minister of RAILWAYS be pleased to state:

(a) whether statistics are being compiled to assess the linguistic classification of the Railway employees in view of the promise by the Railway Administration to consider the above proposal; and

(b) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Statistics on Railway matters are not maintained State-wise, region-wise or on linguistic concepts, but only Railway-wise. No promise for compilation of statistics to assess the linguistic classification of Railway employees has been made. In fact it is not feasible to compile such statistics without making elaborate arrangements

However, recruitment to lower grades in Class III and the entire recruitment in Class IV is done on a local basis, i.e., by announcing the vacancies only in the region instead of advertising in other parts of the country.

#### Chemical Industries with High Pollution Potential

4782 SHRI B. V. NAIK Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the chemical industries in this country with a high pollution potential; and

(b) what steps have been taken to control the pollution damage?

(d) what action Government propose to take for getting the posts reserved filled in?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS - (SHRI BUTA SINGH) (a) Yes

(b) to (d). A statement is laid on the Table of the House [Placed in Library See No. LT-3910/75]

ट्रेनिंग स्कूल, चन्दौली में परीक्षा में नकल करवाया जाना

4786 श्री चन्द्रिका प्रसाद : श्री 'रेल' मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार को इस बात की जानकारी है कि उत्तर प्रदेश के चन्दौली ट्रेनिंग स्कूल के प्रशिक्षार्थियों में चन्दे के रूप में घनराशि लेकर परीक्षाओं में खूबे झूठ नकल करवाई गई है और इसका विरोध करने वाले इन्स्ट्रक्टरों तथा अधिकारियों के साथ दुर्व्यवहार किया गया है,

(ख) यदि हाँ तो दोरी व्यक्तियों के विरुद्ध सरकार ने क्या कार्यवाही की है

(ग) क्या सरकार को इस बात की भी जानकारी है कि वहाँ के प्रिन्सिपल ने प्रशिक्षार्थियों से पढ़ाई के घंटों में श्रमदान के नाम पर अपनी कोठी व बगीचे और खेत की सफाई का कार्य करवाया, और

(घ) यदि हाँ, तो सरकार ने इसके विरुद्ध क्या कार्यवाही की है?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह):

(क) और (ख) फरवरी 1975 में एक शिकायत मिली है जिसमें कहा गया है कि दिसम्बर 1974 में क्षेत्रीय प्रशिक्षण स्कूल, चन्दौली के प्रशिक्षार्थियों ने बड़े पैमाने पर नकल कर शिकायत की वास्तविकता का समायोजन कर

लेने के बाद, वर्तमान प्रसिद्ध के अनुसार कारों, की जांच की जाएगी और उसपर उपयुक्त कारवाई की जाएगी। इस सम्बन्ध में अतीत में भी कुछ शिकायतें मिली थी जिन्हें पूछ-ताछ करने पर निस्तार पाया गया था।

(ग) जी नहीं।

(घ) जांच के परिणाम उपलब्ध हो जाने पर उपयुक्त कारवाई की जाएगी।

Accidents on Western Railway during 1973 and 1974

4787 SHRI VEKARIA  
SHRI D P JEDEJA

Will the Minister of RAILWAYS be pleased to state

(a) the number of accidents which took place on Western Railway during 1973 and 1974,

(b) the details of those accidents; and

(c) the number of persons killed thereby?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b) There were 134 and 120 train accidents on the Western Railway during the calendar years 1973 and 1974 respectively. The details of these accidents are as under —

Category of train accidents	1-1-1973 to 31-12-1973	1-1-1974 to 31-12-1974
Collisions	6	8
Derailements	106	90
Level crossing accidents	19	17
Fires in trains	3	5
<b>TOTAL</b>	<b>134</b>	<b>120</b>

(c) Thirty-four persons were killed in these accidents during the calendar year 1973 and 12 during the calendar year 1974.

**Trains cancelled on Western Railway**

4788. SHRI VEKARIA:

SHRI ARVIND M. PATEL:

SHRI D. P. JADEJA:

Will the Minister of RAILWAYS be pleased to state:

(a) the number and particulars of trains cancelled on Western Railway due to shortage of coal; and

(b) when these services will again be resumed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) As on 18th March, 1975, 53.5 pairs of passenger trains remained cancelled on Western Railway due to the shortage of coal. A statement showing the particulars of these trains is laid on the Table of the House. [Placed in Library. See No. LT-9311/75].

(b) Lately the loco coal loading has picked up and consonant with this build up Railways are in the process of selectively restoring the cancelled passenger services.

**Ticketless Travelling on Western Railway during 1974**

4789. SHRI VEKARIA:

SHRI ARVIND M. PATEL:

Will the Minister of RAILWAYS be pleased to state:

(a) the number of ticketless travellers apprehended on Western Railway during 1974;

(b) the amount realised from them as penalty; and

(c) the number of persons sentenced to imprisonment for not paying the penalty?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) 2,79,846.

(b) Railway Penalty: Rs. 21,47,126/-  
Judicial fine: Rs. 69,920/-

(c) 19,449.

**Theft of Petroleum Products in Bombay**

4790. SHRI BANAMALI BABU:

DR. H. R. SHARMA:

PROF. MADHU DANDA-  
VATE:

SHRI DHAMANKAR:

SHRI NAWAL KISHORE  
SHARMA:

SHRIMATI SAVITRI SHYAM:

SHRI VASANT SATHE:

SHRI BHAGIRATH BHAN-  
WAR:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether some racketeers who had been stealing petrol furnace oil, light diesel oil and high speed diesel oil from tankers while these products were being transported from oil depots to their destinations in Chembur and eastern suburbs in Bombay were recently apprehended;

(b) the quantity of various petroleum products seized; and

(c) the steps taken against the persons involved and to check such thefts in future?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) to (c). Some press reports have appeared regarding malpractices while products were being transported from IOC's installation to the customers through contractors' transport trucks or trucks hired or engaged by the customers. In all such cases, product was being delivered to the customers by IOC from the main installation and the tank trucks used were arranged

(d) what action Government propose to take for getting the posts reserved filled in?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS. (SHRI BUTA SINGH): (a) Yes.

(b) to (d). A statement is laid on the Table of the House. [Placed in Library See No. LT-3910/75.]

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(ख) यदि हा, तो दोरी व्यक्तियों के विरुद्ध सरकार ने क्या कार्यवाही की है ,

(ग) क्या सरकार को इस बात की भी जानकारी है कि वहा के प्रिन्सिपल ने प्रशिक्षार्थियों में पढाई के घटो में भ्रमदान के नाम पर अपनी कोठी क बगीचे और खेत की सफाई का कार्य करवाया , और

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रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह):  
(क) और (ख) फरवरी 1975 में एक शिकायत मिली है जिसमें कहा गया है कि दिसम्बर 1974 में क्षेत्रीय प्रशिक्षण स्कूल, चन्दौसी के प्रशिक्षार्थियों ने बड़े पैमाने पर नकल की शिकायत की वास्तविकता का संयोग कर

लेने के बाद, वर्तमान प्रक्रिया के अनुसार आरोपों की जांच की जाएगी और उसपर उपयुक्त कारवाई की जाएगी। इस सम्बन्ध में घटीत में भी कुछ शिकायतें मिली थी जिन्हें पूछ-ताछ करने पर निःसार पाया गया था।

(ग) जी नहीं।

(घ) जांच के परिणाम उपलब्ध हो जाने पर उपयुक्त कारवाई की जाएगी।

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Fires in trains	3	5
<b>TOTAL</b>	<b>134</b>	<b>120</b>

(c) Thirty-four persons were killed in these accidents during the calendar year 1973 and 12 during the calendar year 1974.

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SHRI D. P. JADEJA:

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(b) Lately the loco coal loading has picked up and consonant with this build up Railways are in the process of selectively restoring the cancelled passenger services.

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Judicial fine Rs. 69,920/-

(c) 19,449.

**Theft of Petroleum Products in Bombay**

4790. SHRI BANAMALI BABU:

DR. H. P. SHARMA:

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WAR:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether some racketeers who had been stealing petrol furnace oil, light diesel oil and high speed diesel oil from tankers while these products were being transported from oil depots to their destinations in Chembur and eastern suburbs in Bombay were recently apprehended;

(b) the quantity of various petroleum products seized; and

(c) the steps taken against the persons involved and to check such thefts in future?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) to (c). Some press reports have appeared regarding malpractices while products were being transported from IOC's installation to the customers through contractors' transport trucks or trucks hired or engaged by the customers. In all such cases, product was being delivered to the customers by IOC from the main installation and the tank trucks used were arranged

by the customers. In such cases responsibility of the Corporation ceases from the moment the product is delivered at the installation

IOC is, however, keeping a watch on the situation and has been alerting the police whenever any information has been obtained by them

There was, however, one instance recently in Bombay where one customer who received the product on a delivered basis from IOC, complained of short receipt. After necessary investigation the responsibility was fixed on the contractor. The amount covering the shortage was debited to the contractor's bill and necessary credit given to the party. The truck which was involved, was also debarred from operating for IOC for ten days.

#### Proposal to Liberalise Divorce Provisions

4791. SHRI BANAMALI BABU Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether Government propose to liberalise the divorce provisions in the Hindu Law and bring a suitable amendment in the Hindu Marriage Act in this regard; and

(b) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI) (a) On a reference from the Government the Law Commission has considered the question of amending the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954. Its recommendations are contained in the 59th Report which has been laid on the Table of the Lok Sabha on the 19th November, 1974. The recommendations include recommendations for liberalisation of the provisions relating to divorce. The Report of the Law Commission is being examined.

(b) The suggestions of the Law Commission cover the grounds upon which divorce can be claimed such as cruelty, adultery, desertion, passing of an order or decree for maintenance or judicial separation, as well as the doing away with the waiting periods before which a petition cannot be filed for divorce or before which divorced persons cannot marry again.

#### सऊदी अरब से तेल का आयात

4792 डा० लक्ष्मण नारायण पांडेय क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय भारत को सऊदी अरब से प्रति वर्ष कितनी मात्रा में तेल मिल रहा है ;

(ख) क्या सरकार और अधिक अशोधित तेल का आयात करने हेतु कोई नया समझौता करेगी , और

(ग) यदि हा, तो उसकी मुख्य बातें क्या हैं ?

पेट्रोलियम और रसायन मन्त्रालय के उपमन्त्री (श्री सी० पी० भाषी) : (क) 1973-75 में तीन साल तक प्रति वर्ष 1.1 मिलियन मी० टन की सप्लाई करने के लिए विद्यमान संविदा है ।

(ख) इस समय ऐसा कोई प्रस्ताव नहीं है ।

(ग) प्रश्न नहीं उठता ।

#### Transfer of Parcel Clerk from New Delhi Station to Kalka Station.

4793. SHRI MAHADEEPAK SINGH SHAKYA. Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 5812 on the 3rd April, 1973 regarding can-

cellation of transfer of Parcel clerks at New Delhi station to Kalka Station and state;

(a) whether the enquiries in this case have been completed and the Parcel Clerk concerned has been charge-sheeted for major penalty under Discipline and Appeal Rules;

(b) whether this Parcel Clerk had been punished several times on the charges of misconduct and other serious irregularities; and

(c) if so, reasons for not transferring such staff to some unimportant station?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) The preliminary enquiry is over and a charge-sheet has been issued. The enquiry under the Discipline and Appeal Rules is in progress.

(b) Yes.

(c) He has been retained at New Delhi on compassionate grounds.

#### **Charge against Employees in Eastern Region of I.O.C.**

4794. SHRI INDRAJIT GUPTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of employees of I.O.C. (Eastern Region) who were subjected to charge-sheets, suspensions, memos and deduction of salaries between April, 1974 to January, 1975;

(b) the number of industrial disputes and cases of violation of agreements and of various statutory provisions, which were raised by the Indian Oil Employees' Union, Eastern Region against the management during the same period; and

(c) steps taken to redress the employees' grievances?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI) (a) to (c). The information is being collected and will be laid on the Table of the House.

#### **Ratio of Officers to Workmen in Marketing Division of I.O.C.**

4795. SHRI INDRAJIT GUPTA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the present ratio of officers to workmen in the Marketing Division of I.O.C.;

(b) the total expenditure incurred by way of salaries, allowances, bonus and other benefits on account of (i) officers and (ii) workmen during the last two years; and

(c) whether there is any plan to reduce the overhead costs on supervisory functions?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) The present ratio of Officers to workmen in the Marketing Division of Indian Oil Corporation is 1:4.

(b) Total expenditure incurred on salaries, etc. during last two financial years is approximately as below:—

(Rupees in Lakh)			
Year	Officers	Workmen	
1972-73	386.99	552.00	
1973-74	423.27	721.33	

(c) The Corporation constantly endeavours to reduce all overhead costs including those pertaining to supervisory functions.

**Execution of Certain Jobs through contractors by Marketing Division of I.O.C.**

4796, SHRI INDRAJIT GUPTA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the management of the Marketing Division of Indian Oil Corporation is getting a large number of jobs and functions performed by contractors,

(b) whether such functions include preparation of salary bills, supply bills, accounts and account statements, loading and unloading of petroleum products, refuelling of aircraft, transport and maintenance, personnel and labour handling,

(c) if so, the contractors employed for each of these jobs, and

(d) reasons for thereby restricting the direct employment potential of I.O.C. itself?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (d) Required information is being collected, and will be laid on the Table of the House in due course

**Payment of Conveyance Allowance by I.O.C.**

4797 SHRI INDRAJIT GUPTA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the Indian Oil Corporation management has been paying conveyance allowance to officers and employees since 1973,

(b) if so, the rates of such allowance payable to senior and junior officers and to workmen, and

(c) whether, in the case of officers, the conveyance allowance is not liable for income-tax deduction, while it is so liable in the case of the highest paid workmen?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b) Middle and senior level officers who own and maintain a car are being reimbursed the expenses on the propulsion and maintenance of the car upto a ceiling of Rs 300/ p.m. from 1st July, 1973. The junior officers and some of the staff members who are engaged in supervisory duties are reimbursed such an expenditure to the extent of Rs 75 p.m. from 21st July, 1973 provided they too own and maintain a scooter/motor cycle.

All workmen are being paid fixed allowance of Rs 25 p.m. termed as 'Conveyance Allowance' since November 1973 under a settlement reached with the workmen with reference to their demands

(c) The amount of Rs 25 p.m. paid to all the workmen as fixed allowance is a perquisite which is taxable under the Income Tax Act as this payment is without any reference to the workmen maintaining any auto conveyance. In the case of officers however as the amount paid to them is in the nature of reimbursement against the actual expenses already incurred by them for use and maintenance of their car/scooter/motor cycle for official purposes the same is not taxable under the Income-tax Act

**Additional facilities at Howrah Station**

4798 SHRI S. N. SINGH DEO: Will the Minister of RAILWAYS be pleased to state

(a) the particulars of the amount spent upto date for provision of additional facilities in Howrah station, and

(b) the work done upto date and when the work is likely to be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The particulars of



the amount spent on the provision of additional facilities at Howrah station recently are indicated below:—

1973-74 . . . . . Rs. 4,15,205.00

1974-75 (upto Feb. 75) Rs. 4,73,486.00

Total . . . . . Rs. 8,88,791.00

(b) The position of the work is as follows:—

Description of works Progress of works

(i) Modernisation of C completed in October, base kitchen at 1973 Howrah for introduction of ready to serve meals in important Mail/Express trains.

(ii) Provision of A. C. Completed in March, Sheet ceiling on platform No. 9 at 1974 Howrah station as a part of brightening of Station.

(iii) Provision of underground suburban Booking Office along the subway in replacement of surface suburban Booking Office 98% Work is expected to be completed by May, 1975.

**New Lines constructed in West Bengal and North Eastern Region States**

4799. SHRI S. N. SINGH DEO: Will the Minister of RAILWAYS be pleased to state:

(a) the Railway lines at present working in West Bengal and North Eastern Region States, State-wise;

(b) the proposals for new lines at present under consideration in these States, State-wise; and

(c) the salient features of the new lines constructed in these States during the last five years, year-wise, line-wise and mileage at present in each State?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The route kilo-

metrage of Railway lines falling in West Bengal and North-Eastern Region, State-wise as on 31.3.1974 is as under:—

State Union Territories	Route Kilometrage
West Bengal	3,707
Assam	2,194
Mizoram	..
Manipur	..
Meghalaya	..
Nagaland	9
Tripura	12
Arunachal Pradesh	..

(b) The construction of new B.G. lines from Howrah to Amta with a branch line from Baragachia to Champadanga and from Howrah to Sheakala falling in the State of West Bengal have been approved. Construction of the Durgachak-Haldia Section of Panskura-Haldia rail link is in progress. Proposals for the following new lines are under consideration:

- (i) Eklakhi-Balurghat
- (ii) Silchar-Jiribam (Manipur and Assam)
- (iii) Dharmanagar-Agartala (Tripura)
- (iv) Dharmanagar-Kumarghat-Kelashahar (Tripura).
- (v) Agartala-Subfom (Tripura).
- (vi) Pancharatapaghat-Dudhanai-Darangiri (Assam & Meghalaya).
- (vii) Gauhati-Burnihat (Assam & Meghalaya).
- (viii) Lalaghat-Sairang (Assam & Mizoram).
- (ix) Rangapara-Balipara-Bhalukpung (Assam and Arunachal Pradesh).

- |  |  |
|--|--|
| <p>(x) Tipling-Itanagar (Assam &amp; Arunachal Pradesh).</p> <p>(xi) Murkongselek-Passighat (Assam &amp; Arunachal Pradesh).</p> <p>(xii) Gauhati-Dudnnai (Assam).</p> | <p>(xiii) Sidings between Akhaura (in Bangladesh) and Agar-tala (in Tripura) and Belonia Stations (in Bangladesh) and Belonia City (in Tripura).</p> |
|--|--|

				Date of opening
(c) :				
(i)	Permanent Diversion of Tildanga Farakka line upto South abutment of Barrage with a bridge over Feeder Canal (West Bengal)	B. G.	7 82 Kms.	11-11-71
(ii)	Provision of B. G. railway bridge over the Farakka Barrage. (West Bengal)	B.G.	2 24 Kms.	11-11-71
(iii)	B. G. connection between the left bank abutment of the Farakka Barrage and Chamagram excluding interchange point at Malda (West Bengal)	B.G.	2 40 Kms.	11-11-71
(iv)	Diversion of the Ballalpur Halt-Tildanga line along the left bank of the Feeder Canal (West Bengal)	B.G.	5 98 Kms.	28-1-72

**Allocation for Railway Line from Dharmanagar to Kumarghat**

4800. SHRI S. N. SINGH DEO. Will the Minister of RAILWAYS be pleased to state:

(a) whether any amount has been sanctioned in the present Railway Budget for the construction of Railway line from Dharmanagar to Kumarghat in Tripura; and

(b) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). It was proposed to take up the construction of the new M. G. line from Dharmanagar to Kumarghat during 1974-75 provided the funds were made available by the North Eastern Council. Since no funds have been made available so far by the North Eastern Council, it has not been possible to take up the project. No provision has been made in the railway budget for this work.

**Indian Oil Gas Agencies in Rajkot District**

4801. SHRI ARVIND M. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state,

(a) the number of Indian Oil Gas Agencies in Rajkot District in Gujarat State, city-wise;

(b) the number of customers in each agency; and

(c) the number of applications pending with each agency upto December, 1974?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). The number of Indian Gas agencies in the Rajkot district in Gujarat, the number of their customers and the approximate no. of appli-

ications for new connections pending with them are given below:—

Name of the agency	No. of customers	No. of applications pending (approx)
1. Allied Industrial Agencies, Rajkot.	734	2000
2. Kothari Industries, Rajkot.	4584	2000
3. Rajkot District Coop Society, Rajkot.	3039	2500
4. P. J. Sampat, Miral.	1906	1000

**Private and Public Limited Companies in Kerala**

4802. SHRIMATI BHARGAVI THANKAPPAN, Will the Minister of

LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state.

(a) the number and names of private and public limited companies operating in Kerala and the amount invested in each of them during the last three years, year-wise, and

(b) the names of companies which have been closed down during this period?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) The number and paid-up capital of public and private limited companies operating in the State of Kerala during the last three years, viz., 1973-74, 1972-73 and 1971-72 are given as under:—

(Rs. in Crores)

Year	Public		Private		Total	
	No.	Paid-up Capital.	No.	Paid-up Capital.	No.	Paid-up Capital.
1973-74 . . .	358	112.5	907	52.2	1265	164.7
1972-73 . . .	352	105.2	823	27.2	1175	132.4
1971-72 . . .	342	72.9	762	24.4	1104	97.3

As regards the names of these companies, the Department has brought out a Directory of Joint Stock Companies in India which gives the names of the companies at work as on 31-3-1970. The Annual Blue Books and monthly 'Company News and Notes' give the names of newly registered companies and those of companies which ceased functioning during a year. Copies of these publications are available in the Parliament House Library.

(b) 33 companies, 16 in 1971-72, 8 in 1972-73 and 9 in 1973-74 were reported to have ceased functioning by either going into liquidation or being struck off under Section 560(5) of the Companies Act, 1956, in the State of Kerala. The names of these companies are given in the Statement

laid on the Table of the House. [Placed in Library. See No. LT-9312/75.]

**Rise in Cost of Production of Crude**

4803. DR. H. P. SHARMA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether cost of production of crude in different oil producing and exporting countries has risen during the current year;

(b) if so, to what extent the per barrel price in each country has risen and how does it compare with the corresponding rise in the cost of production in India; and

(c) whether these oil exporting countries have decided to pass down this increase in production cost to the

consuming countries, if so, the proposed increase in the cost of crude to be imported from these countries into India and how would it affect the over-all economy of petroleum industry in this country?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI) (a) to (c). The actual cost of production of crude oil in different countries for the current year is not known. However, Iran is reported to have notified an increase of four cents per barrel in the cost of production of its various crude oils. The whole position, is however, not quite clear.

#### Profits earned by certain Foreign Drug Firms in 1973

4804. SHRI SOMCHAND SOLANKI Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the M/s Bayer, Searle and Warner Hindustan earned a profit of 20.03 per cent, 17.43 per cent and 15.80 per cent, respectively during the year 1973 (profit before tax to sales),

(b) whether earning of more than 15 per cent profit amounts to flouting the Drug Price Control Order, and

(c) if so, what action Government propose to take in the matter for the benefit of consumers?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH)

(a) Details of overall profit earned by each company during the year 1973 are given below —

S. No.	Name of the company	Percentage of gross profit before tax to sales.
1	M/s. Bayer (India) Ltd	19.6
2	M/s Searle (India) Ltd	12.9
3	Warner Hindustan Ltd.	14.5

(b) and (c). Para 14(i) (iv) of the Drugs (Prices Control) Order, 1970, provides that in case the actual gross profit before tax for any particular year in respect of drug activity as shown in the audited accounts of the manufacturer or importer exceeds 15 per cent of the sales turnover of the year, as certified by the auditor, the excess shall be funded separately and shall not be utilized for distribution of dividends but shall be utilized with the prior approval of the Central Government, for any of the following purposes namely —

(a) research and development expenditure,

(b) adjustments against future profits or losses and

(c) such other purposes as may be specified by the Central Government from time to time

Information whether gross profits before tax on drug activity exceeded 15 per cent and whether such profits were funded separately under the said provision of the Drugs (Prices Control) Order 1970 is being collected and will be laid on the Table of the House

मध्य प्रदेश के छत्तीसगढ़ और पश्चिमी निसाड क्षेत्रों में रेल लाइन

4805. श्री हांगा, चुरण, दीक्षित : क्या, रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार ने पिछड़े क्षेत्रों में रेल सम्पर्क स्थापित करने के लिए निर्णय किया था, और

(ख) यदि हा, तो इसके क्या कारण हैं के मध्य प्रदेश के छत्तीसगढ़ और पश्चिमी निसाड क्षेत्रों में रेल लाइन नहीं बनाई गई है जो पिछड़े क्षेत्रों में है ?

रेल मंत्रालय में उपस्थित (श्री बृद्ध सिंह) :

(क) जी हा। इन क्षेत्रों में, उपलब्ध सीमित संसाधनों के भीतर, उत्तरोत्तर रेल लाइनों का विस्तार करने का विचार है।

(ख) हाल ही में मध्य प्रदेश के छत्तीसगढ़ क्षेत्र में डल्ली राजहरा से जगदलपुर तक (संबाई 251 किलोमीटर, अनुमानित लागत 27.60 करोड़ रुपए) रेलवे लाइन बिछाने के सम्बन्ध में अन्तिम मार्ग-निर्धारण सर्वेक्षण पूरा किया गया है और रिपोर्टों की जांच हो रही है; इस रेलवे लाइन और पिछड़े क्षेत्रों में अन्य लाइनों के निर्माण का कार्यक्रम धन की उपलब्धता को ध्यान में रखते हुए उपयुक्त रूप से चरणबद्ध करना होगा।

#### Decision on continuation of Post of Railway Sectional Officers

4806. SHRI LALJI BHAI: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 3827 dated the 10th December, 1974 regarding abolition of posts of Railway Sectional Officers and state:

(a) whether any final decision has been taken regarding continuation of the posts of Railway Sectional Officers beyond 1974, in view of the present financial stringency; and

(b) if not, reasons for the delay?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). (a) and (b). Yes. The currency of 38 out of the 42 posts of Railway Sectional Officers has been extended upto 31-12-1977.

#### Issue of COB Licences to foreign firms

4807. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how many COB licences were issued to foreign firms during the last three years and in how many

cases consolidation of capacities was made and broad outlines of such consolidation, production of each item at present and the time of grant of COB licence; and

(b) when I(DR) Act provides grant of Intent Letter for every new article, under what authority and on whose recommendations consolidation of capacities has been made in the COB licence?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

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

#### Import of Indo-Methacin by M/s M.S.D.

4308. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 179 on the 18th February, 1975 regarding import of Indo-Methacin and state:

(a) whether Indo-Methacin which was imported at an average rate of Rs. 4500/- per kg. was 10 times dearer than the prevalent international prices;

(b) what was the selling price of formulations made out of this Indo-Methacin by M/s. M.S.D. and the sale value of formulations made out of 1 kg of Indo-Methacin;

(c) is it a fact that M.S.D. resorted to over-invoicing in this item, which was complained to the Ministry number of times, but instead of taking any action, Government canalised the item to divert the attention of the complaints, if so, reasons for doing so; and

(d) whether Government propose to prosecute this foreign firm for resorting to over-invoicing?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) to (d). It was brought to Gov-

ernment's notice that M/s. M. S. D. were importing Indo-Methacin from their principals in U S A at higher prices though the international prices had come down. The import of Indo-Methacin was canalised through the STC from the year 1973-74, to ensure import of this bulk drug by the STC at competitive prices. The question of over-invoicing of this item is being looked into.

Though M/s M S D imported Indo-Methacin at an average rate of Rs 4500/- per kg, the price allowed for fixing the prices of formulations was Rs 3771.59 per kg in 1970 and Rs 2828.69 per kg from 17-8-1973. The selling prices of Indo Methacin formulations manufactured by M/s M S D were as under

Pack size	Price on 1970	Revised on 17.8.1973
25mg 10 x 10 caps	Rs 53.30	Rs 44.50
50mg 10 x 10 caps	Rs 96.00	Rs 82.60

The sale value of formulations made out of 1 kg of bulk Indo-Methacin 100 per cent pure, including the process loss, at the bulk drug price of Rs 2828.69 per kg. was as under

	Rs
25mg 37,200 caps x 0.445	16,554
50mg 18,600 caps x 0.826	15,364

As stated in reply to part (a) of Lok Sabha Unstarred Question No 179 answered in 18.2.1975 world prices that prevailed during the years 1967 to 1971 are not available.

**गोहाटी में अखिल भारतीय धार० पी० सघ का निर्णय**

**4809. श्री जनेश्वर मिश्र :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या अखिल भारतीय धार० पी० सघ ने गोहाटी में यह निर्णय किया है कि रेलवे सुरक्षा दल के जवान अथवा बेलन किस्तों में नहीं लेंगे

(ख) यदि हाँ, तो इसके क्या कारण हैं,

(ग) क्या भूतपूर्व रेल मंत्री ने यह धावासान दिया था कि रेलवे सुरक्षा दल के जवानों की सी० धार० पी० के जवानों के समान वेतन दिया जाएगा, धीरे

(घ) यदि हाँ, तो इस मिनमिले में क्या कार्यवाही की गई है?

रेल मन्त्रालय में उपमन्त्री (श्री ब्रूट सिंह): (क) धीरे (ख). 21-1-1975 से 23-1-1975 तक अखिल इंडिया धार० पी० एफ० एस. मिशन (न कि अखिल भारत धार० पी० सघ अथवा यूनियन) जो कि मान्यता प्राप्त एसोमिशन नहीं है की गोहाटी में हुई बैठक में यह निर्णय किया गया था कि जबकि रेलवे सुरक्षा दल के लिए मणोहित वेतनमाना की घोषणा नहीं की गई है इसलिए चरण बद्ध तरीके से वेतन लेने में "ज्वार" कर दिया जाए।

(ग) जी हाँ पूर्ववर्ती रेल मंत्री ने इस सम्बन्ध में एक बयान दिया था।

(घ) यह मामला अभी सरकार के विचाराधीन है और ऐसी धावा है कि उनके पारिश्रमिक में कुछ सुधार शीघ्र किया जा सकेगा। इस सम्बन्ध में सरकार द्वारा कोई अन्तिम विनिर्णय कर लिए जाने तक वेतन धीरे धीरे के उम बकाया के लिए जाकि उनके सशोधित वेतनमानों के अन्तर्गत आ जाने के कारण उनको देय होगा रेलवे सुरक्षा दल के कर्मचारियों को रेलों द्वारा दो विशेष लेख में एकमुश्त भुगतानों की मजूरी दे दी गयी है।

**बंगलों की खरीद**

**4810. श्री जनेश्वर मिश्र :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या कुछ समय पूर्व 14,000 बीगन खरीदने का निर्णय किया गया था और यदि हाँ, तो उन में से कितने बीगन खरीदे गए;

(ख) इन बैगनों की खरीद के लिए किन-किन क्रमों को प्रयास दिए गए ; और

(ग) इनमें से अब तक कितने बैगन मिल गए हैं ?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) : (क) 13,461 चौपहिये माल डिब्बों की खरीद के लिए टैंडरो की विभिन्न स्तरों पर जांच की जा रही है। अब तक कोई आर्डर नहीं दिया गया है और आर्डर देना धन की उपलब्धता पर निर्भर है।

(ख) और (ग) प्रश्न नहीं उठत।

टाल जंक्शन हाल्ट को स्टेशन में बदलने का प्रस्ताव

4811. श्री रामाबतार शास्त्री : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या पूर्व रेलवे के मोकामेह घाट में टाल जंक्शन नाम का कोई हाल्ट है, और

(ख) क्या सरकार का इसे स्टेशन में बदलने का विचार है और यदि हा तो कब ?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) : (क) जी नहीं। परिचालनिक प्रयोजन के लिए वहां पर केवल एक प्लैक हट की व्यवस्था है।

(ख) प्रश्न नहीं उठता।

आल इण्डिया रेलवे एम्पलाइज कन्फेडरेशन द्वारा सिकन्दराबाद में स्वीकृत प्रस्ताव

4812. श्री रामाबतार शास्त्री : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 22 और 23 फरवरी, 1975 को सिकन्दराबाद (आन्ध्र प्रदेश) में आल इण्डिया रेलवे एम्पलाइज कन्फेडरेशन का सम्मेलन आयोजित किया गया था और उसका उद्घाटन कांग्रेस के एक समद सदस्य द्वारा किया गया था,

(ख) क्या सरकार को उसमें स्वीकृत प्रस्तावों की जानकारी है,

(ग) यदि हा, तो तत्सम्बन्धी मुद्दे बताने क्या है, और

(घ) इस बारे में सरकार की क्या प्रतिक्रिया है ?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) : (क) से (ग) प्राप्त सूचना के अनुसार उल्लिखित सम्मेलन इन तारीखों का हुआ था और अन्य बातों के साथ-साथ निर्माणाखत के सम्बन्ध में सकल्प पारित किए गए थे — (I) अप्रैल 1974 में श्रमिकों के प्रतिनिधियों के साथ हुई वार्ताओं के फलस्वरूप सरकार द्वारा स्वीकृत रियायतों का शीघ्र कार्यान्वयन और (II) मई, 1974 की हड़ताल के मन्दर्भ में जिन कर्मचारियों के विरुद्ध कार्रवाई की गयी थी, उनके मामलों का पुनरीक्षण।

(घ) अप्रैल, 1974 में रियायतें कार्यान्वयन की प्रक्रिया में हैं। मई 1974 की हड़ताल के सन्दर्भ में दण्डित कर्मचारियों के बारे में सरकार की शोषित नीति के अनुसार निरन्तर पुनरीक्षण किया जा रहा है।

विदेशी औद्योगिक कर्मों द्वारा भारत से बाहर राशि भेजना

4813. श्री रामाबतार शास्त्री : क्या फेडरलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या भारत में कार्य कर रही विदेशी औद्योगिक कम्पनियां प्रतिबन्ध

मुनाफे के रूप में एक बड़ी राशि विदेशों को भेजती है ;

(ख) यदि हा, तो वर्ष 1972-73, 1973-74 और 1974-75 के दौरान विदेशों को मुनाफे के रूप में भेजी गई राशि का ब्यौरा क्या है, और

(ग) क्या सरकार का विचार मुनाफे की राशि को भारत से बाहर भेजने पर प्रति-बन्ध लगाने का है ?

पेट्रोलियम और रसायन मन्त्रालय में राज्य मंत्री (श्री के. आर. गणेश) : (क) और (ख) 1972-73 एवं 1973-74 के दौरान विदेशी कम्पनियों द्वारा बाहर भेजी गयी राशि के ब्यौरे विवरण पत्र में दिए गए हैं जो सभा हल पर रख दिए गए हैं। (प्रवाल में रखा गया है) एल. टी. 9313/75। वर्ष 1974-75 में बाहर भेजी गयी राशि के बारे में ब्यौरे अभी उपलब्ध नहीं हैं।

(ग) लाभार्थ घोषित करने के लिए निधियों में निकाली गयी राशि के सम्बन्ध में 100% विदेशी स्वामित्व वाली कम्पनियों पर सलग्न परिशिष्ट में बताया गए कुछ प्रति-बन्ध लागू किए गए हैं अपने कार्यक्रमों को जारी रखने तथा व्यापार के नए क्षेत्र में प्रविष्ट होने आदि के लिए विदेशी निगमित कम्पनियों के साथ-साथ 40% से अधिक विदेशी साम्यपूर्ण वाली भारतीय कम्पनियों को रीजर्व बैंक ऑफ इंडिया से स्वीकृति प्राप्त करनी होती है।

औद्योगिक एवं भू-उद्योग पर श्री जयसुख-लाल हाथी की अध्यक्षता में गठित समिति को औद्योगिक उद्योग के विभिन्न पहलुओं की जांच कर रही है। समिति द्वारा अपनी रिपोर्ट अप्रैल, 1975 तक प्रस्तुत कर देने की सम्भावना है।

सरकार की वर्तमान नीति के अनुसार लाभ एवं लाभार्थ को बाहर भेजे जाने की अनुमति सामान्यतः उस पर देय भारतीय करो के भुगतान के पश्चात् दी जाती है। तथापि 100% विदेशी स्वामित्व वाली कम्पनियों के संबंध में

यदि लाभ की घोषणा करने में निधियों से धन निकालना पड़ता हो तो धन बाहर भेजे जाने की स्वीकृति इस बात पर दी जाती है कि निम्नलिखित के सम्बन्ध में रीजर्व बैंक ऑफ इंडिया सन्तुष्ट हो —

(1) कि निधियों से धन केवल भिगत 5 वर्षों के औसत अथवा प्रदत्त पूंजी का 10% इसमें से जो भी अधिक हो तक लाभार्थ को बनाये रखने के लिए-निकाला गया हो ;

(2) कि वर्ष के प्रारम्भ में कुल प्रदत्त पूंजी के तथा कम्पनी की स्वतन्त्र निधियों के 10% से निकाली जाने वाली धनराशि में अधिक न हो, तथा

(3) निकाली गई राशि के पश्चात् स्वतन्त्र निधियों की शेष राशि कुल प्रदत्त पूंजी के तथा उपरोक्त (2) में बतायी गयी निधियों के 15% से कम न हो।

बिहार बन्द के दौरान रेलगाड़ियों तथा अन्य सम्पत्ति को हुई क्षति

4814. श्री रामावत र शास्त्री : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या श्री जयप्रकाश नारायण ने 3 अक्टूबर से 5 अक्टूबर 1974 तक बिहार बन्द के लिए आह्वान किया,

(ख) क्या इस बन्द में रेलगाड़ियों और अन्य रेल सम्पत्ति को क्षति पहुँची थी,

(ग) यदि हा, तो उसका विवरण क्या है, और

(घ) ऐसी गड़बड़ी के दौरान रेल सम्पत्ति की रक्षा के लिए सरकार ने क्या उपाय किए हैं ?

रेल मन्त्रालय में उपमन्त्री (श्री बृद्ध सिंह) : (क) जी हा।

(ख) जी हा।



(ग) पटरी उखाड़ने के और रेलपथ से छेड़छाड़ करने के 184 मामले, तार काटने और सिगनल उपकरणों को क्षति पहुंचाने के 400 मामले, और रेल सम्पत्ति को क्षति पहुंचाने के 54 मामले हुए। इन सब के कारण रेलों को लगभग छः लाख रुपये की क्षति हुई।

(घ) राज्य सरकारों से निरन्तर संपर्क बना जा रहा है और, उनके सहयोग से, रेल सम्पत्ति की संरक्षा और कानून और व्यवस्था के अनुगमन के लिए पुलिस और रेलवे सुरक्षा दल के सैनिक तैनात किये जा रहे हैं,

#### Enquiry into the Functioning and Products of certain Companies

4815. SHRI SHASHI BHUSHAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have enquired into the functioning and products of Alkali and Chemical Corporation of India Limited, IMKEMEX, Chemicals and Fibres of India Limited, Indian Explosive Limited, Atul Products Limited, Hindustan Lever Limited, Phillips Carbon Limited, I. G.I. (India) Limited, Chloride India Limited, Goodyear Limited, Tribeni Limited, Union Carbide Limited, Sandoz, Dunlop (India) Limited, Bayer, Anglo French Co. Ltd., Merek. Sharp and Dhome, Cynamide, Glaxo Laboratories, Pfizer, Parke Davis Ciba, Polyfins and Albright; and

(b) if so, the findings of the enquiries with regard to the quality and prices of products, especially drugs, which they produce and sell?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). No specific enquiry into the functioning or products of these Companies has been conducted by the Ministry of Petroleum and Chemicals. However, the Committee on Drugs and Pharmaceuticals Industry set up by the Government in February 1974 is going

into the various aspects of the Drugs Industry. The terms of reference of the Committee, inter-alia, include the following:—

- (i) To examine measures taken so far to reduce the prices of drugs for the consumer, and to recommend such further measures as may be necessary to rationalise the prices of basic drugs and formulations
- (ii) To recommend measures for effective quality control of drugs, and for rendering assistance to small scale units in this regard.

The Department of Company Affairs (Company Law Board) have intimated that the books of account and other documents of the following three companies were inspected, under Section 209(4) of the Companies Act, 1956:

- (i) Chemicals and Fibres of India Limited.
- (ii) Indian Explosives Limited, and
- (iii) Hindustan Lever Limited.

These inspections were meant to examine the working of the Company and the management of its affairs. Chemicals and Fibres of India Limited manufacture Polyester staple fibre and methanol. Indian Explosives Limited manufacture explosives, detonators, safety fuses and also fertilizers. The products manufactured by Hindustan Lever Limited are Vanaspati oil products, soaps and detergents, dairy products, animal food, instruments and toilet preparations. The inspection *inter alia* examined allegations regarding reduction in weight of soap cakes and powder. It was reported that while there was no variation in the sale price of soap products during the years 1968 to 1972, the weight per unit was reduced in 1969.

The cost investigation of the following companies in respect of bulk drugs mentioned against each was conducted

by the Tariff Commission during 1966-1968 and based on their recommendations, the prices were fixed by Government:

Name of the company      Name of the product

- |                        |                |
|------------------------|----------------|
| 1. Glaxo               | Vitamin A      |
| 2. Merck Sharp & Dhome | Vitamin B 12   |
| 3. Pfizer              | Chlorpropamide |
|                        | I N H          |
|                        | P. A. S.       |
| 4. Cynamid             | Tetracycline   |
| 5. Park Davis          | Amodiaquine    |

An interim price revision on account of the increase in the raw material cost that have taken place since the last cost investigation have been allowed by the Government on the recommendations of the R.I.C.P. in the case of the following products:

Vitamin A

Chloramphenicol Powder

Amodiaquine

Chlorpropamide

Isonicotinic Acid Hydrazide

Para Amino Salicylic Acid.

