

# **Lok Sabha Debates**

**(Seventeenth Session)**



सत्यमेव जयते

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**LOK SABHA SECRETARIAT**

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## LOK SABHA DEBATES

### LOK SABHA

Tuesday, August 28, 1978/Śravana 28,  
1898 (Saka)

*The Lok Sabha met at Eleven of  
the Clock.*

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### Automatic Warning System

\*102. SHRI M. S. PURTY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the State-owned Electronics Corporation of India Limited (E.C.I.L.) has developed an Automatic Warning System (A.W.S.) for use by the Railways; and

(b) if so, how far it has been installed in various Railway Zones?

THE MINISTER OF STATE IN  
THE MINISTRY OF RAILWAYS  
(SHRI MOHD. SHAFI QURESHI):

(a) Yes, Sir.

(b) An 'engineered model' supplied by M/s. E.C.I.L. is undergoing field trial on the Eastern Railway.

श्री एम० एस० पूति : मैं मंत्री महोदय से जानना चाहता हूँ कि बेसर्त ई सी आई एल द्वारा सप्लाय किए गए इंजीनियर्ड माडेल का परीक्षण कार्य कब से आरम्भ हुआ है और क्या अब तक उस का कोई परिणाम निकला है और यदि भविष्य में इस के अच्छे परिणाम निकलेंगे तो क्या सम्पूर्ण रेलवे में इस को प्राप लगाएंगे ? यदि हाँ, तो कब से ?

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श्री मुहम्मद शफी कुरेशी : जी हाँ, बेसर्त ई सी आई एल द्वारा सप्लाय किए गए इंजीनियर्ड माडेल को टेस्ट किया गया है। इस में कुछ नुक्स पया गया बा जिसको ठीक किया गया और अब इस का आईर इसी कम्पनी को दिया है तथा जो भागे की जरूरत रेलवे को होगी, वह उस कम्पनी से भी ली जायगी।

#### Murder of Station Master of Sabarmati Station

\*106. SHRI HARI SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether a station master of Sabarmati station near Ahmedabad in Gujarat was found murdered in the Railway yard on 7th July, 1978;

(b) if so, who were the alleged murderers; and

(c) what steps Government have taken to check such crimes on that station and railway yard?

रेल मंत्रालय में उपमंत्री (श्री बूडू सिंह) : (क) जी हाँ।

(ख) अभी तक पता नहीं चला है।

(ग) उस क्षेत्र में और उस सबक पर जहाँ यह घटना हुई थी, पुलिस द्वारा गश्त लगाना आरम्भ कर दिया गया है। इस मामले का पता लगाने के लिए पुलिस द्वारा सभी प्रयास किये जा रहे हैं। हत्यारों का सुराग देने वाले व्यक्ति को 1,000 रुपये का पुरस्कार देने की घोषणा की गयी है।

श्री बूटा सिंह : मैं रेल मंत्री महोदय से यह जानना चाहता हूँ कि क्या अब की बार के अंदर ऐसा पाया गया है कि कुछ राजनयिक पारंटियों के कर्मचारी रेलवे में इस तरह के अवराम करने के लिए बहुत ही त्रियाशील हैं ?

श्री बूटा सिंह : ऐसी कोई सूचना मेरे पास नहीं है ।

रेल अधिकारियों और कर्मचारियों की सेवावधि का बढ़ाया जाना

\* 108. श्री रामावतार झाखी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में बढ़ती हुई बेरोजगारी को देखते हुए सरकार ने यह प्रस्ताव किया है कि सेवा-निवृत्त होने वाले रेल अधिकारियों और कर्मचारियों की सेवावधि को बढ़ाया जाये ;

(ख) क्या इसके बावजूद रेल अधिकारियों और कर्मचारियों की सेवावधि पर एक वर्ष के दौरान बढ़ाई गई है ; और

(ग) यदि हाँ, तो ऐसे अधिकारियों और कर्मचारियों की संख्या क्या है ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The extension in service to Railway Officers and employees beyond the age of superannuation has been resorted to very sparingly in specially deserving cases and the impact of such extensions on the general un-employment in the country is negligible.

(c) Officers: 28.

Employees: 35.

श्री रामावतार झाखी : क्या डिपार्टमेंट आफ प्रोवेंसल एंड टेक्निकल ट्रेनिंग रिफारम्स

ने जिन की जम्मे रिटायरमेंट की पूरी हो जाय या जिन की पुनर्विधुक्ति की बात छडे उन के बारे में कोई सफुल्लर टयाम विचारों को जारी किया है ? यदि हाँ, तो वह सफुल्लर रेलवे प्रशासन को मिला है या नहीं ? अगर मिला है तो उन में कौन सी बात इन दोनों वालों के बारे में कही गई है ?

श्री बूटा सिंह : इस के बारे में मूह मंत्रालय से और जिन विचारों का मानवीय सबल्य ने चिक किया है उन के वहाँ से हमारे यहाँ सफुल्लर भी मिले हैं और मंत्री जी का आदेश भी इस के बारे में नवम्बर, 1968 का है । जैसे मैंने मूल प्रश्न के जवाब में कहा है ऐसी जगहों पर जहाँ कि बिलकुल ही बाछनीय हो वही बड़ी मुश्किल से, स्पेयरिली यह करते हैं । यह प्रैक्टिस नहीं है । हम इस आदेश का पूरी तरह पालन कर रहे हैं ।

श्री रामावतार झाखी : उस सफुल्लर में एक्सटेशन और री-अप्वाइंटमेंट के बारे में प्रधान मंत्री ने जो कहा है कि वह मैं पढ़ कर सुनाता हूँ और तब उस से निकलने वाला प्रश्न रखूँगा ।

"In such cases it should be possible for Department to consider alternative arrangements well in advance. If necessary a person could be posted as under-study for some time. Re-employment and extensions of service should be permitted only in exceptional cases. Cabinet Secretary might stress this point to various Ministries/departments."

मैं इस रोकनी में यह जानना चाहता हूँ कि जिन 28 अधिकारियों और 35 कर्मचारियों की आवृ काम करने की समाप्त हो गई थी, की रिटायर होने वाली थे उन को किस प्रकार ने दे दी तो क्या इस मापदण्ड पर यह खरा उतरता है किसे प्रधान मंत्री ने वहाँ बताया

हैं—कहीं कि नई डी टेक्निकल प्रदीप्ति के लिए यह है लेकिन 28 और 35 कर्मचारी क्या इस आपरेटिंग में भाते हैं ?

अगर नहीं भाते हैं तो उन के मामले में इस का उत्तरादन कैसे किया गया ?

रेल मंत्री (श्री कमलापति बिपाठी) : प्रधानमंत्री श्री जो आदेश होता है उस का हम अवसरतः बड़ी कड़ाई के साथ पालन करते हैं और बराबर पालन करते रहेंगे। इस मामले में भी उनका जो आदेश रहा है उसका पालन किया गया। कभी कभी ऐसी ज़रूरत पड़ जाती है कि कोई आदमी कोई खास काम कर रहा है और इसके रिटायर होने की वजह से उसमें बाधा पड़ सकती है इसलिए उनको कुछ दिनों के लिए टाइम दे दिया जाता है। जो लोग स्ट्राइक के पीरियड में हमारे साथ काम करते रहे हैं कुछ उन लोगों को भी हमने एक्स्टेंशन दिया है। कभी डिपार्टमेंट की आवश्यकता के अलावा भी इस बात को ज़रूरत हो सकती है कि हमको ठीक आदमी नहीं मिल रहा है इसलिए कुछ दिनों के लिए किसी को चाहे एम्प्लायमेंट या एक्स्टेंशन दे दिया जाता है। माननीय सदस्य को एक बात मालूम होनी चाहिए कि रेलवे में 17-18 लाख आदमी काम करते हैं जिनमें केवल 28 या 35 आदमियों को एम्प्लायमेंट या एक्स्टेंशन दिया गया है तो इससे कोई बाधा टूट कर नहीं गिर पड़े।