The following products of M's Ciba and Galxo were cost investigated by a Working Group set up under the Chairman of B.I.C.P. and their prices were fixed on the basis of the recommendations of the Group BICP:

M/s. Ciba	Sulphathiazole
	Sulphaphenazole
	Sulphaomadin
	Sulphasomadinmicro
M/s. Glaxo	Betamethasone

The price of Banmith manufactured by M/s Pfizer was fixed on the recommendations of the SICP who conducted the cost investigation of this bulk drugs

The number of drug formulations manufactured in the country by different manufacturers runs into ten of

thousands. A large number of applications are received by the BICP who have been entrusted with the screening of the applications for fixation revision of prices of drugs. During the period August, 1974 to 10th February, 1975, BICP received a total number of 3029 applications for revision of prices of formulations from different manufacturers—each application containing a number of formulations. The applications for revision fixation of prices of formulations are examined by the BICP in accordance with the provisions of Drugs (Prices Control) Order, 1970 and price approvals are sanctioned by the Government on the basis of the recommendations made by them. It may not be possible to compile separately for all the companies in question the formulations and their prices approved by the Government.

#### Availability of Tubulars for Drilling Operations

4816 SHRI SHASHI BHUSHAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware that because of world-wide stepping up of oil drilling operations every where tubulars are being purchased and stored the world over on a large scale and there is likely to be a shortage;

(b) in view of the above, what steps Government have taken to procure enough tubulars to meet its needs of expanded oil drilling and exploration and

(c) where does the indigenous capacity to manufacture tubulars stand?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (C. P. MAJHI): (a) and (b). While it is true that owing to considerable increase in oil exploration activity all over the world, the supply position of tubulars has been tight, both ONGC and OIL—the two principal organisations engaged

in oil exploration in the country—have been taking adequate steps to procure their requirements of tubulars. Government have no information of the extent to which other countries are storing tubulars.

(c) The demand for line-pipes is to a large extent being met from indigenous sources. Steps to manufacture certain grades of production tubings and casing pipes within the country are in hand. Similarly, the possibilities for manufacture of drill pipes are also being explored.

**Shortage of Drilling Equipment for O & N.G.C. operations in Assam**

4817. SHRI SHASHI BHUSHAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state whether drilling operations at Galoki oil field has been reduced by more than half due to shortage of drill pipes, casings and flow-lines?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): No, Sir.

**Relation between BIECCO Lawrie Limited and Indo-Burma Petroleum Company Ltd. and Balmer Lawrie and Company Limited**

4818 SHRI SHASHI BHUSAN. Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what is the relation between BIECCO Lawrie Limited (Regd. office at 21, Netaji Subhash Road, Calcutta) with Indo-Burma Petroleum Company Limited and Balmer Lawrie Limited; and

(b) what is the percentage and respective shareholding and composition of the present Board of Directors of BIECCO Lawrie Limited representing various interests?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Balmer Lawrie and Co. Ltd. holds 60.2 per cent shares in Biecco Lawrie Ltd and Indo-Burma Petroleum Co. Ltd. holds 80.2 per cent shares in Balmer Lawrie and Co. Ltd. BIECCO LAWRIE Co. Ltd. is, therefore, a subsidiary of Balmer Lawrie and Co. Ltd. and Balmer Lawrie and Co. Ltd. is a subsidiary of Indo-Burma Petroleum Co. Ltd.

(b). According to the latest Annual Return made upto August, 16, 1974 filed by the company with the Registrar of Companies, West Bengal, the composition of the present Board of Directors of BIECCO LAWRIE Ltd. is as follows:

1. Shri Atma Prakash Verma
2. Shri Ashit Kumar Gupta
3. Shri Chakravarthi Sundarchar Srinivasan

Percentage of shareholding in Biecco Lawrie Co. Ltd. of various interests is given in the Statement laid on the Table of the House. [Placed in Library. See No. LT-9314 73.]

**Meeting of Chief Executives of Public Sector Fertilizer Units**

4819. SHRI M. KATHAMUTHU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a meeting of the Chief Executives and top level Managers of fertilizer units in the public sector was convened by him;

(b) if so, the broad features of the subjects discussed thereat; and

(c) the outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) Yes, Sir. A meeting of the Chief

Executives and top level management of public sector fertilizer units was held in New Delhi on 27th February 1975.

(b) and (c). Various subjects including the need for streamlining the organisational set up of the undertakings, production performance and capacity utilisation, maintenance problems, creation of facilities for captive power generation, training and managerial development and marketing and pricing policies were discussed at the meeting. The important suggestions made at the meeting in regard to these various issues are under consideration.

**Cancellation of Pashchim Express and Rajdhani Express between New Delhi and Bombay Central**

4820 SHRI M KATHAMUTHU: Will the Minister of RAILWAYS be pleased to state:

(a) whether the air-conditioned Pashchim Express and Rajdhani Express between New Delhi and Bombay Central have been cancelled;

(b) if so, reasons therefor;

(c) what steps are being taken to rectify the situation; and

(d) what are the alternative arrangements made to avoid the difficulties of the passengers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, temporarily

(b) Due to damage caused to one pier of Vaitharna Bridge No 92 (South) between Saphala and Virar by the heavy tides on the night of 23rd 24th February, 1975.

(c) Urgent repairs to the damaged spans were undertaken and traffic resumed with speed restrictions on the bridge. Temporary works of providing cross overs at the ends of the bridge to permit the single line working on the bridge portion only has

also been completed and train services further stepped up. Work on the new bridge in replacement of the existing one is also being expedited with a view to completing the same before the next monsoon.

(d) All the trains including 25/26 A.C./Paschim Express and excepting Rajdhani Express between Bombay and Delhi have since been restored. Rajdhani Express will also be restored when the position stabilises.

**Transfer of Employees of I.C.F., Madras**

4821 SHRI P R SHENOY. Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal to transfer on a large scale the employees of Integral Coach Factory, Madras to the Wheels Factory of the Railways situated near Bangalore;

(b) if so, the salient features of the entire proposal;

(c) whether the implementation of this proposal will not dilute the employment potential in Karnataka State; and

(d) if so, the steps, if any, taken to transfer the employees of the Integral Coach Factory within the State of Tamil Nadu?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) to (d) Do not arise.

**Earth work on Apta-Dasgaon Line**

4822 SHRI P. R. SHENOY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Ministry has taken any steps to resume the earth work between Apta and Dasgaon for the extension of railway line from Apta and under the drought relief measures;

(b) if so, what are the steps taken; and

(c) if not, when will the Railway Ministry resume the work?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). Final Location Survey between Apta and Dasgaon has since been completed. The decision regarding taking up this project for construction, will be taken after the examination of the survey reports is completed, taking into account the availability of funds.

#### Assurance to implement Electoral Reforms

4823. PROF. MADHU DANDAVATE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is true that some parties have announced that if the Prime Minister does not give an assurance to implement the electoral reforms suggested at the meeting of party representatives to be convened by the Prime Minister to discuss electoral reforms, they would boycott the meeting; and

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

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND CO. AFFAIRS (DR. SAROJINI MAHISHI): (a) and (b). Certain reports to that effect have appeared in some newspapers.

The Government have an open mind in the matter and will hold discussions with the leaders of the political parties on the question of electoral reforms.

#### Oil exploration at Jaisalmer in Rajasthan

4824. SHRI RAGHUNANDAN LAL BHATIA:  
SHRI SHRIKISHAN MODI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) when the final phase of the exploration in Jaisalmer area of Rajasthan is likely to be completed;

(b) whether O & N.G.C. has sunk any wells giving very assuring results; and

(c) if so, the broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) Till now no oil/gas of commercial interest has been found in the Jaisalmer area of Rajasthan. Exploratory work is continuing. Presently a well is being drilled at Shumarwali Talai and the depth reached on 15th March 1975 was 3519 metres against the projected depth of 3600 metres. A few more locations have been released for drilling in this area.

(b) No Sir

(c) Does not arise

#### Supply of Petroleum Products by USSR to India

4825. SHRI RAGHUNANDAN LAL BHATIA:  
SHRI ANADI CHARAN DAS:  
SHRI SHRIKISHAN MODI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the USSR is to supply petrol and petroleum products to India in 1975;

(b) if so, the total quantity thereof;

(c) how much of kerosene and diesel oil would be supplied;

(d) whether the supply would meet the requirements of India; and

(e) the broad features of the agreement reached in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):**  
(a) Yes, Sir. No import of Motor Spirit (Petrol) is however contemplated.

(b) It is expected that approximately 1.2 million tonnes of kerosene and HSD would be imported from USSR in 1975, along with small quantities of special lubricants for plant and machinery of USSR origin for individual users

(c) Imports of kerosene and diesel oil from USSR are expected to be 0.6 million tonnes each during 1975

(d) Due to limited availability of foreign exchange and the steep increase in prices it has not been possible to meet the demand of petroleum products including kerosene oil in the country during the current year in full.

The need for economy in consumption of petroleum products continues in view of the high prices and the heavy burden placed thereby on the country's foreign exchange resources

(e) Formal agreement has not yet been signed between IOC and Soviet Exporters

**Discussions with U.A.E. Petroleum Minister regarding Oil Supplies**

4826 **SHRI RAGHUNANDAN LAL BHATIA:**

**SHRI PURUSHOTTAM KAKODKAR:**

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the United Arab Emirates Minister for Petroleum had called on him in early January, 1975 at New Delhi;

(b) if so, whether any talks were held regarding the supply of oil to India;

(c) if so, the salient features thereof;

(d) whether any decisions have been reached; and

(e) if so, the salient features thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):**  
(a) and (b) Yes, Sir

(c) to (e), Arrangements have been made for import of 1 Million Tonnes of crude oil from United Arab Emirates during 1975

**Letters of Intent issued to M/s. Hoechst**

4827 **SHRI K. S. CHAVDA** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state.

(a) how many letters of intent have been issued to M/s Hoechst during the last three years, items covered in each and conditions imposed in these letters of intent;

(b) how many of these letters have been converted into industrial licences and the conditions imposed in these licences;

(c) whether any relaxation was made in the conditions of letters of intent while converting the same into licences; and

(d) if so, the nature of relaxation and under what authority it was made?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):**  
(a) to (d) The information is being collected and will be laid on the Table of the Sabha,

**Conditions imposed in Industrial Licences granted to certain Foreign Drug Firms**

4828. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the conditions imposed in the Industrial Licences granted to M/s. Roche and Burroughs Wellcome Limited for the manufacturing programme of Trimethoprim and Sulphamethoxazole and their formulations;

(b) whether these companies have fulfilled the conditions imposed in intent letters and industrial licences. If not, what action Government propose to take against these companies;

(c) how many Indian Firms have been refused permission to manufacture these formulations and the reasons for the same—the names of the companies and the capacities asked for, the foreign exchange saving proposed; and

(d) whether Government will reopen their cases?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) Information regarding the main conditions of Industrial licences to M/s. Burroughs Wellcome (India) Pvt. Ltd. and M/s. Roche Products Ltd. for the manufacture of Trimethoprim and Sulphamethoxazole respectively and their formulations is given in the statement laid on the Table of the House. [Placed in Library. See No. LT-9315/75].

(b) & (d). Information is being collected and will be laid on the Table of the House.

**Government Control on Foreign Drug Manufacturers**

4829. SHRI SHANKERRAO SAVANT: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what kind of control is exercised by the Government of India over drug manufacturers dominated by foreign capital or foreign management in the matter of manufacture and standardisation of drugs, pricing and distribution of drugs and import and export of drugs;

(b) whether some of these manufacturers are selling their drugs at a tremendously high price; and

(c) if so, which companies and which drugs are involved in this nefarious trade and what steps are taken to counteract these activities?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) to (c). In accordance with the Ministry of Industrial Development Press Note dated the 16th February, 1973 drug industry has been included in appendix I thereto and foreign companies and subsidiaries and branches of foreign companies are eligible to participate but their investment will be subject to the guidelines on dilution of foreign equity. Their applications will also be examined with special reference to technological aspects, export possibilities and the overall effect on the balance of payments. Companies having more than 40 per cent foreign holding and branches of foreign companies operating in India are required to obtain the approval of the Reserve Bank of India for carrying on their existing activity, opening new branches, starting of new activity etc. Control on standards of drugs is exercised through the Drugs and Cosmetics Act, 1940 and Rules made thereunder. Import licences are granted under the Import Trade Control Policy in force from time to time.

(b) There is a comprehensive Drugs (Prices Control) Order, 1970 and the prices of drugs are statutorily controlled under the said order. One of the aims of the said order is to curb the profits of drug manufacturers and it provides that the overall gross profits before tax of drug manufacturers

or importer should not exceed 15 per cent of the sales turnover and in the case of excess the same will be funded separately and shall not be utilized for distribution of dividends but shall be utilized with the prior approval of the Central Government for any of the following purposes, namely:—

- (a) research and development expenditure
- (b) adjustments against future profits or loss
- (c) such other purposes as may be specified by the Central Government from time to time.

Government have taken the following measures to regulate the expansion of the foreign companies and to encourage the growth of the Indian sector:

(i) The Indian sector of the industry is given preference in approval manufacturing schemes;

(ii) Manufacture of increasing number of bulk drugs through public sector undertakings;

(iii) Industrial licences are usually not issued to foreign firms for producing formulations unless linked with the production of bulk drugs;

(iv) They are asked to take up production of bulk drugs from more basic stages and to make available a suitable portion of their bulk drugs production to non-associated formulators in the country as a condition for being permitted expansion in capacity or for taking up new activity. Appropriate export obligations are also imposed.

(v) Increasing number of imports of bulk drugs and intermediates are canalised through the S.T.C. which now constitutes over 60 per cent of the total imports of bulk drugs and drug intermediates.

With a view to ensuring the regulated and rapid growth of drug manufacture and further with a view to ensuring that all essential drugs

are made available to the consumers at reasonable prices, Government have appointed a Committee under the Chairmanship of Shri Jaisukhlal Hathi whose terms of reference inter alia include:—

“To recommend measures necessary for ensuring that public sector attains a leadership role in the manufacture of basic drugs and formulations, and in research and development.”

“To make recommendations for promoting rapid growth of the drug industry and, particularly, of Indian and Small Scale industries’ sectors. In making its recommendations the Committee will keep in view the need for a balanced dispersal of the industry.”

The Committee submitted an interim report on “Quality Control of drugs and related matters” in May, 1974. The Committee’s report on “Measures for providing essential drugs and common household remedies to the general public, especially in rural areas” which also covers the aspect of substitution of brand names of drugs by generic names has been received recently. Both these reports are under consideration.

The Committee is expected to submit its final report in April, 1975.

Further more, discussions have been initiated with the public and Indian sector to identify their role in the production of essential antibiotics and synthetic drugs (48 in number) in the context of the VTH Plan requirements of drugs which is to increase from the present production of about 3300 T to about 10,000 T. A two day conference of Public Sector Undertakings in the drug Industry was held on 12th and 13th March, 1975 under the Chairmanship of Minister of State. In the meeting it was noted that Public sector units would increase their production from the present level of 1500 T to over 5000 T.



The Indian Sector has given a blue print to the Minister of State, which indicates that 23 units will take up the production of 27 drugs in the near future.

#### **Licence, issued to Foreign Drug Companies**

4830. SHRI SHANKERRAO SAVANT: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state;

(a) which of the foreign dominated drug manufacturing companies have been given licences to manufacture drugs and chemicals during the last three years and in respect of which drugs and chemicals; and

(b) what precaution has been taken to see that they do not get monopoly for those drugs and chemicals and do not charge heavy prices for their products?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) A statement indicating the names of the foreign companies licence No. and date and items of bulk drugs/chemical intermediates of drugs granted during the years 1972, 1973 and 1974 is laid on the Table of the House. [Placed in Library. See No. LT-9316/75].

(b) Government have taken following measures to prevent the monopoly of foreign companies:—

(i) Under the I (D & R) Act facility of registration with D. G. T. D. subject to certain foreign exchange limits is available to the Indian companies whereas the same is not available to foreign companies and companies covered under part III of the MRTP Act, 1969.

(ii) Indian sector of the industry is given preference in the approval of manufacturing

schemes.

(iii) manufacture of increasing number of bulk drugs through public sector.

(iv) canalisation of more and more bulk drugs through State Trading Corporation.

(v) Foreign companies are asked to make available a suitable proportion of their production of bulk drugs to non-associated formulators.

(vi) All non-residents, branches of foreign companies operating in India and Indian companies having more than 40 per cent non-resident share holding are required to obtain the approval of Reserve Bank of India for opening new branches carrying on new as well as existing activity etc.

There is a comprehensive Drugs (Prices Control) Order, 1970 and the prices of drugs are statutorily controlled under the said order, except that the companies with drugs turnover not exceeding Rs. 50 lakhs per annum have been exempted.

Government have appointed a committee on Drugs and Pharmaceutical industry headed by Shri Jaisukhlal Hathi and its terms of reference inter alia include:—

(iii) To make recommendations for promoting the rapid growth of the drug industry and, particularly, of the Indian and small scale industries' sectors. In making its recommendations the Committee will keep in view the need for a balanced regional dispersal of the industry.

(iv) To examine the measures taken so far to reduce the prices of drugs for the consumer, and to recommend such further measures as may

be necessary to rationalise the prices of basic drugs and formulations.

The Committee is likely to submit its report in April, 1975 and decision on various aspects will be taken thereafter.

#### Disposing of Assets by Caltex

4831. SHRI SHANKERRAO SAVANT Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether there are complaints that Caltex are disposing of their machinery, tanks and godowns in view of the impending nationalisation,

(b) whether such complaints have been investigated, if so, facts thereof, and

(c) what measures are taken to forestall such an eventuality?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P MAJHI) (a) No such complaints have come to the knowledge of the Government

(b) and (c) Do not arise in view of (a) above

#### Threat for Termination of Recognition of All India Railwaymen's Federation

4832 SHRI MADHU LIMAYE Will the Minister of RAILWAYS be pleased to state

(a) whether it is a fact that at one stage the Railway Board had threatened to terminate the recognition of the All India Railwaymen's Federation,

(b) if so, the grounds for issuing such a threat,

(c) whether the All India Railwaymen's Federation has specifically violated any of the conditions attached to the recognition, and

(d) if not, was this threat in the nature of a war of nerves against the two million Railway employees?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) to (d) The A I R F is a Federation recognized by the Railways and as such it is expected of them to guide the labour on the correct Trade Union lines. When it came to the notice of the administration that some exhortation has been made on Railwaymen in the Eastern sector to identify themselves with the political movements in that area, a warning had to be given if such moves are made the administration may have to think in terms of initiating steps to derecognize the Federation

अनुत्तर (उत्तर रेलवे) में सहायक चिकित्सा अधिकारी प्रभारी के पद का दर्जा बढ़ाया जाना

4833. श्री भारत सिंह चौहान : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या सहायक चिकित्सा अधिकारी प्रभारी बी० ब्लाक स्तर पर अस्पताल अमृतसर का दर्जा अब बढ़ाकर जिला मण्डल चिकित्सा अधिकारी कर दिया गया है

(ख) क्या अमृतसर में रेडिया ग्राफर का पद निम्न श्रेणी का पद है, और

(ग) रेडियाग्राफर के पद का अभी तक दर्जा न बढ़ाये जाने के क्या कारण हैं।

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) (क) जी हाँ।

(ख) जी हाँ।

(ग) इसकी आवश्यकता नहीं समझी गयी है।

**Cash realisation from DESU and U.P. State Electricity Board**

4834. SHRI NOORUL HUDA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is true that a serious shortfall has arisen in cash realisation from the Delhi Electric Supply Undertaking and the U.P. State Electricity Board;

(b) whether the arrears from these two establishments alone amount to Rs. 8.7 crores; and

(c) the steps being taken to realise the arrears expeditiously?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Yes.

(c) The matter has been taken up at a high level.

**Reduction in Kerosene quota for Bihar**

4835. SHRI M. S. PURTY. Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Central Government had reduced the kerosene oil quota for Bihar State in the month of February, 1975; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). For the month of February, 1975 Bihar State was allotted kerosene oil quota of 12,444 tonnes against 14,200 tonnes in January, 1975 and 10,396 tonnes in February, 1974. Quota allotted in February was less than in January 1975, but more than in February last year. Kerosene quotas given to the States vary from month to month depending upon past sales trends and seasonal factors. Being a shorter month, allocation of product in February is generally less

than in other months. There has been no change in the policy of allotting kerosene quotas to the States since November, 1974.

**Plan for oil exploration in Fifth Plan**

4836. SHRI D. B. CHANDRA GOWDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have chalked out its plan for intensifying the exploration of oil during the Fifth Five Year Plan; and

(b) if so, the broad features regarding the plan of Government, State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI) (a) and (b). The measures taken and proposed to be taken by the ONGC for intensifying exploration efforts and for maximising indigenous production of crude oil have been included in the Fifth Five Year Plan. The objectives enumerated in the Fifth Plan include.

- (i) extension of exploration work to almost all sedimentary basins of India on land and to a limited extent in offshore, wherever possibilities of finding hydrocarbons exist, on geological considerations;
- (ii) quick development of the already discovered oil fields,
- (iii) maximum utilisation of the existing production wells;
- (iv) wider application of secondary recovery methods.

The exploration work is planned to be intensified on land in Jammu and Kashmir, Himachal Pradesh, Uttar Pradesh, Rajasthan, West Bengal,

Tripura, Nagaland, and Tamil Nadu besides continuing exploration and development activities in Gujarat and Assam as well as in the off-shore areas particularly in the Bombay High area

The Oil India Limited, apart from proving the extent and developing the resources of its two important oil fields at Naharkatiya and Moran in Assam, has undertaken intensive exploration for oil at Tengakkhat Naganjan, Jorajan, and Tarajan, areas (all in Assam) and at Kharsang in Arunachal Pradesh

**हड़ताल में भाग न लेने वाले कर्मचारियों की सेवा में व्यवधान**

**4837 श्री हुकम चन्द कछवाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि**

(क) क्या भारतीय रेल सम्मेलन एसोसिएशन के सदस्यों ने रेलवे का मई 1974 में हुई हड़ताल के लिए नाग्निय दिया था अथवा उनकी यूनियन ने कर्मचारियों के साथ हड़ताल में भाग लिया था और

(ख) यदि नहीं तो भारतीय रेल सम्मेलन एसोसिएशन द्वारा भारतीय रेल सम्मेलन के कर्मचारियों को हड़ताल पर जाने वाले रेल कर्मचारियों के रूप में मानने और जिन कर्मचारियों ने अग्रिम अवकाश स्वीकृत कराया था अथवा छुट्टी लेने के बाद अवकाश स्वीकृत करा लिया था उन कर्मचारियों की सेवा में व्यवधान डालने के क्या कारण हैं ?

**रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह)** (क) और (ख) जी नहीं। लेकिन भारतीय रेल सम्मेलन के 14 कर्मचारियों को जो मई, 1974 की हड़ताल की पूरी या आंशिक अवधि के दौरान अनाधिकृत रूप से अनुपस्थित रहे थे हड़ताली माना गया था और परिणामस्वरूप उनकी सेवा में बाधा हुई थी। सभी

14 कर्मचारीयों के सेवा भग को हाफ कर दिया गया है और उस अवधि की 'छूट की अवधि' मान लिया गया है।

**वर्ष 1975-76 में राजस्थान में निर्मित किसे जाने वाले उपरि पुल**

**4838 श्री हुकम चन्द कछवाय :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) वित्तीय वर्ष 1975-76 में राजस्थान में कितने उपरि पुलों का निर्माण किया जाएगा

(ख) राज्य सरकार ने कितने उपरि पुलों के निर्माण के प्रस्ताव केन्द्रीय बाण्ड को प्रस्तुत किए हैं और

(ग) उक्त अवधि में इस राज्य में नए पुलों और उपरि पुलों का निर्माण पर सरकार कितनी धनराशि खर्च करेगी ?

**रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह)** (क) में (ग) राजस्थान राज्य में वर्तमान समयों के बदले ऊपरी/निचले मड़क पुलों में सम्बन्धित कोई भी तथा निर्माण-कार्य 1975-76 के बजट में शामिल नहीं किया गया है। लेकिन वर्तमान समयों के बदले ऊपरी निचले मड़क पुलों के 3 निर्माण-कार्यों के रूप में शामिल कर लिये गये हैं। उल्लिखित "अग्रानीत" निर्माण-कार्यों के अलावा ऊपरी/निचले मड़क पुलों के निर्माण के बारे में राज्य सरकार से प्राप्त 7 और प्रस्ताव हैं। ये प्रस्ताव प्रारम्भिक जाच-पड़ताल और आयोजन की विभिन्न स्थितियों में हैं।

1975-76 के दौरान राजस्थान राज्य में ऊपरी निचले मड़क पुलों के निर्माण पर आने वाले खर्च में रेलवे का भाग 3 00 लाख रुपये के आस पास बैठेगा।

### **Tightening of Regulation Governing Non-Banking Companies Accepting Public Deposits**

4839. SHRI K. MALLANNA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there has been a talk between the Department of Company Affairs and Reserve Bank regarding tightening of regulation governing non-banking companies accepting public deposits; and

(b) if so, the gist thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). Section 58A of the Companies Act authorises the Central Government to prescribe, in consultation with Reserve Bank, the limits up to which, the manner in which and the conditions subject to which deposits may be invited or accepted by a company. In exercise of these powers, the Companies (Acceptance of Deposits) Rules, 1975 have been framed and brought into force on 3rd February, 1975.

### **Import of Diesel to meet Demands**

4840. SHRI G. Y. KRISHNAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the quantity of diesel which has been imported during 1974-75 to meet the demand in the country;

(b) the quantity of diesel supplies demanded, State-wise; and

(c) the broad outline regarding the policy of Government to supply diesel to the States for irrigation purposes?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Import of High Speed Oil during 1974-75 would be approx. 3.4 lakh tonnes.

(b) Diesel oil demand projections are not maintained state-wise.

(c) State Governments have been assured that adequate supplies would be maintained to meet their requirements of Diesel Oil for the agricultural sector in full

In case of any shortage State Governments have been requested to ensure availability of diesel oil to agriculturists on priority through quota cards, if necessary, and to effectively check malpractices like hoarding and black-marketing etc. Availability of diesel has so far remained adequate in all States and free sales have been made from the oil companies retail outlets. Demands of the agricultural sector have also been met freely without the need for introducing the system of supplies against quota cards on priority.

### **Setting up of Coal-Based Fertiliser Plants during Fifth Plan**

4841. SHRI K. LAKKAPPA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government propose to set up coal-based fertilizer plants in the country during the Fifth Five Year Plan;

(b) the location of fertilizer plants being set up in Karnataka; and

(c) the main features of the Scheme?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) Three large sized coal based fertilizer plants are under implementation at Ramagundam, Talcher and Korba. The Fifth Five Year Plan does not envisage the setting up of any additional capacity based on coal.

(b) and (c). A large sized fertilizer plant with a capacity for the manufacture of 160,000 tonnes of nitrogen

per annum is in advance stages of construction at Mangalore in Karnataka. This plant would be based on naphtha as feed-stock.

#### Proper Justice to the Poor.

4842. SHRI P. G. MAVALANKAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Prime Minister is reported to have stated at a public meeting in Bombay organised by the INTUC on December 28, 1974, that the poor people do not get proper justice in the present system and "we have to change the pattern so that the poor get proper justice";

(b) whether any steps are being taken in this regard; and

(c) if so, broad indications there-to?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) to (c). Yes, Sir. The new Code of Criminal Procedure which came into force with effect from 1st April, 1974 has made important changes in the old procedural law with a view to expediting disposal of cases, improving efficiency, affording relief to the poorer sections of the community, providing free legal aid to the accused in all Sessions cases and enabling State Government to do so in other categories of cases, liberalising the provisions of maintenance orders and re-imbursing cost of witnesses summoned by the police during investigations, are intended to alleviate the hardships of the poor. By substituting summons trial serving witnesses by post and doing away with the preliminary inquiry in a sessions case, the delays in the court trial have been minimised.

The Code of Civil Procedure (Amendment) Bill, 1974, which is pending before the Joint Committee of both the House of Parliament, also contains provisions which intend to provide relief to the poor sections of the community. Besides these, Government is examining a comprehensive scheme to provide legal aid to the poor.

#### Broad Gauge Line from Sabarmati to Gandhinagar

4843. SHRI P. G. MALVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Sabarmati-Gandhinagar broad gauge construction is progressing as per schedule and satisfactorily;

(b) if so, broad outlines thereof; and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c) Construction of the 30 km long B.G. line was sanctioned on 12th January, 1973 at an estimated cost of Rs. 2.85 crores. The target date for the opening of the line for goods traffic was originally fixed as December, 1974. Due to the delay in the procurement of materials and approval of the plan of Gandhinagar Station building by the Gujarat State Government, the work on the line has been slightly re-scheduled and the line is now expected to be opened to goods traffic by June, 1975, and to passenger traffic by December 1975.

#### Special survey of Oil fields in Gujarat

4844. SHRI P. G. MAVALANKAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether O. & N.G.C. have carried out any special or extra sur-

veys and explorations for further oil fields in Gujarat; and

(b) if so, broad feature, thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):  
(a). Yes, Sir.

(b) ONGC since 1974 has been using digital seismic units for seismic surveys in Gujarat with a view to obtain better quality of sub-surface information from depths deeper than the horizons already known to be hydrocarbon bearing

#### Assistance offered by foreign Countries for Oil exploration in India

4845 SHRI DHAMANKAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state-

(a) whether a good number of foreign countries have offered technical and financial assistance for oil exploration in our country; and

(b) if so, the broad features of the offers which have been finalised so far?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):  
(a) and (b). The Soviet Union's technical assistance in non-share oil exploration by way of supply of equipment, training facilities and experts has been on a continuous basis. With the technical assistance of a French party, ONGC is setting up an Institute of Reservoir Studies in the field of oil exploration. Recently the U.K. Government have offered training facilities and experts for rendering technical assistance in oil exploration and production; this offer would be utilised to the extent necessary. Financial assistance *inter alia* for oil exploration is available through various credits offered by a number of countries.

पाली जिला के आदिवासी इलाके में जनता एक्सप्रेस गाड़ी के ठहरने की व्यवस्था करने की मांग

4846. श्री मूल चन्द्र डागा : क्या रेल मन्त्री यह बनाने की कृपा करेंगे कि -

(क) क्या पाली जिले के पूरे आदिवासी लाके के ग्रामिया और भील जाति के लोग अहमदाबाद और बम्बई में मजदूरी करते हैं और इन स्थानों में वे नाना रेलवे स्टेशन से आने-जाने हैं,

(ख) क्या इसके इलाके के लोगों ने रेलवे मन्त्रालय से बार-बार यह मांग की है कि जनता एक्सप्रेस गाड़ी (31 अप-32 डाउन) जो दिल्ली में अहमदाबाद आती-जानी है, के वहां ठहरने की व्यवस्था की जाये; और

(ग) यदि हा. त, उस पर सरकार ने क्या निर्णय किया है ?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) (क) जी नहीं ।

(ख) जी हा ।

(ग) नागा रेलवे स्टेशन पर टम समय दो जोड़ी गाड़ियाँ अर्थात् 5 अप 6 डाउन मबारा गाड़ी और 19 अप 20 डाउन तज सबारी गाड़ी ठहरती है जा पर्याप्त है । यदि 31 अप, 32 डाउन गाड़ी को नागा स्टेशन पर ठहराने की मांग स्वीकार की गयी तो इस जैमे या इससे अधिक महत्व के स्टेशनो से भी ऐसी ही मांग आने लगेगी, जिसको अस्वीकार करना कठिन हो जायेगा । फलत इस गाड़ी की रफ्तार कम हो जायेगी । जिससे यात्रियों को असुविधा होगी । इसलिए, 31 अप/ 32 डाउन जनता एक्सप्रेस को नागा स्टेशन पर ठहराने का वित्तीय दृष्टि से अशुचित्य नहीं है ।

### रेलवे विभाग में कर्मचारियों की संख्या तथा कार्य

4447. श्री मूल चन्द्र डागा : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि : रेलवे विभाग में 1972 में कितने कर्मचारी थे तथा उनमें से अधिकारियों की संख्या क्या थी तथा इस विभाग की सभी श्रेणियों की सेवाओं पर कितनी धनराशि खर्च होती थी तथा इस समय कर्मचारियों की संख्या कितनी है तथा उनमें कितने अधिकारी हैं और उन कुल रेल कर्मचारियों पर कुल कितनी धनराशि खर्च होती है ?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) : कर्मचारियों के आकड़े वित्तीय वर्ष के अनुसार रखे जाते हैं और जो नवीनतम सूचना उपलब्ध है वर्ष 1973-74 की है। वर्ष 1973-74 और 1972-73 में नियमित कर्मचारियों की संख्या और उन्हें दिये गये वेतन का व्योम नीचे दिया गया है - -

कर्मचारियों की संख्या	.	.
1972-73	1973-74	
1,411,840	1,431,469	
अधिकारियों की संख्या	.	.
8 557	8,763	
कुल वेतन बिल	.	.
(हजार रुपयों में)		
5,18 08 38	5,70 22.3	

### Derailment of Kamrup Express near Jalpaiguri

4848. SHRI SUKHDEO PRASAD VERMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether a derailment occurred on the 26th February, 1975 of the 59 Up Kamrup Express near Jalpaiguri; and

(b) whether Government have enquired into the causes thereof and if so, the findings thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) This accident has been inquired into by the Additional Commissioner of Railway Safety, North Eastern Circle, Gorakhpur. According to his provisional finding, the derailment was due to failure of railway staff.

### Memorandum from retired Railway Employees and Widowed Pensioners of Kharagpur

4849. SHRI MOHAMMAD ISMAIL: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any memorandum dated 20th February, 1975 from the retired railway employees and widowed pensioners of Kharagpur;

(b) if so, salient points thereof; and

(c) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) No

(b) and (c) Do not arise

### Running Room/Rest Room facilities at Itarsi, Allahabad, Jhansi and Nagpur

4850. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Central Railway Ticket Checking Staff Union have represented to the Railway Authorities regarding lack of adequate and proper running room/rest room facilities on the important stations like Itarsi, Allahabad, Jhansi and Nagpur;



(b) if so, what action is being taken/proposed in the matter; and

(c) the salient features thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) The Central Railway Ticket Checking Staff have represented through their Unions regarding lack of adequate facilities in the running room/rest rooms at Allahabad, Jhansi, Itarsi and Balharshah stations.

(b) and (c). Additional beds have already been provided at Itarsi and are also being provided at Allahabad. On completion of the construction of the new running room for the running staff, additional accommodation will become available for Ticket Checking Staff at Balharshah. Fresh lines, mattresses etc., have been provided at Jhansi and Itarsi. Other facilities like additional ceiling fans, improved supply of drinking water have also been provided at Itarsi and Balharshah.

#### **Conversion of Metre Gauge Lines into Broad Gauge in Maharashtra**

4851. **SHRI VASANT SATHE:** Will the Minister of RAILWAYS be pleased to state:

(a) the number and particulars of the projects in Maharashtra State which are approved for conversion of broad gauge line by the Central Government during the last three years and progress thereof and the time schedule fixed for their completion; and

(b) the number and particulars of the similar projects and their year-wise phasing during the Fifth Plan period?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) The project for the conversion of the MG section from Manmad to Puri-Vajinath to BG was

approved in 1973-74. Detailed engineering surveys have been completed, the survey reports are under preparation by the Railway and are expected shortly. In view of the difficult funds position, it has not been possible to fix any time schedule for the completion of this conversion.

(b) Proposals for the Fifth Plan have not been finalised so far.

#### **Introduction of Hyderabad-Delhi Train**

4852. **SHRI Y. ESWARA REDDY:** Will the Minister of RAILWAYS be pleased to state whether Government have finally decided to introduce a separate Hyderabad-Delhi train?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** Introduction of a weekly Jayanti Janata Express train between New Delhi and Hyderabad is under consideration.

#### **Negotiations with Foreign Companies for Oil exploration in Cauveri Basin**

4853. **SHRI SAT PAL KAPUR:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether O. & N.G.C. is negotiating a deal with foreign companies for oil exploration in the Cauveri off-shore basin;

(b) if so, which are the foreign companies with whom negotiations are going on and when is the deal likely to be finalised; and

(c) what are the likely terms for the deal?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):** (a) Certain proposals for oil exploration in the Cauvery off-shore basin, made by some foreign oil companies, are under consideration of Government.

(b) and (c). It is not in the public interest to disclose any details in the matter.

**Broad Gauge line upto Rewari Junction (Northern Railway)**

4854. SHRI BIRENDER SINGH RAO: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal under the consideration of Government to extend the broad gauge line from Delhi upto Rewari Junction on the Northern Railway; and

(b) if not, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, as a part of overall scheme of conversion of Delhi-Ahmedabad section.

(b) Does not arise.

**Hashimara Industries Limited, West Bengal**

4856. SHRI JYOTIRMOY BOSU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the composition of board of directors of Hashimara Industries Ltd, West Bengal;

(b) who are its principal shareholders and number and value of shares held by each;

(c) whether the company is under the control of the House of Suraj Mull Nagar Mull; if so, the facts thereof;

(d) whether Shri N. C. Roy in his book entitled "Mystery of Bajoria-Jalan House" had revealed a number of malpractices resorted to by the management of Hashimara Industries Ltd; and

(a) if so, whether, Shri Raghunatha Reddy, the then Minister of Company Affairs, directed investigations into the affairs of the Company; and if so, what has happened since then?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) According to the Annual Return made upto 30th September, 1974, by the company, the composition of Board of Directors is as follows:—

- (1) Shri Sumat Prasad,
- (2) Shri Hari Ram Shah,
- (3) Shri Prahlad Rai Bhagat,
- (4) Shri Mohan Kumar Mukherjee.

(b) A statement is laid on the Table of the House. [Placed in Library See No LT-9317/75].

(c) According to the Report of Industrial Licensing Policy Inquiry Committee, 1969, the company belonged to Suraj Mull Nagar Mull Group.

(d) and (e) Investigation into the affairs of the company under Section 237(b) of Companies Act, 1956 has been ordered by the Company Law Board on 8th June, 1973, in exercise of the powers vested in it under the provisions of the Companies Act and the notifications thereunder. The investigation was not ordered either under the direction of Shri Raghunatha Reddy, the then Minister for Company Affairs or on the basis of revelations contained in the book "Mystery of Bajoria-Jalan House" by Shri N. C. Roy

The company filed a writ petition before the Calcutta High Court against the order of investigation and further action has been stayed by the said High Court.

**Withholding of Licences to Foreign Drug Companies**

4857. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether his Ministry has suggested withholding of any licenses to foreign drug companies until the review of problems relating to these companies is completed;

(b) if so, what are the facts thereof;

(c) what follow-up action, if any, is being taken on the basis of the suggestion;

(d) the composition of the Committee or study team which is reviewing the problems of foreign drug companies;

(e) what are its terms of reference; and

(f) when the review is expected to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). It has been suggested to the Ministry of Industry and Civil Supplies that consideration of the applications from the foreign majority companies may be deferred for some time. In particular in the cases of M/s. Burrough Wellcome (India) Pvt Ltd., for expansion in capacity of succinyl choline Chloride and of M/s. C.E. Fulford (India) Pvt. Ltd., for the manufacture of Gentamycin Sulphate, etc., which had been discussed by the Licensing Committee, the decision has been withheld.

(d) to (f). With a view to ensuring the regulated and rapid growth of drug manufacture and further with a view to ensuring that all essential drugs are made available to consumers at reasonable prices, Government have appointed a committee on Drugs and Pharmaceutical Industry with the following membership:—

**Chairman**

1. Shri Jaisukhlal Hathi.

**Members**

2. Shri Yashpal Kapur, M.P.
3. Shri Vasant Sathe, M.P.
4. Shri Ranan Sen, M.P.
5. Shri K. S. Chavda, M.P.
6. Shri C. M. Stephen, M.P.
7. Dr. M. L. Dhar, Director, Central Drugs Research Institute, Lucknow.
8. Dr. B. D. Tilak, Director, National Chemicals Laboratory, Poona.
9. Shri S. S. Marathe, Chairman, Bureau of Industrial Costs and Prices.
10. Shri Vinod Kumar, Joint Secretary, Ministry of Petroleum and Chemicals.
11. Shri P. S. Ramachandran, Drugs Controller, D.G.H.S.
12. Dr. B. Shah, Dy. Director General, D.G.T.D.
13. Dr. B. V. Ranga Rao, Centre for Studies in Science Policy, Jawaharlal Nehru University.
14. Shri M. K. Rangnekar, Commissioner, Food and Drug Administration, Government of Maharashtra, Bombay.

**Member-Secretary**

15. Dr. P. R. Gupta, Adviser (Drugs), Ministry of Petroleum and Chemicals.

The terms of reference of this Committee are as follows —

- (i) To enquire into the progress made by the industry and the status achieved by it.
- (ii) To recommend measures necessary for ensuring that the public sector attains a leadership role in the manufacture of basic drugs and formulations, and in research and development.

- (iii) To make recommendations for promoting the rapid growth of the drugs industry and, particularly, of the Indian and small scale industries' sectors. In making its recommendations the Committee will keep in view the need for a balanced regional dispersal of the industry.
- (iv) To examine the present arrangements for the flow of new technology into the industry, and make recommendations therefor.
- (v) To recommend measures for effective quality control of drugs, and for rendering assistance to small scale units in this regard.
- (vi) To examine the measures taken so far to reduce the prices of drugs for the consumer, and to recommend such further measures as may be necessary to rationalise the prices of basic drugs and formulations.
- (vii) To recommend measures for providing essential drugs and common household remedies to the general public, especially in the rural areas.
- (viii) To recommend institutional and other arrangements to ensure equitable distribution of basic drugs and raw materials especially to the Small Scale Sector.

The Committee has already submitted its report on Quality Control on drugs and related matters and on measures for providing essential drugs and common household remedies to the general public, especially in rural areas. These are being examined.