श्री रामावतार शास्त्री : रिऍम्प्लायमेंट तो अलग होना पुनर्निपुणता की संख्या तो आपने बताई नहीं, यह तो मित्रों जिनकी सविस आपने एक्स्टेंड की है उनका नम्बर दिया है। अगर आप वह भी बताते तो अम्बाज लगता कि निबर्नों के मुताबिक आपने किया है या कुछ पक्षपात भी हुआ है।

श्री बृह-सिंह : अध्यक्ष महोदय, आपकी अनुमति से मैं कहूँगा कि जो सच

पूछा गया था उसका जवाब मंत्री जी ने दे दिया है। पक्षपात के सम्बन्ध में मैं कह सकता हूँ कि कोई पक्षपात नहीं हुआ है लेकिन माननीय सदस्य के पास अगर कोई सूचना होती बहदें उसकी हम जांच करेंगे। (अवधान)

श्री डी० एन० सिबारी : स्ट्राइक के बाद रेलवे प्रशासन में लायल एम्प्लायड को चार बेनिफिट्स देने के लिए कहा गया था—एक लड़के की बहाली की जायेगी, दूसरे कुछ इनाम दिया जायेगा, तीसरे एक्स्टेंशन देने और चौथे इन्कीमेंट दिया जायेगा। मैं जानना चाहता हूँ जितने लोगों ने एक्स्टेंशन के लिए आवेदन पत्र दिया क्या सभी का एक्स्टेंशन हो गया या किसी को छोड़ भी दिया गया ? कुछ लोग वे जिन्होंने दूसरे बेनिफिट्स नहीं लिए, केवल एक्स्टेंशन चाहा था, इस प्रकार के लोग हैं जो अब रिटायर कर रहे हैं तो उनके लिए आप क्या करेंगे ?

श्री कमलापति बिपाठी : यह ऐसा प्रश्न है जिस के लिए खास नोटिस दी जाये तभी उसको देखकर लिस्ट दी जा सकती है। लेकिन जहाँ तक मुझे स्मरण है सभी लोगों को एक्स्टेंशन नहीं दिया गया है। डिप-बिग केसेज को एक्स्टेंशन दिया गया है। दूसरों को कुछ रिबाई दे दिया होगा या इन्कीमेंट दे दिया होगा। फिर भी ऐसे कुछ लोग हो सकते हैं क्योंकि करीब आठ लाख आदमी स्ट्राइक के उमाने में लायल थे और उन सभी आदमियों को कोई न कोई सहूलियत मिल गई है—ऐसा मैं नहीं कह सकता। यदि आप ऐसे कोई केसेज भेजेंगे तो हम देख लेंगे।

श्री मूल चन्द शर्मा : जो एक छिटाव रखा गया है उस के आधार पर आप बताते का कष्ट करें कि आप के रेलवे विभाग में रिटायरिंग एज के बाद कुल कितने आदमी नौकरी चाहते हैं और उनकी सेवाये इन्क्विरी-सेविज है ?

श्री बूटा सिंह : जैसा मैं के कहा बिना को एक्सटेंशन बिना गया है ...

श्री मूलचन्द डागम : यह तो एक साल का ही है ।

श्री बूटा सिंह : एक साल का ही पूछा गया था ।

श्री मूलचन्द डागम : आज कुल कितने आदमी आपके विभाग में इस तरह के हैं ?

श्री बूटा सिंह : इसलिए सूचना चाहिए । यदि अभ्यक्त महोदय आज्ञा देगे तो हम आंकड़े इकट्ठा कर के दे देंगे ।

**SHRI DINEN BHATTACHARYYA:**  
The Railway Minister has stated that extension has been given in the case of 33 employees. Out of the total number of employees of 17 lakhs, as kindly stated by the Minister, how many employees of classes IV, III and II applied for extension and in how many cases the railway authorities considered their applications favourably or they are still under consideration?

**SHRI BUTA SINGH:** There are norms laid and according to those norms, immediately after the strike and before 31st December 1975, all those applications which were received were duly processed and considered and those who were deserving have been given extension.

**MR. SPEAKER:** He wanted to know how many belong to Class III, how many to Class IV, etc.

श्री बूटा सिंह : यह तो 1976 के क्लेज को ही कंसीडर किया गया था ।

If he wants general information, I can give him the figure.