The Committee is likely to submit its report by April, 1975. In the

context of the recommendations that would be made by the Committee in this final report, integrated view would be taken in fixing priorities in the drug industry.

#### **Cut in Fertiliser Programme for 1975-76**

4858. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the vital fertiliser programme in the 1975-76 annual plan has been virtually cut by about 25 per cent;

(b) if so, what are facts thereof; and

(c) the reasons for this drastic cut?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):

(a) to (c). Barring the two public sector projects namely, Korba and Paradeep, which are being rephased with due regard to the resource position, the necessary fund requirements of the projects taken up for implementation have been provided in annual plan for 1975-76

#### **Railway Accident at Ultadanga**

4859. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state:

(a) whether his attention has been drawn to a news-item published by "Bangladesh", a Bengali weekly published from Calcutta in its issue dated 7th February, 1975 page 1, under the caption "Allegations of removing secretly dead bodies of many persons killed in the Railway accident at Ultadanga"; and

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

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) No.

(b) The news items which appeared in "Bangladesh" Weekly of 7th February 1975 alleging that dead bodies of the victims of the railway accident at Ultadanga Road station on 29th January 1975 were secretly removed, is not based on facts.

**Law Commission's Report on Hindu Law**

4860. **SHRI BHAGIRATH BHANWAR:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Law Commission of India had submitted some reports on various aspects of the Hindu Law suggesting amendments for conferring more rights on women;

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

(c) the reaction of Government thereto?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE):** (a) The Law Commission of India has submitted its 59th Report on Hindu Marriage Act, 1955 and Special Marriage Act, 1954

(b) The suggestions of the Commission cover the entire gamut of the grounds upon which divorce can be claimed such as cruelty, adultery, desertion, passing of an order or decree for maintenance or judicial separation as well as doing away with the waiting periods before a petition can be filed or divorced persons can marry again.

(c) The report of the Law Commission is being examined expeditiously.

**Bill to increase Retirement Age of Judges of Supreme Court**

4861. **SHRI SAMAR GUHA:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether any Bill is under consideration of Government for increasing the retirement age of the Supreme Court Judges; and

(b) if so, facts thereof?

**THE MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SARAJINI MAHISHI):** (a) No, Sir.

(b) Does not arise.

**Railway Line to Meghalaya from New Bongaigaon**

4864. **SHRI DINESH CHANDRA GOSWAMI:** Will the Minister of RAILWAYS be pleased to state:

(a) whether any survey is being carried on for construction of a line upto Meghalaya from New Bongaigaon in Dudhnai; and

(b) if so, the salient features thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) New Bongaigaon is already linked with Jogighopa by Broad Gauge. Preliminary-Engineering-cum-Traffic surveys for the extension of the B.G. line from Jogighopa to Darangiri via Dudhnai is in progress. This would also involve the construction of a bridge over Brahmaputra for ferry service between Jogighopa and Pancharatnaghat. Traffic-cum-Engineering Reconnaissance surveys from Gauhati to Dudhnai have also been sanctioned recently.

(b) The proposed line from Jogighopa to Darangiri via Dudhnai would be about 110 kms. long and the new line from Gauhati to Dudhnai would be about 100 kms. long. The cost and the traffic prospects will be known after completion of the surveys.

### रतलाम में राजधानी एक्सप्रेस को रोकने का निर्णय

4865. श्री श्रींकार लाल बेरवा : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने राजधानी एक्सप्रेस को 23 फरवरी 1975 से रतलाम में रोकने का निर्णय किया था; और

(ख) यदि हा तो राजधानी एक्सप्रेस को कोटा (राजस्थान) में जो एक औद्योगिक क्षेत्र है और पश्चिम रेलवे का एक डिबीजन्ल मुख्यालय है न रोकने के क्या कारण हैं ?

रेल मन्त्रालय में उपमन्त्री (श्री बूटा सिंह) : (क) 151/152 नयी दिल्ली-बम्बई सेन्ट्रल राजधानी एक्सप्रेस गाड़िया शुरू से ही परिचालनिक कारणों से रतलाम में रुकती रही। इन गाड़ियों द्वारा रतलाम आने-जाने वाले यात्रियों की वृद्धि 22-2-75 से चालू कर दी गयी है।

(ख) परिचालनिक कारणों से कोटा स्टेशन पर ठहराने की व्यवस्था नहीं की गयी है। इस गाड़ी को कोटा और अन्य स्टेशनों पर रुकवाने की व्यवस्था से इसकी रफ्तार कम हो जायेगी जिससे इस गाड़ी को चालू करने का उद्देश्य ही समाप्त हो जायेगा।

### Valuation of increase in prices of drugs

4866. SHRI MADHU LIMAYE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have made any valuation of the increase in the prices of drugs in the last two years;

(b) if so, the variation in the prices of the more important drugs which are in common use;

(c) the variation in the prices of life saving drugs not covered by (b); and  
328 LS-7.

(d) the steps taken by Government to bring down the prices of drugs, especially drugs manufactured by foreign companies?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (d). The Index number of whole-sale prices of drugs and medicines with 1961-62 as the base year is as follows:

Year	Index No.
1972-73	148.7
1973-74	148.7
1974-75	174.9

(upto October, 1974)

Statement I showing the prices of important bulk drugs as in force from time to time is laid in the Table of the House [Placed in Library. See No. LT-9318/75]. Statement II giving an illustrative list of the prices of some of the raw materials, both indigenous and imported, that prevailed in September, 73 and April, 74 is laid in the Table of the House [Placed in Library. See No LT-9318/75].

There is a comprehensive price control on drugs. However, Drugs and Pharmaceutical units with a sales turn-over not exceeding Rs. 50 lakhs per annum have been exempted from obtaining Government's approval for fixation/revision of prices of their products.

Interim price revisions for formulations have been/are being allowed on account of increase in the prices of raw materials and packing materials etc. and in the case of bulk drugs on account of major raw materials and inputs and after proper scrutiny by a competent authority namely BICP/ Ministries concerned.

Government have set-up a Committee on Drugs and Pharmaceuticals Industry whose terms of reference *inter alia* include:

"to examine measures taken so far to reduce the prices of drugs for the consumer and to recommend such further measures as may be necessary to rationalise the prices of basic drugs and formulations."

The Committee is expected to submit its report in April, 1975. The present pricing policy of drugs and medicines would be reviewed in the light of the recommendations of the Committee.

#### Expansion of foreign drug firms

4867. SHRI MADHU LIMAYE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Government have formulated any policy with regard to expansion of foreign firms engaged in the manufacture of drugs; and

(b) if so, the details of that policy?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). No, Sir.

However, in accordance with the Ministry of Industrial Development Press Note dated the 16th February, 1973 foreign concerns and subsidiaries and branches of foreign companies are eligible to participate in the industries specified in Appendix I thereof (Drugs and Pharmaceuticals being one such industry) along with other applicants but their investment will be subject to the guidelines on dilution of foreign equity and will be examined with special reference to technological aspects, export possibilities and the overall effect on the balance of payments. Government have taken the following measures to regulate the expansion of the foreign companies and to encourage the growth of the Indian sector:—

- (i) The Indian sector of the industry is given preference in approval of manufacturing schemes;

- (ii) Manufacture of increasing number of bulk drugs through public sector undertakings;

- (iii) Industrial licences are usually not issued to foreign firms for producing formulations unless linked with the production of bulk drugs;

- (iv) They are asked to take up production of bulk drugs from more basic stages and to make available a suitable portion of their bulk drugs production to non-associated formulators in the country as a condition for being permitted expansion in capacity or for taking up new activity. Appropriate export obligations are also imposed.

- (v) Increasing number of imports of bulk drugs and intermediates are canalised through the S.T.C., which now constitutes over 60 per cent of the total imports of bulk drugs and drug intermediates

- (vi) Progressive reduction of foreign equity participation with corresponding increase in the Indian shareholding is imposed when they are allowed expansion of their manufacturing activities.

In addition all companies having a foreign equity exceeding 40 per cent are required to obtain approval of the Government under FERA, 1973.

With a view to ensuring the regulated and rapid growth of drug manufacture and further with a view to ensuring that all essential drugs are made available to the consumers at reasonable prices, Government have appointed a Committee under the Chairmanship of Shri Jaisukhlal Hathi whose terms of reference inter alia include:—

"To recommend measures necessary for ensuring that public sector attains a leadership role in the manufacture of basic drugs and formulations, and in research and development."

"To make recommendations for promoting rapid growth of the drug industry and, particularly, of Indian and small scale industries' sectors. In making its recommendations the Committee will keep in view the need for a balanced regional dispersal of the industry."

The Committee submitted an interim report on "Quality Control of drugs and related matters" in May, 1974. The Committee's report on "Measures for providing essential drugs and common household remedies to the general public, especially in rural areas" which also covers the aspect of substitution of brand names of drugs by generic names has been received recently. Both these reports are under consideration.

The Committee is expected to submit its final report in April, 1975.

Furthermore, discussions have been initiated with the public and Indian sector to identify their role in the production of essential antibiotics and synthetic drugs (48 in number) in the context of their V Plan requirements of drugs which is to increase from the present production of about 3300 T to about 10,000 T. A two day conference of Public Sector Undertakings in the drug industry was held on 12th and 13th March '75 under the chairmanship of Minister of State. In the meeting it was noted that Public Sector units would increase their production from the present level of 1500 T to over 5000 T.

The Indian Sector has given a Blue print to the Minister of State, which indicates that 23 units will take up the production of 27 drugs in the near future.

### **Theft in Moghalsarai Railway Yard**

4868. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether any new device has been adopted to combat the theft in the far flung Moghalsarai Railway yard;

(b) whether the R.P.F. and G.R.P. have since been strengthened; and

(c) whether in view of the volume of theft and pilferage it is proposed to construct the boundary wall with some well guarded gates in between?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No new device to combat thefts in Moghalsarai Yard has been adopted.

(b) As a result of reorganisation of the Railway Protection Force the strength of the supervisory staff has been increased. The strength of the Government Railway Police has, however, not been increased after 1972.

(c) No. However, improvement in basic security by way of putting up fencing and erection of watch-towers is proposed.

### **Jaunpur Station in Faizabad Section**

4869. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether Jaunpur Junction Station on Faizabad section in Northern Railway is the second so far as annual income is concerned;

(b) if so, whether platform No. 1 is without any shed except one very old and narrow verandah;

(c) whether to cover the whole length of No. 1 platform construction was sanctioned under work programme of 1974-75 but there was no trace of any construction till this day; and



(d) if so, the reasons for this neglect?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) No. Apart from a verandah measuring 155' x 15' a shed measuring 50' x 30' also exists.

(c) and (d) A platform shed of size 215' x 20' was sanctioned in the Budget 1974-75 but this work could not be taken up due to paucity of funds. As soon as the funds position improves the work will be taken up.

#### Foreign Components Required for Steam Loco Manufactured by C.L.W.

4870. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state.

(a) whether the manufacture of steam locomotives were completely stopped in Chittaranjan Locomotive works;

(b) whether there was any percentage of foreign components used in completing the steam locomotive; and

(c) what is the percentage today of the foreign components in the manufacture of an electric locomotive at Chittaranjan Locomotive Works?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, the production of steam locomotives at C.L.W. has been stopped.

(b) Yes.

(c) At present about 25 percent is the import content in the manufacture of an electric locomotive at C.L.W.

#### Barauni Refinery

4872. SHRI N. E. HORO: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Barauni Refinery is running into loss; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) No, Sir.

(b) Does not arise.

#### O. and N. G. C. Oil Distributors in Bihar

4873. SHRI N. E. BORO: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

The number of O. & N.G.C. oil distributors functioning in Bihar at present?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI) ONGC supplies oil from its oil fields directly to the Refineries.

#### Railway Advertisements given by Zonal Offices located at Calcutta

4874. SHRI SAROJ MUKHERJEE Will the Minister of RAILWAYS be pleased to state:

(a) the names of the Daily newspapers of Calcutta, which are given Railway advertisements by the Zonal Offices situated at Calcutta;

(b) the reasons for excluding from this list the name of Daily Ganashakti for the year 1972-73 and 1973-74 in spite of repeated applications and reminders sent by the said newspaper to the proper authorities; and

(c) the reasons for this political discrimination in case of Ganashakti, while some dailies of other political parties have been given these advertisements?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The names of Railway Newspapers of Calcutta which

are given Railway Advertisements by the Zonal Railway Offices situated at Calcutta are as under:—

1. Amrita Bazar Patrika
2. Hindusthan Standard
3. Ananda Bazar Patrika
4. Jugantar
5. Basumati
6. Kalantar
7. Satyajug
8. Viswamitra
9. Sanmarg
10. Chhapte Chhapte
11. Rozana Hind
12. Asare Jadid
13. Azad Hind
14. Navi Prabhat
15. Statesman
16. Janani
17. Paigham.

(b) and (c). As per policy, the advertisements are released to the papers approved by the Directorate of Advertising and Visual Publicity. As the daily 'Ganashakti' was not approved by the Directorate of Advertising and Visual Publicity in 1972-73, 1973-74, the question of releasing of Railway Advertisements to daily 'Ganashakti' did not arise.

#### **Liquidation of Foreign Equity of M/s. Pfizers**

4875. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether 10th June, 1975 is the deadline for liquidation of equity of M/s. Pfizers from 75 per cent to 60 per cent, as envisaged in the approval of their second expansion in 1968;

(b) if so, what steps administrative Ministry has taken to impose this condition and how would it ensure its proper implementation immediately; and

(c) whether Government will fix up responsibility for not intimating the position to the Licensing Committee which took the decision about liquidation of equity at the time of approving the second expansion, or to hand over this case of Pfizers (including the industrial licence and unauthorised expansion) to C.B.I.?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). M/s. Pfizer Limited were allowed by Government on 3rd December, 1970 to increase the Indian holding in the Company from 25 per cent to 40 per cent by 10th June, 1975 without disinvestment and they are required to take effective steps before that date. Ministry of Finance (Controller of Capital issues) is taking necessary steps in this regard.

Since the matter regarding reduction of foreign equity concerned Ministry of Finance (Controller of Capital Issues) there was no need to seek the approval of the Licensing Committee in this regard.

#### **Initial Equity Participation by Principals in M/s. Dental Products and other Drug Firms**

4876. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what was the initial equity participation by the principals in M/s. Dental Products Limited, M/s. Ethnor Products Limited, M/s. C. E. Fulford Limited and M/s. Indian Scherings Limited and the broad features of each of the collaboration agreements entered into by them initially;

(b) whether any amendments have been made in the collaboration agreements made initially and the nature of the amendments; and

(c) whether these firms are manufacturing any formulations without holding proper industrial licences, if so, the names of the formulations, pro-

duction during the last three years and reasons for allowing them to do so?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):**

(a) and (b). Details of original equity of each of the company is as follows:—

(Rs. lakhs)

Name of the Company	Original equity
Dental Products Ltd.	2.0
Ethnor Products Ltd.	N.A.
C.E. Fulford Ltd.	4.0
Indian Schering Ltd.	0.84

Information regarding broad features of the collaboration agreements entered by these companies, if any and also amendments made and their nature and original equity in Ethnor Products Ltd. is being collected and will be laid on the Table of the House.

(c) Yes, Sir. The Question as to whether COB licence is required in their case is being examined.

12.05 hrs.

**SEVERAL HON. MEMBERS** rose.

**SHRI JYOTIRMOY BOSU** (Diamond Harbour): I gave notice of an adjournment motion....

**MR. SPEAKER:** I have not allowed it.

When I say that I have not allowed the adjournment motion, why half a minute? I have not called any hon. Member.

It is not a question of the failure of the Government. It is a failure of the the Municipal Corporation that has led to this and not the Government.

I have not allowed anybody. You are speaking without my permission.

This is a shouting competition in which I do not come. It is a question of lung power. I have not called any member.

**PROF. S. MADHU DANDAVATE** (Rajapur): Kindly give us the reasons

for disallowing the adjournment motion.

**MR. SPEAKER:** I am not prepared to give any reasons. I have examined it. It is not an adjournment motion.

**PROF. S. MADHU DANDAVATE:** It was a healthy precedent that you have been giving the reasons.

**MR. SPEAKER.** I am not going to make any observations. It is not at all an adjournment motion.

(Interruptions)

Order please. I am not prepared to give my observation on each and every thing.

Matters like supersession of municipal corporation etc. are not matters for Adjournment Motion. I have said this not once, but several times. If you want you can discuss it, nobody prevents you from discussing it. But it will not come under Adjournment Motion which is not at all relevant. Order please, Next item.

12.10 hrs.

#### PAPERS LAID ON THE TABLE

REPORTS ETC. OF COMMITTEE ON DRUGS AND PHARMACEUTICALS INDUSTRY

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH):** I beg to lay on the Table:

- (1) A statement (Hindi version) regarding Report of the Committee on Drugs and Pharmaceuticals Industry on measures for providing essential drugs and common household remedies to the general public, especially in rural areas.
- (2) A copy of the Report (Hindi version) of the Committee on Drugs and Pharmaceuticals Industry on "Measures for providing essential drugs and

common household remedies" to the general public, especially in rural areas.

- (3) A copy of the Interim Report of the Committee on Drugs and Pharmaceuticals on quality control of drugs and related matters.
- (4) A statement regarding Interim Report of the Committee on Drugs and Pharmaceuticals on quality control of drugs and related matters.
- (5) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the Report mentioned at (3) above.

[Placed in Library. See No. LT-9298/75.]

#### ORDERS OF DELIMITATION COMMISSION AND A STATEMENT

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): I beg to lay on the Table:

- (1) A copy each of the following Orders (Hindi and English versions) of the Delimitation Commission under Sub-section (3) of section 10 of the Delimitation Act, 1972.
- (i) Order No. 80 of the Delimitation Commission in respect of the State of Maharashtra, published in Notification No. S.O. 702(E) in Gazette of India dated the 7th December, 1974.
- (ii) Order No. 35 of the Delimitation Commission in respect of the State of Meghalaya, published in Notification No. S.O. 98(E) in Gazette of India dated the 15th February, 1975.

- (iii) Order No. 38 of the Delimitation Commission in respect of the State of Bihar, published in Notification No. S.O. 130(E) in Gazette of India dated the 10th March, 1975.

- (2) A statement (Hindi and English versions) showing reasons for delay in laying the Orders mentioned at (i) and (ii) above.

[Placed in Library. See No. LT-9299/75.]

#### NATIONAL SAVINGS CERTIFICATES (FIFTH ISSUE) (AMENDMENT) RULES, EMERGENCY RISKS (GOODS) INSURANCE (AMENDMENT) SCHEME, AND EMERGENCY RISKS (UNDERTAKINGS) INSURANCE (AMENDMENT) SCHEME

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the table:

- (1) A copy of the National Savings Certificates (Fifth Issue) (Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G S.R. 148(E) in Gazette of India dated the 13th March, 1975, under sub-section (3) of section 12 of the Government Savings Certificates Act, 1959. [Placed in Library. See No. LT-9300/75.]
- (2) A copy of the Emergency Risks (Goods) Insurance (Amendment) Scheme, 1975 (Hindi and English versions) published in Notification No. No. S.O. 143(E) in Gazette of India dated the 18th March, 1975, under subsection (6) of section 5 of the Emergency Risks (Goods) Insurance Act, 1971. [Placed in Library. See No. LT-9300/75.]

- (3) A copy of the Emergency Risks (Undertakings) Insurance (Amendment) Scheme, 1975 (Hindi and English versions) published in Notification No. S.O. 144(E) in Gazette of India dated the 16th March, 1975, under sub-section (7) of section 3 of the Emergency Risks (Undertakings) Insurance Act, 1971. [Placed in Library. See No. LT-9301/75.]

STATEMENT GIVING FURTHER INFORMATION IN RESPECT OF REPLY GIVEN TO U.S.Q. No. 38118 ON 18-3-75 AND COPY OF NOTIFICATION UNDER COMPANIES ACT.

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA): I beg to lay on the Table:

- (1) A statement (Hindi and English versions) giving certain further information in respect of the reply given on the 18th March, 1975 to Unstarred Question No. 3818 regarding charges against various companies filed with the M.R.T.P. Commission. [Placed in Library. See No. LT-9302/75.]
- (2) A copy of Notification No. G.S.R. 311 (Hindi and English versions) published in Gazette of India dated the 8th March, 1975, declaring M/s. Usha Mutual Benefit Society Limited, a company having its registered office in West Bengal, to be a "Mutual Benefit Society" under sub-section (3) of section 620A of the Companies Act, 1956. [Placed in Library. See No. LT-9303/75.]

PARAFFIN WAX (SUPPLY, DISTRIBUTION AND PRICE FIXATION) AMENDMENT ORDER

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND

CHEMICALS (SHRI C. P. MAJHI): I beg to lay on the Table a copy of the Paraffin Wax (Supply, Distribution and Price Fixation) Amendment Order, 1975 (Hindi and English versions) published in Notification No. G.S.R. 149(E) in Gazette of India dated the 15th March, 1975, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-9304/75].

REPORT ON PROGRESS OF RECRUITMENT OF SC & ST PERSONS ON THE

RAILWAYS

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): I beg to lay on the Table a copy of the Report (Hindi and English versions) on the progress made in the intake of Scheduled Castes and Scheduled Tribes against vacancies reserved for them in recruitment and promotion categories on the Railways for the half year ending 31st March, 1974. [Placed in Library. See No. LT-9305/75.]

12.12 hrs.

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 Monday, the 24th March, 1975, adopted the following motion in regard to the Adoption of Children Bill, 1972:—

"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 Adoption of Children Bill, 1972 in the vacancy caus-

ed by the death of Shri Pratap Singh 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) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation Bill, 1975 which was passed by the Lok Sabha at its sitting held on the 20th March, 1975, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill"

(iii) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return the Pondicherry Appropriation Bill, 1975, which was passed by the Lok Sabha at its sitting held on the 20th March, 1975, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill"

(iv) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Pondicherry Appropriation (Vote on Account) Bill, 1975, which was passed by the Lok Sabha at its sitting held on the 20th March, 1975, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no re-

commendations to make to the Lok Sabha in regard to the said Bill."

12.14 hrs.

# COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

## THIRTY-FOURTH REPORT

SHRI D. BASUMATARI (Kokrajhar): I beg to present the Thirty-fourth Report on Action Taken by Government on the recommendations contained in the Thirtieth Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the erstwhile Ministry of Heavy Industry—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in the Hindustan Machine Tools Limited.

12 15 hrs.

# PUBLIC ACCOUNTS COMMITTEE

## HUNDRED AND FORTIETH REPORT

SHRI JYOTIRMOY BOSU (Diamond Harbour): I beg to present the Hundred and Fortieth Report of the Public Accounts Committee on Action Taken by Government on the recommendations contained in their Hundred and twenty-first Report on paragraphs contained in the Report of the Comptroller and Auditor General of India for the year 1971-72, Union Government (Defence Services) relating to Defence Production.

12 16 hrs

# COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

## NINETEENTH REPORT

श्री बाबूका प्रसाद बालिया : अध्यक्ष महोदय, मैं सभा की बैठक की अनुपस्थिति सम्बन्धी समिति का 19वां प्रतिवेदन प्रस्तुत करता हूँ

MR. SPEAKER: Now item 11-A. Prof. S. Nurul Hasan.

12.17 hrs.

**STATEMENT RE. REVISION OF  
PAY SCALES OF TEACHERS IN  
DELHI**

THE MINISTER OF EDUCATION,  
SOCIAL WELFARE AND CULTURE  
(PROF. S. NURUL HASAN): Sir, as  
the House is aware, I had made a  
statement in the Lok Sabha on 18th  
March, 1975, in reply to the Call  
Attention Notice on the reported  
decision of the Delhi Higher Secondary  
teachers to launch 'Satyagraha'  
resulting in the postponement of the

examination. In this connection, I had  
pointed out that it was not found  
possible for the Government to deviate  
from the recommendations of the  
Third Pay Commission, which had  
gone into the matter in depth. How-  
ever, I had assured the House that  
the Government would look into the  
points raised by the teachers within  
the framework of the Third Pay Com-  
mission's recommendations.

Government have given careful  
consideration to these points and have  
finally approved the following scales  
of pay for the Primary and Trained  
Graduate teachers:—

Existing scale of pay	Scale of pay recommended by the Third Pay Commission	Revised scale of pay approved by Government
<i>Primary School Teachers</i>		
165-10-215-15-275-EB-15-350	330-10-380-EB-12-500-EB-15-560	330-10-350-EB-380-15-500-EB-15-560
<i>Selection Grade</i>		
340-20-400	530-15-560-20-620	530-20-630
<i>Trained Graduate Teachers</i>		
250-20-450-EB-25-550	440-15-515-EB-15-560-20-700-EB-25-750	440-20-500-EB-5-700-EB-25-750

In so far as Primary School teachers in Delhi are concerned, there will be only one pay scale as mentioned above.

With regard to the other categories of teachers, the pay scales will be as recommended by the Third Pay Commission.

As I have already stated earlier, on the basis of the pay fixation formula recommended by the Third Pay Commission and the scales of pay now finally approved by the Government, the existing teachers i.e., the teachers who had been appointed prior to 1-1-1973 would, by a judicious exer-

cise of options available to them, find the revised scales of pay more favourable than even the 1971 scales of pay.

Government have decided to increase the number of selection grade posts from 15 per cent of the permanent posts in each category to 20 per cent of the permanent as well as temporary posts which have been in existence for three years or more. This will give the benefit of selection grade to a larger number of teachers. There will be no selection grade for the posts of Headmasters of High Schools/Vice-Principals of Higher Secondary Schools as well as Principals of Higher Secondary Schools.

The decision already taken by the Delhi Administration to introduce the new pattern of school education (10+2) and to recognise the curricula at all stages of education is likely to lead to further widening of promotional avenues for teachers.

The revised pay scales will be introduced in the other Union Territories and organisations on Central scales of pay, such as Andaman and Nicobar Islands, Pondicherry, Lakshadweep, Goa, Daman and Diu and the Central Schools.

I do hope that the teachers would welcome these decisions of the Government and call off their agitation immediately and resume their duties.

Taking into account the undue hardship experienced by the candidates who are to take the Delhi Higher Secondary Examination, steps are being taken by the Central Board of Secondary Education to hold the Examination as early as possible.

SHRI S. M. BANERJEE (Kanpur): Sir, I am told that the teachers were not consulted. Even the new Directors have made observations that there should be some dialogue with the teachers. Now the announcement is made. It is all right. But, unless the teachers agree to this, they are not going to withdraw their agitation.

So, I would request the hon. Minister to meet the teachers. (*Interruptions*).

MR. SPEAKER: Mr. Raghu Ramaiah.

# BUSINESS ADVISORY COMMITTEE

## FIFTY-FOURTH REPORT

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I move:

"That this House do agree with the Fifty-fourth Report of the Business Advisory Committee presented to the House on the 24th March, 1975".

SHRI S. M. BANERJEE (Kanpur): Sir, I moved my amendments.

MR. SPEAKER: Mr. Banerjee, I am sorry no amendments need be moved as the Report of the Business Advisory Committee is accepted by the House. I am sorry this is not a healthy practice. You are given opportunities to raise matters every time, the Minister announces the business of the House for the next week.

SHRI S. M. BANERJEE: But, nobody replies. I have now realised.... (*Interruptions*).

MR. SPEAKER: Mr. Banerjee, there is no debate on this.

SHRI S. M. BANERJEE: Sir, let the House reject the amendments. I have every right to move the amendments. These can be discussed.

MR. SPEAKER: Mr. Banerjee, how far it is desirable or proper. You are not introducing a good practice. I think this is not a desirable practice. We have not done that in the past.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, we are now compelled to do certain things.

MR. SPEAKER: In the Business Advisory Committee all parties sit.

SHRI JYOTIRMOY BOSU: But, we have been overruled. And Shri Raghu Ramaiah flatly said that 'We won't listen to You'. Therefore, we have to come before the House.

MR. SPEAKER: The report comes here for adoption.

SHRI S. M. BANERJEE: Sir, this is for the first time, during my career as a Member for the last 18 years, that I have moved the amendments, whatever observations you may make on



that. Every day, it has become a joke. At least let them take the amendments seriously. Everybody raises a few points. Let there be something for our future guidance. These are simply thrown into the waste paper basket.

**SHRI K. RAGHU RAMAIAH:** Since my name has been brought in, I want to make it clear that whatever is said on the floor of the House while announcing the business, that is duly communicated to the Minister by me. I do communicate that to the minister. As they are only suggestions, those are conveyed to the Minister.

**SHRI JYOTIRMOY BOSU:** We must know what have you done with them.

**SHRI S. M. BANERJEE:** Sir, I have been demanding a discussion on the question of dearness allowance to Central Government employees. Whether they are entitled to four additional instalments after 1972. So, Sir, my amendment is that I want a fifth item to be discussed.

**MR. SPEAKER:** Suppose, I put this amendment to the vote of the House and it is lost. Why don't you keep it free for some adjustment in future?

**SHRI S. M. BANERJEE:** I want another item to be included in the form of short duration discussion in regard to the assurance given by the hon. Agriculture Minister, Mr. Jagjivan Ram on 18th January, 1975, to a delegation of Government employees representatives

**SHRI K. RAGHU RAMAIAH:** Sir, I rise on a point of order. My motion relates to certain specific items. The hon. Member is now suggesting addition of a new item. My submission is that it cannot come under the rules.

**MR. SPEAKER:** I think the Minister's point of order is correct

**SHRI S. M. BANERJEE:** Sir, my amendment is that I want a discussion should take place on the question of dearness allowance to Central Government employees and also revision of

pay scales. It was said at the time of budget speech by the Finance Minister that representatives of the employees will be called for a dialogue. The Finance Minister is leaving for abroad today. So, the Finance Minister should make a statement.

**SHRI SEZHIYAN (Kumbakonam):** Sir, I agree with you that it is not desirable to oppose the motion put forth by the Minister but you should appreciate the plight of the Members. We raise a question again and again but we do not get any reply from the Government. What is the way out? The Members raise certain question today and again the same questions have to be raised on the next day. Mr. Banerjee has been raising this question over and over again. There should be some response from the other side. Therefore, Sir, at least tomorrow, you should ask the Government to make a statement.

**SHRI S. M. BANERJEE:** Sir, kindly hear my point of order. Give me your ruling after hearing my point of order.

**MR. SPEAKER:** I will allow you to continue.

**SHRI S. M. BANERJEE:** Sir, I am moving a substantive motion.

**MR. SPEAKER:** Now, there are, in the Business Advisory Committee, not one, but hundreds of motions. There may be several motions under Rule 193 Rule 184 and so on. You have to accept one or two. If the others start bringing in motions like this because the others were not accepted and they bring in amendments here, where do we stand? All the parties are represented in that Committee and after some give and take, something is decided. Sometimes, you do not agree with something and sometimes they do not agree. Ultimately, something comes before this House. Then, you have a chance when the Business of the House is announced. Then, you have a chance to suggest new items.

**SHRI JYOTIRMOY BOSU:** Sir, kindly excuse me. Sir, it has been clearly accepted that every week there will be two short duration discussions either under Rule 193 or Rule 184. Sir, kindly tell me, what is the remedy that is open to me, when I am not heard in the Business Advisory Committee, not by you but by Mr. Raghu Ramaiah? He escapes by saying that he will convey this to the Minister, that he will consult the Government and so on. Weeks pass and no statement comes from him and then he says in a mild manner that Government will consider this so on. We come before the House only when there are no other remedial measures open before us. Therefore, Sir, our statements on the floor of the House are not against you. I am only asking you to tell us, what are the remedial measures that are open to us when the Government with a massive and steam roller majority tries to bully us?

**MR. SPEAKER:** I always try to accommodate you. I do not agree. In the Business Advisory Committee, they try to accommodate. They may not have accommodated you on one or two occasions.

**SHRI JYOTIRMOY BOSU:** Sir, I have written to you on one or two important things. Firstly, there is the question of dearness allowance due to the Central Government employees. Mr. Banerjee has already mentioned about this. Secondly, there are thousands of railway employees who have been dismissed and who have not been taken back on the pretext that they indulged in sabotage and violence (*Interruptions*). Thirdly, the Minister, Mr. Khadilkar has made a statement that they will be able to spare only Rs. 25 crores for the West Bengal refugees. This works out to only Rs. 100 per head. (*Interruptions*).

**MR. SPEAKER:** I am not allowing you. It puts the Speaker in a very difficult position.

**SHRI SEZHIYAN:** Sir, tomorrow, he should make a statement announcing

the business for the week commencing 7th April. Tomorrow is the last day available. He should make a statement. We are meeting again on 7th April.

**SHRI INDRAJIT GUPTA (Alipore):** At that time, we can make our submissions.

**SHRI S. M. BANERJEE:** I do not want to make any submission. Either Mr. Subramaniam or Mr. Mukherjee should make a statement announcing the Government's final decision to start negotiations with the Central Government employees on payment of four instalments of dearness allowance due to them. If he says that my motion is wrong, I shall move a substantive motion under the proviso to rule 290 which reads:

"Provided that an amendment may be moved that the report be referred back to the Committee either without limitation or with reference to any particular matter."

**MR. SPEAKER:** There is no limit to the ingenuity or fertility of the brains behind all your suggestions. The Speaker presides over the Business Advisory Committee, and when you say something about its decision, as Chairman, I am put into difficulty in explaining 'his or that'. This is how I take it. So, either I should not preside over that Committee and you do what you like, or if I preside, then I have to defend that Report. It is a matter between you and the Government. It is much better we continue this practice and while speaking on the business of the House for the next week, you can mention all these matters.

**SHRI K. RAGHU RAMAIAH:** The business for the week commencing 7th April is already in the Bulletin, but if it helps the Opposition Members, I shall make a statement tomorrow.

**SHRI SEZHIYAN:** Not the Opposition, but the House.

SHRI S. M. BANERJEE: After tomorrow we are adjourning for ten days. We were told that on the 15th March there was going to be a meeting. I do not want them to make an announcement immediately, but 28 lakhs of employees and their families are waiting. So, tomorrow a statement should be made. Kindly ask them to make a statement tomorrow.

MR. SPEAKER: This is in your hands. Are you pressing your motion?

SHRI S. M. BANERJEE: It is in order. Let him not provoke me.

MR. SPEAKER: You are already provoked.

SHRI S. M. BANERJEE: If you ask me not to move, I shall not move.

MR. SPEAKER: I ask you not to move.

SHRI S. M. BANERJEE: Then I do not move, but you tell them to make a statement.

MR. SPEAKER. All right

The question is:

"That this House do agree with the Fifty-fourth Report of the Business Advisory Committee presented to the House on the 24th March, 1975."

*The motion was adopted.*

12.35 hrs.

#### MATTER UNDER RULE 377

#### BLACKING OUT OF CERTAIN ITEMS OF BUSINESS IN THE HOUSE BY ALL INDIA RADIO

MR. SPEAKER: Shri Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU (Diamond Harbour): About two weeks ago I had brought a privilege motion

against Shri Inder Gujral, I call him Inder Goebbels, there is nothing wrong in that.

MR. SPEAKER: No, I will not allow it.

SHRI JYOTIRMOY BOSU: I will not use it again.

MR. SPEAKER: Can you not do without such language?

SHRI JYOTIRMOY BOSU: That shows that he is so capable that this job has been given to him.

MR. SPEAKER: Do you wish that he should meet with the same fate?

SHRI JYOTIRMOY BOSU: That part I do not want.

About two weeks ago I gave notice of a privilege motion stating that All-India Radio had deliberately blacked out two items which were in the List of Business because those items caused embarrassment to Government. One was Mr. Brahmananda Reddy's admission that he had made a mistake, he said "I am sorry", in the matter of the police shooting of Miss Farida. The second relates to serious lapses on the part of the Metals and Minerals Trading Corporation, in which there is huge accumulation of stocks, loss on account of bank charges, court charges and so on. Both the issues caused serious embarrassment to the Government. If you read the All India Radio's newsprint that night, you will see that both the items have been completely blacked out.

I took your advice. I will only say that a Government body should at least faithfully report what goes on in Parliament. When Mr. Dharwadkar came out with a privilege motion against him, Mr. Gujral took shelter by saying that the news room of All India Radio functions in the manner a private newspaper's news room functions. Here in this case if he comes out with the same plea, he will see that next

morning both the items had wide coverage in all the newspapers of Delhi. He has got two standards. If it is embarrassing to the Government, he will do his best to run it down, and if it is in favour of the Government, he will highlight it as much as he can.

I am not pressing the privilege motion. I only desire that you should make suitable observations so that in future they make faithful reporting of what goes on in the House.

Mr. Gujral is here. Let him say something.

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI I. K. GUJRAL):** I will not take your time and the time of the House in trying to rebut the adjectives which my hon. friend has chosen to use because I do not think it should be taken seriously.

One thing which my hon. friend has tried to draw a great deal on is whether All India Radio functions as a news room or not. The main point which my friend forgets is that he personally has unfortunately got into this obsessive mood that whatever he says always forms news. He is a very wise man, but even wisdom can be misplaced sometimes.

On this particular issue he has written a letter to your Secretariat, and your Secretariat was kind enough to send it on to me. He has referred to the Parliamentary review. Parliamentary review, i.e., "Today in Parliament" on March 12 was written by Shri A. N. Prabhu of the *Economic Times*. The task of writing the Parliamentary Review in English and Hindi for both Houses is assigned by rotation to experienced journalists who also work in newspapers covering the proceedings of Parliament from the Press Gallery for their newspapers and news agencies, subject to broad guidelines to ensure a balanced and fair coverage of the proceedings. The review has enjoyed a great measure of freedom. On March 12, no

instructions of any kind were given to Shri Prabhu, nor was any change made in the script furnished by him. Only a few lines were crowded out at the time of the broadcast for want of time. These lines, however, pertain to observations made by some other Members during the discussion on the General Budget and not to either of the topics mentioned by Shri Jyotirmoy Bosu, i.e., the statement about Kumari Farida or the Calling Attention Notice on the accumulation of stocks with the Mines and Metals Trading Corporation. The statement of the hon. Member, Shri Bosu, therefore,—I am quoting his statement—"I am in possession of information that the journalist who was detailed to do the work has given due coverage" is not correct. Nothing written by the journalist on either of these topics was struck off by the News Service Division as alleged by him. A copy of the script I have already submitted to you and you must have seen it.

**SHRI SHYAMNANDAN MISHRA (Begusarai):** During the last session you were pleased to observe that you yourself would go into the reporting of the proceedings of the House and see if the proceedings were twisted or distorted. We have cited certain instances. It is time you considered going into this matter personally or ask the General Purposes Committee to go into it, you may also appoint a special review committee of the House to go into the reporting of parliamentary proceedings by AIR whether through commentaries, reviews or normal broadcasts, because it is our concern to see that the proceedings of the House are not distorted by the Government by employing persons of various kinds.

**SHRI I. K. GUJRAL:** The hon. member is trying to broaden the issue, because I pinned down Mr. Bosu for making false allegations. Mr. Bosu has made the allegation on the floor of the House and said that he has got proof that the script was changed or distorted. Let him prove it before you

and I will pay the penalty. Or, he should pay the penalty if he cannot prove it.

SHRI JYOTIRMOY BOSU: I have never said that I will prove. I have said, I have information. He is telling a\*\*

SHRI H. K. L. BHAGAT (East Delhi): He must apologise for making wild allegations.

MR. SPEAKER: You must use proper language. There is no question of that. That will not form part of the record.

SHRI SHYAMNANDAN MISHRA: You should kindly look into this matter to see that the proceedings of the House are not distorted.

MR. SPEAKER: If any distortion is brought to my notice, I will look into it. Now I am going to the next item.

12.43 hrs.

SUSPENSION OF SUB-RULE (2) OF RULE 206 OF RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN LOK SABHA IN RELATION TO DEMANDS FOR GRANTS ON ACCOUNT (NAGALAND)

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE): Sir, I beg to move:

"That in relation to the Demands for Grants for expenditure of the Government of Nagaland during the financial year 1975-76, so much of sub-rule (2) of Rule 206 of the Rules of Procedure and Conduct of Business in Lok Sabha, as relates to 'a statement of the detailed estimate under each grant divided into

items', may be suspended for the purpose of granting Vote-on-Account by this House."

SHRI JYOTIRMOY BOSU (Diamond Harbour): One of the main functions of the Government is the presentation of a proper budget for proper fiscal control. Rule 206(2) says:

"Each demand shall"—it is mandatory—"contain first a statement of the total grant proposed and then a statement of the detailed estimate under each grant divided into items."

Part II Bulletin which has been circulated says that a few copies of the budget of the Government of Nagaland for 1975-76 received from the Ministry of Finance have been placed in Parliament Library for reference by members. Where are our copies? How can they take a summary decision that there will be one copy for 30 members? How is it possible for the 776 members of both the Houses to go to the library and read the budget papers? What was the great hurry in toppling this ministry?

MR. SPEAKER: I am not allowing that part. You can raise only the technical objection. It is very difficult to contain you.

SHRI JYOTIRMOY BOSU: That is so because I reflect the sentiments of the House.

MR. SPEAKER: That means that others are here purposelessly.

SHRI JYOTIRMOY BOSU: Who says that? I submit that this motion should not be allowed to be moved. If that is done, we shall be undermining ourselves, we shall be cutting our own legs; and the House would be reduced to a mockery, if the government is given such an upper hand.

\*\*Expunged as ordered by the Chair.