**SHRI DINEN BHATTACHARYYA:**  
If he does not have the information

ready he may say so and he can give it later.

श्री सरजू पांडे : माननीय मंत्री जी ने बताया है कि रेलवे में 28 क्लास वन अफसरों को एक्सटेंशन दिया गया है । दूसरे प्रश्न के उत्तर में उन्होंने बताया कि उसके लिए सूचना चाहिए । मैं जानना चाहता हूँ कि क्या मंत्रालय को ऐसी शिकायतें मिली हैं कि राजनीतिक आधार पर यह एक्सटेंशन दिए गए हैं ?

श्री बूटा सिंह : पहिलो मैं यह साफ कर दूँ कि 28 केवल क्लास वन के ही नहीं हैं, क्लास टू के भी उस में हैं । दूसरे हमारे पास कोई ऐसी सूचना नहीं जिससे यह पता चल सके कि इस मामले में किसी तरह का डिस्क्रिमिनेशन किया गया है ।

#### Indian Assistance for Oil Exploration in Vietnam

+

\*110. **SHRI C. K. CHANDRAPPA:**

**SHRI B. S. BHURA:**

Will the Minister of PETROLEUM be pleased to state:

(a) whether India has offered assistance to Vietnam for offshore oil exploration and development of oil fields in that country; and

(b) if so, the facts thereof?

**THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA):** (a) and (b) India has not offered assistance to Vietnam for offshore oil exploration and development of oil fields in that country. However India has offered facilities to train Vietnamese personnel in different branches of oil industry in Institutes located in India or by sending Indian experts to Vietnam.

**SHRI C. K. CHANDRAPPA:** May I know whether there had been any discussions between the Governments of India and Vietnam on the question of assistance from India for the development of the oil industry in Vietnam? If so, what was the kind of assistance which the Vietnamese Government requested from our government?

**SHRI K. D. MALAVIYA:** Some enquiries were made by the Vietnamese Government. In this connection, I also met their Ambassador here. We pursued the points where we could help them purposefully and they appreciated it very much. We assured them that in view of the good prospects of oil, both on shore and off shore in Vietnam, all the assistance that India is capable of giving will be at their disposal. For the time being we have made certain proposals and they are under the consideration of the Vietnamese Government.

**SHRI C. K. CHANDRAPPA:** Considering the fact that India has gained a lot of experience in off shore exploration for oil in Bombay High and also the fact that for Vietnam also, off shore exploration is very important, may I know whether that is the field in which India is going to train their personnel or send Indian experts to train the people there?

**SHRI K. D. MALAVIYA:** It is not exactly like that. So far as off shore drilling and engineering part is concerned, there is no specific proposal from India to help the Vietnamese. Perhaps they may have to give a second thought to it. The primary question is to start from the beginning with regard to organisational structures, the technical points that go into preliminary surveys seismic surveys, maintaining an organisation and pursuing this matter further. So, there is a good part of the job in oil exploration in which we can

be of assistance to friendly countries, like Vietnam. In that parameter, certain considerations are going on, and we are awaiting for response from the Vietnamese Government.

#### Ticketless Travelling

\*111. **SHRI RAGHUNANDAN LAL BHATIA:** Will the Minister of RAILWAYS be pleased to state.

(a) whether despite the vigilance of the Railways, ticketless travel continues;

(b) if so, the total number of ticketless travellers caught this year upto July, 1976; and

(c) whether any special steps are being contemplated in this regard?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Yes, Sir. But, there is an appreciable decline in ticketless travel.

(b) 13.89 lakh persons approximately.

(c) A statement is laid on the Table of the Sabha

#### Statement

(c) Steps taken to prevent ticketless travel are indicated below:—

- (1) Special massive checks against ticketless travel are being conducted by mobilising a large force of ticket checking staff, Railway Protection Force, Government Railway Police personnel and Local Police personnel under supervision of Senior Railway Officers.
- (2) Joint drives against ticketless travel in co-ordination with the State Governments.
- (3) Frequent concentrated surprise checks, especially by moving

the checking parties accompanied by Railway Protection Force/Police and Railway Magistrates by road transport.

- (4) Incognito checks by Travelling Ticket Examiners in plain cloths.
- (5) Replacement checks by the Headquarters and Divisional ticket checking squads by intercepting the trains in mid-sections.
- (6) Development of ticket checking staff of one railway system for ticket checking on another system.
- (7) Educative propaganda against ticketless travel is carried out among the travelling public particularly among the student community
- (8) The non-official Standing Voluntary Help Committee, functioning in the Ministry of Railways, is also associated in the drive against ticketless travel

**SHRI RAGHUNANDAN LAL BHATTIA:** What is the total amount recovered from ticketless travellers last year?

**SHRI MOHD. SHAFI QURESHI:** We have recovered from ticketless travellers near about Rs. 5 crores plus about Rs 35 lakhs as fines, which has gone to the State Governments. Besides this, the sale of window tickets has gone up from Rs 34 crores to Rs 50 crores per month.

**SHRI RAGHUNANDAN LAL BHATTIA:** While going through the statement one finds that in order to meet this permanent problem of ticketless travel, which is facing the railways, they are doing many things. But one thing which the Minister has not mentioned in his statement, and which I would like to know from him, is

whether the Minister himself personally supervised some of these operations of surprise ticket checking and, if so, what is his experience.

**SHRI MOHD. SHAFI QURESHI:** In fact, myself, the Deputy-Minister and my senior colleague, Panditji, we have always been involved in ticketless travel checking. From the date of the emergency up till now nearly 94,000 surprise checks have been conducted by the railways, which is a very big number. Most of us have been personally conducting these surprise checks in various parts of the country.

**श्री राजेश प्रसाद शर्मा :** क्या मंत्री महोदय को इस बात की जानकारी है कि जिन बिना टिकट यात्रियों को पकड़ कर लाया जाता है, रेलवे न्यायालय में उन के साथ मोल-तोल किया जाता है ? इस सम्बन्ध में मेरी निजी जानकारी है—हमारे यहाँ एक झाली जक्शन है, जहाँ रेलवे मजिस्ट्रेट होता है, वहाँ पर जिन लोगों को पकड़ कर लाया जाता है उन से तय किया जाता है, और इतना पैसा देगे तो जुर्माना कम किया जायगा, वरना ज्यादा किया जायगा—क्या इस बात की जानकारी आप को है ?

**श्री मुहम्मद शफी कुरेशी :** धाय मेम्बर साहब इस बात को मुझे पहले लिख कर भेज देते तो मुझे ज्यादा खुशी होती, फिर भी उन्होंने जो सवाल किया है, मैं उन को यकीन दिलाता हूँ कि किसी किस्म का कोई लेन-देन उन लोगों के साथ नहीं होता है, जो बगैर टिकट सफ़र करते हैं। जो भी जुर्माना मजिस्ट्रेट उन पर करता है, जुर्माने की रकम स्टेट गवर्नमेंट को जाती है और टिकट की रकम रेलवे लेती है।

**SHRI CHINTAMANI PANIGARHI:** In our country we say that one cannot succeed in anything unless one

is involved in it. So, unless one is involved, in it, one cannot check ticketless travel. We are very happy to find that this problem has been solved to a great extent in the main routes, and I would like to congratulate the Railway Minister and the Railway Ministry for that. But recently when I travelled through some of the branch lines I found that ticketless travelling in the branch lines is continuing at before, and there is no marked improvement. May I know what steps are being taken to see that there is improvement in this field in the branch lines also?

**SHRI MOHD. SHAFI QURESHI:** In the initial stages we concentrated our attention on those lines which were identified as the lines in which ticketless travelling was rampant. Later on, we have shifted our attention to branch lines also and now we are checking ticketless travelling in those lines. May be, in some particular branch lines this might have reappeared. But the Government are very vigilant and they are going to take very serious steps against this menace.