**SHRI SEZHIYAN (Kumbakonam).** I am raising a point only to help the Minister. He wants to suspend rule 206 (2) for the purpose of granting Vote-on-Account. If you see the List of Business, the Supplementary Demands for Grants have also to be voted. Rule 215 of the Rules of Procedure says that Supplementary, additional, excess and exceptional grants and votes of credit shall be regulated by the same procedure as is applicable in the case of demands for grants, subject to such adaptations, whether by way of modification, addition or omission, as the Speaker may deem to be necessary or expedient. Therefore, what is obtainable for the Vote-on-Account should be done for the Supplementary Demands also. Now the Supplementary Demands are going to come next. At that time, he will be forced to come with another motion for suspending the rule, unless he does that at this stage for both Vote-on-Account as well as the Supplementary Demands.

**SHRI SOMNATH CHATTERJEE (Burdwan):** If you kindly see the motion, it purports to suspend a part of rule 206(2) as relates to "a statement of the detailed estimate under each grant divided into items".

If you see rule 388, it says:

"Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House ..."

So, a rule can be suspended in its entirety, but not a part of it. I raised this question earlier also but no decision was given. The question is whether a rule of this nature can be suspended in part. I can understand their not wanting to comply with any particular rule as such. But the rules do not contemplate the suspension of a part of a rule. It is not permissible; either do away with the whole rule or do not do it.

**MR. SPEAKER:** In this case the difficulty is very genuine. On an earlier occasion also, it was the last

day and so an exception was made. Now it can be asked, when it was done on that day, why not today also? There is no other alternative. If we are always particular of even a comma, sometimes it may not be possible, because of the shortage of time or the peculiar circumstances. I leave it to your decision as to what should be done in such circumstances.

I ask Shri Sezhiyan whether he has any suggestion to make. There is no day left now. So, we have to consider whether it is in the interest of that State. Whatever has gone wrong, we cannot help it. So, we have to give a liberal interpretation of the rules, because the circumstances are very exceptional. Further, it is only a Vote-on-Account. It will come up for discussion.

The question is:

"That in relation to the Demands for Grants for expenditure of the Government of Nagaland during the financial year 1975-76, so much of sub-rule (2) of Rule 206 of the Rules of Procedure and Conduct of Business in Lok Sabha, as relates to 'a statement of the detailed estimate under each grant divided into items', may be suspended for the purpose of granting Vote-on-Account by this House"

*The motion was adopted.*

12.50 hrs.

**STATUTORY RESOLUTION RE-APPROVAL OF PROCLAMATION IN RELATION TO NAGALAND, NAGALAND BUDGET, 1975-76—GENERAL DISCUSSION. DEMANDS\* FOR GRANTS ON GRANTS ON ACCOUNT (NAGALAND), 1975-76, AND SUPPLEMENTARY DEMANDS\* FOR GRANTS (NAGALAND), 1974-75.**

**THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY):** Mr. Speaker, Sir, I beg to move the following Resolution:

\*Moved with the recommendation of the President.

"That this House approves the Proclamation issued by the President on the 22nd March, 1975, under article 356 of the Constitution in relation to the State of Nagaland."

At the general elections held in February, 1974, in Nagaland, the U.D.F. secured 25 seats, the NNO 23 and the Independents 12, in a House of 80 Members. 7 Independents joined the UDF and 5 the NNO, with the result that the UDF became 32 strong and the NNO 28. The UDF thus formed the Ministry head by Shri Vizol. Subsequently, 6 NNO Members went over to the UDF. On March 9, 1975, 13 UDF Members joined the NNO, leading to the resignation of the Vizol Ministry and formation of an NNO Ministry led by Shri Jasokie on March 19, 1975. On March 19, 1975, the leader of the UDF claimed before the Governor that his party had the majority in the Legislative Assembly. The Governor advised him that since the Assembly was in session, the trial of strength should take place on the floor of the House. The Legislative Assembly of Nagaland met on March 20, 1975, but was adjourned by the Speaker *sine die*. The trial of strength could not take place. According to a letter received by the Governor from the Secretary to the Assembly the Speaker had adjourned the House *sine die* because the Ministers had started taking the floor on their own, charging that the Opposition party had taken away 3 of their Ministers and in addition 7 Members were also taken and necessary enquiry should be carried out before the House could take up any business of the day.

The immediate problem of authorisation of expenditure from the beginning of the next financial year had to be dealt with. The Governor explored the possibility whether the Assembly could restart sittings within the next few days. The Speaker's observation was that he was fully cognizant of the constitutional impli-

cations but that he had made up his mind not to resume sittings of the Assembly for about a month as, in his judgment, that was the period necessary for the tension to die down and normal atmosphere to be created. The report of the Governor of Nagaland dated March 20, 1975, already laid on the Table of this House explains the circumstances which necessitated the issue of a Proclamation under article 356 of the Constitution. The issue of Proclamation was ordered by the President on March 22, 1975.

I would request the House to grant its approval to the Proclamation issued by the President on March 22, 1975, in relation to the State of Nagaland

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I have given an amendment stating:

"That this House approves the Proclamation issued by the President on 22nd March, 1975, be valid for one day from that date and direct the Governor to invite the leader of the majority party in the Assembly to form the Ministry."

MR. SPEAKER: You don't give even the breathing time. After all, there should be some limit to it. I was just seeing the order of business.

The Statutory Resolution approving the Proclamation, the General Discussion on the Budget for the State of Nagaland, the Demands for Grants on Account and the Supplementary Demands for Grants are all clubbed together. Item Nos. 14, 15, 16 and 17 are all clubbed together.

SHRI SOMNATH CHATTERJEE (Burdwan): On that, on taking them up together, I have a point of order.

MR. SPEAKER: That is the practice.



**SHRI SEZHIYAN (Kumbakonam):** Sir, yesterday, when we raised it, myself and others, you said that this can be discussed today, that is, about the validity of the order. You may take up that first.

**MR. SPEAKER:** I will take that up first.

**SHRI SOMNATH CHATTERJEE:** I have a submission to make. Rule 206 has been partly suspended. The speech of the Minister of Revenue and Expenditure itself visualises that the rules with regard to Vote on Account would be suspended. But no motion for suspension relating to Vote on Account, which is a separate rule altogether, Rule 214, has been brought. Rule 214 has not been suspended. It requires the items of expenditure to be mentioned and they are not mentioned. So, what was visualised in the speech of the Minister has not been done.

I am reading from the speech of the Minister:

"In the special situation of this occasion. I seek your consent and the indulgence of the House to agree to suspend the rule for the purpose of granting Vote on Account for the three months of 1975-76."

Vote on Account is not covered by rule 206 at all; it is covered by rule 214, and he has not got that rule suspended. Therefore, the discussion on Vote on Account cannot be taken up.

**MR. SPEAKER:** We considered this and we came to the conclusion that what was needed was got. Why should we bring in unnecessary matters which are not needed?

Yesterday, some hon. members raised some points. They may take a few minutes each.

Mr. Sezhiyan.

**SHRI SEZHIYAN (Kumbakonam):** Yesterday I raised this point—other members also raised it—questioning the validity of the form in which the

Presidential Order has been issued on 22nd March this year. I am confining myself only to this point. This is not a general discussion on the merits of the decision. Of course, we all feel, and we will speak on that later, that the extraordinary powers given in the Constitution to bring a State under President's rule should be used only where a real emergency exists and that these powers should not be misused. That is a different aspect. Here having taken the decision—which decision we are going to contest later—the President and the Government have come forward with the Proclamation dated the 22nd March, 1975, which has been issued under article 356 of the Constitution. Article 356 of the Constitution provides that

"If the President on receipt of a report from the Governor of a State or otherwise, is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of this Constitution, the President may by Proclamation:

- (a) assume to himself all or any of the functions of the Government of the State....
- (b) declare that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament;
- (c) make such incidental and consequential provisions as appear to the President to be necessary or desirable for giving effect to the objects of the Proclamation..."

13.00 hrs.

Now, coming to the Proclamation dated the 22nd March, 1975, the President has used article 356( ) (a) to assume to himself all the functions of the Government of that State and all powers vested in or exercisable by the Governor of that State. That is all right. The second thing is—



"declare that the powers of the Legislature of the said State shall be exercisable by or under the authority of Parliament."

That is why, we are looking into this. The third point is the most important, and I am basing my argument on that. It says:

"make such incidental and consequential provisions as appear to me to be necessary or desirable for giving effect to the objects of this Proclamation, namely..."

Now, please see (ii):

(ii) the operation of the following provisions of the Constitution in relation to that State is hereby suspended..."

namely, so much of proviso to Article 3 as relates to... etc. As many as 19 items are given there. If the whole Article or part of the Article is suspended, as many as 19 items have been suspended. All of them I have put in the order. I will not take the time of the House. Only two items, I will mention, which, I feel, should not, need not and could not have been suspended by this Proclamation. They are as follows.

If you take the Proclamation, the second item after the suspension of the proviso to Article 3, it is clause (2) of Article 151 which lays down that the reports of the Comptroller and Auditor-General of India relating to the accounts of the State shall be caused to be laid on the floor of the legislative Assembly. This comes in Chapter V. Now, the reports of the C & A G shall be submitted to the President who shall cause them to be laid on the floor of the Parliament. Article 151(2) which is sought to be suspended reads as follows:

"The reports of the Comptroller and Auditor-General of India relating to the accounts of a State shall be submitted to the Governor of the State, who shall cause them to be laid before the Legislature of the State."

This is sought to be suspended by the Proclamation. Then, what is the effect? If a particular provision of the Constitution is suspended, by a proclamation, what is the effect? The effect is that this is completely taken out of the Proclamation as far as the State is concerned. Suppose, if it is not taken out, what is the effect? If you take the Proclamation, clause (iii) says:

"any reference in the Constitution to the Governor shall in relation to the said State be construed as a reference there to the President and any reference therein to the Legislature of the State or the Houses thereof shall, in so far as it relates to the functions and powers thereof, be construed, unless the context otherwise requires, as a reference to Parliament..."

Therefore, if you have suspended any of the Articles here, this one comes into operation that wherever the term 'Governor' is there, the reference is to the President and wherever the reference is to the Assembly, the reference is to the Parliament. So, the effect of this proclamation will be that the reports of the Comptroller and Auditor-General relating to the accounts of the State of Nagaland shall be submitted to the President who shall cause them to be laid before the Parliament. That would have been there. Just now by suspending that Article, what have the Government done is that none of the reports of the C & A G relating to the accounts of the State which normally should have been placed before the Assembly and now, the Parliament, will not be laid and this Parliament is deprived of its powers which the Parliament derives under Article 356. This power has been deprived by this Proclamation which I shall say, to that extent goes against the constitutional provision.

My second objection is with regard to item 19—clause (2) of Article 323. There, the reference is to the reports of the Public Service Commission.

There also it shall be the duty of a State Commission to present annually to the Governor of the State a report and the Governor shall cause the copy being placed on the Table of the legislature there. By suspending that one, you are depriving this House of an opportunity to discuss the reports of the Commission which should have been laid on the Table of the Legislature which legislature is now here, working in this House. This House has been deprived of an opportunity and authority and power which was vested with the legislature but it was deprived of it. These two are the main ones.

Why I object to this one is because in the Proclamation under Article 356 it has been said rightly that the President is empowered by Article 356(1) (c) to make such incidental and consequential provisions as may appear to the President to be necessary or desirable for giving effect to the objects of the Proclamation. And if you see this thing, what is really incidental and consequential? If you take the legal terms, you will find, these terms are all very much defined. You cannot just under the cloak of these things suspend something as you like, which is somewhat inconvenient to you and all that. Submission of the report of the Comptroller and Auditor-General is one such thing. Submission of the reports of the Public Service Commission is another such thing. If it is inconvenient, on that score, you just cannot do this thing. This is my point. And, in this publication of legal terms in page 424 it has been said as under:

'Incidental or consequential:—Incidental or consequential orders are those which follow as a matter of course being necessary complements to the main order passed without which the latter order would be incomplete or ineffective.'

So, this is the position. That is to say, only when you find that without the necessary consequential and incidental orders, the purpose for which

the original order is passed will become incomplete, only then, you can do this. This is my respectful submission. I feel, Sir, suspension of these things is not incidental or consequential. What does the latest order say? I mean, the latest proclamation of Presidential rule. It is the latest one, it is not the last one. That was done in the case of Pondicherry on 26-3-74. In that one, when they passed that order, what did they do? It is pertinent to quote that one. Corresponding to this was, as you know, there are provisions under the Government of Union Territories Act, 1963 which relates to Pondicherry. There is specific item relating to audit which is found here in Section 49. If I read this, what I say will become clear. I quote:

'Section 49 of the Government of Union Territories Act, 1963:—

The reports of the Comptroller and Auditor General of India relating to the accounts of a Union territory for any period subsequent to the date referred to in sub-section (1) of section 47 shall be submitted to the Administrator who shall cause them to be laid before the Legislative Assembly of the Union Territory."

When this Presidential Order was issued on 28th March, 1974, it says 'Whereas the President has assumed the power of the Administrator' etc. Section 49 was not suspended. Rather, Sir, they put it rather bluntly; they said, in relation to the said Union Territory, less the context otherwise requires, any reference in section 6, 23, 27, 28, 40, etc. of the Act to the Administrator shall be construed as reference to the President and any reference in section 49 to the legislative assembly of the Union Territory, in whatever form, shall, in so far as it relates to the functioning, be construed as reference to this Parliament. Now, the latest order has been issued bringing States and Union Territories in this one. Now, instead of placing it on the Table of the Union Territory legislature, it should be placed on the

Table of our House. But they have given this to the Union Territory of Pondicherry. Then, why they have taken recourse to this thing? Therefore, I am on this point. Therefore, so far as the Presidential Order dated the 22nd March, in so far as it suspends these two rules, one prohibiting of report to be placed of the Comptroller and Auditor General and the other one relating to Public Service Commission (with reference to sub-clause 2 of article 151 and sub-clause 2 of Article 323), to that extent, this is certainly violative of the provisions and is invalid and also it goes against the powers of this House, because, this cuts at the very root of this functioning by the only watchdog function which is available to the House and by preventing this exercise of control over finances, this is something which is against Parliamentary Democracy and Constitution and therefore it is my submission that its validity is in question. This is my respectful submission. Thank you.

SHRI A. KEVICHUSA (Nagaland): Mr. Speaker, Sir, the recent defections and re-defection in Nagaland have tarnished the image of the State and the Nagaland Assembly.

MR. SPEAKER: Mr. Kevichusa, you will get an opportunity when the matter is taken up for discussion later. These are some constitutional objections that are being made which you must also hear. When discussion is started, at that time I shall see that you get the opportunity to speak.

Shri Banerjee and Shri Patel are not here. Prof. Dandavate.

PROF. MADHU DANDAVATE (Rajapur): I shall briefly mention one point. That is, we must read Art. 356 in conjunction with Art. 151. Sir, the legality and the constitutionality of this particular issue is more important because it is the rights of Parliament and obligations to Parliament that have come into difficulty.

It is true that Art. 356(1)(c) categorically says:

"make such incidental and consequential provisions as appear to the President to be necessary or desirable for giving effect to the objects of the Proclamation, including provisions for suspending in whole or in part the operation of any provisions of this Constitution relating to any body or authority in the State."

This has great relevance because the words 'incidental' and 'consequential' are of great significance. Some thing is treated as 'incidental and consequential' which ultimately results in curtailing the power and obligations of Parliament. In that case, the real difficulty is created, as rightly pointed out by my colleague. For instance, earlier clause (2) of Art. 151 relates to lay before the Legislature of a State the reports submitted to the Governor by the Comptroller and Auditor General of India. Now, the effect of this particular suspension will only mean that these reports which could have normally gone before the Legislature would have come before Parliament. Now, you can imagine the situation because of the suspension of this particular provision. You will find that these particular reports which will be prepared by the Comptroller and Auditor-General will not come before Parliament at all. There is no State Legislature before which they will be placed. And, as a result of that, there would be normally powers residing in the hands of the Auditor-General. If there are certain lacunae in the reports, they will never see the light of the day and Parliament will not be able to scrutinise them. As a result of that, it will not serve the public interest at all. Therefore, it is very necessary that under the cloak of Art. 356(c), we should not allow this particular aspect to be treated as incidental and consequential. Of course, that will mean the erosion of the rights of Parliament and, to that extent, to challenging the Constitutionality and legality of this particular provision.

SHRI H. N. MUKERJEE (Calcutta-North-East): Sir, may I make my submission?

MR. SPEAKER: I only call the Members who have given their names. Mr. Chatterjee.

SHRI SOMNATH CHATTERJEE: Mr. Speaker: Sir, in this country we have seen that on many occasions recourse is taken to Art. 356. It is very necessary, in my opinion, that Parliament should know what is the real content of the powers of the President. Kindly see that after the President assumes to himself the power of the executive authority, this Parliament assumes the powers of the State Legislature.

Sir, there is a provision here which is very significant. It says:

"The President may make such incidental and consequential provisions as appear to him to be necessary or desirable for giving effect to the objects of the Proclamation, including provisions for suspending in whole or in part the operation of any provisions of the Constitution relating to any body or authority in the State."

Therefore, the President has not been given the power here to suspend any other provision of the Constitution. Such a suspension must be incidental to or consequential for the purpose of this Proclamation. Here, the objective of the Proclamation has been to run the administration of the State of Nagaland because the Government of that State cannot be carried on in accordance with the provisions of the Constitution. Therefore, since the Assembly cannot be run according to the Constitution and since the Ministry cannot be formed or since the Legislature cannot function there, the primary object—the only object is to run the administration in the State of Nagaland by the Presidential Proclamation. You would be good enough to see all the provisions

that have been mentioned excepting the two which are not mentioned relate either to the power of the State Legislature directly or the Council of Ministers functioning there or the functioning of the Chief Minister and so on and so forth. Now, Sir, what is the scope of this provision, namely, incidental and consequential provision for the purpose of giving effect to two objects. Under that each and every provision of the Constitution cannot be suspended. President cannot suspend Article 311 which deals with the rights of Government servants. Article 19 cannot be suspended under Article 356. Incidental and consequential provisions must be such as are necessary concomitant of the object of Proclamation. It has been defined in the Oxford dictionary that 'incidental' means 'occurring or liable to occur in subordinate conjunction with something else'. How is the object of running the administration of the State of Nagaland, because Assembly cannot function, being necessarily fulfilled by disallowing or making a provision that the audit report will not see the light of the day? In the name of incidental and consequential provision the net is sought to be thrown wider. Two very important items of State activity which have nothing to do with the day-to-day activities of the State, namely, public employment for which the Public Service Commission is intended to be one of the watch-dogs and Comptroller and Auditor General's report which is essential to look into the public expenditure are sought to be kept out of the purview of the legislatures. Therefore, we say this Proclamation in so far as those two provisions are sought to be suspended is not a valid Proclamation.

SHRI H. N. MUKERJEE: Sir, I shall not be going into the pure technical aspect of the matter but one moment in this business which intrigues me and makes me very suspicious and indignant is the Government way of proceeding. As Mr.

Sezhiyan has pointed out under the name of having incidental and consequential provision in the Proclamation certain suspensions have been ordered. We do not object to that. But if we compare the Nagaland Order of the President with the President's order in regard to Pondicherry, in that case the Presidential Order did not include suspension of that provision which would have made presentation of the Comptroller and Auditor General's report obligatory before Parliament. On this occasion a very definite distinction has been incorporated. There is no intention on our part to put any hurdle in the way of Government particularly on the issue of Nagaland. Let the Minister explain that contrary to provisions in the Pondicherry Proclamation a special exclusion has been included in the Nagaland Proclamation.

SHRI K. BRAHMANANDA REDDY: Sir, hon. Mr. Sezhiyan has read this relevant portion of Article 356, Article 356 (1) (c) says:

"make such incidental and consequential provisions as appear to the President to be necessary or desirable for giving effect to the objects of the Proclamation, including provisions for suspending in whole or in part the operation of any provisions of this Constitution relating to any body or authority in the State:

Now, we will come to Article 151 (2). It says:

"The reports of the Comptroller and Auditor General of India relating to the accounts of a State shall be submitted to the Governor of the State, who shall cause them to be laid before the Legislature of the State."

My submission is, what is suspended according to the Proclamation is only this. You may kindly see

"so much of clause (2) of Article 151 as relates to the laying before the Legislature of the State of

the Report submitted to the Governor by the Comptroller and Auditor General of India:

Secondly, in regard to Article 323, it says:

"so much of clause (2) of Article 323 as relates to the laying of the report with a memorandum before the legislature of the State."

Therefore, what is suspended is only this portion "who shall cause them to be laid before the Legislature of the State." The entire thing is not suspended. Now, in many of these proclamations, this has been done and we are advised by the Law Department that this is perfectly legal and valid. Apart from that, Sir, as you know, this Assembly has been suspended. This has not been dissolved. Therefore, Sir, the duration of the suspension....

SHRI DINEN BHATTACHARYYA (Serampore): Suspicion out of suspension.

SHRI K. BRAHMANANDA REDDY: You suspect everything. In regard to the duration of the suspension, we cannot just now say, now long it will be. It may be for some time or more time. Therefore, Sir, as the duration of the suspension cannot be envisaged just now, depending upon the situation prevailing in the State, it has not become necessary to lay these reports on the floor of the House. Supposing, at some other time, if it becomes necessary to come before the House again for extension, we will certainly consider this matter whether these reports cannot be laid

SHRI SEZHIYAN: Just now, the Minister has said that this Legislative Assembly has not been dissolved, that this has only been suspended, and therefore, they have put this. The Minister has also said that he does not know how long it will remain suspended, and that therefore, they have put this. Sir, I can give one instance which will prove this.

In regard to Uttar Pradesh, on 22nd February 1968, the Governor sent a note. In the end, he said:

"I do not think it is desirable to dissolve the Legislative Assembly at this juncture but feel that it will be in the best interests of the State if the functioning of the State Legislature is merely suspended."

Without suspending the Legislature, without dissolving the Legislature, the Legislature was put in animated suspension and Article 356 was clamped in regard to the State of UP on 22nd February, 1968. On that date, the proclamation was issued without dissolving the Assembly. The Assembly was only suspended but they have not suspended this rule under Article 131(2). The UP Assembly was not dissolved, but, it was only suspended. This was issued on 22nd February 1968.

**SHRI K. BRAHMANANDA REDDY:** May be so.

**SHRI SEZHIYAN:** He has said that the Assembly has not been dissolved and that it has only been suspended. I can quote a case where the Assembly was not dissolved, but only suspended, and there, this rule was not suspended. Why are they going back?

**SHRI SOMNATH CHATTERJEE:** The Proclamation itself says that any reference in the Constitution to the Governor would mean the President and any reference to the legislature would mean reference to Parliament. Article 151(2) has to be retained. What has the duration of the suspension to do with it, because automatically the matter will come before Parliament? They have consciously made a departure without any explanation.

**SHRI S. M. BANERJEE:** There is a common point raised by all the members which has not been replied to. Incidental and consequential provisions have to be consistent and should have effect so far as the objectives of

the Proclamation are concerned. He has not explained it.

**SHRI SHYAMNANDAN MISHRA (Begusarai):** The point is one of substance and it should receive your most serious consideration whether Parliament can or should accept a truncation of its responsibilities in this matter. The very essence of parliamentary system is financial control. If financial control goes, there is no sense in transferring any responsibility to Parliament. If the Auditor-General is not under an obligation to submit a report to the President to be caused to be laid on the Table, the financial control does not pass to the Parliament of India. It is for your serious consideration whether the Government should be allowed to suspend this power also, which essentially is the very basis of financial control. If the purpose of this is to run the government there, if the Assembly is suspended, with the help of Parliament with the same powers, then this does not seem to be incidental or consequential to the powers that have been acquired by the President.

**SHRI K. BRAHMANANDA REDDY:** The report of the Auditor General for 1972-73 relating to the State of Nagaland has been placed before the Nagaland Assembly but the report for 1973-74 is not yet due.

**MR. SPEAKER:** I see a disparity between the notifications issued in the case of Pondicherry, U. P. and Nagaland. I made an observation while addressing the Conference of Chairman of Subordinate Legislation Committees that in case there is President's rule, and the Assembly is not functioning, some way should be found whereby the rules which normally should have been laid before the Assembly are not left unscrutinised. They should either be scrutinised by the parliamentary committee or when the proclamation is revoked and normal conditions are restored, the subordinate legislation committee of that State must scrutinise it. In

this case, if there is any Auditor General's report or Public Service Commission's report, the normal course would have been that they are laid on the Table of that Legislative Assembly. When there is no Legislative Assembly, the analogy goes to the corresponding Legislative body. I think there is no harm if even in your consequential or incidental matters, you bring this before the House, if it relates to that period. The question of deletion would not solve any problem. Some way should be found. It is in the interests of Parliament and Nagaland also that there is some substitute where they are laid when there is no Assembly functioning there. I hope there will be ample scope in the interpretation of your incidental and consequential matters so that some way could be found whereby this House should be aware of these things. I have given the Government a hint. The Speaker cannot give a direction saying you must put the proclamation this way or that way. I have given them a hint and I think it is an acceptable hint.

**SHRI JYOTIRMOY BOSU:** Why are these two controversial provisions in the Presidential Proclamation not deleted by the Government?

**MR. SPEAKER:** We shall resume the debate. Shri Dasaratha Deb.

**SHRI JYOTIRMOY BOSU:** I have given an amendment.

**MR. SPEAKER:** That is not in order. I have not permitted it.

**SHRI JYOTIRMOY BOSU:** But that was not conveyed to me.

**MR. SPEAKER:** Yesterday itself I have written that I cannot permit it because Proclamation cannot be amended. You can either reject it or accept it.

**SHRI JYOTIRMOY BOSU:** This is a motion before the House and I have given the amendment well in time.

Under what rule have you not permitted it?

**MR. SPEAKER:** Proclamation is not a motion. I am sorry I cannot allow any amendment to it. Resolution moved:

"That this House approves the Proclamation issued by the President on the 22nd March, 1975 under article 356 of the Constitution in relation to the State of Nagaland."

#### DEMAND NO. 1—STATE LEGISLATURE

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 5,75,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'State Legislature'."

#### DEMAND NO. 3—COUNCIL OF MINISTERS

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 12,50,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Council of Ministers'."

#### DEMAND NO. 4—ADMINISTRATION OF JUSTICE

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 3,37,500 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to



defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Administration of Justice'."

**DEMAND NO 5—ELECTION**

**MR SPEAKER** Motion moved

"That a sum not exceeding Rs. 4,88,700 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976 in respect of 'Election' "

**DEMAND NO. 6—LAND REVENUE, STAMPS AND REGISTRATION**

**MR SPEAKER** Motion moved

"That a sum not exceeding Rs 4,26,500 on Revenue Account be granted to the President on account out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976 in respect of 'Land Revenue, Stamps and Registration' "

**DEMAND NO. 7—STATE EXCISE**

**MR SPEAKER** Motion moved

"That a sum not exceeding Rs. 1,87,500 on Revenue Account be granted to the President on account out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'State Excise' "

**DEMAND NO. 8—SALES TAX**

**MR. SPEAKER** Motion moved

"That a sum not exceeding Rs. 1,30,000 on Revenue Account be

granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Sales Tax'."

**DEMAND NO. 9—TAXES ON VEHICLES**

**MR. SPEAKER** Motion moved:

"That a sum not exceeding Rs. 1,15,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Taxes on Vehicles' "

**DEMAND NO 12—CIVIL SECRETARIAT**

**MR SPEAKER** Motion moved

"That a sum not exceeding Rs 13,75,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Civil Secretariat' "

**DEMAND NO. 13—DISTRICT ADMINISTRATION SPECIAL WELFARE SCHEME AND TRIBAL COUNCIL**

**MR SPEAKER** Motion moved

"That a sum not exceeding Rs 42,00,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'District administration special welfare scheme and Tribal Council'."



**DEMAND NO. 14—TREASURY AND  
ACCOUNTS ADMINISTRATION**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 3,87,500 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Treasury and Accounts Administration'."

**DEMAND NO. 15—SPECIAL EXPENDITURE  
ON MAINTENANCE OF LAW AND ORDER  
INCLUDING CONTRIBUTION FOR PENSIONS  
AND GRATUITIES**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 17,00,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Special expenditure on maintenance of law and order including contribution for Pensions and Gratuities'."

**DEMAND NO. 16—VILLAGE GUARDS**

**MR. SPEAKER:** Motion moved

"That a sum not exceeding Rs. 9,37,500 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Village Guards'."

**DEMAND NO. 17—CIVIL POLICE AND  
FIRE SERVICE UNIT**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 1,30,75,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the

State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Civil Police and Fire Service Unit'."

**DEMAND NO. 18—JAILS**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 9,55,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Jails'."

**DEMAND NO. 19—STATIONERY AND  
PRINTING**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 6,62,500 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Stationery and Printing'."

**DEMAND NO. 20—VIGILANCE COMMISSION**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 25,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Vigilance Commission'."

**DEMAND NO. 21—WORKSHOP ORGANISA-  
TION**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 4,12,500 on Revenue Account be

granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Workshop Organisation'."

**DEMAND NO. 22—NAGALAND HOUSES**

**MR SPEAKER:** Motion moved.

"That a sum not exceeding Rs 1,55,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Nagaland Houses'."

**DEMAND NO 23—ADMINISTRATIVE TRAINING INSTITUTE**

**MR. SPEAKER** Motion moved

"That a sum not exceeding Rs. 1,37,500 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Administrative Training Institute'."

**DEMAND NO. 24—STATE LOTTERIES**

**MR SPEAKER:** Motion moved.

"That a sum not exceeding Rs. 2,26,200 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'State Lotteries'."

**DEMAND NO. 25—PENSIONS AND OTHER RETIREMENT BENEFITS**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 1,41,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Pensions and other retirement benefits'."

**DEMAND No. 26—EDUCATION**

**MR SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 1,32,94,500 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Education'."

**DEMAND NO 27—ART & CULTURE AND GAZETTEERS UNIT**

**MR SPEAKER** Motion moved.

"That a sum not exceeding Rs 2,71,300 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Art and Culture and Gazetteers Unit'."

**DEMAND NO. 28—MEDICAL, PUBLIC HEALTH AND FAMILY PLANNING**

**MR SPEAKER:** Motion moved.

"That a sum not exceeding Rs. 76,71,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come

in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Medical, Public Health and Family Planning'."

**DEMAND No. 29—URBAN DEVELOPMENT**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 3,62,500 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Urban Development'."

**DEMAND No. 30—INFORMATION, PUBLICITY, AND TOURISM**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 8,20,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Information, Publicity and Tourism'."

**DEMAND No. 31—EMPLOYMENT EXCHANGE**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 53,700 on Revenue Account be granted to the President on account out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Employment Exchange'."

**DEMAND No. 32—LABOUR**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 32,700 on Revenue Account be  
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granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Labour'."

**DEMAND No. 33—TRIBAL DEVELOPMENT BLOCKS, COMMUNITY PROJECT ETC.**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 20,95,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Tribal Development Blocks, Community Project etc.'"

**DEMAND No. 34—SOCIAL WELFARE**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 8,82,200 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Social Welfare'."

**DEMAND No. 35—SOLDIERS, SAILORS & AIRMEN'S BOARD**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 16,200 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Soldiers, Sailors & Airmen's Board'."

**DEMAND NO. 36—SOCIAL SECURITY,  
WELFARE AND COMMUNITY SERVICES**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 2,75,700 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Social Security, Welfare and Community Services'."

**DEMAND NO. 37—EVALUATION UNIT**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 40,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Evaluation Unit'."

**DEMAND NO. 38—COOPERATION**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 6,20,000 on Revenue Account and not exceeding Rs. 3,17,500 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Cooperation'."

**DEMAND NO. 39—STATISTICS**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 3,62,500 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to

defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Statistics'."

**DEMAND NO. 40—WEIGHTS &  
MEASURES**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 92,700 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Weights and Measures'."

**DEMAND NO. 41—SUPPLY OFFICE AT  
CALCUTTA**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 44,200 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Supply Office at Calcutta'."

**DEMAND NO. 42—AGRICULTURE, MINOR  
IRRIGATION, FISHERIES ETC.**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 56,08,700 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Agriculture, Minor Irrigation, Fisheries etc.'"

**DEMAND NO. 43—SOIL CONSERVATION**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 10,12,500 on Revenue Account be

granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Soil Conservation'."

**DEMAND No. 44.—GRAIN SUPPLY  
SCHEME**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 13,37,500 on Revenue Account and not exceeding Rs. 75,00,000 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Grain Supply Scheme'."

**DEMAND No. 45.—ANIMAL HUSBANDRY  
& DAIRY DEVELOPMENT**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 26,83,200 on Revenue Account and not exceeding Rs. 35,000 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of Animal Husbandry & Dairy Development'."

**DEMAND No. 46.—FOREST**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 19,97,500 on Revenue Account be granted to the President on account out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on

the 31st day of March, 1976, in respect of 'Forest'."

**DEMAND No. 47.—INDUSTRIES**

**MR. SPEAKER.** Motion moved:

"That a sum not exceeding Rs. 13,67,500 on Revenue Account and not exceeding Rs. 55,62,500 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Industries'."

**DEMAND No. 48.—MINERAL  
DEVELOPMENT**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 6,31,200 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Mineral Development'."

**DEMAND No. 49.—POWER PROJECTS**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 71,07,800 on Revenue Account and not exceeding Rs. 39,81,600 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Power Projects'."

**DEMAND No 50.—ROAD TRANSPORT**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 15,75,000 on Revenue Account

and not exceeding Rs. 8,75,000 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Road Transport'."

**DEMAND No. 51—FINANCIAL CORPORATION CELL**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 1,25,000 on Revenue Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Financial Corporation Cell'."

**DEMAND No. 52—HOUSING LOANS & LOANS TO GOVERNMENT SERVANTS**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 19,50,000 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Housing Loans and Loans to Government Servants'."

**DEMAND No. 53—PUBLIC WORKS, HOUSING, ROADS AND BRIDGES**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 4,51,29,500 on Revenue Account and not exceeding Rs. 1,10,66,200 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year

ending on the 31st day of March, 1976, in respect of 'Public Works, Housing, Roads and Bridges'."

**DEMAND No. 54—FUNCTIONAL BUILDINGS AND OTHER DEVELOPMENTAL SCHEMES**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 39,08,300 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Functional Buildings and other Developmental Schemes'."

**DEMAND No. 55—WATER SUPPLY SCHEMES**

**MR. SPEAKER:** Motion moved:

"That a sum not exceeding Rs. 25,32,900 on Revenue Account and not exceeding Rs. 26,25,000 on Capital Account be granted to the President on account, out of the Consolidated Fund of the State of Nagaland, for or towards to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1976, in respect of 'Water Supply Schemes'."

**DEMAND No. 1—STATE LEGISLATURE**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 12,14,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'State Legislature'."

**DEMAND No. 3—COUNCIL OF MINISTERS**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 26,62,000 on Revenue

Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975 in respect of 'Council of Ministers'."

**DEMAND No. 5—ELECTIONS**

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 2,51,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975 in respect of 'Elections'."

**DEMAND No. 7—STATE EXCISE**

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 20,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'State Excise'."

**DEMAND No. 9—TAXES ON VEHICLES**

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 65,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975 in respect of 'Taxes on Vehicles'."

**DEMAND No. 12—CIVIL SECRETARIAT**

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 7,58,000 on Revenue Account be granted to the President,

out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975 in respect of 'Civil Secretariat'."

**DEMAND No. 15—SPECIAL EXPENDITURE ON MAINTENANCE OF LAW AND ORDER INCLUDING CONTRIBUTION FOR PENSION AND GRATUITIES.**

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 46,32,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Special expenditure on maintenance of law and order including contribution for pension and gratuities'."

**DEMAND No. 16—VILLAGE GUARDS**

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 3,00,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Village guards'."

**DEMAND No. 17—CIVIL POLICE AND FIRE SERVICE UNIT**

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 95,00,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Civil Police and Fire Service Unit'."

**DEMAND No. 18—JAILS**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 5,80,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Jails'."

**DEMAND No. 20—PUBLIC WORKS, HOUSING, ROADS AND BRIDGES**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 3,50,58,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Public Works, Housing, Roads and Bridges'."

**DEMAND No. 22—WORKSHOP ORGANISATION**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 5,00,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Workshop Organisation'."

**DEMAND No. 23—NAGALAND HOUSES**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 50,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year

ending on the 31st day of March, 1975, in respect of 'Nagaland Houses'."

**DEMAND No. 24—ADMINISTRATIVE TRAINING INSTITUTE**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 1,31,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Administrative Training Institute'."

**DEMAND No. 27—EDUCATION**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 6,71,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Education'."

**DEMAND No. 29—MEDICAL AND PUBLIC HEALTH**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 51,83,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Medical and Public Health'."

**DEMAND No. 30—WATER SUPPLY SCHEMES**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 38,50,000 on Revenue



Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Water Supply Schemes'."

#### DEMAND No. 31—URBAN DEVELOPMENT

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 50,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Urban Development'."

#### DEMAND No. 37—RELIEF, SOCIAL SECURITY AND WELFARE SERVICES

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 17,18,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Relief, Social Security and Welfare Services..'"

#### DEMAND No. 45—SOIL CONSERVATION

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 70,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Soil Conservation'."

#### DEMAND No. 46—GRAIN SUPPLY SCHEME

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,50,40,000 on Capital Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Grain Supply Scheme'."

#### DEMAND No. 49—INDUSTRIES

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,50,40,000 on Capital Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Industries'."

#### DEMAND No. 51—POWER PROJECTS

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 1,07,50,000 on Revenue Account and not exceeding Rs. 92,80,000 on Capital Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of 'Power Projects'."

#### DEMAND No. 52—ROAD TRANSPORT SCHEMES

MR. SPEAKER: Motion moved:

"That a Supplementary sum not exceeding Rs. 12,00,000 on Revenue Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year

ending on the 31st day of March, 1975, in respect of 'Road Transport Schemes'."

**DEMAND NO. 54—HOUSING LOANS AND LOANS TO GOVERNMENT SERVANTS**

**MR. SPEAKER:** Motion moved:

"That a Supplementary sum not exceeding Rs. 2,77,000 on Capital Account be granted to the President, out of the Consolidated Fund of the State of Nagaland, to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1975, in respect of Housing Loans and Loans to Government Servants."

The Statutory Resolution, the Nagaland Budget, the Demands for Grants on Account and Supplementary Demands for Grants are before the House.

**SHRI DASARATHA DEB** (Tripura East): Mr. Speaker, Sir, the President's Rule imposed in Nagaland by the ruling party is deliberately an attempt to overthrow the non-Congress Government in the State. Wherever it is possible, they make an attempt to overthrow the non-Congress Government and, to achieve that objective, the Congress Government at the Centre did never hesitate to take any unscrupulous and illegal method to topple the non-Congress Government.

13.35 hrs.

[**MR. DEPUTY-SPEAKER** in the Chair]

The UDF Ministry in Nagaland led by Mr. Vizol has been forcibly toppled by the Naga National Organisation, the NNO, which is known to all is linked up with the Congress. In his statement, Mr. Vizol complained that 5 MLAs of his party were kidnapped by the NNO with the help of the security forces. In this way, the NNO Ministry in Nagaland led by Mr. Jasokie has been installed.

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(Nagaland)

Since coming into office, the dissolved Ministry was trying to open a dialogue with the underground Federal Government of Nagaland in order to settle the 27-years old problem which is disturbing peace in this region. But it seems and it is evidently clear that the Central Government is not in favour of this peace effort. That is why they were trying to overthrow the UDF Ministry and they have succeeded in their objective.

Now, this Government which had been forcibly installed by the Congress Government at the Centre could not remain in office for more than 11 days. It had to collapse. Even before that, we know, how the Government's mind was working. As soon as the Assembly met, they told the Speaker that 10 Members of the NNO, including 3 Ministers, were being held under duress and said that the House could not transact any business under such circumstances. But the *Times of India* report say that 10 Members, however, informed the speaker in writing that they had crossed the floor and joined the UDF. There were 33 Members on the Opposition Benches and 27 Members on the Treasury Benches in a House of 60 Members. It was not possible for the Government to run the Assembly. Their function is to run the Assembly. That does not mean that immediately the President's Rule should be imposed.

This Government did not allow other party to form the Ministry. At least, they should have allowed some time to see if there was any group that could form the Ministry. But that was not done. In the case of Mr. Jasokie, they immediately installed the Government and allowed him to form the Ministry. There was no delay at all. But in the case of others, they are in such a hurry to impose the President's Rule. Even the Report says that there was growing impression in Nagaland that it was drifting towards the President's Rule. That is the impression that was going on in Delhi itself.

That is why it is clearly known that this Government tries to topple the non-Congress Government in the State. We have seen a series of Governments formed by defections and other things. They say that their Members were held under duress. It cannot be "under duress" because these Members were present in the Assembly. How can it be "under duress". How can we take the word of the Chief Minister? The defection is there. But who initiated the defection. It is the ruling party everywhere that is trying to have defections somehow or other to topple the non-Congress Ministry and somehow or other, to instal their yes-man Ministry. That is what is going on. In this way, you are not going to help to improve the functioning of democracy in our country.

I want to point out one thing more. The people say that this area is a very sensitive area. Even yesterday, Mr. Mukherjee said that this particular tribal area of Nagaland and other such areas are sensitive. We should not talk in such a way which creates complications. Don't say, it is a sensitive area. Why have these people become sensitive? They have got their rights; they have got their certain demands; they have got their aspirations; they want to have proper development there. I want to know whether all the rights are being given to the people living in the tribal areas. Whether it is Nagaland or Arunachal Pradesh or Mizoram or Bodo tribes or Tripura tribes, are they getting proper treatment from this Government? Have they no right to build up their own nationalities, to develop their own nationalities? That is not being given to them. They are being deprived of all these rights...

SHRI VAYALAR (Chirayinkil): How? You prove it.

SHRI DASARATHA DEB: What business have you to impose on the tribal people in Tripura the script which they do not like? They should have their own choice in respect of script (*Interruptions*). Civilian routes

were constructed in Arunachal Pradesh and Nagaland, but those routes are banned for the civilians; they are being used only by the military people. What business have you got to prevent the civilian people from using those routes?

Now, I want to point out that there are three Governments there: one is the civilian Ministry formed on the basis of elections; another is the military Government who, under the nose of the elected government, are doing anything they like; they rape women, they torture and butcher the people; all these things have appeared in the newspapers also. Why are people being subjected to that kind of repression? Apart from the civil and military administrations, there is the underground Government. So, three governments are functioning there. Why?

SHRI VAYALAR RAVI: What is the solution (*Interruptions*).

SHRI DASARATHA DEB: The solution is to leave it for the people to decide. You are not allowing the people to come to some settlement for the benefit of that part of the country and also for India.

The Government must realise that every linguistic group or tribe, whether it is small or big, whether they are developed or undeveloped, has got every right to have their national aspirations and to enjoy rights and privileges to develop themselves as any other people do. When the fundamental human rights are denied, people become very sensitive and they take recourse even to revolt. Now, what has happened in my State?

MR. DEPUTY-SPEAKER: Do not go to your State. Confine yourself to Nagaland.

SHRI DASARATHA DEB: I can refer to other States also. The same thing happened in the Tripura Assembly...

[Shri P. G. Mavalankar]

that when that resolution comes before the House.

The President's Address, unfortunately, mentions practically nothing about labour, except merely one or two words, patting labour on the back. But what about the comprehensive Industrial Relations Bill? When I asked this question three times, the first time I was told that "it is under consideration" the second time "It is under active consideration" and the third time "it is under very active consideration". They have not gone beyond that.

I will give only one example. The provident fund of the labour carries only an interest of 6 per cent, while the Unit Trust gives 7 per cent, banks 8 or 10 per cent and fixed deposit with companies 12 per cent. The labour is demanding a higher rate of interest on their provident fund account. Moreover, they want that they should be permitted to withdraw the P.F. amount as loan after 20 years of service. But that is also refused.

So I would say in conclusion that the national climate is depressing and deteriorating. There is lack of sincerity of purpose and absence of earnestness, particularly on the government side; not only on the government side, but all around. None of us, it seems to me, is in earnest about delivering the goods. If we do not do it, and if the youth of this country and the poor people of this country are not given an opportunity to blossom, an opportunity to develop their personality, first of all, to live and to become themselves by developing their personality, they will not remain silent spectators. So, I will conclude by saying that all is not well with the State of this country.

SHRI TARUN GOGOI (Jorhat): Mr. Deputy-Speaker, while participating in this discussion on the President's Address, I would like to take the opportunity to extend my con-

gratulations to the Prime Minister for taking a bold step of arriving at a settlement with Sheikh Abdullah within the framework of our Constitution and thereby making a major break-through in the direction of the solution of the most complicated problem of Jammu and Kashmir. This accord is of great significance. This accord not only brings a bulk of the population of Jammu and Kashmir within the mainstream of national life of this country, but it will contribute to the unity and integrity of the country and will strengthen the forces of democracy, secularism and socialism. Since 1953 various changes have taken place in the State of Jammu and Kashmir, and what is heartening to know is that there is realisation and acceptance on the part of Sheikh Abdullah of the change in the situation.

15.50 hrs.

[SHRI NAWAL KISHORE SINHA in the Chair.]

We welcome Sheikh Abdullah's decision to join in the national political life of the country and to lead the State of Jammu and Kashmir. We hope that under his able and dynamic leadership there will be all round development and progress of the State of Jammu and Kashmir.

The reaffirmation of Sheikh Abdullah that the accession of Jammu and Kashmir to India is final and irrevocable, that in view of this accord plebiscite has become irrelevant and that in the national crisis the hands of the Prime Minister should be strengthened, for the purpose of secularism, socialism and democracy, is a statement of great significance.

I would also like to take the opportunity of expressing my strong resentment and protest at the decision of the American Government to lift the arms embargo on Pakistan. This is a matter of serious and the most disturbing concern not only for India but for the whole sub-continent. It

will not only hinder the process of normalisation of relations between India and Pakistan, it will not only strain Indo-American relations, but it will also disturb peace and stability and shake the economic development of the whole of the sub-continent. It will create unnecessary tension, unnecessary hatred and an arms race.

This decision betrays the assurance of Dr. Kissinger, who made a statement during his last visit to India that America was keen on the normalisation of relations between India and Pakistan and that America did not encourage an arms race in the sub-continent. This is the real attitude of America towards India. America's real policy is of maintaining the balance of power and of maintaining parity between India and Pakistan. ①

Never before, since we attained independence, has the country been confronted with such a serious crisis, economic and political. In the last two years, 1973 and 1974, we faced an unprecedented rise in prices of every commodity and a high inflationary trend. Thereby, everyone of us has been badly hit. You could realise human suffering and the difficulties of the poor people. Nobody could deny that even after 27 years of independence there are lakhs or millions of people who do not have two square meals a day, who do not have shelter to live in, who do not have the bare necessity of clothing to wear, not to speak of the bare minimum needs of modern life. It is also very pathetic to see that lakhs and lakhs of youth, who are full of vigour and energy, are without any employment and are every morning knocking at the doors of Government offices, private firms and industry and trade. Whenever we go to our constituencies, we find lots of young people do come and approach us for employment. ②

These two, unemployment and poverty, are the two greatest challenges of the country and it is for us to meet these challenges. It is not correct to say that the Government is not conscious of it. Government is

conscious of it; Government is alert to the situation and Government has taken bold and revolutionary steps in the direction to see that these problems are solved.

As regards high prices and the inflationary trend, India is not an exception. Even in the advanced countries these problems are there. When the more advanced countries, countries which are much more progressive, have not been able to solve it, how do we expect a poor country like India to meet the challenge adequately? On the other hand, the Government of India has taken certain unpopular and bold decisions. Government has taken various steps against smugglers, hoarders and blackmarketeers. Other monetary steps have also been taken which have yielded good results. There has not only been stabilisation of prices but there has also been a downward trend in prices. We hope that Government will take various other steps so that there is an improvement in the economic situation in the country. ③

There might be some lapses on the part of Government. That does not justify that the Opposition should criticize whatever the Government does. The Opposition has failed to discharge its duties by not contributing constructive suggestions. What is the role of the Opposition parties? As we have got responsibility to the people, they have also got responsibility to the people. They are contented or satisfied merely with criticizing; they are bent on criticizing the Government. ④

It is a matter of great concern to the country that certain groups of people have combined together to weaken democracy. They are attacking democratic institutions and functions. There is nothing wrong with democracy; there might be changes in procedures. These are the people who sometimes claim that they are strengthening democracy. These are the people who, whenever they are elected, say that the election is fair,



and peace is restored there, at the same time under President's Rule. I request that some elected Government comes to power there as President's Rule could not remain there for long. With these words, I oppose the President's Rule.

**SHRI D. BASUMATARI** (Kokrajhar). Sir, I rise to support the Proclamation placed on the Table by the Home Minister. I have gone through the Presidential Proclamation and the Supplementary Demands etc etc, that are presented before the House. My friends Opposite spoke emotionally. They have every right to speak in an emotional way. There is no way out except to impose the President's Rule.

**MR. DEPUTY SPEAKER** Mr Basumatari, you are not audible to the Reporters. Please speak up like a tribal. I do not know if I have to go to the school again in order to teach myself how to pronounce words correctly.

**SHRI D. BASUMATARI** Sir, I support whole heartedly this Proclamation though I cannot support every thing there. I do know very well the history of Nagaland. You will now know that since the inception of Nagaland and Meghalaya, I opposed very much creation of Statehood in this House itself on the plea that the consequence of that would have been the same as you have now seen. Our great leader, Pandit Nehru thought that Nagaland should develop in their own genius. Then that Statehood was granted. You know it very well that it was Pandit Nehru who told in that Executive Committee that there would be no more bifurcation there in Assam. That was the situation then as you see to day.

Now, Sir, I am coming to the history of Nagaland and my State. In those days, before the British Rule, there was a Feudal system in my State. In those days, the people of Nagaland had cordial relations with the plains people. You know it very well that there was cordial relation with the other people in your area now, Meghalaya. There were cordial relations with the people

of Mizoram, too. Therefore, there must be something as to why people of these areas are not co-operating with the Government even though so many developmental activities have been taken up by the Government over there.

Before Independence some of these parts were kept excluded. The people of those areas were not allowed to come to plains and the people from the plains were not allowed to go there during British rule for 150 years. They were kept separately and therefore suspicions arose in the minds of the people.

At the time of Independence Naga people came under the leadership of Rano Erake, now Saiza. She came along with 12 Naga chiefs here to know what will be the position of Nagaland after the Independence of India. The Administration did not understand the purpose of the visit and they were not treated well. They were treated shabbily. I had to invite them and keep them at my place for some days and provide food to them. When they found that they were not being allowed to discuss with the Administration then they thought it better to discuss with the Organisation.

Then Mr Deputy Speaker Shri Dhebar Bhai came with an open mind to Kohima to discuss with Phizo but when the talks were going to be held an order came from Delhi—without the knowledge of the Prime Minister and the Defence Minister—that Dhebar Bhai should not be allowed to talk with Phizo. That is the crux of the whole matter. From that time onward a suspicion developed and then you had to grant them a separate State to Naga people now Nagaland in the map.

Now, there are two groups—one is NNO and the other is UDF. What is UDF? It is a party of the underground. They came out and ruled for some time. When they could not rule the NNO party came. When the NNO party could not maintain majority then the Speaker had to adjourn the House and now a Proclamation has come. Sir

it is not only the question of administration there but it is also a question of as to how to deal with the tribal people of eastern zone. You cannot control the tribals by rules and military force. You have to win their hearts. It is to be ruled by treating them as friends. My friends are opposing. My friend, Mr. Deb, just now spoke. This is not in good spirit. Let him speak, what is in their heart. I am a tribal, you are a tribal and you know very well how they are treated.

MR. DEPUTY-SPEAKER: This is the day of tribals.

SHRI D. BASUMATARI: You know my heart and I know your heart. I am speaking from my heart because ...

MR. DEPUTY-SPEAKER: Let us not conduct it in a tribal manner.

SHRI BASUMATARI: I would request the Home Minister to see, what is wrong there. Mr. Deb said that there are two different administrations, one is military and the other is the civilian administration. That is true. When the Government found that law and order is not being maintained by this UDF, what prevented the Government of India from taking over law and order in their hands? Sir, I visited Nagaland some months back and I stayed there for ten days. People from every walk of life and from every group came to see me. They exchanged ideas with me and they asked me 'why so much military personnel are there?; Why don't you remove the Army people and why don't you allow us to lead our way of life?' Since the time of Independence, they have been saying this. You cannot deny it. Only with the help of administration, only with the help of army personnel and civilians, if you want to rule these people, then, I do not think, Mr. Mohsin, it will be good for you. You will not be able to tackle the problems. I would request the administration and the Home Minister to see this in the proper perspective. It is not possible for you to judge the thing from Delhi.

sitting in an ivory tower. You should go there and see what is the position.

MR. DEPUTY-SPEAKER: That hand will need medical attention after your speech.

SHRI D. BASUMATARI: I leave it to you to see to my hand. Therefore, Sir, I would request the Home Minister to see for himself what is the position there. Sir, when I visited Nagaland, this was the complaint. Not only that. Sir, you know, Mr. Nicholas Roy who has been there ...

MR. DEPUTY-SPEAKER: Why bring him here?

SHRI D. BASUMATARI: He used to say 'Mr. Basumatari, I have been a Minister here for so many years; I go to the houses of my friends, as a friend and not as Minister, but, no non-tribal Minister comes to me;'. This is the relationship between the tribals and the non-tribals. There is something wrong somewhere. That is why you cannot win the heart. Mr. Mohsin....

MR. DEPUTY-SPEAKER: I tell you, if people leave me alone, I am happy. It is only when they do not leave me alone that I feel inconvenient.

SHRI D. BASUMATARI: If you interrupt, I forget what I want to say.

MR. DEPUTY-SPEAKER: I was referring to what you were saying.

SHRI D. BASUMATARI: The Naga people, compared to other tribals, are heroes. They have got their own culture. They have got their own systems. They have got everything on their side. We talk of culture. What is culture? If you talk of culture and tradition, it is the Naga people who have maintained the culture very nicely and traditionally they have kept it. Sir, the Naga people give their assistance in war times. You will see in the Army that they are the best armymen. You will see in the hospitals that they are the best nurses. This is not the same in other areas. They are active and at the same time sincere. But since

they are treated as naked tribals. They are not naked. Compared to the non-tribals, educationally, they have come up very much. In regard to literacy yours is the second high Mizoram is the highest with 53.47 per cent and Nagaland is the third. But still we talk of tribals as uncivilised.

MR. DEPUTY-SPEAKER: I wonder whether even the Nagas would like that.

SHRI D. BASUMATARI: They are not uncivilised. If you talk loosely about tribals and all that, they lose faith and they do whatever they like. I only say that the Home Minister should not only rule through the administration, the military, the army and the officers, but should take the responsibility to see that the Nagaland people are not exploited by others and that they are enabled to lead a peaceful life.

SHRI A. KEVICHUSA (Nagaland): Sir, the recent defection and redefections in Nagaland have tarnished the face of the State. The Nagaland Assembly is dead, at least for the time being. The Legislature Party of UDF is buried alive. It is not my intention to make a futile attempt to bring about a resurrection. I only want to present a brief post-mortem report on the cause of death.

When occasion came for a trial of strength on the floor of the House, 33 members in a House of 60 were found sitting opposite the Treasury Bench. The Speaker, who had but a few days earlier, defected from UDF, adjourned the House *sine die*, thus creating a precedent, posing grave danger to parliamentary democracy.

The events preceding the defections lead one to believe that the initial defections received help from outside sources. In the first week of March, 5 MLAs belonging to UDF from far-flung parts of Nagaland were brought to Dimapur to join one Tokheho Sema, a Cabinet Minister in the erstwhile UDF Ministry. Tokheho Sema's in-

tention to defect had been an open secret since the last week of January. One of the five to join Tokheho Sema was from Meluri, the eastern-most constituency, two were from Tuensang district in the farthest North-east and two from Mon district of the farthest north. One of the five compared his experience of being whisked away to Dimapur to that of a chic carried away by a hawk. The party of 1+5 moved from Dimapur in Bokajan, about 11 miles away, and the next day to Arunachal Circuit House in Jorhat. On the 6th or 7th the party returned to Dimapur, but were hosted in the Army Cantonment at Rangapahar a few miles from Dimapur. On the intervention of the Governor, these six men were taken to a BSF camp near Kohima and then to the bouse of Jasokie, who reaped the harvest of the defections by becoming the Chief Minister in succession to Vizol.

Now we have the President's Rule in Nagaland. I only want the House to know that on the fall of UDF Government certain officers were credited as King-makers and were congratulated. I wish also to make it known that on the eve of the 1974 general election, certain officers declared that the UDF would not be allowed to form Government, even if the party turned out to be in the majority. If, during President's Rule, these officers continue to work on partisan lines, the administration will lose the confidence of the bulk of the people and parliamentary democracy will become a farce in Nagaland.

I can only trust that the President's Rule will show the people of Nagaland that there can be fairness, equity and justice under the Constitution of India and that there can be a fair and free election without interference by armed personnel and busy-body officials, as bitterly experienced by us in the past.

MR. DEPUTY-SPEAKER: Shri N. Tombi Singh: May I repeat that the request from your party whip is that



you should conclude your remarks within seven minutes.

SHRI N. TOMBI SINGH (Inner Manipur): Sir, am I to understand that we are discussing items 14, 15, 16 and 17 together?

MR. DEPUTY-SPEAKER: Yes.

SHRI N. TOMBI SINGH: At the outset, I would like to support the Proclamation of the President to impose President's Rule in Nagaland. It is not because I am in favour of President's Rule being imposed on Nagaland, or on any State for that matter, but because of the special circumstances that were prevailing there. Having gone through the details given by the Governor in his report, I think he had no other alternative but to recommend either suspension or dissolution of the Assembly and imposition of President's Rule in the State. The Government of India in their wisdom decided to suspend the Assembly and impose Presidential Rule there to solve the urgent political situation, which was complicated with some constitutional issues which have been very elaborately discussed here.

Nagaland forms one of the units of the very sensitive and strategic north eastern area. Therefore, what happens to Nagaland has got its repercussions on the other neighbouring States. It was very understandable from your point of view, as well as from the general point of view, as was rightly pointed out when some other hon. Members mentioned problems in the other States comprising the north-eastern area, that we should confine our discussion to Nagaland. But I belong to a State, which is neighbouring Nagaland, which also has got certain common issues. Nagaland is also our gateway. We have in our area a big block of Naga people. Naturally, we cannot consider Nagaland in exclusion from our own problems. Therefore, I would seek the indulgence to examine hurriedly the problem that is obtaining in Nagaland, not in isolation, but in the broader context of the entire north-eastern area.

Referring to Nagaland, it has one advantage and also Meghalaya which is your State, Sir, and Mizoram which is a Umon Territory. These three units of our country are cent per cent tribal areas. The difference in the case of Assam, Manipur—which is my State—and Tripura is that these areas are partly tribal and partly non-tribal. Assam, of course, is now substantially a non-tribal area although some tribal population is there. When we discuss the tribal welfare, the protection of tribals, their interests in various ways, in these three States, particularly, Nagaland, Meghalaya and Mizoram and also Arunachal to a certain extent, we can experiment with the working of a certain train of thought which, I think, our Ministry is very competent to do and it should see all possible ways to bring a new train of thought to be exercised and implemented in these tribal States.

As regards Nagaland, it is a fact which you cannot ignore and the question is, whether the mainstream of Indian politics has been introduced or not after so many years of Independence after Nagaland became a State in 1964, and we have to see that the mainstream has been introduced there. We have allowed the mainstream to enter into the tribal area, a very sensitive area. Of course, it will not be an easy thing to transport every thing, what happens in the broader context of the country, to small areas.

It has been pointed out in the speech of the Home Minister in the other House that sizable allocations—I am giving an instance—have been made in various Plans, particularly in the Fifth Plan, and it has been pointed out by the Home Minister in his speech that the expenditures were not made properly and it has also been pointed out that the money so sizable and liberally allocated for these areas has not been spent for the benefit of the common people. Now, the question arises whether in the normal context of the Centre-State relationship, in these small and difficult areas, the

Centre should merely allocate certain amounts and, afterwards, say that these amounts were not properly spent or they did not reach the common people.

What I would suggest in this connection is that the Home Ministry should have a permanent machinery not only for Nagaland but also for all the tribal and smaller States which are not cent per cent tribal States. Of course, Manipur, Tripura and Assam, all these States, have more or less common problem of establishing better relation between the tribals and nationals. For all these States, we have already agreed, the nation through this Parliament has agreed to depart from the normal yardsticks not only in the financial allocations but also in the promotion of special political status in these States.

MR. DEPUTY-SPEAKER: Your time has run out. But I will give you three or four minutes more. Please try to conclude.

SHRI N. TOMBI SINGH: Yes, Sir. I suggest that a permanent machinery should be evolved by which we can see that the allocations made for the smaller areas are properly spent, and also that these allocations go to the strengthening of the relations between the mainstream of the country and the common people of these areas who are also interested, as the Home Minister has very rightly pointed out, in peace, progress and development. But now who handles this situation? The question is not particularly for Nagaland only. We have to see that, in the name of hostilities, in the name of insurgents; in the name of certain underground elements, whether the special allocations, money and other facilities, that have been given liberally from the national exchequer have been allowed to flow out in the interest of those who go against the nation, in the interest of those who are insurgents. This machinery has to be set up.

It has been very rightly pointed out that the expenditure on police is on

the increase. It is not only in the case of Nagaland, but it is true more or less of the whole country. Particularly confining ourselves to the small areas, to the sensitive areas in the north-eastern region, we feel that the Home Ministry should take up measures to introduce a machinery through which we could spend on development, education, culture and on measures for socio-economic consolidation of the people. By this way, we can reduce the expenditure on police and the military postings there. We find that, so far, this aspect has been taken up only casually, and as I have said earlier in a different context any casual approach has never paid. Therefore, I suggest that the Home Ministry should take this opportunity—confining itself for the time being to the present Nagaland problem—to introduce a machinery through which we can have a rethinking.

Now I come to certain things which we should have considered earlier. Our area belongs to the category of remote part of an audience during a stage performance: When we take the country as a whole, we are far away from the stage; and although we can see the stage-play very clearly, in the broader context of the country, the stage-players, the people in the Capital, even the leaders at the helm of affairs, do not see our geographical position, do not know where we stand. Many of our friends here ask me where is Manipur, what is its Capital, where is Nagaland and so on. Some of them, of course, may ask very innocent questions. But when this amounts to ignorance of facts, a psychological distance is created and this may lead to anything. We have no complaint about the political attention that the Government of India has so far given to us. We are small States. Nagaland is a small State. The Minister took pains to point out that Nagaland has only about five lakhs of people. Many of our friends have mentioned this. Although it is a fact, when members mention that it is a tiny State which gets so much

attention, sometimes it hurts our sentiments. After all, we have proved that, whatever special attention politically has been given, has been given because of our special problems. If we stop with the political attention and do not undertake follow-up programmes for socio-economic and cultural consolidation of these areas, that will not help; mere upgradation of the units politically will not lead to anything. Coming to the present Nagaland problem, defections and re-defections have been happening. For a few months we are not in the news. . .

MR. DEPUTY-SPEAKER: There is keen competition in the country to be in the news!

SHRI N. TOMBI SINGH: Yes, Sir. Stability is needed in every State. It is to be much more so in areas like Nagaland, Manipur, Tripura, etc. These are strategic and sensitive areas. It is the concern of all of us. Everybody should share this concern. There have been various remarks against the Governor's action. In the circumstances the Governor has done the right thing and he has no alternative.

SHRI P. K. DEO (Kalahandi): You are pleading a lost cause...

MR. DEPUTY-SPEAKER: I think you have said enough to justify that. Kindly conclude.

SHRI N. TOMBI SINGH: I conclude by saying this: that Nagaland should have a stable Government and if at all there should be President's Rule, for some time, it should be for the minimum time possible. Here I want to give one warning to the politicians and the officers who are working there. There should be complete isolation of space between the politicians and the officers and the bureaucrats should not be allowed to have their own way.

MR. DEPUTY-SPEAKER: There is a tendency in this House to upgrade

these officers too much and that is the sign of the failure of the leadership. We should not bring the officers here. It is the leadership which is responsible, why bring in the officers here? I cannot understand this.

SHRI N. TOMBI SINGH: I abide by your ruling. I have, however, come across reports about officers—even criticisms of the Governor—and in the proceedings of the other House...

MR. DEPUTY-SPEAKER: Please don't take notice of the proceedings of the other House.

SHRI N. TOMBI SINGH: Unfortunately it is our experience that in small States, the officers play a big role. My only appeal is this. They should do their duty and not meddle in politics. They should be free from politics. This is my request. With these words I support the Motion for imposition of President's rule in Nagaland.

SHRI H. N. MUKHERJEE (Calcutta-North-East): You will forgive me, Mr. Deputy-Speaker, if I recall, that when Jawaharlal Nehru was here, there was no discussion on Nagaland, not even a single question, in which he did not himself take part. But today I find that 30 odd number of us are having a listless debate and I am trying to imagine, if I were a Naga, having come to attend the session of Parliament, from the visitors' gallery, I would have hardly felt myself encouraged to feel myself a national of this country...

MR. DEPUTY-SPEAKER: This thing has again and again taken place. We have the tendency to refer to the gallery. I say, this is a very wrong practice. Order please. I don't think this should go on record.

SHRI H. N. MUKHERJEE: Mr. Deputy-Speaker, Sir, I am sadder still to note that this is the Thirty-seventh time since 1950 that state of the Indian Union has been taken over by the President and, in a short

period, the State of Nagaland, the fifteenth Indian State, has to be taken over and it has now this distinction of being taken over by the President.

I was sorry to note from the Governor's letter to the President which incidentally has an elegance as compared to some other communications from the Government to the President. This is a very decent performance. It is sickening to discover that Nagas, whom I personally had the privilege of getting to know at close quarter since 1965, and who are celebrated all over the country for truth-telling and for being straightforward, are obviously being very badly contaminated by the political atmosphere which we seem to have acquired in this country.

The Governor reported, for example, that since the new U.D.F. Ministry assumed office about a year ago, many defections have taken place. I quote from his letter:

"Eight Members have defected once; another 8 have defected twice; and two have defected three times."

And in the recent operations, Mr. Vizol's ministry and Mr. Jasokie's ministry present another spectacle which does not speak well. I would not like to say anything on this. I am trying to find one thing. There is one Deputy-Speaker in the Vizol Ministry who went over to become a Minister in the N. N. O. Ministry—one group loses and another group wins—all of them are the bird's of the same feather. People perhaps say that they damn the ins and damn the outs and I damn them all together. I have no sympathy for these chaps, for these *ayaram* and *gayaram*. Even in Nagaland, in Mr. Deputy-Speaker's Office, . . .

MR. DEPUTY-SPEAKER: A very exciting precedent, I think!

SHRI H. N. MUKHERJEE: I also saw in the paper a very disconcerting report of which we cannot take any notice in order to be able to control

it. It is a very disconcerting report. For example, the report is—I am quoting from the Governor's letter:

"When the Legislature met this morning, the Speaker Shri Keditu, adjourned it sine die, Shri Keditu had been a member of the UDF, and had been elected Speaker with support of that party. He had, however, declared his preference for the NNO on 9th March."

The Governor writes this letter to the President which Mr. Brahmananda Reddy has the right to present it here in a spirit of detachment, as if the Speaker, in a Legislature, from one party has gone over to the other party.

MR. DEPUTY-SPEAKER: This is the case of whatever you can do we can do it better.

SHRI H. N. MUKHERJEE: I cannot understand how these goings on would continue in this country in our Parliamentary system. For instance a situation is created where the Speaker adjourned the House sine die. May be, the Speaker was right in saving when he did that that his own life was in danger and that some other Members were in duress confined somewhere against their will. If this is the way in which a Parliamentary Government has to run, then Heaven knows what would happen to the people of Nagaland in particular and to the rest of us in this country.

I find from the budget also which is presented that the way in which Government proceeds, it does not appear to be inclined to relieve the anxiety and the miseries and the sufferings of the people of Nagaland. I made a rough calculation and I discovered a few items. Under 'Civil Police and Fire Service Unit' Rs. 5.23 crores are allocated in the budget while, under 'Tribal Development Blocks and Community Projects' Rs. .83 lakhs have been allocated. Under 'Forests'—I have seen the Nagaland forests, how rich they are—

Rs. 79.90 lakhs have been allocated Industries Rs. 54.70 lakhs; power projects Rs. 2.84 crores; social welfare Rs. 35.35 lakhs, etc. Altogether it comes to a little over Rs. 5 crores while on Police alone there is a provision of Rs. 5 crores apart from the Army which is looking after the major part of the law and order problem there. This is not the way to run Nagaland. This is not the way in which we can win the affections of people whose problems are so crucial to the future of the entire country of ours. That is why this discussion today is important. Because of the insensitivity which Parliament has developed we do not seem to hear what is happening in Nagaland and in this country.

I do not understand how is it that these goings on continue in Nagaland and Government has never the idea of taking Parliament into confidence. In the earlier days whenever questions relating to Nagaland were likely to be propounded before the House there would be preliminary discussion with the Prime Minister. He used to take the Opposition into confidence. Why is it if there are any defaults in your administration of Nagaland which has enabled the continuance of discontent in that crucial region we are not told about it. Why are we suddenly surprised with this kind of thing and then we are told to legalise this matter before 31st March. Has Government no responsibility to see that budget papers are prepared with at least minimum decencies of Parliamentary etiquette? This is the position to which we have been reduced and which makes impossible for us to function.

May I ask Government if defection which was so alien to Nagaland has become so chronic how is it that the anti-defection Bill has been hanging fire for so long? This defection in our political atmosphere is something which has got to be cured.

Sir, I do not hold any brief to condemn anybody but there is no doubt from the way events have been re-

ported by the Governor of Nagaland that the ruling party had a very big hand in promoting defections one way or the other. Let the Home Minister repudiate what I say with hand on his heart. Let him tell me and I am ready to believe him, Sir. As far as the records so far produced before the House are concerned, nothing to show that Government did not have a hand in this game of defection. Otherwise, it would not have happened. Sir, if Speakers do not behave, if Speakers wish to become Ministers and all that sort of thing, we know that kind of thing has happened in other parts of India...

MR. DEPUTY-SPEAKER: I hope it will never happen here.

SHRI H. N. MUKHERJEE: Well, Sir, in other parts of India...

MR. DEPUTY-SPEAKER: I am talking about us.

SHRI H. N. MUKHERJEE: Ministers have become Speakers. The next metamorphosis is still to come.

MR. DEPUTY-SPEAKER: I am talking about ourselves.

SHRI H. N. MUKHERJEE: Would you please do not provoke me into prognostications which are perhaps warranted by certain happenings. But, what I mean to tell very seriously to this House is that parliamentary life would lose in its character and its ethos. Do not behave in this way. If the salt loses its savour, where will it be salted? We are told that there was police cordoning of the Assembly. I do not know if it was true. He may repudiate it. If it is true that Pressmen were kept out of the Assembly altogether, without anybody's special dispensation, from the Legislature itself, then, surely that kind of thing is derogatory to the very basic existence of parliamentary life. I do not support the kind of thing which my friend Mr. Deb said. I can understand his anger. I can sympathise with the kind of feelings that he has got. But, I do not support many of the formulations which he made. But, if in Tripura, for instance,

inside the precincts of the Assembly, the Leader of the Opposition happens to be arrested, then surely that kind of thing is never going to make any kind of contribution to the stabilisation of parliamentary life in this country.

Sir in Nagaland, as you know very well, there is perhaps, as yet, no real communication between the Centre and the Naga people. I say this because in 1965 I had the privilege as a Member of the Parliamentary delegation to go to Kohima and to go to other parts of Nagaland. I remember, Sir, by helicopter, I went to a place which was supposed to be entirely anti India, so to speak and I was given the job of addressing a very hostile audience. Sir—if you do not mind my dragging a little—I was the only person in the delegation who succeeded in extracting an applause from the Naga audience and I did that not because of any magic formula which I could utter, but because, I told them that if the Indian Army, this was in 1965, in the years before had committed any atrocities, they remain to be proved and they would certainly be court martialled or otherwise brought to trial, but that in the meantime, I am ready and willing, if the Naga people have got that impression, if that kind of thing is in their mind, I am ready and willing on behalf of my country to apologise to them and to ask them for assistance in building a new India of which Nagaland would be a willing part. They applauded only when they found that someone from India was trying to show a sympathetic spirit. That is why, they looked up to Jawaharlal Nehru in the way they did. That is why, perhaps, even today—my friend from Nagaland has gone away after having spoken—they naturally expect India to behave in a manner which is important.

That reminds me of my last point which I wish to make, and that will be in continuation of what I have said yesterday. I do feel that whatever our grouse against the Government, and the grouse is very strong, whatever our criticisms of Govern-

ment's handling of the Nagaland problem recently, we should discuss these matters in a manner which should not assist the enemies of our country. Nagaland is an area where advantage is being sought to be taken by hostile forces, national as well as international. I heard yesterday some references to a paper called Motherland which I never read carrying some kind of an article in the early days of March about Indira Gandhi, whom I never hesitated to criticise when I thought she should be criticised. But, at the same time, I was told about this Motherland article where she is described as the red queen supporting communists etc etc and she was given an idea that regicide was a legitimate practice which the people could take recourse to. I remembered Sir, that this is an example of an attempt at de-stabilising this country at a moment of time when all sorts of things are happening. In Nagaland in 1965 we met three people who were running a peace mission. One was the philosophically-minded Bimal Prasad Chaliha. The second was Rev. Michael Scott whose sanctimonious mask of charity-mongering Christian hypocrisy was torn off quite soon. The third person is now carrying on a total revolution in this country! When I think of these destabilising processes in this country, I am very chary as to what should be done or said in this House. That is why I insist, particularly with my friends to my right, the CPM members, that we should criticise Government's failings strongly and in a principled manner, but we should do so in a manner, specially in relation to a region like Nagaland, which would never in any way assist the enemies.

SHRI TARUN GOGOI (Jorhat): Sir, though I am not a champion of President's rule, I think all of us should agree that there are certain circumstances in which President's rule has to be resorted to. It is in this context that we have to consider the President's rule that has been imposed in Nagaland. I support the Resolution moved by the Home Minister in this regard. Never before



have I seen the President's rule being welcomed by all sections of the people and by all political parties in the State. There are mainly two parties in Nagaland—the UDF and the NNO and both of them have welcomed the imposition of President's rule. It has been welcomed by Mr. Vizol. It has also been welcomed by Mrs. Shaiza, the chief of the UDF, and by Mr. Jasokie, the new ex-Chief Minister.

In the last elections, both the parties failed to get a majority. Out of 60 members, one got 25, the other 23 and the remaining 12 were independents. The independent members are responsible for the defections. Mr. Deb criticised the Congress for overthrowing the Government and the Deputy Speaker rightly stated that in Nagaland, there is no Congress Party. We are not interested in overthrowing either the UDF or the NNO Government. We have got no link with the NNO. Mr. Deb found fault with the Congress for being the initiators of defections in Nagaland. It is not correct. Defections in Nagaland started just after the elections when 3 members of NNO defected to the UDF. The fact remains that both the NNO and UDF are responsible for the defections. We condemn defections, which is a very unhealthy practice. When there is defection and instability of Government, the progress of the State suffers. In Nagaland when no party is able to form a stable government, it is the people who are the sufferers. It is a most sensitive and strategic area, which was neglected during the British rule. Even after independence, this area never received as much attention as it deserved till Nagaland became a State in 1964. Before that, this area was lagging far behind and that was the main reason for the dissatisfaction among the Naga people. Though it has been the aim of the Centre to bring the Naga people into the mainstream of national life, up till now this has not been possible. Initially the demand of the Naga people was an independent Nagaland. After a long period, they have realised

the futility of this demand and a majority of them have now given up that demand. They have a desire to come into the mainstream of national life, but this can be done only by rapid progress in agriculture, communications and industrialisation. Railways and other communication facilities are totally inadequate in Nagaland. Because of the lack of facilities for development, this area is lagging far behind and it has not been possible to bring the people into the mainstream of national life. I hope the Minister will look into this matter.

It is a matter of great concern to all of us that there has been an increase in unlawful and violent activities. There is a foreign hand behind all this. It has also been confirmed by the Prime Minister herself that in the north-eastern areas a foreign hand is behind all these violent activities. This is a matter of great concern for the whole country that there is a systematic plan and a foreign hand is trying to create chaos not only in the north-eastern areas but in the whole country. Thereby the whole country's security is threatened. This should be taken care of.

With these words, I support the Resolution moved by the hon. Home Minister.

श्री जगन्नाथ राव जोशी (शाजापुर) :  
उपाध्यक्ष महोदय, पांडिचेरी और गुजरात के बजट के बाद अब राष्ट्रपति शासन नागालैंड में लागू करने जा रहे हैं या किया है, जिसकी वजह से वहाँ के बजट पर भी हम लोगों को चर्चा करनी है। इसका कारण यह है कि नागालैंड में जो यू०डी०एफ० की सरकार थी उसमें दलबदल की वजह से उनकी शक्ति चली गई, उनका बहुमत चला गया किन्तु नागा नेशनलिस्ट फ्रॉन्ट हाइजेशन, इनकी शक्ति या इनका समर्थन या इनका बहुमत भी ज्यादा दिन रहा नहीं, जिसकी वजह से यह एक अस्थिरता का वातावरण पैदा हुआ। अब यह जो अस्थिरता का वातावरण देश के अन्दर पैदा हुआ है, इसके लिए हमारे भित्ति श्री हीरेन मुर्कजी ने जिम्मेदार कुछ बातों को

ठहराया है किन्तु शास्त्रों ने इस बात की स्वीकृति दी है कि जो भी देश के अन्दर होता है, उसके लिए जिम्मेदार राजा है और मैंने कई बार कहा है कि देश के अन्दर जो स्वस्थ परम्परा पैदा होती है, वह सिर्फ नीति से ही नहीं बल्कि नियत से होती है और आपकी नियत पर लोग शक करें ऐसी स्थिति अनुभव से सिद्ध हुई है लेकिन अब केवल शक शक नहीं रहा क्योंकि आज सुबह ही एक प्रश्न श्री मधु दंडवते उठाना चाहते थे कि दिल्ली में महानगर पालिका जनसंघ के हाथ में काफी साल तक रही किन्तु पिछले कुछ दिनों से यह हवा में आने लगा था कि यह सरकार उसको अपने हाथ में लेने जा रही है और उसके लिए तरीका बिल्कुल निश्चित है कि लोगों को पार्टी में से तोड़ दो और दो लोगों को तोड़ दिया गया किन्तु जब 23 मार्च को नये मेयर का चुनाव होने जा रहा था, तो आप ने होने नहीं दिया। आप शक्ति परीक्षण से डरते क्यों हैं यह बात समझ में नहीं आती है। वैसी ही चीज नागालैंड में हुई। अब अध्यक्ष के आचरण के बारे में तो हम यहां कुछ कह नहीं सकते लेकिन अध्यक्ष ने अनिश्चित काल के लिए एक दम सदन को स्थगित कर दिया और बिरोधी दल के नेता श्री जमीर साहब ने इस बात को चुनौती देकर कहा था कि शांति परीक्षण हाने दोजिए मैंने अविश्वास का प्रस्ताव दिया है। जब स्पीकर कान्केंस में यह बात तय हो गई थी कि किस दल का बहुमत है इसका निर्णय सदन में होना चाहिए और राज्यपाल राज भवन में बैठ कर यह निर्णय न करे तो इसका यहां पालन क्यों नहीं किया गया? सदन में ही इस बात का पता क्यों नहीं लगाया गया कि एन०एन०ओ० के साथ बहुमत है या यू०डी०एफ० के साथ है? यदि जमीर साहब को सदन के अन्दर अविश्वास का प्रस्ताव लाने की इजाजत दे देते तो पता चल जाता कि किसके साथ बहुमत है। किन्तु शायद आप यह चाहते नहीं थे। इसलिए जब अनिश्चित काल के लिए सदन को स्थगित कर दिया गया तो आपने

उसको निलम्बित कर दिया वह कब तक निलम्बित रहेगा इसका कुछ पता नहीं। मार्च के महीने में यह हवा क्यों बहने लगती है समझ में नहीं आता है। पांडीचेरी में यही कुछ मार्च में किया गया, दिल्ली में मार्च में किया गया, यहां मार्च में किया गया। जिस तरह से मार्च में वसन्त ऋतु आते ही नए नए झंझुर फूटने लगते हैं उसी तरह से मार्च में राष्ट्रपति को भी नए नए झंझुर आने लगते हैं, ऐसा क्यों समझ में नहीं आता है। इसी महीने में उनका शासन इधर उधर फँसने लगता है। मार्च का ही महीना होता है जबकि बजट पास करना होता है। दो तीन दिन पहले यह काम हो जाता है और उसका नतीजा यह होता है कि गड़-बड़ पैदा होती है और एक भागवर्ड सिचुएशन पैदा हो जाती है हमारे लिए भी।

15 hrs.

नागालैंड के साथ बहुत से प्रश्न जुड़े हुए हैं। लेकिन एक प्रश्न है जो लोगों की जवान है कि राष्ट्रीय जीवन प्रवाह के साथ उसको लाने में वह सरकार बिल्कुल असफल रही है। मैं इसमें सरकार का दोष नहीं देता हूँ। जो सरकार खुद राष्ट्रीय प्रवाह क्या चीज है इसको समझी ही नहीं है वह दूसरों को उस प्रवाह में ला नहीं सकती है। नागालैंड, मिजोराम अरुणाचल प्रदेश, मेघालय, मणिपुर आदि सब जगह में घूमा हूँ। ऐसा नहीं है कि बिना घूमे हुए और बिना स्थिति का अध्ययन किए हुए ही यहां खड़ा होकर मैं बोल रहा हूँ। हिन्दुस्तान का जिसको नन्दनवन कहते हैं उस काश्मीर की जनता को राष्ट्रीय प्रवाह में आप अपने साथ नहीं ला सके हैं। इसीलिए किसी एक व्यक्ति के आरोप काश्मीर की जनता का भविष्य बनाने की आप बात करते हैं। इतने नासाबक शोध मैंने दुनिया में नहीं देखे हैं जो इस तरह की बात



करते हैं। वहीं नागालैंड के सदस्य बोलने के लिए उठें वे और बोलने लगे थे। उनकी आवाज आपको सुनाई नहीं दी। इसलिए उनको आपने सामने बुलाया। सदन में जो पीछे बैठता है उसकी आवाज सुनाई आपको नहीं देती है तो जो देश के कोने में रहना है उसकी आवाज आपको कैसे सुनाई देगी?