**श्री परिपूर्णानन्द पैन्थली :** मैं मंत्री महोदय से जानना चाहता हूँ—किन् प्रान्तों में तथा किन रेलगाड़ियों में अधिकांश टिकट-लेस ट्रेवलर्स सफर करते हैं?

**दूसरा प्रश्न—**क्या आपके मंत्रालय ने इन बात की भी जांच की है कि इन टिकटलेस ट्रेवलर्स में अधिकांश किस मनोवृत्ति के लोग होते हैं, इनकी संख्या क्यों बढ़ती जा रही है, क्या इन की संख्या को घटाने का केवल यही तरीका है कि इन को पकड़ा जाये या कोई दूसरा तरीका भी है ?

**श्री मुहम्मद शफी कुरेशी :** मेरे पास जो जो बांकें हैं, उनके मुताबिक यह डीपरी सची जगहों पर बर्कसा की गयी है, इस लिये कि

बास एरिये या जोन से इसका ताल्लुक है—ऐसा कहना ठीक नहीं है।

**श्री परिपूर्णानन्द पैन्थली :** क्या आप ने इसका कोई मनोवैज्ञानिक सर्वे कराया है ?

**श्री यमुना प्रसाद मंडल :** क्या मंत्री महोदय इस प्रश्न पर भी विचार करेंगे कि बड़े स्टेशनों पर बिन्दो-बुकिंग क्लर्क की कमी की वजह से बहुत से लोगों को बिना टिकट के सफर करना पड़ता है। मैं सुझाता हूँ—जैसा पैन्थली साहब ने भी कहा है—हमें इन सब बातों के कारणों को अभी से देखना चाहिये कि कहां कहां पर बुकिंग क्लर्क की कमी की वजह से ये सब बातें होती हैं?

**श्री मुहम्मद शफी कुरेशी :** सब बातों की तरफ ध्यान दिया गया है, लेकिन जो लोग बगैर टिकट सफर करते थे उनको तो आदत बन गई थी। जहां तक बिंदोख का ताल्लुक है, मैंने अभी बताया था, 1974-75 में जो बिन्दो-सेल्स 34 करोड़ रुपये प्रतिमास था, वह एमरजेंसी के बाद एक दम 50 करोड़ रुपये प्रतिमास तक पहुंच गई।

**श्री नानेदर द्विवेदी :** क्या मंत्री महोदय को मालूम है कि इधर गाड़ियों की संख्या तो बहुत बढ़ गई है, लेकिन उसी हिमाय से टीटीख की संख्या नहीं बढ़ाई गई जिस की वजह से बिन टिकट यात्रा करने वालों को ज्यादा प्रोत्साहन मिल रहा है ?

**श्री मुहम्मद शफी कुरेशी :** कुछ जगहों पर तो टीटीख की तादाद बहुत ज्यादा थी, उन जगहों से उन को हटा लिया गया है और उन जगहों पर लगा दिया गया है जहां पर कमी थी, आइन्दा भी जहां पर कमी पाई जायगी, वहां उन को लवट दिया जायगा।



प्रो० वराचण चव्हाण परावर : पहले गार्ड को यह अधिकार होता था कि अगर कोई यात्री बिना टिकट गाड़ी में चढ़ जाय और गार्ड को सूचना दे तो वह उस को टिकट दे देता था, लेकिन मैं समझता हूँ कि अब कुछ दिनों से यह सुविधा वापस ले ली गई है, इस वजह से यात्रियों को काफी परेशानी होती है। कई बार ऐसा होता है कि यात्री स्टेशन पर उठी बसत पहुँच पाता है जब कि गाड़ी छूटने वाली हो जाती है। क्या इस सुविधा को दोबारा जारी किया जायगा—इससे भी टिकट नैस ट्रेवल काफी कम हो जायगा ?

श्री महुत्सव लक्ष्मी कुरेशी : ये सुविधायें अभी जारी हैं—न सिर्फ़ यह कि जो मुनाफ़िर ऐन बसत पर स्टेशन पहुँचे, उस को ही टिकट मिले, बल्कि जो मुनाफ़िर अपने सफ़र को समाप्त करी रखना चाहे उन को भी टिकट दिया जायगा। गार्ड या कंडक्टर एक्सेस लेयर लेकर उन को टिकट दे देंगे।

#### Aware for designing Economy Stove

\*117. SHRI VASANT SATHE: Will the Minister of PETROLEUM be pleased to state

(a) whether Government had announced a suitable reward for designing of a safer and less kerosene consuming economy stove; and

(b) if so, the response received thereto?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): (a) Yes, Sir.