मैं मणिपुर में गया था। वहां लोगों ने मुझ से शिकायत की और हमारे एक अफसर से तो जो कुछ कहा उसको सुन कर मैं हैरान रह गया। उन्होंने कहा :

*This area has been completely cut off for the last 50 many centuries.*

मैंने कहा आप क्या बोल रहे हैं? क्या आप अंग्रेजी इतिहास पढ़ कर बोल रहे हैं? जिस मणिपुर में चैतन्य महाप्रभु का सम्प्रदाय इस जोरशोर से आया वहां के लिए आप ऐसी बात कैसे कह रहे हैं। वह जम्बू-जेट से नहीं आया। इस देश में एक दूसरे के पास पहुंचने का साधन पद यात्रा ही हुआ करता था। इसमें उनको कोई तकलीफ नहीं थी। केरल के शंकराचार्य बड़ीनाथ तक पहुंच जाते थे, मणिपुर तक पहुंच जाते थे।

*They never depended on any other vehicle except No. 11.*

ग्यारह नम्बर के दो पांव पर निर्भर होने की वजह से वे कहीं भी जा सकते थे, वहां लोगों से संबंध रख सकते थे और रखते थे। किन्तु आज

*We are in a jet age and, therefore we feel that it has been completely isolated and the people have been neglected.*

यह आज जो हो रहा है यह यही सिद्ध करता है कि हमारी आंखें विस्तृत नहीं हैं, विशाल नहीं हैं, व्यापक नहीं हैं। दिल्ली में बैठने के बाद यदि हमारी आंखें देश की आखिरी सीमा तक चली जाती तो यह स्थिति पैदा नहीं होती, यह नौबत नहीं आती।

मैं नागालैंड में घूमा हूँ। नागालैंड की असल समस्या भी यही है। मैं उनको बिल्कुल दोष नहीं देता हूँ। यह सब भी अब दूर हो रहा है। दिल्ली तक मैं लोग यह महसूस कर रहे हैं कि उनको लैंट डाउन किया जा रहा है। उनसे उनके नागरिक अधिकार छीन लिए गए हैं। इस वास्ते नागालैंड में भी जो राष्ट्रपति शासन स्थापित किया गया है यदि इससे उनको लगता है कि सत्ता न यू डी एफ के हाथ में है और न एन० एन० झो० के हाथ में है और राष्ट्रपति के हाथ में सब अधिकार आ गए हैं तो उनको यदि यह फीलिंग होता है कि यह कोई पराया है, दूसरा ऊपर बैठ कर कुछ कर रहा है तो यह स्वाभाविक ही है। उनको लगता कि उन में अपने प्रति आप आत्मीयता की भावना पैदा नहीं कर सके हैं। आपको अपनी इस 28 साल की असफलता को समझ लेना चाहिये। नागालैंड में विचार बाहिनी का काम सिनेमा करता है। कोहिमा में सिर्फ एक सिनेमा है छोटा सा। सिनेमा अगर किसी को देखना होता है तो मिलिटरी की परमीशन लोगों को लेनी पड़ती है रात पढ़ने से पहले देख लेना होता है। मनोरंजन के माध्यम से कुछ ज्ञान, या कुछ विचार देने का काम भी सिनेमा कर सकता है लेकिन सारे नागालैंड में केवल मात्र एक ही सिनेमा घर कोहिमा में है और शाम छः बजे के पहले, रात और अंधेरा होने के पहले ही और वह भी मिलिटरी का इजाजत लेने के बाद वे देख सकते हैं। ऐसी स्थिति जो वहां पैदा हुई है मैं जानता हूँ कि इस सबकी वजह से वहां के लोग नाराज

हैं। मिजोराम में भी में गया है। वहाँ के प्रबल-  
 लैन को मैंने देखा है। वहाँ के प्रबलैन को  
 अगर आप समझते हैं कि कोई मिलिटरी  
 सोल्यूशन है तो यह आपकी भूल है। हमको  
 चाहिये कि हम उनको समझने की कोशिश  
 करें, उनका दिल जीतने की कोशिश करें।  
 आप बोलते बहुत कुछ हैं लेकिन क-ते कुछ  
 नहीं हैं। ऐसे लोगों को आप वहाँ भेज देते हैं  
 जिनको भेजना नहीं चाहिये। मैं उनकी  
 चर्चा यहां नहीं करना चाहता हूँ।

श्री एम० राय गोपाल रेड्डी (निजामा-  
 बाद) : वहां भाखा खोलो।

श्री जगन्नाथ राय जोशी : आपको पता  
 चलेगा कि क्या क्या हो रहा है। मैं वहां गया  
 था। राजनीति सही देश चल सकता है ऐसा  
 आप न समझें। इस रांग इम्पेशन में आप  
 न रहें। अरुणाचल प्रदेश के विद्यार्थी  
 बम्बई, पूना आदि में आ कर रहे हैं, इंटर स्टेट  
 यूनियन का कार्यक्रम विद्यार्थी परिषद् ने  
 हाथ में लिया था, विद्यार्थी वहां से आ कर  
 रहे हैं। नजदीक से जीवने को देखने की बात वे  
 कर रहे हैं। राजनीति से सब कुछ नहीं होता  
 है। यह हमारी लाइफ का बहुत ही छोटा  
 पोर्शन है। जीवन का मतलब केवल राजनीति  
 नहीं है जिसकी वजह से सारा जीवन बिगड़  
 गया है। नागालैंड में तब दूसरी जगहों में  
 जो अधिकार आप अपने हाथ में लेने की  
 कोशिश करते हैं यह ठीक नहीं है। पंजाब में  
 क्या हुआ? जनसंघ और अकालियों दोनों  
 के खिलाफ आपने क्या किया जब इनका  
 बहुमत था? लखन सिंह गिल को लेकर  
 19 लोगों की मदद बाहर रह कर आपने की,  
 बिहार में बिदरबारी मंडल को लेकर क्या  
 किया, केरल में पट्टम बानु गिल को बाहर  
 से मदद दी। जब जब विरोधियों के हाथ में  
 अधिकार आते हैं तब तक आप उनको सीढ़ने  
 की कोशिश करते हैं। अब भी मैं बांध करतल  
 हूँ कि राष्ट्रपति वासन जो आपने लागू किया

है इसको आप जल्दी से जल्दी समाप्त करें,  
 जल्दी से जल्दी नहीं विधान सभा बुला कर  
 शक्ति परीक्षण आप होने दें, इस बात का  
 आप पता लगने दें कि किनके साथ बहुमत है  
 और जिनको वहां बहुमत प्राप्त है उनके  
 हाथ में आप अधिकार दे दें।

इन शब्दों के साथ मैं इसका विरोध  
 करता हूँ।

SHRI DINESH CHANDRA GO-  
 SWAMI (Gauhati): Mr. Deputy-  
 Speaker, Sir, while I support this  
 Proclamation, I want to make it clear  
 that, normally I do not favour Presi-  
 dent's rule in any State, more parti-  
 cularly in the sensitive regions,  
 where, I feel, the people should exer-  
 cise their democratic rights. But if  
 we look to the situation of Nagaland,  
 it will be clear that there was no al-  
 ternative but to impose President's  
 rule there. In fact, the voting pat-  
 tern itself, the voting pattern in the  
 last elections in Nagaland, indicated  
 that instability was ingrained in the  
 result of the elections, because the  
 UDF which got 25 seats in the last  
 election had secured 86,739 votes  
 which constituted 30.13 per cent of  
 the total votes polled. I do not say,  
 for a moment, that absolute majority  
 is necessary for a party to run a de-  
 mocratic government, but if we look  
 to the picture, we will find that there  
 were only two parties and out of those  
 two parties, the ruling party had  
 much less than the other Opposition  
 party and also the independents. The  
 NNO had secured 35.79 per cent  
 claiming the support of 1,03,083 votes,  
 and the independents, twelve of whom  
 came to the Assembly, had secured  
 34.08 per cent having the support of  
 98,106 people. Therefore, the voting  
 pattern itself—the ruling party secur-  
 ing 30.13 per cent, minority party se-  
 curing 35.79 per cent and the inde-  
 pendents getting 34 per cent—indi-  
 cated that instability was writ large.  
 Immediately, we saw defection in the  
 sense that the 12 independents...

AN HON. MEMBER: What is your  
 majority here? It is only 48 per cent.

**SHRI DINESH CHANDRA GO-SWAMI:** I am not saying that an absolute majority is necessary. But the ruling party must have some sort of a majority vis-a-vis the other party or parties.

As I was saying, immediately after the elections, the twelve independents who could have really played a part in maintaining the balance immediately shifted to one party or the other: seven independents joined the UDF and five joined the NNO. Then the defection started; there were defections, re-defections and counter-defections. On 9-3-1975 the dramatic development started when 13 UDF members joined the NNO, and the NNO Government came into being. On the 10th, the Vizol Ministry resigned and the NNO Ministry came into being. But within eight days, some of the persons who came to the NNO—some of them who became even Ministers—re-defected to the original Party, the UDF, and thereafter the whole thing has started. Obviously, Mr. Jamir, as the leader of the UDF, claimed that he had the support of 33 and should be permitted to form the Government. If the Governor at that stage had given a report to the President that the Government of the State cannot be carried on in accordance with the provisions of the Constitution, there could not have been much of an objection, but some criticism would have been levelled that, instead of permitting the Legislature to decide whether there was majority or not, the Governor was taking upon himself the right to decide that. The Governor in this particular case took the correct decision. In spite of this instability, he did not decide for himself. He said that it would not be fair on his part to count the heads in Raj Bhawan; let the Legislature decide whether a party has a majority or not. And therefore, he asked the legislature to weigh its strength. He asked this question to be decided in the assembly itself. Assembly was convened on 20-3-75. You know about the dramatic incident when the

Speaker adjourned the Assembly sine die. An even then the Governor did not report for proclamation under Article 356. He told the Speaker that it is very important to pass the financial bills and provisions and requested him to convene the Assembly and try to pass them. The Speaker said that he cannot do it as his life was in danger; the lives of other Members were in danger and he expressed his inability and even then the Governor did not take recourse to this step. He requested both Mr. Jamir and Mr. Jesokie to sit together and evolve some consensus if possible and when they said this is not possible he has made this report. This is the position. In view of all these things, I do not know why any criticism could be levelled against the Governor, saying, what he has done is something wrong and all they. It has been stated that the Speaker had been directed by the Home Minister, who seems to have been termed as villain of the peace, and then the Central Government was the main force behind this development which led to the President's rule in the State. But, may I remind my friends that in Nagaland it is not a congress Government as such. The Speaker's adjournment of the Assembly has been criticised. Left to individual judgment, one may reasonably say the Speaker ought not to have adjourned the Assembly like this. But the difficulty is this. He is the Speaker of a sovereign assembly. It is not fair on our part to criticise his activities. If Nagaland Assembly is re-convened, that Assembly will decide or enter into a debate whether anything that was done by him was just and proper. It should be left to you or to the Speaker to decide at the meeting of the Speakers or Deputy Speakers as to how we can ...

**MR. DEPUTY-SPEAKER:** That was given a decent burial in Shillong!

**SHRI DINESH CHANDRA GO-SWAMI:** After all, Speakers' meeting takes place, Sir. I feel that this question should also be tackled, because Article 202 to 206 and onwards,

requires that the Constitutional obligation upon the Government to pass the financial statement and these provisions should be complied with within a prescribed time. Obviously no other course was left to the Government except to report that the Constitutional machinery has failed, in the sense that these obligations cannot be fulfilled, the financial statement cannot be passed and it is only in this situation that he made this very exhaustive report which has been placed before the House and in pursuance of that report, the Presidential proclamation had come. I support this proclamation, as in view of the development it has become unavoidable and inevitable.

There is another point of view also which I wish to point out and it is this. Instability in this region cannot be permitted at all. This area is a very strategic one. It is a very sensitive area. There is continuous attempt by certain section of people to subvert established order; disgruntled elements do try to exploit the situation and as you know, stability is the essence of the day and Presidential action establishes some sort of stability in that region.

And here, I do not want to repeat what has been said by other Members. But I want to raise two points. A lot was said about the Defection Bill. In principle, my view is that this Defection Bill alone will not solve this problem at all. Actually by law alone you cannot solve the problem at all. It has to be done by consensus. It is by convention among the parties that you can solve such problems. Legislative methods like Defection Bill etc.—I do not think,—will offer the real solution to this problem.

Finally, I want to reiterate the points raised by other hon Members. There is some lack of communication both in the literal sense and in the real sense in respect of Nagaland and the entire north-eastern region. The infra-structure so necessary for deve-

lopment is just not there. Communication between these people and the people of the rest of the country is not there. It is the duty of the Home Minister to attend to these matters. We should see that this region prospers. We should see that the present atmosphere of insurgency should not develop, on the other hand, it should be done away with. We should try to develop this sense of communication in that region both in literal sense of the word and otherwise. I request the Home Minister to see that all activities are directed towards this end if that is done many of the ills which plague this region will be done away with.

With these words, I support the Presidential Proclamation.

SHRI SEZHIYAN (Kumbakonam):  
Mr. Deputy-Speaker, Sir, I am sorry that I have to express my concern about the unfortunate happenings that had taken place in Nagaland.

I agree with Mr. Goswami that we are not here to pass any judgment on a decision taken by the Speaker of the Assembly, whatever may be the consequence and whatever may be the background.

The Governor's report gives a very sad picture when he says that he had to face the claims and counterclaims. He therefore advised the leaders of both the parties to have a trial of strength in the Legislature which is in session. And both accepted that this would be fair and proper. Why this sound and sober advice of the Governor could not be implemented is a thing to be decided. But, Sir, I feel there is a basic issue which we should bear in mind here. What will happen when the Speaker of an Assembly of any State, not to speak of this State, takes into his head to adjourn sine die? What will happen in that event? This raises basic constitutional problems which should not be left to the rules of a particular Legislature or to the whims and fancies of particular persons at the time

occupying the Chair. Therefore, there is a basic issue. After 1958 Speakers' Conference, some of the State Assemblies had their rules amended to make it imperative on the part of the Assembly that when they want to adjourn the Assembly *sine die*, that should be done on a motion being moved in the House and passed by the House. Because, not only the no-confidence is against the Ministry but it is against the Speaker of any party. If he takes it to his head to adjourn the Assembly *sine die*, no court can go into it. Nobody outside the House can discuss this. Therefore this aspect raises a basic issue which should be borne in mind by us.

I agree with others also that what we can do in this respect from the report of the Governor is this. It looks a fair reading. There is nothing else left but to proclaim this. It is not only an administrative decision but it has got a political background behind it. Because it is like a Grecian drama that the tragic end comes at the end of the drama. The end becomes inevitable. The tragedy that is to happen becomes inevitable as the drama proceeds.

In the past, the Congress Party and those belonging to that did not take any decision earlier on defection whether it is for or against it. But from 1952-53 onwards these things have been going on. This is only a symptom of a deeper malady. That has been affecting the entire political structure in our country. I join with others in expressing my sympathy and appreciation to the difficult problems that are being faced by the people of Nagaland. Of course they belong to particular tribes. By just saying that they are tribal people I do not say they are not facing any difficulties. Probably among the tribal people literacy is much higher than among the people of any other part of this country. They have got better background and training than those of any other part of this country. What has happened in the main parts of the country affects the fringes also.

Therefore, as a major party, the Congress Party has got a more responsible and more effective role to play in this one and the other parties may follow them if they get a better example in this respect.

Only by this symptom of defection, the ministry is being toppled down. I am glad that Mr. Goswami, at last,—the persons like him,—nowadays is also quoting some figures on how much of the percentage of the votes is polled by a particular party and how many seats were gained by them. There should be a correlation and there should be a proportional representation—either a person who gets over 33 per cent votes should not get seat or if that person gets more than 66 per cent votes he gets a seat. Of course he did not mean that. Take the case of Nagaland. There the UDF got twentyfive seats which has got 35 per cent of votes polled whereas the NNO got 23 seats with more than 33 per cent votes polled. It shows....

SHRI DINESH CHANDRA GO-SWAMI: I do not mind your taking advantage of what I said.

SHRI SEZHIYAN: I only say that that kind of wisdom has now dawned on their party. I welcome it. It should be pushed to the logical extent to see that this is done. As I said, earlier when I made some objections to the Proclamation, it was not with a view to stall or to bring the administration of Nagaland under the Presidential Rule. Because, yesterday, Professor Mukherjee said—he is not here now—that we should viewed with some concern this very delicate situation but let us not aggravate this. Whenever we raise this issue, it is not with a view to aggravating the difficulty or to embarrass the Government. What we want is this that whenever we make rules with regard to financial discipline etc., let us follow that one. That is the only way to help functioning in a healthy Parliamentary democracy not only here but even in the States also. That is why when we raised

the objection this morning it was not with a view to stall it.

MR. DEPUTY-SPEAKER: I am happy as a result of this discussion a new Committee is being set-up which will look into all the papers that are laid on the Table of the House.

SHRI SEZHIYAN: Sir, only yesterday we received these accounts papers and I wrote this morning seeking certain clarifications. He has been kind enough to give the reply stating that he is looking into the matter. But my trouble is suppose there are some patent errors and pass these demands what is going to happen and how will we rectify the defect when found later on. I will only cite two items.

Take, for example, item No. 1 on the opening page of the Supplementary Demands. There you see the amount already approved by the Assembly—charged Rs. 90,000 and the supplementary amount now required is Rs. 3 80 lakhs. That means as per the spirit of the Supplementary Demands Rs. 3 80 lakhs should be there for them after passing and before 31st March. In the explanation it is given mainly for meeting the increased demand for medical reimbursement, travel expenses, repairs to vehicles, hospitality expenses, etc.

My assumption is much of the amount now required has already been spent. If that is so, it goes against the Supplementary demands which are for amounts to be spent and not for amounts already spent.

Then take the second Demand. The amount already approved by the Assembly, that is, charged is Rs. 4 lakhs and now they want Rs. 5 45 lakhs. The explanation given is increased expenditure on office expenses of the Secretariat of the Governor as well as charges payable to the Indian Air Force for services rendered in earlier years. I do not know how much amount is going to be spent for using the services of the Indian Air Force in the five days left.

MR. DEPUTY-SPEAKER: Informally we have decided to overlook many of them. It is good you have brought the to the notice of the House. May be good for future guidance of that State.

SHRI SEZHIYAN: Sir, whatever the House or you may decide, these are the things that I wanted to bring to the notice of the House. I hope they will take this into consideration for future guidance as well as for future action.

श्री शंकर देव (बीदर) : उपाध्यक्ष महोदय, नागालैंड में जो प्रेजिडेंट का शासन लागू किया गया है, मैं उसको सपोर्ट करते हुए बताना चाहता हूँ कि आज देश में हर जगह जो अनुशासनहीनता और हिंसा का वातावरण फैल रहा है, जब तक हम उसको कंट्रोल नहीं करेंगे तब तक देश में शान्ति भी नहीं हो सकती है और प्रजातन्त्र की स्थापना भी नहीं हो सकती है। इसी की दृष्टि में रखते हुए जैसा कि महात्मा गांधी ने कहा था हमें अपने देश में पालिटिक्स को स्विर्बुलाइज करना पड़ेगा। पालिटिक्स का आध्यात्मिकीकरण करना पड़ेगा।

इस लिए पिछले बीस साल से पूज्य विनोबा जी ने जो काम किया है वह बहुत महत्वपूर्ण है। पालिटिक्स के आध्यात्मिकीकरण के लिए विनोबा जी ने देश में सर्वसेवा संघ की स्थापना की थी और इस संस्था के रचनात्मक कार्यों के द्वारा देश के नैतिक उत्थान के लिए कोशिश की जा रही थी। लेकिन अफसोस है कि कुछ लोगों ने मिल कर जिस तरह पोलिटिकल पार्टीज को तोड़ा है, उसी तरह उन्होंने सर्वसेवा संघ को भी दो टुकड़ों में तोड़ कर उसको खत्म करने की कोशिश की है। देश में तब तक शान्ति नहीं हो सकती है जब तक कि हम पालिटिक्स को स्विर्बुलाइज न करें, उसका आध्यात्मिकीकरण न करें। इसी दृष्टि से मैं पब्लिक तथा प्राइवेट जहां सर्वसेवा संघ की मीटिंग हो रही थी।

**उपाध्यक्ष महोदय :** नागालैंड के बारे में बोलें।

**श्री शंकर देव :** मैं नागालैंड के बारे में कह रहा हूँ। जब तक हम राजनीति को स्पिनरूलाइज नहीं करेंगे तब तक नागालैंड ही क्या देश में कहीं भी शान्ति की स्थापना नहीं हो सकेगी और न ही डेमोक्रेसी कायम रह सकेगी।

मैं वहाँ पर क्या और मैंने बिनोबा जी के उपदेशों पर आधारित एक छोटा सा पैम्फलेट वहाँ पर बाँटा। मैंने देखा कि कुछ बेरोजगार नौजवान जिनका न सर्वसेवा संघ के साथ कोई ताल्लुक है और न बिनोबा जी के सिद्धान्तों के साथ कोई ताल्लुक है वहाँ पर गये हुए थे।

**उपाध्यक्ष महोदय :** कहां गये थे?  
सर्वसेवा संघ या नागालैंड गये थे?

**श्री शंकर देव :** नागालैंड में जो स्थिति पैदा हुई है वही स्थिति पूरे देश में है और जब तक हम पूरे देश की स्थिति को न बदलें, तब तक नागालैंड में भी शान्ति नहीं हो सकती है और प्रजातंत्र भी नहीं टिक सकता है।

बिनोबा जी ने सर्व-सेवा संघ की स्थापना की ताकि पूरे देश का आध्यात्मीकरण किया जाये। उस प्लान को खत्म करने के लिए जो फोर्सिबल काम कर रही हैं उन्हीं की वजह से नागालैंड में अनुशासनहीनता और हिंसा का वातावरण फैलाया जा रहा है और उसी का यह परिणाम है कि भारत सरकार को वहाँ पर राष्ट्रपति शासन लागू करना पड़ा है। श्री जयप्रकाश नारायण ने जो हिंसा का वातावरण फैलाने की कोशिश की है उसके बारे में बिनोबा जी ने क्लीयरली कहा है कि हिन्दुस्तान . . . (अवधान) . . .

**MR. DEPUTY-SPEAKER:** Order please. What is all this? There

should be a limit to all this. You have not come to the subject. You were talking of something else. I can tolerate irrelevancy up to a certain extent. But, where your irrelevancy comes to a point, where you are going to create an explosion in the House, it is my duty to stop that. Please come to Nagaland.

**SHRI SHANKAR DEV:** Without creating any explosion, I come to Nagaland.

नागालैंड में जो अनुशासनहीनता और हिंसा फैलाई जा रही है उसी की वजह से वहाँ राष्ट्रपति शासन लागू करना पड़ा है। मैं उम फ्रंटमैटल स्वेचन, उस मौलिक प्रश्न, को ले कर चल रहा हूँ। मैं डिप्टी स्पीकर से प्रार्थना करूँगा कि वह मुझे समय दें। मैं कोई समय वेस्ट नहीं कर रहा हूँ। दूसरे लोग जैसे बोले हैं, अभी-अभी जोशी साहब ने भी बहुत सारी बातें कही . . .

**MR. DEPUTY-SPEAKER:** I am talking about the relevancy of what you say. I am not saying that you do not have the right to speak. But is it relevant?

**श्री शंकर देव :** रेलीबेट बोल रहा हूँ।  
डरैलिबेट बिल्कुल नहीं है।

**उपाध्यक्ष महोदय :** कहा रेलिबेट है?

**श्री शंकर देव :** मैं जो कुछ हो रहा है उसके फ्रंटमैटल्स में जा कर बताना चाहता हूँ कि वहाँ पर क्या चीज हो रही है। पूरे हिन्दुस्तान में आज जो अनुशासनहीनता चल रही है सालेमनेम चल रही है हिंसा चल रही है, उसी के कारण नागालैंड में यह सब हो रहा है। नागालैंड हिन्दुस्तान के अन्दर है। हिन्दुस्तान की हर चीज का रेफ्लेक्शन नागालैंड पर पड़ता है। इसलिए वह मेरा अधिकार है कि मैं अनुशासनहीनता पर और वायलेस पर बोलूँ, मुझे बोलने दिया जाये . . .



MR. DEPUTY-SPEAKER: It is not incumbent upon me to allow him to say anything he likes. It is my right to decide what is relevant and what is not relevant. Now I tell you not to speak about these things, because they are not relevant to the subject.

SHRI SHANKAR DEV: But I have a right to explain.

MR. DEPUTY-SPEAKER: You cannot explain.

SHRI M. RAM GOPAL REDDY: He was explaining so many murders are taking place.

MR. DEPUTY-SPEAKER: I do not want any explanation. He can explain his own position.

SHRI RAM GOPAL REDDY: Sir, he was trying to say....

MR. DEPUTY-SPEAKER: Mr. Reddy, I do not want too many advocates to explain his point. I can understand him all right.

श्री शंकर देव : मैं यह बताना चाहता हूँ कि यह साइलेंसनेस जब तक नहीं जायेगी यह अनुशासनहीनता, लेकिन आफ डिस्प्लिन जब तक नहीं जायेगी तब तक नागालैंड की समस्या हल नहीं होगी। जब तक पालिटिक्स को स्पिरिचुअलाइज न किया जाये तब तक यह डिफ्रेंशन, दल-बदल, अनुशासनहीनता स्वार्थ और पद-लोलुपता ये सारी चीजें कैसे खत्म होगी? इसीलिए मैं स्पिरिचुअलाइजेशन आफ पालिटिक्स की बात कर रहा हूँ। जब तक राजनीति का आध्यात्मिकरण नहीं करेंगे तब तक ये चीजें समाप्त नहीं होगी।

उपाध्यक्ष महोदय : आप नागालैंड जाइए और नागा लोगो को स्पिरिचुअलाइज कीजिए।

श्री शंकर देव : नागा लोगों को भी करेंगे और पूरे हिन्दुस्तान को भी करेंगे। उसके साथ ही सब का होगा।

मैं यह कह रहा था कि वहाँ पर जहाँ कि शांति का संदेश लाने वाले बिनोबा जी वर्धा के घंवर बैठ कर शांति की स्थापना करना चाहते थे वहाँ आज के हिंसक लोग अनुशासन को खत्म करने वाले लोग पहुँच गये और इन लोगों ने उस पवित्र वातावरण को किस तरह से अपवित्र कर दिया यह मैं बता रहा हूँ। मैं वहाँ पर गया था...

उपाध्यक्ष महोदय : आपका टाइम खत्म हो गया।

श्री शंकर देव : मैं वहाँ पर गया था तो मेरे जैसे आदमी जिसने कि परचे भी नहीं बाँटे उसका घंराव कर दिया गया, चारों तरफ से और मुझे उठा कर बाहर फेंक दिया गया। मुझे अफसोस है कि उस पवित्र वातावरण के अंदर भी इस तरह से हो रहा है।... (व्यवधान)....

उपाध्यक्ष महोदय : आपका टाइम खत्म हो गया। श्री पी० के० देव।

SHRI P. K. DEO (Kalahundi): Mr. Deputy-Speaker, Sir, it is our painful duty that we have to arrogate to ourselves the powers of the Legislative Assembly of Nagaland and pass the budget of Nagaland. I am here since the second Lok Sabha, and I can say that this House has been seized with the problem of Nagaland right from the second Lok Sabha. I recollect how Pandit Jawaharlal Nehru used to be very compassionate and how he viewed the Naga problem from a very sympathetic angle, because he knew the problems were genuine, because he knew that they are a brave people, they are a courageous people, who want to decide their own destiny according to their aspirations. That is why in 1962 Nagaland became a Union Territory and in 1964 it was made into a full-fledged State.



Since that time we have been expecting all round progress in Nagaland in the proper functioning of all democratic institutions in that part of the country. But, it is the misfortune of this country, as has been rightly pointed out by Professor Hiren Mukherjee, that defections are being engineered from Delhi, the institution of Governor is being used to topple the non-Congress Governments, or such Governments which are not according to the liking of the Centre. This is the 37th time that this has happened. We all want that the Nagaland Government should be of a representative character, should be of a democratic character and that it should function properly.

In the last general elections no party in Nagaland had an absolute majority. So, the single largest party which came with 25 MLAs in a House of 60 was asked to shoulder the responsibility of governing Nagaland. After that, the usual horse trading, defections, *aya-ram* and *gaya-ram* came into play and we are now facing a situation at the moment where no party is in a position to form a stable government, according to the report of the Governor. Shri Jamir was a responsible member of this House and for some time a Deputy Minister and he discharged his responsibilities with distinction. When a member of the State Assembly of the calibre of Shri Jamir claims that he has got the following of 33 members in a House of 60, he should have been given full scope to try his strength and to establish that he carries the majority with him. But it is our misfortune that Shri Jamir was denied the privilege of trying his strength on the floor of the Nagaland Assembly.

Here I would like to say that Raj Bhavan should not be the proper place for counting the heads of the various MLAs according to their party affiliation. The proper forum should be the Legislative Assembly, according to established democratic convention the decision of the Spea-

kers' Conference. I am surprised to find that the Speaker of the Nagaland Assembly is a party to the decision for the imposition of President's Rule in the State of Nagaland. He has given various reasons for it. He says that he could not properly conduct the proceedings of the Nagaland Legislative Assembly there was acute tension, there was a likely attempt on his life and so he felt that the House should be adjourned for a month till normalcy could be restored, by which time the tension may die out and normal atmosphere would be created. But it should not be forgotten that this is the very same Speaker who changed his political colour so many times. So, it cannot be assumed that he will be holding an independent view, because his credibility is a big question mark.

The Advocate-General of Nagaland has dittoed the recommendation of the Governor, so far as the imposition of President's Rule is concerned. In this connection, I would be failing in my duty if I do not charge the Government of dereliction of duty by keeping in cold storage the Anti-Defection Bill, as has been rightly pointed out by Shri Hiren Mukerjee, because of which defection has become the rule of the day. As was rightly mentioned, the Orissa High Court passed a stricture against the then Governor of Orissa, Shri B. D. Jatti, for not having allowed the opposition to form the Government by not giving them an opportunity to prove their strength on the floor of the Orissa Assembly. Yet, immediately thereafter, he was elevated to the position of Vice-President

Secondly, I must express my indignation at the way in which the institution of the Governor is being used to topple the various opposition governments.

The Governor holds such a position that he is not impeachable like the President of India. He holds office at the pleasure of the Home Ministry. He is being guided by the Home

Ministry. Most probably, this Report has been dictated on telephone from the Home Ministry to him to submit a report according to their liking so that they could make out a case to topple the established Government of Nagaland and to frustrate the aspirations of the Naga people to have their own Government and to have their own say in deciding their future and destiny.

Taking into consideration all these facts, I feel, this Report is not even worth the paper on which it has been written. No credibility or no importance should be given to it. The Nagaland Assembly should be called as soon as possible and Mr. Jamir should be given a chance to prove his strength. If he has got the majority following, he should be asked to form the Government.

With these words, I oppose the imposition of the President's Rule.

So far as the Budget is concerned, I feel that it is a most painful duty that we are supposed to pass a Budget about which we know so little. It will be much better that this Budget is again represented to the Nagaland Assembly so that they can decide their programme for the next year according to their liking.

MR. DEPUTY SPEAKER: Shri B. V. Naik.

SHRI S. M. BANERJEE (Kanpur): He speaks on all matters!

SHRI B. V. NAIK (Kanara): Mr. Deputy-Speaker, Sir, it is because I am concerned with all our people. Unlike the hon. Member from Lucknow, I come from a hilly, remote, distant backward area in the State of Karnataka which is very similar to this area. So, I think, there is a justification for making a common cause of all such areas.

SHRI S. M. BANERJEE: Don't change my place. I am from Kanpur, not from Lucknow.

SHRI B. V. NAIK: Sir, in pursuance of the recommendation of the Governor of Nagaland, Mr. L. P. Singh, the Assembly has been kept under suspension for some time. I have had the good fortune to go through the entire Report of the Governor. It looks administratively consistent and, logically, covert. But what he has stated here is:

"In fact, hardly any of the defections from either side appear to have been prompted by any ideological reasons or the concern with the public interest."

Here, I think, Mr Singh would have been more political in passing a stricture upon a people like Nagas because when we look at the facts of the case, the UDF had 25 legislators, the NNO had 23 Members and there were 12 Independents. Right at the time when the Assembly was formed in February, 1974, in a total composition of 60 Members of the House, as much as 20 per cent or 12 Members were Independents. Let us imagine if that happens in the Lok Sabha with 535 and odd Members out of which one-fifth membership is composed of Independents, the bright young people like Mr. Mavalankar. Do we underline the stability with 105 Members in the Lok Sabha belonging to the Independents Group, with 105 Independents, and that a Government will survive for even more than a month? I think, it stands to reasons that, in the election results themselves, the fate of the Nagaland Assembly was writ large. Under the circumstances, to pass strictures on the democratic character of the tribals is not correct. As far as I know, the non-tribals, the people from the plains, the people who are called civilized, are more prone to this avarice or greed for power than the tribals. I would, therefore, say that the Nagaland Assembly and the Government of Nagaland are more a victim of political circumstances than any specific design of its leaders, be it Mr. Vizoel or Mr. Jamokle or Mr. Jamir. At least one of them,

Mr. Jamir, is known to us personally.

Another point that I would like to impress at this stage as a sort of logical corollary is that, in building up a political system or political institution, with due deference to the great contribution made in this House by the independent members like Shri Rana Bahadur Singh and Professor Mavalankar, I would still prefer a mandate of a party for the minimal requirements of political discipline....

MR. DEPUTY-SPEAKER: You are quite free to do that. But come to Nagaland.

SHRI B. V. NAIK: Another point that I would like to suggest here is that the question of restarting the democratic life in Nagaland after a period of time seems to be a distinct possibility. I think, the Government of India, without leaving it only to the Governor of the State of Nagaland because he becomes a local, he will be virtually administering it on behalf of the President, the Ministry of Home Affairs should invite the members of the now suspended Legislature and try to thrash out the whole thing. Or else, as has been properly suggested by the very senior Member. Shri Basumatari, one of the senior members of the Council of Ministers from New Delhi should be able to sit together with the representatives of the people there, who do not cease to be representatives, and iron out their differences, so that the democratic functioning of the State of Nagaland is made possible

Another point which I want to make is this. Right in the month of March of any year we have seen a crop of suspensions coming up. One of the reasons which was seen quoted in the letter is that the entire functioning of the governmental machinery will come to a halt because the Appropriation Bill will not be passed. Though I appreciate the sanctity of 31st March, that the time of final 328 L.S.—11

reckoning for the year is most essential, I think it is a matter for consideration. The Governor asked for one month's time and that one month could have been given if it were not at this critical juncture, at the end of March. The unhappy fate of the Nagaland Assembly could have been solved if this crisis had developed, say, in the month of December 1974 or January 1975. There would have been still time to keep the Assembly adjourned *sine die* for a period of one month or so and in between solve the problem. But now we are faced with the arrival of 31st March....

MR. DEPUTY-SPEAKER: May be we should tell Members of Legislatures not to defect in March but in some other month—any month except March.

SHRI B. V. NAIK: I am only suggesting that some constitutional remedies can be thought of without lowering the power of this House.

MR. DEPUTY-SPEAKER: We can write that in the Constitution—defections except in the month of March.

SHRI S. M. BANERJEE: You have answered my question. Defections—how can you avoid it in this country? Even during the Ramayana age it was there. You know Vibishana. He was the first defector.

SHRI B. V. NAIK: No. It was Sugriva.

SHRI S. M. BANERJEE: He was not a human-being.

MR. DEPUTY-SPEAKER. Mr. Mavalankar.

SHRI P. G. MAVALANKAR (Ahmedabad): Any imposition of President's rule must be considered a retrograde step because it puts the clock back. Already democracies all over the world and particularly in the developing countries like ours, seem to be perennially in crisis and

the happenings like the ones in Nagaland make democracy set not only to be continuously in crisis but also on the defensive. Therefore, I feel that the imposition of President's rule is a very unwelcome phenomenon. But, it seems judging from the report of the Governor and from other reports that have come from Nagaland through the Press that perhaps this was the only thing left for the Government of India to do.

It is very sad that from 1950 to 1975, these 25 years and 2 months that we have implemented our Constitution, we should have had 37 occasions in one form or other for imposing President's rule in this State or that State in the Indian Union. That perhaps speaks not very well about our political maturity or political morality. Now, if President's rule had to be imposed in Nagaland as the only effective and last remedy available, I can only hope that it will work and work in terms of clearing the polluted air of political defections and political immorality.

If you look at the problems of our polity and of Nagaland in particular, then it should not be forgotten that the elections there took place only last year, to be precise, in February 1974. It is thus hardly one year, and the fact that within one year or so such an important border area of our country should be faced with such unfortunate and divisive political affairs, I must consider, it is a very great calamity.

I am quite sure that we must look at this problem not from the point of view of this party or that party going out of power or this party or that party coming into power, but from the angle of the kind of repercussion it has on the sensitive border area which in turn brings unnecessary and avoidable problems in its wake for the entire country. Because of this one year's rule in Nagaland by the UDF Ministry there was at

least a semblance of stability, but that semblance of stability also has melted away and it has brought a setback to the stability, which I do not know how long we will take to repair.

Now, as I was saying, Nagaland is a special security area because of the problems of insurgency. It is also a highly sensitive area in more than one sense. The people of Nagaland, sensitive, simple and sincere, have been put to all kinds of distress and difficulty over a period of time. There was a time when the quality of the people of Nagaland was very special. They had a certain charm of simplicity and spontaneity and their honesty and simplicity both of which seemed at one time the special characteristics of the Naga people are no longer true to-day of these very people. This is a decline which has to be regretted by all of us who believe in the virtues of simplicity and honesty. I am told that in 1944 when the War—the Second World War I am talking of—touched the area of Nagaland, what was then called the Naga Hills, at that time there was one British Deputy Commissioner—I think he was the last British Deputy Commissioner, for the Naga Hills—Sir Charles Pawsey....

MR DEPUTY-SPEAKER: Why go into all that?

SHRI P. G. MAVALANKAR: When the War came, he said that the first casualty was honesty.

The first casualty in war, generally, is truth. When war came to those areas, people, who used to be friendly, full of honesty, etc. lost one of these qualities of life. Nagas were known for a certain code of conduct, a certain individual and social morality, not bothering themselves about selfishness, and if somebody overtook them and went ahead, they used to say, all right brother, be happy go ahead. That fine quality has gone because, I am sorry to say, politicians

have gone into Nagaland or rather have grown into Nagaland, those who have become ambitious, greedy, power-minded and so on. Defection has made an acute situation, a sort of acute tension. And, in this connection, I would like to quote a line from the report of the Governor where it says as follows:

"The fact that six members, including some Ministers had defected twice within ten days can only be regarded as a case of totally unprincipled and unabashed behaviour."

One really feels sorry that the episodes of "Aya Ram" and "Gaya Ram" of Haryana should have gone on to a far off place like Nagaland. What is the remedy? There is already before our Parliament, before the Joint Select Committee, a Bill supportedly for removal of defections. But that Bill is not striking at the root of the problem. After reading all the reports about the present crisis in Nagaland, I wonder whether we should not go ahead with one simple provision—that no defector will be made a Minister and that the size of the Cabinet should be restricted to not more than a certain percentage of the total membership of that particular House. Having 18 or 19 or 20 Ministers in a House of sixty, makes really a mockery of everything. Therefore, what I would have thought should happen is that this sort of action which happened in Nagaland should in turn give us a fresh stimulus to think concretely in terms of restricting the size of ministries so that the lure of office does not touch the people there.

I will not go into the question of party politics, UDF and NNO, United Democratic Front and Naga Nationalist Organisation, in Nagaland. But I would say, this game of defection in Nagaland once again has proved how such a game is dirty and devilish and how it can be destructive to the healthy growth of parliamentary democracy.

I would have liked to sit down at this point, but my good friend Mr. Naik made a reference wittingly or unwittingly to the role of independents in the Nagaland Assembly and said, there are 12 independents and because of their defection the problem started and he tried to make out as if that was the whole reason for this. To call such people as independents would also be wrong in the sense that they were only waiting for some chance! A real independent is one who is not dependent, but who is always dependable for his integrity, for his opinion, for his character. This is the main thing.

In the end, before I conclude, I wish to quote again from the Governor's report. He says:

"It is only a fresh election, at which the electors may withhold their support from defectors that holds out the prospect of a fully stable Ministry."

Although this is a fond hope, I also hope like the Governor, that after some period of time, Nagaland will be given a chance of a fresh election, a fresh Assembly, a fresh Government, which will free the State from this disease and defect of defections. With these words I conclude.

16.00 hrs.

SHRI PAOKAI HAOKIP (OUTER MANIPUR): At the very outset I would like to thank the Minister for presenting this budget for the State of Nagaland. I am sorry to say that it is very unfortunate on the part of the people of Nagaland at this juncture to have the State of Nagaland under President's Rule. This has to be done under the circumstances which could not be avoided.

As a layman I would like to touch only one point. On the front page of the Report of the governor, para 3, says:

"Shri Jamir now claims to have 33 members in the UDF, and has sent me letters signed by each of the 33 promising, in the name of God, their unchanging loyalty to the UDF."

This is very surprising to hear this in the matter of defection. How they take the name of God is a surprising thing to me. Why could not this matter be considered seriously?

Another thing that I would like to refer to is this. Some Members from the Opposition side have the tendency to criticise the Central Government for the imposition of President's Rule in the State of Nagaland. For the first time in the history of India, in that State, President's rule has been imposed not by the Centre but by the representatives of the people of Nagaland themselves. There are no parties there in Nagaland Legislature. There are some local organisations called N.N.O. and U.D.F.: No ideological parties. The Speaker of the Legislature tried to do something against a democratic spirit. My information is that on that very day when the Speaker decided to adjourn the House *sine die*, there were Members who had collected themselves inside the House. They were physically present—one side led by Shri Jamir with 33 Members and the other side with less than this number. When they were physically present here, one is surprised how the Speaker had not decided as to who commanded the majority in a House. Why did he decide to adjourn the House *sine die*? What is the point in this? I would like the action to be considered seriously in the best interests of a Parliamentary democracy if at all it has to function. I am not here talking from the point of view of any party. I am speaking from the point of view of parliamentary democracy. It is very unfortunate on the part of Nagaland people that they have to be brought under President's rule. They should continue to enjoy whatever they are enjoying socially, politically and administratively and should be

drawn into the national mainstream. They have to function smoothly. I do not know why the elected people themselves brought about the imposition of President's rule in the State of Nagaland. It is for the people of Nagaland to decide it. I hope this President's rule will be as brief as possible and the elected representatives will have the earliest opportunity to decide for themselves. Being a Member from Manipur, we have the experience of President's rule for a number of times and we know how under the President's rule the officials behave and what the sufferings of the people are.

MR. DEPUTY-SPEAKER: As we are having a omnibus discussion on many issues together, I will first call the Home Minister and then the Finance Minister.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): Mr. Deputy Speaker, Sir, I have heard with as much attention as possible the several speeches made by the hon. Members who participated in this debate. In the end I feel that it may not be necessary to waste the time of the House with a lengthy reply. You are aware and the hon. Members are aware that after a good deal of consultations with Naga leaders and others a 16-point agreement emerged. Statehood to Nagaland was given and Article 371A prior to the Statehood was introduced in Parliament which governed the relations between the Centre and the State of Nagaland.

After that several years have passed in which responsible governments have functioned and I must also say to the credit of those governments that a reasonable effort has been made to improve and develop the area, to improve the communications, etc. etc. though one might wish that a good deal more could have been done.

Now, Sir, so far as the situation there is concerned, oftentimes it has

some during Question Hour and on several other occasions that after the State-hood and the responsible Government coming, in many of the under-grounds have come over-ground and in accordance with the promises given they have been sufficiently rehabilitated. But it is unfortunate that now and before, a few hundreds of insurgents, a few hundred of under-grounds have been trying to have contacts with the foreign powers and get possible inspiration as well as arms etc. and it becomes necessary for the police and the security forces to deal effectively with that insurgence.

Sir, when the 16-point agreement emerged...and Nagaland became a full fledged State, so far as the Constitutional position is concerned, there is a finality and there is no question of any political problems still remaining. But, obviously, the House does not expect the Central Government to be soft to these undergrounds who have been attempting to speak out and get arms and ammunition etc. from a foreign power. Sir, as has been rightly remarked by Prof. Mukherjee, a very lengthy and argumentative report has been given by the Governor which I have placed on the Table of the House. From a reading of the Report, it is clear to anybody that in spite of his attempts to get the relative strength of the parties tested on the floor of the House, it was not possible and how, in a situation like that, specially, when the Budget had to be passed and the Appropriation Bill had to be passed, he was compelled to recommend the imposition of President's Rule. I do not want to go into the lengthy report of the Governor, Sir, because, hon. Members would have read it. Now, I am very sorry that an unfortunate and, I should say, an uncharitable remark has been made by Prof. Mukherjee and Mr. Deo as well and possibly during my absence, by some friends from the Opposition that this was toppled because of Central Government's intervention. I want to tell

the House in confidence and absolute sincerity, Sir, that there has been absolutely no kind of interference from the Central Government. The events took place in such a quick succession and until the Government's report came, we were not aware that Jasokie lost his majority or even Vizol lost his majority. Of course, it was claimed by Jasokie that but for the duress and the threat etc. he would not have lost his majority in the House. In this connection, it may be useful to point out to the House what the leader of the UDF Party, Mrs. Rano Shaiza has said and what Mr. Jamir, leader of the UDF party in the legislature has said. This is for your information, Sir. This is what Mrs. Shaiza has said:

"Although the UDF commands a clear majority at the time of the Proclamation, the party considers the action of the Governor suspending the Assembly to give respite for forming a more stable future Government fully justified."

I may also read a line or two from the letter written by Mr. Jamir, leader of the UDF party in the legislature,—who claims majority—to the Governor.

"Respected Governor,

I on behalf of my party, express our.

"appreciation for the right decision you have taken to keep the Nagaland Legislative Assembly in suspended animation. You have been very frank to us all through this crisis and I believe that under your guidance, a stable government will be formed without delay....

MR. DEPUTY-SPEAKER: How can animation be suspended? How can you suspend animation? If you suspend animation, there is death.

SHRI K. BRAHMANANDA REDDY Sir, this is what he said. I quote two sentences from the letter written by Mr. Jamir.



Now, Sir, one other remark has been made, namely, that the Nagaland budget shows an extraordinary item of expenditure on the State police. But, if you go through the budget, in regard to some items—I do not want to go into the entire thing, for instance, in public work housing, roads and bridges, you find that the amount is Rs. 22,47,000 and odd. Power projects Rs. 4.43 crores, water supply Rs. 2 crores, agriculture and minor irrigation Rs. 2.24 crores, industries Rs. 2.27 lakhs, etc. The expenditure on State police comes to one-thirteenth of the total expenditure. I do not say for a State like Nagaland it is small, but all the same it is not a very extraordinary item of expenditure; considering the circumstances prevailing in that State.

Naturally, the Governor will not only run the day-to-day administration of the State but also take steps to see that the developmental effort is not neglected and concentrate his attention on development. You are also aware that the Nagaland area had recently a sugar factory. In fact, as Chairman of the Finance Commission, I had an opportunity to visit Nagaland, and I saw the Sema area, the Angami area and other areas. It was kind on the part of the men, women and children that they greeted us and welcomed us. We found that there is great scope for Nagaland to develop provided the activities of the insurgents are reduced. I can say from the feelings I got that the Naga people are very anxious to develop their area. Of course, as compared to the rest of the country, education is more. All the same, the area requires development. More and more people should get into the mainstream of national life, go to other parts of the country and serve in their respective fields. It is quite in evidence that many young people from this area are coming into the IAS, IPS etc. and serving in other areas very well. We want more and more of them to do so. Unfortunately, because of the activities of a few hundreds of insurgents the tranquillity and peace of the area

is being disturbed. The sooner all of us make an effort to see that this goes down and they are attracted towards national activities, the better it would be not only for the country but for Nagaland as well.

I have nothing more to say except that the Anti-defections Bill is before the Joint Committee of Parliament. It has had several sittings and I hope the deliberations of the committee will be concluded shortly and the report presented to Parliament for consideration.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE): Sir, at the outset let me express my gratitude to the hon. members for allowing me to present a budget document though it was not in its proper form and for allowing the budget to be considered by the House by suspending a rule, which we were not in a position to comply with. Most of the members who have taken part in the discussion have concentrated on the political aspects and these points have been answered by my senior colleague, the Home Minister.

Two or three points were mentioned by the hon. Members during the course of their observations. I would first take up the point raised by Shri Sezhiyan. I have received his letter today and I have replied to it where I have explained the situation in which we had to bring this budget. Here I would like to mention that we do also feel that some sort of guidelines should be framed and issued to the various State Governments in order to meet the contingencies which are occurring nowadays. It would be better if one uniform pattern of financial administration could be evolved in various parts of the country, of course keeping in view scope for accommodation to meet the particular demands and requirements of the individual States. Had it been there, perhaps, it would have avoided a situation like the present one. Regarding the points



mentioned by him in his letter and in his observations on the floor of the House, I will collect information from the State administration and pass them on to him.

While making my observations on the budget I have tried to highlight some of the salient features of the budget, particularly financial assistance and a few other points. It has been possible in the current year to increase the Plan allocation to some extent, though not to a substantial extent. While last year the Plan allocation was Rs. 14 crores, this year it is of the order of Rs. 15.24 crores. While Central assistance last year was Rs. 7.12 crores, this year it is of the order of Rs. 9.12 crores. Therefore, it is not correct to say that the Centre is administering Nagaland only through police and military, without taking care of the economic development of the area. Some of the major projects, including the paper project, have been taken up at the initiative of the Centre, and some more projects are coming up.

One of the points raised by Professor Hiren Mukerjee has been replied to by the hon. Home Minister, by quoting certain figures to show that it is not a fact that the bulk of the expenditure in the budget has been earmarked for police administration. For instance, even in a small State like Nagaland the allocation for power projects this year is Rs. 4,43,57,600. Another important feature of this budget is the provision for grids. While many of the developed States have not been able to take care of their particular areas, specially in the matter of grids, in the case of Nagaland the allocation this year for that is Rs. 3,53,60,000. Certain other development projects have also been mentioned in the budget to take care of that area.

A reference was made to literacy in Nagaland. The percentage of literacy is not bad as compared to many other developed States. Some of them are still far behind Nagaland. The allo-

cation for education is Rs. 5,31,78,000 in a budget of about Rs. 56 crores. So, the percentage of allocation for education is not bad in comparison with many other States.

I agree with many of the hon. Members who have expressed the hope that the spell of President's Rule should be as brief as possible and it should be possible for the people of Nagaland to arrive at a decision about having a Government of their own for sorting out their problems so that they can transact their business on the floor of their Assembly, which incidentally would be a relief to us to some extent, so that it would be possible for them to take care of all the developmental aspects of their area.

MR. DEPUTY-SPEAKER: I will now put the Resolution to the vote of the House.

The question is;

"That this House approves the Proclamation issued by the President on the 22nd March, 1975 under article 356 of the Constitution in relation to the State of Nagaland."

*The Resolution was adopted.*

MR. DEPUTY-SPEAKER: I will first put the Demands for Grants on Account to the vote of the House.

The question is:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the order paper, be granted to the President, out of the Consolidated Fund of the State of Nagaland, on account, for or towards defraying the charges which will come in course of payment during the year ending the 31st day of March, 1976, in respect of the heads of demands entered in the second column thereof—

Demands Nos. 1, 3, 4 to 9 and 12 to 55."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: Now, I put the Supplementary Demands for Grants to vote.

The question is:

"That the respective Supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President out of the Consolidated Fund of the State of Nagaland to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of the following demands entered in the second column thereof—

Demand Nos. 1, 3, 5, 7, 9, 12, 15 to 18, 20, 22 to 24, 27, 29 to 31, 37, 45, 46, 49, 51, 52 and 54."

*The motion was adopted.*

16 27 hrs.

NAGALAND APPROPRIATION  
 (VOTE ON ACCOUNT) BILL\*, 1975

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE): Sir, I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Nagaland for the services of a part of the financial year 1975-76.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Nagaland for the services of a part of the financial year 1975-76."

*The motion was adopted.*

\*Published in Gazette of India Extraordinary Part II, Section 3, dated 25-3-75.

†Introduced/Moved with the recommendation of the President.

SHRI PRANAB KUMAR MUKHERJEE: I introduce the Bill. I beg to move:†

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Nagaland for the services of a part of the financial year 1975-76, be taken into consideration."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Nagaland for the services of a part of the financial year 1975-76, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: We now take up the clause-by-clause consideration of the Bill. I put the clauses to vote.

The question is:

"That Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*  
 Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI PRANAB KUMAR MUKHERJEE: I move:

"That the Bill be passed"

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed"

*The motion was adopted.*

16.31 hrs.

**NAGALAND APPROPRIATION BILL\*, 1975**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE): Sir, I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1974-75.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1974-75."

*The motion was adopted.*

SHRI PRANAB KUMAR MUKHERJEE: I introduce the Bill. I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1974-75, be taken into consideration."

MR. DEPUTY-SPEAKER: THE question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1974-75, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: We now take up clause-by-clause consideration of the Bill. I put the clauses to vote.

The question is:

"That Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI PRANAB KUMAR MUKHERJEE: I move:

"That the Bill be passed"

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed"

*The motion was adopted.*

16.30 hrs.

**STATUTORY RESOLUTION RE DISAPPROVAL OF AIR FORCE AND ARMY LAWS (AMENDMENT) ORDINANCE, 1975 AND AIR FORCE AND ARMY LAWS (AMENDMENT) BILL**

MR. DEPUTY-SPEAKER: We now take up the Statutory Resolution by Shri R. R. Sharma seeking to disapprove the Air Force and Army Laws (Amendment) Ordinance, 1975, and the Air Force and Army Laws (Amendment) Bill by Shri J. B. Patnaik.

Shri R. R. Sharma.

श्री रम रतन शर्मा (बांदा) उपाध्यक्ष  
सहोदय मैं निम्नलिखित मकल्प पेश करता हूँ —

'यह सभा राष्ट्रपति द्वारा 25 जनवरी 1975 को प्रख्यापित वायु सेना

\*Published in Gazette of India Extraordinary Part II, section 2, dated 25-3-1975.

†Introduced/moved with recommendation of the President.

तथा स्वयं सेना विधियां (संशोधन)  
अध्यादेश 1975 (1975 का अध्यादेश  
संख्या 3) का निरनुमोदन करती है।”

16.31 hrs.

[SHRI ISHAQUE SAMBALI in the Chair]

यह संशोधन बहुत छोटा है और इसे बहुत पहले आ जाना चाहिये था। मेरा संशोधन से कोई विरोध नहीं है लेकिन यह संशोधन जिस प्रकार अध्यादेश के द्वारा लाया गया है उसका मैं विरोध करता हूँ।

आपको ज्ञात है कि यह सरकार अध्यादेशों के द्वारा ही शासन कर सकती है। अभी 1974 में ही रिप्रजेंटेशन आफ पीपल एक्ट में संशोधन करने के लिये इस सरकार ने अध्यादेश जारी किया था। श्री चावला सुप्रीम कोर्ट में इलैक्शन पेटिशन हार गये थे और उसके कारण ऐसी परिस्थितियां आई थी कि सुप्रीम कोर्ट का वह निर्णय बहुत से कांग्रेसी सदस्यों के खिलाफ जाता जिनके विरुद्ध इलैक्शन की याचिकाएँ हाईकोर्टों और सुप्रीम कोर्ट में उस समय पड़ी थीं। इसीलिये आप अध्यादेश लाये थे। यह सरकार जो अध्यादेशों के द्वारा शासन करती है उसको कबम किया जाना चाहिये। इस प्रस्ताव के द्वारा मैं अध्यादेशों द्वारा शासन करने की सरकार की प्रवृत्ति की भर्त्सना करता हूँ।

इस विधेयक के द्वारा धार्मी एक्ट 1950 और एयर फ़ोर्स एक्ट 1950 में एक बहुत साधारण मा संशोधन किया जा रहा है जो अपने में बहुत अहम है। इस संशोधन के द्वारा ये शब्द हटाये जा रहे हैं ‘अन्तर दैन दी स्टैंट आफ जम्मू एण्ड काश्मीर।’ यह संशोधन बहुत पहले हो जाना चाहिये था। आखिर यह आज तक क्यों पड़ा रहा? 1950 से आज तक क्या कोई ऐसे मामले नहीं आये थे जिनमें कि उसको अमंड करने के लिये सोचा जाता? मन्त्री महोदय सिर हिला रहे हैं लेकिन मेरी जानकारी है कि ऐसे बहुत से मामले आये

होंगे और उनको किसी प्रकार से हल-अप कर दिया गया होगा। लेकिन 1950 के बाद अब 1975 में ये संशोधन लाये हैं।

इसी सन्दर्भ में दो बातें मैं और कहना चाहूंगा। पहली तो यह कि काश्मीर की समस्या जटिल से जटिलतर होती जा रही है। आपको पता है कि अभी आर्टिकल 370 के बारे में इस सदन में बहुत बड़ा विवाद उठ खड़ा हुआ था। आप एक तरफ तो काश्मीर को साविभानिक तरीके से देश का अंग नहीं मानते और दूसरी तरफ कुछ एनेक्टमेंट्स के द्वारा आप इसको अपने देश का अंग मान रहे हैं। आखिर आप दुविधा में क्यों हैं? आप स्पष्ट रूप से क्यों नहीं कहते हैं? आर्टिकल 370 क्यों नहीं समाप्त करने हैं?

दूसरी बात यह है कि धार्मी और एयर फ़ोर्स में अब डिमिप्शन की बहुत बड़ी गड़बड़ी होती जा रही है। उसके कारण ये हैं कि धार्मी और एयर फ़ोर्स के अधिकारियों और कर्मचारियों का प्रमोशन उनकी राजनीतिक गतिविधियों के आधार पर किया जाता है। इसी सन्दर्भ में मैं अपने एक प्रश्न का जवाब देना चाहूंगा। 13 मार्च को सरकार ने मेरे प्रश्न संख्या 329 का जवाब दिया था। प्रश्न इस प्रकार था :

“Will the Minister of Defence be pleased to state the names of those Army, Navy and Air Force Officers who have retired prematurely during the last three years because of supersession and other reasons?”

सरकार ने अपने जवाब से एक लिस्ट दी जिसमें धार्मी के 191 अफसरों जिनमें मेजर और लेफ्टिनेंट कर्नल आदि थे, एयर फ़ोर्स के 25 और नौवी के लगभग 94 अफसरों के नाम थे जिन्होंने सुपर सेशन की वजह से प्री-मैच्योर रिटायरमेंट सीक किया था। यह क्यों होता है? क्या यह सही नहीं है कि आपको जो आवसी सूट नहीं करता हूँ चाहे वह कितना ही ईमानदार और कर्मठ हो, चाहे उसने देश के लिये

कितना ही त्याग और बलिदान किया हो लेकिन अगर वह आपकी सुविधानुसार काम नहीं करता है अगर वह आपके इशारों पर काम करने के लिये तैयार नहीं है तो आप उससे जूनियर को उस पर बिठा देते हैं जिसको वह बर्बास्त नहीं कर पाता है और रिटायर हो जाता है। इसीलिये हमारी फ़ौज और वायु सेना का स्तर नीचे आ रहा है कुछ दिन पहले दख्खानों में था कि वायु सेना के दो अधिकारी रुस के लिये जासूसी करने हुए पकड़े गये थे जिसके बारे में आपने कुछ एक्शन भी लिया था।

इन बातों से प्रकट है कि सेना के सम्बन्ध में आपकी व्यवस्था और कार्यकलाप सही नहीं हैं जिसकी वजह से सेना में स्थल सेना, वायु सेना और जल सेना में, आदमियों को निष्ठा से काम करने की प्रेरणा नहीं मिलती है और इस तरह की बातें सामने आती हैं।

यह विषयक बहुत छोटा है। इसके बारे में मुझे और कुछ नहीं कहना है। इन शब्दों के साथ मैं अपने संकल्प को प्रस्तुत करता हूँ और सदन से निवेदन करना चाहता हूँ कि वह इसको बहुमत से समर्थन देकर पास करे।

MR. CHAIRMAN: Resolution moved:

"This House disapproves of the Air Force and Army laws (Amendment) Ordinance, 1975 (Ordinance No. 3 of 1975) promulgated by the President on the 25th January, 1975."

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): I beg to move:

"That the Bill further to amend the Air Force Act, 1950 and the Army Act, 1950, as passed by Rajya Sabha, be taken into consideration."

The Bill is to suitably amend these two Acts so that they are universally applicable to all parts of the country.

At present these two Acts make a distinction between the State of Jammu and Kashmir and the rest of the country in regard to the trial of civil offences committed by service personnel. The limited purpose of the Bill is to remove that distinction.

The purpose of bringing one Bill for amending both the Acts is that both the Acts contain similar provisions to civil offences. According to these two Acts, a civil offence committed by a person subject to these two Acts is triable by a court partial and not by an ordinary court of criminal justice. There have been certain exceptions and these exceptions are in regard to major offences like murder, culpable homicide not amounting to murder or rape in relation to persons not subject to military, Naval or Air Force law which are only triable by ordinary courts of criminal justice. The latter offences are however also triable by court-martial when service personnel are on active service or at any place outside India or at a frontier place specified by the Central Government in this behalf. This is provided for because otherwise this would involve these persons in prolonged litigation resulting in harassment and consequential loss of morale and discipline which should be zealously safeguarded in the armed forces. According to the Air Force Act of 1950, and Army Act of 1950, the provisions do not include the State of Jammu and Kashmir. This was so because of the conditions obtaining at that time when this Act was passed by the honourable House. Consequently civil offences committed by service personnel in that State were covered under this clause and they were considered as acts committed outside India. For the purpose of law there was no practical difficulty experienced by the Government; however, the situation changed when the High Court of Jammu and Kashmir observed that civil offences committed in that State could not be tried by Court Martial but by ordinary courts of criminal justice according to the law of the State namely, the

Ranbir Code. As a result of this the Government was faced with a situation, either to see that the Army Act of 1950 or the Air Force Act of 1950 be suitably amended so that it would be applicable to the State of Jammu and Kashmir or the service personnel accused of civil offences would be left to the mercy of prolonged litigation which would result in loss of morale and discipline in the army. Government immediately moved the Supreme Court in this regard. But it was found that it would take some time for the decision of the Supreme Court. In the meanwhile case after case got piled up in which service personnel were involved. And, therefore, Government, came out with a Bill to amend these two Acts. The hon. Member, Sharma said, this Bill has not come before the House earlier. I would like to remind him that this Bill was earlier brought before the Rajya Sabha in the last session but as Parliament adjourned this Bill could not be passed. Therefore we took resort to the ordinance. This was meant to benefit those people who otherwise were going to be seriously affected by this decision of the High Court of Jammu and Kashmir to which I have already made a reference. Government has the highest regard for Parliament and for this House. We would not have promulgated this ordinance had the House not adjourned. There are a few amendments which are proposed. One is to repeal the ordinance which has been promulgated and the other one is in regard to amending the year of the Bill and the year of the Republic.

As regards the other points made by him, I would refer to them when I reply to the debate.

With these words, I commend the Bill to the House and I appeal to the hon. Member to withdraw his Resolution.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Air Force Act, 1950 and the Army Act, 1950, as passed by Rajya Sabha, be taken into consideration."

SHRI P. G. MAVALANKAR (Ahmedabad): If you permit me, I only want to make a submission—a point of order—on this Bill, Army and Air Force (Amendment) Bill, which the Minister has brought forward.

My point of order is this. By this Bill, the Government is seeking extension of certain provisions of the Army Act, 1950 and the Air Force Act, 1950 to Jammu and Kashmir was excluded from their purview so far. Now, Sir, the High Court of Jammu and Kashmir has given a judgment according to which this provision may not apply to Jammu and Kashmir. The point is that they, that is, the Central Government, have gone in appeal before the Supreme Court against the decision of the High Court of Jammu and Kashmir. When Government of India have gone in appeal to the Supreme Court precisely on the point arising out of the judgment of the Jammu and Kashmir High Court, my point of submission or point of order is this. How is it that such an order and such a legislation can ever come? The whole difficulty is this. Suppose we pass this Bill into an Act. That means although an appeal is pending before the Supreme Court, the Government of India have, through this Amending Bill, forced the Supreme Court to take a particular line.

I could have understood if the Government had not gone in appeal. But, having gone in appeal in the Supreme Court and then subsequently to come with this kind of order which will be converted into a Bill which we are now asked to pass only means that it is a very extraordinary situation. I would like the Minister to reply to this.

One more point is this. This matter had come up in the other House. With your permission, I would like to read out an extract.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY

**AFFAIRS (SHRI K. RAGHU RAMAIAH):** You cannot read the extract.

**SHRI P. G. MAVALANKAR:** I shall only refer to what happened there. That of course, I can. Otherwise how do I meet my point? I cannot just talk in the air. I must raise a point. How can I do it if I cannot refer to the proceedings of the other House?

**SHRI K. RAGHU RAMAIAH:** He can, with his full throat, cite what he likes as if from his own internal sources.

**SHRI P. G. MAVALANKAR:** I am grateful to the Minister for Parliamentary Affairs for this guidance. My information is that the Full Bench of the Jammu and Kashmir High Court held that the service personnel charged with civil offences are not liable to be tried by a court martial, and that such offences have to be tried under the penal laws of Jammu and Kashmir. My further information is that the number of such cases involved is very small, I believe. I am right in giving this information. As on 24th January 1975, the number of such cases was just 37. In order to enable the Government of India to carry on with the prosecutions or court-martialing or whatever it is, against these 37 army and air force personnel, they have brought forward this Bill before the House.

If we are involving some serious questions of defence in the border area of Jammu and Kashmir—international frontiers, etc., or whatever it is, I could have understood. But, what is the harm in waiting for the appeal in the Supreme Court to be disposed of? Are these thirty-seven people to be tried immediately? Could you not wait for the disposal of the people having gone already in appeals? How can the Government of India issue any such order and come forward with a legislation? I feel that this is an affront on the judiciary. It is trying to force the

judiciary to pre-judge the issue on which Parliament has to pass a law and then force the judiciary to accept the *fait accompli*. That is my point of order.

**MR. CHAIRMAN:** This is not a point of order.

**SHRI R. V. BADE (KHARGONE):** Sir, I rise on a point of order. What Mr. Mavalankar says is this. This is a *sub-judice* matter because the matter is pending before the Supreme Court. This matter is *sub-judice* and so, we cannot discuss this here.

न्यायनि महीदय : यह प्वाइंट आफ ऑर्डर नहीं है। यह उन्होंने सबमिशन किया है। परी म्पीच उन्होंने दे दी। यह प्वाइंट आफ ऑर्डर नहीं है यह सबमिशन है।

**SHRI DINESH JOARDER (MALDA):** Mr. Chairman, apart from the legal points that have been raised by my learned friend, Mr. Mavalankar, there is also the appeal which is still pending in the Supreme Court. Therefore, I want to submit whether we have the competence to pass this legislation. Apart from that question it is a question of propriety that the Government should have waited till the decision of the Supreme Court and then only should have come with this legislation. That would have been much better. I also hold the same views as the mover of this Resolution, Mr. Sharma, who has opposed the issuance of this sort of Ordinance. I may say that major part of our functioning in this House has become to regularise Ordinances passed by the President at the instance of the Central Government. This has become a regular feature. It has to be deprecated. I have no objection regarding the necessity or the reasons that have been put forward by the Minister for enactment of this law but in this connection we should also discuss the functioning of the court martials, the nature of the trial that is administered through those court martials. We have been experiencing since Independence that the procedure followed in the court martials is the



same old procedure. There is a tendency among the high officials of the Defence personnel to employ their near relations and also giving promotions to their near relations and the people liked by them, and also at the time of forming the Court Martials, these aspects are looked into, who are the culprits, who are the delinquent officers, who should be tried and in that case, who should form the Court Martial. A few high officials in the Defence services have formed a coterie for this purpose. All these things are very much complained of very often. Sir, in the case of offences committed by the junior officers or the officers in the lower ranks they seldom get any justice from the court martial. But, in the case of higher officials, they are not sent for trial before the court martial even if they commit certain offences like corruption and indulge in indiscipline. They are not sent for trial before the court martial and they are not tried even. In recent past, in the Eastern Command, one Major disclosed certain facts of corruption. What happened? That was investigated into and it was found that the higher officers were very much guilty of indulging in corruption and in some transactions, they were found guilty. but, no punishment was given. They were ignored. Their offences were ignored. But, that poor fellow, the Major, was the man who was caught and he was dismissed from service. This is the thing going on in the defence services. Not only that. The court martial is supreme and if anything is done injudiciously and if any injustice is done to anybody, there is none to check and there is no provision for appellate jurisdiction. So, Sir, it would be better if there are certain committees comprising of Members of Parliament and other judicial officials, which will act as a body of appellate jurisdiction. It would be necessary in regard to certain offences, not in regard to all petty offences, but in regard to certain offences, that the trial and the judgement of the court martial should be reviewed by a higher body. This

should comprise of accredited judicial-minded people or those who are already in service in the judiciary or those who are Members of Parliament. There should be an appellate body comprising of such people who can go through and review from time to time the trials of the court martials. Secondly, Sir, the procedure in regard to trial by the court martial should also be changed to fit in with the present circumstances of our country and in keeping with the need for security and a sense of justice among the service personnel, from the lower ranks to the higher ranks, so that they may feel that in serving in the defence of India, they will not be meted out with any injustice.

Sir, as regards the service code, there has been a long standing demand for a thorough change of the service code of the three services. Now, there is no equality in pay for equal job and there is no equal opportunity for the service personnel in regard to promotions, recruitments and other benefits. The same old code followed by the British imperialists is continuing. It should be changed so that the low-ranking officers and poorly paid employees get justice and better remuneration.

17 00 hrs.

There are complaints about recruitment to the defence forces. A coterie gets the largest quota, resulting in imbalance in the recruitment. I do not want to mention any particular State. In defence forces, all parts of India should get the same opportunity of employment. This has been discussed many times here. This inequality and imbalance should be removed.

Defence personnel are being used for curbing popular movements like the railway strike last year. This should be stopped. We are now living in a very peaceful atmosphere and there is no immediate danger of



war with neighbouring countries. Still, we are increasing the defence budget. A large part of the national resources is going to be wasted like this. We are not getting better results. There is also rampant corruption in the defence administration; Hindustan Motors of Birlas were to supply some vans. The order was placed at a very low rate, but when the supply was made, they charged a very high rate, almost double. The payment was made at the higher rate. Nothing has been done about it. This sort of irregularities in monetary transactions and corruption should be looked into.

We do not object to the spirit of the Bill. We want that the service personnel who are being court-martialled should get justice and should have an opportunity to appeal to some supervisory body, like a judicial committee, who can go into the decisions of court-martials.

**SARDAR SWARAN SINGH SOKHI (JAMSHEDPUR):** Sir, I welcome this Bill. Some of my hon friends have raised some points of orders about this Bill. I do not think there is any validity in those points of orders. Because, Parliament is supreme and is the highest body which can make any law at any time. Further, this was already passed by Rajya Sabha.

As I said, I welcome the Air Force and Army Laws (Amendment) Bill, amending the Act of 1950, which would not only achieve its objects, but has been widely welcomed by the Indian people, particularly the amendment to omit the words "other than Jammu and Kashmir". Jammu and Kashmir is no doubt an integral part of India and this amendment has further removed all doubts of the people of India that the same Act which is applicable to India is now applicable to Jammu and Kashmir, though it has a different Constitution.

I am of the opinion that any person subject to this Act who commits an offence should be tried by a court-martial, as long as he is in service, whether active or otherwise, and should not be tried by any civil court, to further boost the morale of the armed forces, because the civil courts have a very lengthy process which does not suit the armed forces personnel, because of their training and temperament.

Here I want to make a reference to the case of Squadron Leader R. Jasuratrani, who has challenged the legality of the authority of Air Marshal G. D. Sharma, Air Officer in charge, Air Headquarters, before the Delhi High Court. I would suggest that the Act should be further amended so that no officer, or staff in the army, navy or air force could challenge the legality of the GCM, sentence, in any court of law in the country or outside. There should be no lacuna or loophole in the Act in this respect.

It is really surprising that the Military, Naval and Air Force Attache of the Soviet Embassy in India is involved in this case. The Government of India should protest to the USSR Government and request them to take the necessary action against that officer of the Soviet Embassy who indulged in such an act of espionage in our country. It should not be allowed to happen again and severe action should be taken against the Air Force officer, to set an example for the future and to maintain discipline.

Lastly, the personnel of the armed forces should be fully conversant with the Army, Navy and Air Force Act. For this up to date booklets of the Acts should be distributed to them in their mother tongue for their guidance, so that they do not violate the law simply due to their ignorance of the law and indulge in criminal and such like acts.

SHRI D. K. PANDA (Bhanjanagar): Sir, in this case also it is a rule by Ordinance. In spite of the repeated objections raised in this House, we find that this has become the usual and regular practice of the Government. Eleven months have elapsed already when the High Court judgment was passed. Thereafter, immediately, action could have been taken. Some such measure could have been introduced in the House even during the last two sessions of Parliament. But that has not been done. So, my objection is that this rule of Ordinance should not be used because it is repugnant to the very concept of parliamentary democracy.

Now, the hon Minister comes from a State like Orissa which is a very very backward State. Sometime ago, there were some recruiting centres and, specially, at Brahampur, a place from where Mr. Giri hails, there was a recruiting centre. That has been abolished. In spite of the fact that the eastern region, including Orissa, has been totally neglected as far as the recruitment policy is concerned, giving rise to regional imbalance, still this aspect could not be taken into consideration. Therefore, I draw the hon. Minister's attention to it and I urge upon him to see that at least he takes some steps for the restoration of the recruitment centre at Brahampur.

In this connection, as far as Adivasi people are concerned and who constitute one-third of the total population in Orissa. I suggest that there should be some such recruitment centre in the Adivasi region. Accordingly, I may also suggest that at Phulbani, a recruiting centre should be opened.

With regard to this particular amending Bill, I have nothing to object. But in connection with this I would like to bring certain facts before the House so that something can be done at least in future. In the P.A.C. Report, I find that for the purchase of defence equipment, a huge amount to the tune of lakhs of rupees has been

spent. They have been purchased at huge cost which could have been purchased at a lower price.

There were some particular references to the case of corruption which are going on in the Defence Department. That should be put an end to and, specially where we find some such cases, immediate action should be taken. One Major in the Eastern Zone gave all the facts relating to some corruption charges. After that, he was dismissed from service. This is a very sad commentary. A Major who points out certain corruption cases in the Defence Department should not be dismissed. He should be rewarded. But dismissal was the reward he got.

The P.A.C. also has pointed out about the supply of valuable station wagons which were badly needed for Defence. The order was placed with the Hindustan Motors, a firm of Birlas. In this connection, there was a deliberate delay on the part of the firm of Birlas. So, we find in such a very important Department like Defence Department also which is for the defence of the country, for the sovereignty of the country, we are going to depend on capitalists and the capitalists, as a class, are making a huge profit taking advantage of the defence needs of our country.

What I want to say is this. After 27 years of independence, at least two things are very necessary. In the public sector there should be some such industry that can manufacture all the arms and equipment necessary for defence. Secondly, the military people, the army people, should have a broad approach, a mass approach to the people, to the working class movement and also to the people in general, so that they will not feel that they are away from the people; for that, special training is necessary and in that connection also things should move.

SHRI P. K. DEO (Kalahandi): Mr. Chairman, Sir, on the 28th March, 1974, the Jammu and Kashmir High Court, by a majority judgment, struck

down the jurisdiction of the Court Martial in that State. They said that it would not be applicable so far as Jammu and Kashmir was concerned. I quite agree with what is stated in the Statement of Objects and Reasons. It says that, in the interest of discipline and morale of the armed forces and also for ensuring continued availability of the members of armed forces for service and duties, it is essential that, as far as possible, criminal charges against the members of armed forces are investigated expeditiously and tried by Court Martial.

In Jammu and Kashmir, there is the Ranbir Penal Code. The Ranbir Penal Code does not apply to the civil offences which could be tried Court Martial. After it has been struck down by the Jammu & Kashmir High Court, the Government of India slept all these months and after a lapse of nearly eleven months or so, they went to the Supreme Court. It was rightly raised by my hon. friend, Mr. Mavalankar, that, when a matter is *sub judice* in the Supreme Court, we should not have a confrontation between the supreme Legislature of this country and the supreme Judiciary. I would like to submit that, as far as practicable, we should try to avoid it. I would like to know whether this piece of legislation has been brought so as to circumvent the Supreme Court which might arrive at some finding. So far as the statement of objects and reasons is concerned so far as the intention is concerned, it is very good. But I would be the last person to see any confrontation between the Supreme Court and this Parliament.

So far as the drafting is concerned. I would like to make some suggestions. The Indian Penal Code is very clear, though it has been sent for amendments. It says:

"Any person liable by any (Indian law) to be tried for an offence committed beyond (India) shall be dealt with according to the provisions of this Code for any act committed beyond (India) in the same manner as

if such act has been committed within (India)."

Then section 4 says:

"The provisions of this Code apply also to any offence committed by (a) any citizen of India in any place without and beyond India; and (2) any person on any ship or aircraft registered in India wherever it may be."

Further it says that this has to be taken together with the Army Act, sections 125, 126 and 127 as well as the Defence Services Regulation Adjustment and Jurisdiction Rules, para 418. I would draw the attention of the hon. Minister to that. The crux of this section is that a court-martial can be held anywhere inside or outside India or even on a ship or an aircraft anywhere in the world. Even if a crime has been committed in Timbaktu the hand of the law is long enough to catch him and punish him. So, the Government of India should not get perturbed about it.

So far as the Army Act is concerned, though it was passed in 1950, there is an anomaly in so far as its definition is concerned. In Section 3, sub-clause (8) it says that a 'criminal court' means a court of ordinary criminal justice in any part of India other than the State of Jammu and Kashmir. I think that things have changed and Jammu and Kashmir is an integral part of India and should be considered to be so.

We are surprised that the Hockey cup that has been brought by the Indian team depicts Kashmir not as a part of India. Now that the cup has come to our possession, we should see that necessary cartographical change is made in the Hockey cup so that Kashmir is shown as an integral part of India.

In so far as the Army Act is concerned, when it was discussed in 1950. Pandit H. N. Kunzru had expressed his genuine misgivings regarding the civil offences and regarding the calibre of the Judge-Advocate-General who is

supposed to look into these court martials. He stated that they had absolutely no legal background they knew nothing, and they were from the Army cadre. So, I most respectfully suggest that the Minister should see that the court martial is composed of such persons who have got some legal background and there should be a provision for appeal as also for review. Even after this law has been amended, take it for granted that all those who have been punished under the court martial which has now been nullified by Jammu and Kashmir High Court, they may be re-instated in their service. But what about those who have faced the death sentence by the court martial and have been executed? They cannot be brought back to life. Death sentences are confirmed by the Defence Minister himself. I would like to know categorically from the Defence Minister. Will he be able to bring back those dead people again? Lastly, at the end, I would suggest:

(1) There should be a uniform code for all the three services.

(2) A special court for appeal from Court Martial should be there. At present, the accused has no right to appear as a witness on oath a court martial. That provision is repugnant to the Criminal Procedure Code which has been amended lately.

(3) Taking into consideration all these facts, my last submission to him, as he comes from my State of Orissa which was the last State to submit to British suzerainty, is that the theory of martial race is just a myth. Time has proved that there is nothing like any community being a martial race. All of us are a martial race. Taking into consideration the poor representation of Orissa in the services, he must go in for an Orissa Regiment and also have cantonment at Bhubaneswar. I want this assurance from him.

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): I am thankful to the hon. Members for their general support to this Bill. As far as I can gather from the speeches of the hon. Members, they are not against this amendment to the law.

However, certain observations have been made in regard to the ordinance, in regard to the provision of court martial and in regard to the Ministry of Defence in general. As far as the ordinance is concerned, I made it very clear while introducing the Bill that we were not in favour of the ordinance. Therefore, we brought a Bill before the Rajya Sabha during its last session, but, because of other business, this Bill could not be passed by the Rajya Sabha. As the Bill could not be passed by the Rajya Sabha, we had to resort to the promulgation of an ordinance.... (Interruptions).

Regarding this ordinance, certain observations have been made by my friends, Shri Mavalankar and others, that this amending Bill is prejudicial to the case before the Supreme Court. It is not prejudicial to the case before the supreme court. The Government is not in confrontation with the Supreme Court as regards this amending Bill because the competence of Parliament to pass legislation is not affected by the pending appeal before the Supreme Court. Let me complete my say and then the hon. Member may ask questions. Firstly, the competency of Parliament to pass this legislation is not affected by any pending appeal in supreme court. Again the appeal before the Supreme Court is with reference to existing provision according to which court martial in Jammu and Kashmir qualifies only as court martial outside India. This Bill wants to remove the anomaly that exists in that respect. The Bill seeks to place court martial in Jammu and Kashmir on the same level as court-martial held in other parts of the country. Thirdly, the Bill is not retrospective in opera-

tion. That is to say, proclamation of the ordinance will not cover the case pending before the Supreme Court.

As regards the process of court martial, certain observations have been made that court-martial is not democratic, it does not give justice to officers and jawans of armed forces etc. The entire process of court martial is to make out justice as expeditiously as possible. It is not peculiar to our country. It is common to all armed forces of the world. This is there to save the harassment that would involve the armed forces personnel, if they are not tried by court martial but by ordinary courts of criminal justice.

Then, Sir, Mr. Joarder made certain observations regarding increase in defence budget. I agree with him. There has been some increase in defence budget over the years. But the reasons are well known. Firstly, there is this continued threat to our country. Secondly, I am sure, the hon. Member knows, the amount involved in regard to sophistication and modernisation in respect of a modern army. There is constant rise in prices and this is the third aspect which I wish to bring to his attention. The Government does not want to spend a single pie more than that is necessary for the defence of our country.