(b) The total of 40 entries from 28 contestants were received from all over India. However, no prize was awarded because none of them met the norms set for the contest.

SHRI VASANT SATHE: There is no dearth of talent in our country. There

are art people, particularly young innovators, who are devising not only new techniques, but new instruments and designs which can bring about a saving in the use of kerosene and also gas, and make it also cheaply available for domestic purposes. I would like to know what is the initiative taken by the Ministry to help these innovators, these young men in devising these things, because, we know that these gas cylinders, etc., are costly expensive. In order to enable the use of kerosene, particularly by the smaller people, I would like to know what are the steps being taken by the Ministry to encourage this innovating.

SHRI K. D. MALAVIYA: Unfortunately, the 40 entries that offered a design to us did not comply with the specifications that we desired, that is, increase in the efficiency. We helped them; we made counter-suggestions to them, but they did not do. Ultimately, I am glad to announce this to the House, after this inability of the contestants, the Indian Institute of Petroleum and other research and development institutes of the Ministry undertook the job and they have succeeded in producing a kerosene chulha whose efficiency is almost as good as, and in certain cases better than, the LPG gas efficiency. It is on trial. The prototypes have been manufactured I have personally seen, at least half a dozen times, its efficiency. Very soon, next week or so, it will be finally cleared. The Prime Minister is extremely interested in this. Perhaps she would like to see it before it is cleared. In the next three or four weeks, we will put this chulha in the market and advertise properly so that people might go in for it. If this is okayed, then we are likely to have a saving of kerosene worth crores and crores of rupees per annum.

SHRI VASANT SATHE: I am thankful to the hon. Minister for giving this very encouraging information. Would he also kindly arrange to give a demonstration of this chulha to the Members of Parliament? If you like, I can

arrange for it in the Vithalbhai Patel House.

**SHRI K. D. MALAVIYA:** Before this is finalised, the Ministry will give a demonstration of this in the Central Hall or in any other place.

**श्री राम सहाय पांडे :** तेल मन्त्री जी का ध्यान तेल की और पेट्रोल की खपत कम करने और उत्पादन बढ़ाने के सम्बन्ध में आकर्षित होता रहा है, उनका यह धनराग बड़ा पुराना है। 20 वर्ष पहले की बात है उन्होंने कल्पना की होगी कि तेल की कमी होगी, पेट्रोल और केरोसिन आयल की कमी होगी तो इन्होंने क्या किया कि एक ऐसे जलसे का उद्घाटन किया जहाँ सूर्य की तपन से काम करने वाला एक ऐसा पान्न बनाया गया था जिसको सोलर कुकर कहते थे। तो उसका क्या हो गया जिसमें तेल वगैरह सभी बनेगा ?

**श्री के० डी० मालवीय :** सोलर कुकर तो चल रहा है, काफी लोग उसका इस्तेमाल करते हैं और अधिक मुझे उनके बारे में मालूम नहीं है।

**श्री विभूति मिश्र :** मन्त्री जी ने अभी बताया और बहुत अच्छा किया कि एक चूल्हे का नाम लिया, अंग्रेजी में नाम नहीं लिया, मैं जानना चाहता हूँ कि उस पर कम से कम कितना खर्चा लगेगा और स्टोव में जो तेल खर्च होता है उसको देखते हुए कितने तेल की बचत होगी, और क्या गाँवों के छोटे किसान भी उस चूल्हे को खरीद कर उसका उपयोग कर सकेंगे ?