Then, Mr. Panda made some charge of corruption. I would appeal to hon. Members not to make such wild charges of corruption against our armed forces. It is our duty to see that their morale is maintained. As regard particular cases of corruption which come before the Government, as I have already stated, expeditious action is always taken. There is a procedure for this purpose which is being followed. Many officers found guilty have been punished by the Government. Regarding the case mentioned by Mr. Panda, I have enquired about it. He has not been suspended or dismissed for pointing out some cases of corruption against officers. He was

found to be guilty of certain other charges. For that, he was punished. He went to the Court with a writ and the writ has already been dismissed. The hon. Member does not argue that because he pointed out certain cases of corruption, if he is involved in some major charges in future, he should not be dismissed or suspended from the Armed Forces. I think he does not mean this. He pointed out certain cases of corruption and those cases have been enquired into by the Government and action taken. But when he is himself involved in certain major cases, then, I feel that justice should take its own course.

There has been some criticism made by the hon. Members regarding the policy of recruitment. The Government's policy of recruitment is very clear. It has been repeatedly put before the House. Though it is very relevant to this Bill, still I want to point out that so far as recruitment policy of Government is concerned, recruitment is proportionate to the recruitable male population of different areas of the country including areas which are backward. Recruitment, as a whole, has been poor in certain areas because of various historical reasons. We are now taking steps to see that more and more people from these areas are recruited to the army. The recruiting officers are asked to tour frequently areas where are more adivasis and scheduled castes people and more publicity is given to this policy. We are taking all steps to see that more and more people come from the areas which were neglected in the past.

With these observations, I commend this Bill to the House.

SHRI DINESH JOARDER: What about the provision in the budget for appellate courts for the trial of the court-martialing as it prevails in other countries like the U.K. and so on?

SHRI J. B. PATNAIK: I am prepared to answer him. With regard to court martial, there is provision for appeal. If some body is convicted in a court

partial, he can appeal to the Government. And in such cases the Government after a careful study gives a proper decision.

MR CHAIRMAN. Now, no more question

SHRI J P PATNAIK In case there is a parliamentary committee to review or some court of appeal, then the entire concept of courtmartial falls to the ground.

श्री राम रतन शर्मा : सभापति जी जहाँ तक पार्लियामेंट के लेजिस्लेशन का सम्बन्ध है, उसको किसी ने चैलेंज नहीं किया। आपकी अपील उच्चतम न्यायालय में वेंडिंग थी। बीच में आपने राज्य-सभा में बिल इन्ट्रोड्यूस किया और फिर आपने भाइनेस ड्यू किया। माननीय सदस्यों ने औचित्य की बात उठाई है कि अध्यादेश के बल पर यह सब कुछ करना कहा तक उचित है। आपका यह एक्ट अगर फिर जम्मू और काश्मीर हाई कोर्ट में गया तो आर्टिकल 370 के अन्तर्गत वह अल्ट्राविरस आफ दी कास्टी-ट्र्यून करार दिया जायेगा।

SHRI J. B. PATNAIK Armed Forces come under Defence which is a Central subject and not under the concurrent list. You have not gone through Art 370.

श्री राम रतन शर्मा : इसमें सैटल और स्टेट लिस्ट का कोई मतलब नहीं है। एक भलग ट्रीटी हो गई है। आपने एक हिसाब से उसको नया आदेश मना है। (अध्याधान) तो जहाँ तक औचित्य का प्रश्न है उसमें इनका फेल्योर है। आपने जो आर्मी एयरफोर्स और नौवी के इनने अधिकारियों का सुपरसेगन किया है, वह आखिर क्यों किया है? इस बारे में आपने उा समय भी जवाब छियाया था और आज भी इसका जवाब देने के लिए तैयार नहीं हैं, इसका क्या फल होगा? आप इतने आर्मी,मो को ताक पर रखकर उनके अनियर आफिसर्स को

प्रमोड करते हैं जिसकी वजह से अच्छे और निष्ठावान सैनिक अधिकारियों को बाहर जाना पड़ता है।

आर्मी, एयरफोर्स और नौवी के बारे में आप इतने टक्की होने की कोशिश न करे। आप कहते हैं कि इसके बारे में कुछ न कहा जाय। मैं जानना चाहता हू कि इस बारे में क्यों न कहा जाये। हमारी सेना में हमारे भाई-बिरादर काम कर रहे हैं। पूरे समाज का रिप्लैकशन सेना पर पड़ता है। जब युद्ध होते हैं तो सेना के साथ साथ पूरा देश लड़ता है। अगर आप देखते हैं कि वहाँ पर भ्रष्टाचार और करपशन घुस गया है तो उसको दूर करने की कोशिश करे। अभी आपने जो मेजर वाली बात कही है, मुझे पूरी आशंका है कि जब भ्रष्ट अधिकारियों का करपशन खुलने लगा तो उन्होंने चाँज लगाकर उसको डिस्मिस करवा दिया ताकि केश हरा-अप हो जाये।

मैं श्री जोरदर, श्री पडा तथा श्री सोखी जिन्होंने मेरे इस प्रस्ताव का अनुमोदन किया है, मैं उनका आभारी हू और मैं उनसे यह निवेदन करता कि मेरे पक्ष में मत देकर उसको पास करें।

MR CHAIRMAN The question is

"This House disapproves of the Air Force and Army Laws (Amendment) Ordinance, 1975 (Ordinance No 3 of 1975) promulgated by the President on the 25th January, 1975"

The motion was negatived.

MR CHAIRMAN Now, the question is

"That the Bill further to amend the Air Force Act 1950 and the Army Act, 1950, as passed by Raja Sabha, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The question is:

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.  
Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI J. B. PATNAIK: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: Motion moved:

"That the Bill be passed."

श्री रामाचतार शास्त्री (पटना):  
समापति जी, सेना की भर्ती के सिलसिले में जगह जगह भ्रष्टाचार चलने लगा है। मेरे इलाके में भी दानापुर में छावनी बोर्ड है। वहां सेना की भर्ती का केन्द्र भी है। वहां पर सेना की भर्ती में जो भ्रष्टाचार और घूसखोरी चलती है, उस के बारे में मैंने 20 मार्च को एक सवाल पूछा था कि जिसका नम्बर है 4233। उसमें मंत्री महोदय ने इस बात से इंकार किया है और कहा है कि उन्हें इस तरह की कोई जानकारी नहीं मिली है कि वहां कोई घूसखोरी या भ्रष्टाचार है। मैं मंत्री महोदय को कहना चाहता हूँ कि ठीक से फिर इसका पता लगाइये इस सिलसिले में दो तीन घादमी पकड़े गए हैं जिन पर कोर्ट में मुकदमें चल रहे हैं। जिसमें एक श्री श्रोवर भी हैं और दूसरे भी कुछ लोग हैं। मैं चाहूंगा कि इस तरह से जवाब न देकर अगर आपके ध्यान में कोई बात लई जाये कि सेना में कहां भ्रष्टाचार और घूसखोरी है तो उसका इस तरह से सरपट जवाब न दे दिया कीजिए कि यह गलत है। और जगहों पर भी ऐसी बातें होती हैं लेकिन मैं वहां का रहने वाला हूँ और इसलिए वहां के कौटोन्मेंट का जर्न-जर्न जानता हूँ। जो आपके रिक्रूटिंग आफिसर हैं वह घूसखोरी कर रहे हैं। कुछ भूतपूर्व सेना के लोगों के साथ मिलकर लोगों को भर्ती करवाते हैं और उनसे पैसे लेते हैं। इसमें दो-तीन लोगों पर मुकदमें चल रहे हैं। इसलिए मैं चाहूंगा

कि फिर इसकी जांच करावाइये। अगर आप जांच की मुझे खबर दे सकें तो मैं उन लोगों को आपके सामने लाकर खड़ा कर दूंगा जिन लोगों से पैसे लिए गए हैं।

मैं कभी कभी पटना से आसाम मेल से आता हूँ। आसाम मेल में आम तौर से सेना के लोग आते हैं। मैं देखता हूँ कि सेना के साधारण सिपाहियों से उनके अफसरान नौकर की तरह काम लेते हैं। वे उन से घरों में काम लेते हैं और ट्रेन में भी उन के साथ नौकर का सा व्यवहार करते हैं। मंत्री महोदय ने यह ठीक कहा है कि हमारी सेना हमारे देश की रक्षा करती है, और उसने पाकिस्तान तथा चीन के खिलाफ लड़ते हुए बड़े शानदार रिकार्ड कायम किए हैं। लेकिन इस का मतलब यह नहीं है कि सेना के अफसरान उन जवानों से ठीक व्यवहार न करे, उन से नौकर की तरह काम लें और उन्हें अपमानित करें।

सेना के साधारण जवानों की अपनी समस्याएँ और कुछ आर्थिक मांगें हैं। उन को खाने-पीने की तथा कई अन्य कठिनाईयाँ हैं। इन बातों की तरफ सरकार का ध्यान जाना चाहिए। तभी वे ज्यादा चुस्ती और ज्यादा जोश के साथ देश की हिफाजत के लिए देश के दुश्मनों से लड़ सकेंगे।

श्री जोरदर ने इस बात का जिक्र किया है कि जब रेल मजदूर या दूसरे मजदूर हड़ताल करते हैं, या किसान जमीन पर कब्जा करने की लड़ाई लड़ते हैं, या सरकारी कर्मचारी हड़ताल करते हैं, तो सरकार वहां फौज को भेज देती है। फौज का यह काम नहीं है, यह देश की हिफाजत का काम नहीं है। देश की हिफाजत सीमा पर होती है, और इसी लिए उन की नियुक्ति हुई है, न कि रेल मजदूरों, किसानों और ग्राम जनता को दबाने के लिए। मैं चाहूंगा कि कानून में यहां बंदिश लगाई जाय कि सेना का इस्तेमाल जन-आन्दोलन और वर्ग-संघर्ष को दबाने के लिए न किया जाये।



जहाँ तक इस कानून का सम्बन्ध है यह ठीक है और हम इस का समर्थन करते हैं। लेकिन अपने जवानों को प्रोत्साहित करने के लिए इन बातों पर ध्यान दिया जाना चाहिए।

SHRI S. M. BANERJEE: Mr. Chairman, Sir, I support the Bill.

MR. CHAIRMAN: Now, the question is:

"That the Bill be passed"

*The motion was adopted.*

17.12 hrs.

# STATUTORY RESOLUTION RE FIXING OF THE MAXIMUM BORROWING LIMIT OF GUJARAT ELECTRICITY BOARD

MR. CHAIRMAN: Now, we take up the next item. Prof. Siddheshwar Prasad.

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): Sir, I beg to move:

"Whereas in pursuance of sub-section (3) of Section 65 of the Electricity (Supply) Act, 1948 (54 of 1948) the Government of Gujarat has, with the approval of the Gujarat Legislative Assembly, fixed under notification No. G/U/215/ESA,3470/4236/K, dated the 19th December, 1970, the maximum amount as rupees one hundred crores for the purposes of sub-section (1) of the said section 65 with effect from the 19th Decembr, 1970:

And Whereas the Government of Gujarat proposes to raise the aforesaid maximum amount to rupees one hundred and fifty crores;

And Whereas the Gujarat Legislative Assembly has been dissolved;

And Whereas under the Proclamation dated the 9th February, 1974, issued by the President under Article 356 of the Constitution, the powers of the State Legislature are exercisable by Parliament;

Now Therefore, it is hereby resolved that Lok Sabha do accord approval to the proposal of the Government of Gujarat to fix under sub-section 3 of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948), the maximum amount as rupees one hundred and fifty crores which the Gujarat Electricity Board may at any time have on loan under sub-section (1) of the said section 65."

Under sub-section 3 of section 65 of the Electricity (Supply) Act, 1948, the maximum amount which a State Electricity Board can at any time have on loan under sub-section 1 of the said section shall be Rs. 10 crores unless the State Government with the approval of the State Legislative Assembly fixes a higher maximum amount.

To accommodate the increasing borrowing by the Gujarat Electricity Board for financing the new generating schemes and transmission and distribution lines, the limit was enhanced by the Government of Gujarat to Rs. 100 crores vide notification No GU-215/ESA-3470/4236-K dated the 19th December, 1970.

As against the existing maximum borrowing limit of Rs. 100 crores, the Board's total borrowings till the end of 1973-74 would come to Rs. 80,60,27,000. The Gujarat State Electricity Board has further borrowed Rs. 771 crores during the current year. Therefore, the existing borrowing limit of Rs. 100 crores is not sufficient to cover the entire borrowing programme for the current and next financial year. Therefore, as the Gujarat Legislative Assembly has been dissolved and as the powers of the State Legislature are now exercisable by Parliament under proclamation dated the 9th February 1974 issued by the President under article 356



of the Constitution, Parliament's approval to the proposal of the Government of Gujarat to fix the borrowing limit of the Gujarat Electricity Board at Rs. 150 crores is sought.

Sir, I move.

**SHRI DINESH JOARDER (Malda):** Sir, our Parliament has to sanction this sort of financial transactions of the State Government like increasing the borrowing limit of the Gujarat State Electricity Board for their day-to-day functioning. We are forced to consider these piecemeal financial transactions of the State Government only due to the prolonged duration of President's rule there. This sort of complications will come up day after day as long as the President's rule continues. For this reason, we have demanded almost every day whenever an opportunity comes up that this President's rule should be discontinued and a popular government with the representatives of the people of Gujarat should be installed as early as possible. We do not want that the functioning of the Electricity Board should be hampered in any way due to the limitations on its borrowing capacity. But how long will we go on considering this sort of piecemeal transactions of the State Government and their institutions in Parliament? We, therefore, reiterate our demand that immediately elections should be held in Gujarat and a popular government installed there, so that all these matters can be considered by the State Assembly. We could very well wait till that popular government is formed for passing this sort of piecemeal transactions.

**श्री ज्ञानेश्वर प्रसाद यादव (कटिहार) :** सभापति महोदय, मैं केन्द्रीय सरकार द्वारा जो गुजरात विद्युत बोर्ड को डेढ़ करोड़ की राशि देने की स्वीकृति प्रदान की गई है उस का स्वागत करता हूँ। लेकिन साथ साथ मैं उनसे यह कहना चाहता हूँ कि यह चीज गुजरात की विधान सभा में होनी चाहिए थी। आप चुनाव टालते जा रहे हैं इसलिए वहाँ पर से बातें नहीं हो पा रही हैं और उस लिए आपको

यहाँ पर प्रस्ताव लाना पड़ रहा है। आप को चाहिए था कि वहाँ चुनाव करा कर वहाँ के विद्युत बोर्ड की जो मांगें हैं या अन्य राजस्व की मांगें हैं उन मांगों पर स्वयं वहाँ की विधान-सभा को विचार करने का अवसर प्रदान करते। लेकिन अब तक आप वहाँ राष्ट्रपति शासन बनाए हुये हैं और अगले छः महीने तक और उसे रखेंगे। इसलिए आप को यह काम यहाँ करना पड़ रहा है।

मंत्री महोदय बिहार से आते हैं और वह जानते हैं कि बिहार बड़ा ही पिछड़ा हुआ क्षेत्र है। उस पिछड़े क्षेत्र की तरफ मैं उन का ध्यान आकृष्ट करना चाहता हूँ। बिहार विद्युत बोर्ड . . . .

**सभापति महोदय :** मेहरबानी करके आप जो प्रस्ताव सामने है उसी तक अपने को सीमित रखिए।

**श्री ज्ञानेश्वर प्रसाद यादव :** मैं एक मिनट में समाप्त कर रहा हूँ।

बिहार के अन्दर कटिहार में थर्मल पावर स्टेशन बनाने की मांग रखी गई है लेकिन आज तक केन्द्रीय सरकार ने उसे स्वीकृत नहीं किया। उस की भी स्वीकृति प्रदान की जाय। साथ ही साथ आप जानते हैं बिहार एक अतिकसित राज्य है और वहाँ पर विद्युत बोर्ड को जितनी धनराशि चाहिए उतनी केन्द्रीय सरकार या प्लानिंग कमीशन ने उस को नहीं दी है। उसके ऊपर पुनर्विचार होना चाहिए। मैं जहाँ से आता हूँ वह नार्थ भागलपुर क्षेत्र है, वह भागलपुर जिले में आता है लेकिन विद्युत के दृष्टिकोण से वह पूर्णिया जिले में आता है। किन्तु उसके ग्राम-विद्युतीकरण की दिशा में न पूर्णिया की तरफ से कोई ध्यान दिया जाता है न भागलपुर जिले की ओर से कोई ध्यान दिया जाता है। इसलिए उसके ऊपर विशेष ध्यान दिया जाय।

**सभापति महोदय :** मुझे दुख के साथ कहना पड़ता है कि यह बिलकुल ही इरेनिवेंट बोल रहे हैं। इस का बिहार से क्या ताल्लुक है?

श्री के० एस० चावड़ा (पाटन): सभापति महोदय, विद्युत के उत्पादन और ट्रांसमिशन लाइन में वृद्धि करने के लिए तथा डिस्ट्रीब्यूशन के लिए अभी तक गुजरात विद्युत बोर्ड 100 करोड़ रुपये तक ऋण ले सकता है। उसमें डेढ़ सौ करोड़ तक बढ़ावा करने का संकल्प सभा गृह के सामने राज्य मंत्री जी लाए हैं, उसका मैं अनुमोदन करता हूँ। यह अच्छा होता कि गुजरात विधान सभा में इस पर बहस होती। मगर डिमिडिशन होने के बाद भी, एलेक्टोरल रोल तैयार होने के बाद भी और दो महीने से रिटर्निंग आफिसर नियुक्त किए जाने के बाद भी प्राप चुनाव कराते नहीं हैं क्योंकि सत्ताधारी कांग्रेस और इस सरकार का इरादा अच्छा नहीं है, आनेस्ट नहीं है। विधान सभा का जब गुजरात में चुनाव आया था तब दो नारा सत्ताधारी कांग्रेस दल ने लगाया था। एक था गरीबी हटाओ और दूसरा था इंदिरा जी भाई हैं, नई रोशनी लाई है। मगर जब से गुजरात में

एक माननीय सदस्य गुजराती में बोले। श्री के० एस० चावड़ा: गुजराती में बोल सकता हूँ, लेकिन सुनने वाले समझ नहीं सकेंगे। समझना जरूरी है क्योंकि उस को समझकर जवाब देना है।

मैं यह कह रहा था कि गरीबी तो हटी नहीं, उस में बढ़ोतरी हुई है। नई रोशनी की जो बात थी, वह नई रोशनी की बात तो दूर रही, हमारे यहां जो रोशनी थी, जो बिजली मिलती थी वह भी चली गई है।

सभापति महोदय: अब बिजली बोर्ड के जरिये रोशनी मिलेगी।

श्री के० एस० चावड़ा: इसीलिये तो मैं कह रहा हूँ कि अभी तक कभी कभी-कभी दस घंटे बिजली मिलती है, कभी कभी 14 घंटे मिलती है, कभी 20 घंटे मिलती है। मगर 24 घंटे बिजली अभी देहातों में मैंने नहीं देखी। मैं तो देहात

में रहता हूँ। यह मेरा प्रत्यक्ष अनुभव है। और भी एक हमारी दिक्कत है कि जो किसानों वहां की जाती है उस की बहुत डिम-लाई होती है। पता है उससे क्या होता है? जो हमारे ट्यूब वेल्स चलते हैं और कुएं की मशीन चलती है उस की जो एलेक्ट्रिक मोटर है लोड कम होने की वजह से वह बेकार हो जाती है। कुछ मेरे गांव में जो वाटर वर्क्स चलता था वो बफा उस की एलेक्ट्रिक मोटर फेल हुई क्योंकि बिजली का लोड कम था। इसलिए यह देखना चाहिए कि कम से कम जो बिजली दी जाय वह बिजली बराबर मात्रा में दी जाय और जो समय निश्चित किया जाय उस समय के मुताबिक बिजली दी जाय। कभी कभी ऐसा होता है कि बिजल, दस घंटे बन्द रहेगी, ऐसा कहा जाता है और बिजली 20 घंटे तक बन्द रहती है। इससे जो देहात के लोग है वे जब खेत में जाते हैं तो उन को मारी रात वहां निकालनी पड़ती है। उस का असर यह होता है कि हमारी फसल कम होती है। अगर बराबर बिजली दी जाती तो मैं मानता हूँ कि जो रबी की फसल होती है वह डबोड़ी होती। इसलिए यह देखना चाहिए कि देहातों में जो बिजली दी जाय वह बराबर दी जाय। इससे रबी की फसल भी अच्छी होगी एक बात और कहना चाहता हूँ कि हमारे शहरों में भी मिलों में स्टगिंग चलती है, वहां भी दिक्कत है। उस बारे में भी कुछ देखना चाहिए। इन शब्दों के साथ मैं इस प्रस्ताव का समर्थन करते हुये यह निवेदन करना चाहता हूँ कि मैंने जो दिक्कत बताई है उस पर सरकार ध्यान दे।

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Chairman, Sir, my good friend, Mr. Siddeshwar Prasad would not have had the compulsion to bring such a Resolution to this House if our persistent and legitimate demand for immediate elections to the Vidhan Sabha of our State would have been accepted by this Government. Anyway, now that the matter has come up here, I would like to mention a couple of points very briefly.

First of all, the Gujarat Electricity Board's development and progress so far have been, I must say, exemplary. I dare say, it is one of the few State Electricity Boards in the country which has gone into the whole field of proper planning, distribution of work, getting money for it, with a certain imagination on various projects, all that has helped the Gujarat Electricity Board to carry out its various projects in good time and fairly efficiently. By and large, the Gujarat Electricity Board also has been planning its programme well ahead of time.

The work was started initially, as the House will recall, by one of our esteemed colleagues, Shri H. M. Patel. When he was the Chairman of the Gujarat Electricity Board, I must say, that Shri H. M. Patel was functioning entirely in an honorary capacity. He would not even charge the nominal or token salary per month. He was giving such tremendous attention, devotion and understanding to the development of the Electricity Board that I only hope that the good work and the speed that he had injected into the working of the Board were carried on with the same vigour and zeal by the present Board in Gujarat. It is because we in Gujarat, although this fortunate fact is there, are still suffering occasionally from power failures. The Minister, I hope, knows that the atomic energy plant at Tarapur often breaks down. There are two units. When one unit is working, the second unit is closed. When the second unit is working, the first one is closed or is about to close again! Therefore, there are frequent and continued powercuts, although the power-cuts are comparatively smaller than in other parts of the country. I do admit that, but, nonetheless, the fact remains that there are power-cuts. In my own constituency, in Ahmedabad, the textile workers have had to face staggering of holidays over a period of several months and years. This is not good.

18.00 hrs.

I am glad that the Gujarat Electricity Board will now get the power of borrowing upto the highest limit laid down under the old Act, namely from Rs. 100 crores to Rs. 150 crores. This will enable them to proceed further with the various projects and they will have no impediments of finance. Here I would like to say that the Gujarat Electricity Board and, indeed, all the State Electricity Boards of various States in our country, will have to plan sufficiently ahead in such a way that all the projects in the Sixth Five-Year Plan or even beyond that are properly fed by the continued supply of electric power in various States. Therefore, I feel that this is a good and necessary Resolution and I am glad that the Electricity Board in our State will be enabled now to have a further amount of Rs. 50 crores, thereby making it possible for them to carry on with their various projects.

In conclusion I want to say this. Although the Tarapur Atomic Power Station is there, the case for a separate full-fledged atomic power station in Gujarat is both strong and valid. I am not talking only from the point of view of Gujarat. In matters of energy, in matters of power generation, we have to think in terms of the entire country, and if there is a strong and valid case for an additional atomic power station in Gujarat, perhaps in Saurashtra—already teams have gone and made the studies—I would ask the Minister, why is it that the atomic power station in Gujarat is not coming up, why is it being delayed? When you are doing this good work by extending the facility to the State Electricity Board, of borrowing upto Rs. 150 crores, why don't you go in the same desired direction and go on doing additional good things which will benefit not only Gujarat but the country at large?

श्री सारणधर राय (घोसी) : मान्यवर, जो घनराशि गुजरात बिजली बोर्ड को स्वीकृत की जा रही है मैं उस का समर्थन करता हूँ। इस सिलसिले में कुछ चीजों की तरफ मैं सरकार का ध्यान आकषिप्त करना चाहता हूँ। भूतपूर्व टिबूत तथा सिचाई मंत्री डा० के० एल० राय ने यह बात कही थी कि वर्तमान स्थिति को देखते हुए एक नेशनल पावर ग्रिड का निर्माण होना चाहिये। लेकिन उनके मंत्री पद से अलग होने के बाद अब वह ध्वनि धीमी पड़ गई है। मैं समझता हूँ कि उस की इस समय बहुत ज्यादा जरूरत है।

जिस तरह से गुजरात को आज यह घनराशि दी जा रही है, उन्ही कारणों से विवश हो कर अन्य प्रदेशों को भी ऐसी घनराशि आप को देनी पड़ेगी। उदाहरण के रूप में उत्तर प्रदेश को ही लीजिये—वहाँ का बिजली बोर्ड आज 86 करोड़ रुपये के ढाटे में चल रहा है। पूरे भारत में जितनी बिजली इस समय हम को चाहिये, उतनी बिजली पैदा भी नहीं हो रही है, यहाँ तक कि जो हमारी इन्स्टाल्ड कैपेसिटी है उस का केवल 52 प्रतिशत उत्पादन हो रहा है, 43 प्रतिशत नहीं हो रहा है। इस तरह से इन्स्टाल्ड कैपेसिटी का भी पूरा इस्तेमाल हम नहीं कर पा रहे हैं। मेरा अपना सुझाव यह है कि बिजली बोर्डों पर, चाहे वे स्वायत्त रहें, राज्य सरकारों के नियंत्रण में रहें, लेकिन उनके ऊपर जनरल सुपरविजन भारत सरकार का अधिक होना चाहिये।

इसका एक लाभ यह होगा कि जो हमारे पावर बक्स हैं—इनकी दुर्दशा की कहानी बहुत लम्बी है, समय नहीं है, मैं केवल दो बातें कहूँगा—एक ही काम को करने वालों के नाम अलग अलग प्रदेशों में अलग अलग हैं। एक ही काम करने वालों का बेतन क्रम हर प्रदेश में अलग अलग है, जिन में बहुत अन्तर है। इस को ठीक करने के लिये एक वह गाइड-लाइन कमेटी बनी थी, जिस की

मीटिंग शुरू शुरू में लगातार बनी थीर उस ने कुछ सफलता भी प्राप्त की। बिजली बोर्ड के चेयरमैन, जिनमें गुजरात भी शामिल था, उसके अलावा पंजाब, हरियाणा विशेष रूप से तथा अन्य प्रदेश सरकारों ने भी उस बेज गाइड लाइन कमेटी की हत्या करने का प्रयास किया, उस की मीटिंग्स होनी बन्द हो गई। 6 महीने के प्रयास के बाद, लगस तौर से दोनों फंडरेशनों प्राइ० एन० टी० यू० सी० के० और ए० प्राइ० एन० टी० यू० सी० के आग्रह पर तथा रेड्डी साहब से मुलाकात करने के बाद अब यह मीटिंग 9 अप्रैल को बुलाई जा रही है। इ लिये मेरा अनुरोध है कि स्टैण्डइंडाईजेशन और रेगुलराइजेशन की दृष्टि से भारत सरकार का जैनरल सुपरविजन इन बिजली बोर्डों पर अवश्य होना चाहिये।

दूसरी बात—आज तारापुर की स्थिति बहुत खराब है, उस में बहुत ज्यादा ब्रेक-डाउन होते हैं। हमारे उत्तर प्रदेश में सार्वजनिक मार्ग के आधार पर नरौरा में एक एटमिक पावर प्लांट बनाने की बात की गई है। लेकिन ऐसा लगता है कि वह भ. घनराशि के अभाव में जहा की तहा रह जाएगा, उस में कोई प्रगति नहीं हुई है। मद्रास में जो पावर प्लांट बन रहा है, वह काफी दूर तक जा चुका है, लेकिन अब उस की गति भी धीमी पड़ गई है।

आखिर में—मैं एक आग्रह जरूर करूँगा—भारत सरकार की ओर से इस बात का आदेश जाना चाहिये कि किसानों को जाड़े के दिनों में रात को बिजली देना एक अमानवीय काय है। आप सोचिये—कड़-कड़ाते जाड़े में जब लोग लिहाफ़ों में रहते हैं, शहरों में एअर-कण्डीशन बंगलों में रहते हैं—तब किसान से यह उम्मीद करना कि वह पानी लेकर रात को सिचाई करेगा, पानी किधर जा रहा है, बायें, बायें किधर है, कुछ दिखई नहीं पड़ता है—ऐसे समय में उस को बिजली देना उस के साथ अन्याय है।

उस को रात की बचाव दिन में बिजली दी जाय ताकि वह उसका ठीक उपयोग कर सके ।

**ज्जलामंत्रालय में उपमन्त्री (श्री० सिद्धेश्वर ब्रह्मचारी) :** सभापति जी, मैं माननीय सदस्यों का आभारी हूँ कि जो संकल्प मैंने अभी सदन के सामने पेश किया है उन्होंने उस का आभार तौर से समर्थन किया है । लेकिन इस संकल्प का समर्थन करते हुए कुछ सदस्यों ने अप्रमत्तता के साथ भी उठाई है । इस संकल्प में यह बताया गया है कि गुजरात राज्य विद्युत बोर्ड को कर्ज लेने की जो 100 करोड़ रुपए की सीमा थी, उस को बढ़ा कर 150 करोड़ रुपए करना चाहते हैं । लेकिन ऐसा मालूम पड़ता है कि इस के सम्बन्ध में माननीय सदस्य श्री झारखण्डे राय को कुछ गलतफहमी है । भारत सरकार गुजरात सरकार को 100 करोड़ रुपए की जगह 150 करोड़ रुपए देने नहीं जा रही है । लेकिन उन्होंने ऐसा कहा है—जिस का मतलब होता है कि उत्तर प्रदेश को भी भारत सरकार की तरफ से ऐसी धनराशि दी जानी चाहिए । लेकिन ऐसी बात नहीं है, हम तो यहां पर कर्ज लेने की जो सीमा थी, उस को बढ़ाना चाहते हैं । इसी तरह से पांचवी पंचवर्षीय योजना में किसी भी राज्य के बिजली बोर्ड के सामने जो कार्यक्रम है उस को देखते हुए उन के लिए की कर्ज लेने की सीमा बढ़ाने की यदि जरूरत पड़ेगी तो भारत सरकार उन के लिए भी सहानुभूतिपूर्वक विचार करेगी । इस लिए कि हम बिजली के उत्पादन की योजनाओं को सर्वोच्च प्राथमिकता देना चाहते हैं ।

माननीय सदस्यों ने कुछ अन्य बातें भी उठाई हैं—जैसे श्री खड्ग जी ने बताया कि गुजरात में बिजली के उत्पादन और वितरण में थोड़ा सुधार लाने की आवश्यकता है । मैं इस बात को मानता हूँ । अन्य कई राज्यों में जहां गुजरात की तुलना में बिजली की स्थिति कम सन्तोष प्रद है, उस दृष्टि से

गुजरात काफी सन्तोषप्रद स्थिति में है । हमारी बराबर यह कोशिश रही है कि हम गुजरात तथा अन्य राज्यों में बिजली के उत्पादन की जो स्थिति है और वितरण की जो स्थिति है उस में सुधार लाने की कोशिश करें । अभी हमारे मावलंकर जी ने भी इस बात की ओर संकेत किया है कि बिजली बोर्ड की व्यवस्था में सुधार लाया जाय । मैं निवेदन कर दूँ कि गुजरात के बिजली बोर्ड की व्यवस्था काफी अच्छी है । पहले पटेल जी इस के चेयरमैन थे, इस समय दवे जी इस के अध्यक्ष हैं, वे बहुत जाने माने और बड़े इंजीनियरों में से हैं और वहां काफी अच्छी व्यवस्था है । लेकिन इन सारी चीजों के बावजूद जो सुधार दिए गए हैं मैं उन को गुजरात सरकार और वहां के विद्युत बोर्ड के पास भेजूंगा और जहां तक सम्भव होगा हम उस में सुधार लाने की कोशिश करेंगे ।

मावलंकर जी ने एक बात यह उठाई कि हमारे एटामिक पावर प्लांट्स ठीक नहीं चल रहे हैं । हम ने विदेशों की सहायता से जो एटामिक पावर प्लांट्स बनाये हैं, उन में जो कमियां हैं उन को दूर करने की कोशिश कर रहे हैं । एक प्रकार से हम इस को सीख रहे हैं, इसलिए चाहे राणा प्रताप सागर का पावर प्लांट हो या बम्बई का पावर प्लांट हो, उन में निरन्तर सुधार लाने का प्रयास हो रहा है । और पहले की तुलना में उनमें काफी सुधार हुआ है । लेकिन कभी-कभी बिजली घर को अगर बन्द करना पड़ता है तो उस की वजह से महाराष्ट्र और गुजरात को थोड़ी कठिनाई का सामना करना पड़ता है । लेकिन पहले की तुलना में यह कठिनाई धीरे-धीरे कम हो रही है ।

जहां तक गुजरात के लिए नए एटामिक पावर प्लांट का सम्बन्ध है इस बात को पहले भी कहा जा चुका है और आज फिर कहता हूँ कि हम अपने तकनीकी ज्ञान के आधार पर मद्रास में जो नया एटामिक पावर प्लांट

बना रहे हैं उसका सफ़ाई पर यह बात निर्धार करती है कि देश के और किसी हिस्से में एटमिक पावर प्लांट अपनी क्षमता से लगा सकेंगे, चाहे मशीनी, तकनीकी या मैनटेन करने की बात हो। फिर नरोरा की बात भी हमारे ध्यान में है। देश में बिजली की कमी को दूर करने के सिलसिले में समय आने पर विचार करेंगे।

माननीय झारखंडे राय ने कहा कि किसानों को रात में क्यों बिजली दी जाती है, दिन में क्यों नहीं दी जाती? लेकिन जहां पर बिजली की कमी हो वहां अगर किसान कहे कि हमें रात में ही बिजली दे दी जाय, तो क्या उस को रात में भी बिजली न दी जाय? ऐसी स्थिति में हम रात में बिजली किसानों को देते हैं।

श्री झारखंड राय : किसान कहता है कि चाहे दो घंटे ही दी जाय लेकिन दिन में ही दी जाय।

प्रो० सिद्धेश्वर प्रसाद : जहां हम दिन में बिजली दे सकते हैं वहां दिन में देते हैं, और जहां दिन में नहीं दे सकते हैं वहां रात में बिजली देते हैं।

इन शब्दों के साथ मैं माननीय सदस्यों का आभारी हूँ जिन्होंने इस संकल्प का समर्थन किया है। मैं इस संकल्प को सदन के सामने रखता हूँ कि वह इस को स्वीकार करे।

श्री के० एस० जाबड़ा : सौराष्ट्र में नया एटमिक पावर प्लांट स्थापित किया जाय उसके बारे में आप ने कुछ नहीं कहा।

MR. CHAIRMAN: Now I will put the Resolution to the vote of the House. The question is:

"Whereas in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948) the Government of Gujarat has, with the approval of the Guja-

rat Legislative Assembly fixed under Notification No. G/U/115/MSA/3470/4288/K dated the 19th December, 1970, the maximum amount as rupees one hundred crores for the purposes of sub-section (1) of the said section 65 with effect from the 19th December, 1970;

And whereas the Government of Gujarat proposes to raise the aforesaid maximum amount to rupees one hundred and fifty crores;

And whereas the Gujarat Legislative Assembly has been dissolved;

And whereas under the Proclamation dated the 9th February, 1974, issued by the President under article 356 of the Constitution, the powers of the State Legislature are exercisable by Parliament,

Now therefore, it is hereby resolved that Lok Sabha do accord approval to the proposal of the Government of Gujarat to fix under sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948) the maximum amount as rupees one hundred and fifty crores which the Gujarat Electricity Board may at any time have on loan under sub-section (1) of the said section 65."

The motion was adopted.

18.13 hrs.

# STATEMENT RE ORDERS OF DETENTION UNDER M. I. S. A. IN TRIPURA

MR. CHAIRMAN: The Home Minister wants to make a statement.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): This is regarding orders of detention under the Maintenance of Internal Security Act in Tripura.

**SHRI ATAL BIHARI VAJPAYEE** (Gwalior): Why bring this at the lag end of the day? Why is Home Minister coming to the House everyday making such statements

**SHRI K. BRAHMANANDA REDDY:** It is notice from the Speaker and I take the earliest opportunity to make it.

**SHRI ATAL BIHARI VAJPAYEE:** The thing is this. The House should not be taken by surprise. That is all.

**SHRI P. G. MAVALANKAR** (Ahmedabad): The House should have been informed so that Members from Tripura etc. could remain present.

**THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY):** Sir, according to information received from the Government of Tripura, the State Government had appointed a Pay Commission whose report has been recently received and is under their consideration. When the State Government were informed of a move on the part of their employees to go on strike, the Chief Minister made an appeal to the employees that they should desist from any such move until the Government had time to examine and take decisions on the recommendations made by the Pay Commission. A large number of the State employees responded to the appeal made by the Chief Minister and gave up their plans to go on a strike. However, a section of Government employees under the influence of the Tripura employees' Coordination Committee decided to go on a strike with effect from the midnight of 18th March 1975. A general programme of agitation had earlier been launched in the State from the 3rd March. It has been stated by the State Government that the Tripura Employees' Coordination Committee supported by workers of the political party which had launched a programme of general agitation took resort to intimidation to coerce other employees who are unwilling to join the strike. The State Government

apprehended that unless immediate and firm action was taken, serious breaches of law and order might occur. Hence the State Government had issued orders under Section 3(1) of the Maintenance of Internal Security Act detaining 6 MLAs and 14 Government employees. The orders were made between the 18th and 21st March 1975. According to information received from the Government of Tripura, no Member of the Legislature was arrested within the precincts of the Assembly.

**SHRI S. M. BANERJEE (Kanpur):** I am sorry Shri Deb and other Members are not here.

श्री शंकर दयाल सिंह (चतरा) :  
सभापति महोदय, मेरा पाइंट आफ़, घाबंर  
है। मिनिस्टर के स्टेटमेंट के बाद प्रश्न नहीं  
पूछे जा सकते हैं।

सभापति महोदय : मिनिस्टर के स्टेटमेंट  
के बाद कोई भी मेम्बर चेयर की इजाजत से  
क्लेरिफिकेशन सीक कर सकता है, क्वेश्चन  
कर सकता है।

**MR. CHAIRMAN:** Don't make a speech but put your questions.

**SHRI S. M. BANERJEE:** This particular Coordination Committee represents the real workers.

**THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH):** You may do it as a special case. The Convention does not allow to put questions. Let this be made clear so that this is not quoted as a precedent.

**SHRI S. M. BANERJEE:** The Chairman has allowed me. It is he who is sitting in the Chair who has allowed me.

श्री शंकर दयाल सिंह : सभापति जी,  
मैं मानता हूँ कि आप रूल के मुताबिक  
चलते हैं।

सभापति महोदय : मैं माननीय शंकर दयाल सिंह का आभारी हूँ। लेकिन हम ने अपने स्वीकर साहब को देखा है कि उन्होंने स्टेटमेंट के बाद मेम्बरों को क्वेश्चन का या क्लेरिफिकेशन का मौका दिया है।

SHRI S. M. BANERJEE. My question is this. Whether it is a fact that in order to crush the strike of the Government employees the Tripura Government also followed the same policy as followed by the Central Government during the railway strike. Why MLAs were arrested under MISA and whether within the precincts or not. I want to know whether a final decision has been taken to implement the recommendations in the report and whether they will release all those detained! What action has been taken now that this is a Union Territory solely depending on the Centre? And the persons detained—whether they are MLAs or not—should be released immediately and negotiations should be started with the employees.

श्री अटल बिहारी वाजपेयी (गुवाहाटी) . सभापति जी, जब यह मूवमेंट्स आफ इंटर्नल सेक्योरिटी ऐक्ट पार्लियामेंट में पास हो रहा था तो सरकार की तरफ से यह आश्वासन दिया गया था कि इस का उपयोग राजनीतिक कार्यकर्ताओं के विरोधियों के खिलाफ नहीं होगा। लेकिन यह उपयोग लगातार किया जा रहा है? मैं मंत्री महोदय से जानना चाहता हूँ कि क्या बिना एम० आई० एम० ए० का उपयोग किए त्रिपुरा से जो परिस्थिति पैदा हुई उस का सामना नहीं किया जा सकता था? या हम यह समझे कि सरकार ने जो आश्वासन दिया था उस का वह पालन नहीं करना चाहती और एम० आई० एम० ए० का दुरुपयोग करने पर तुली हुई है? अगर यह बात है तो प्रतिपक्ष को गम्भीरतापूर्वक विचार करके कोई कदम उठाना पड़ेगा।

SHRI K. BRAHMANANDA REDDY: Sir, as I have read out, in the first para of my statement, the State Government had recently received the report of the Pay Commission and it is under their examination. Therefore, it is premature to say anything about this. The Government employees there to whichever section they may belong, whether small or big, should wait and see what the consideration is and then they can approach the Government.

SHRI S. M. BANERJEE: Since they have been detained under MISA, as a protest, I walk out of the House.

Shri Banerjee and some other hon. Members left the House.

SHRI K. BRAHMANANDA REDDY: But, Sir, just because a particular person belongs to a political party that alone will not be a ground for taking a man under MISA. If a member of any political party—whatever that political party may be—does something which comes under the mischief of MISA naturally action will have to be taken, and the State Government of Tripura felt that this action under MISA should be taken.

MR CHAIRMAN. The House stands adjourned to meet tomorrow at 11 00 a.m.

18.21 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, March 26, 1975/Chaitra 5, 1897 (Saka).