**अध्यक्ष महोदय :** यह जनता चूल्हा होगा कि नहीं;

**श्री के० डी० मालवीय :** जिस चूल्हे का नाम जनता चूल्हा है वह इस समय बाजार में बिक रहा है, उसकी ऐंकीमियेंसी 28 परसेंट है और हमारे इस महा जनता चूल्हे की ऐंकीमियेंसी 60 से 62 परसेंट होगी। इससे करीब करीब आधा केरोसिन बचेगा, और अगर हमारा अनुमान सच हुआ, जैसा कि मैं

निश्चयपूर्वक कह सकता हूँ कि हो जायेगा, तो करीब 15 से 18 करोड़ रु० के केरोसिन आयल की साल में बचत होगी। इसका नाम क्या होगा यह अभी नहीं कहा जा सकता। अगर स्टेट गर्बनमेंट्स सर्व्स टैंक्स नहीं लगायेंगी तो मेरा क्याल है कि बहुत सस्ता चूल्हा हो जायेगा।

#### Contract for Oil Exploration by ONGC in Tanzania

\*118. **SHRI R. S. PANDEY:** Will the Minister of PETROLEUM be pleased to state:

(a) whether the Oil and Natural Gas Commission has entered into a contract with the Government of Tanzania for undertaking oil exploration there; and

(b) if so, the terms and conditions of the contract?

**THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA):** (a) and (b). The ONGC signed an agreement on the 20th December, 1975 with the Tanzanian Petroleum Development Corporation (TPDC) for a drilling contract which provides for drilling of one exploratory well on the Songo Songo Island in Tanzania. It is not an exploration contract. TPDC would make payments to ONGC for the work in accordance with the contract. The contract also stipulates that TPDC would provide the consumable materials required for the drilling operation and also meet the local costs such as cost of civil construction works, the cost of housing accommodation and transport for the crew and the other staff, the cost of unskilled labour, PCL etc.

**श्री राम सहाय पांडे :** बड़ा अच्छा काम किया, आप को धन्यवाद।

**SHRI B. V. NAIK:** Whenever in the past the technologically advanced countries of the world went in for the purpose of drilling operations, they

also imposed, though we are not advocating a neo-colonialism, that a particular share of the raw crude or whatever the petroleum product that was available, would be available for the parent country the technologically advanced country. In the contracts of the ONGC with countries less developed than ours, do we insist upon such a clause or a condition? Is it acceptable? Has it been tried and if so, what are the reactions of the host country?

**SHRI K D MALAVIYA** This is a specific agreement made with the Tanzanian Government and it is based on co-operation and friendship. We do not intend to have any arrangement, business like or commercial with Tanzania. We have agreed to drill a well there. Unfortunately, there was an explosion and we are now drilling another well there. All that we have asked for is the actual cost of drilling and there is no commercial agreement between us and Tanzania.

**SHRI VASANT SATHE** I would like to know whether this contract is only for drilling or also for the establishment of the other plant that goes with oil exploration.

**SHRI K. D. MALAVIYA** The gas field seems to have been discovered. There were some other companies which wanted to drill on a commercial basis. The Tanzanian Government approached us and we offered them our friendly co-operation because we are capable of drilling. Once the gas is established which is there—as soon as we complete the second well, it will be established—then perhaps they may like us to build up the transport system also. Presumably they will come forward and we will readily agree to develop the transport system.

**SHRI RAJA KULKARNI** Is it a fact that recently there was a big blow out in one of the wells in Tanzania and severe damage was caused to the oil fields there with the result that the Tanzanian Government was on the point of terminating the Indian contract?

**SHRI K. D. MALAVIYA** I am sorry the latter part of the question is wholly wrong. It is a fact that there was a blow out and a blow out is a part of the game. We did not succeed. There was some mistake and an inquiry is going on as to how it failed, how the blow-out occurred and who was responsible for the damage. But we have already dispatched a second and new rig to the place at our own cost so that we may complete the agreement.

When a well is drilled and a mistake occurs, then it occurs and nobody can help it. We hope to finish the second well successfully and then we will pursue the future operations.

**SHRI BHAGWAT JHA AZAD** I want to know whether this contract with the Tanzanian Government is a part of our effort to build up a consultancy system in this country either for commercial purpose or for a one like this. Or is it a just a simple single contract? If it is a part of the whole complex, how far will it develop our consultancy system and our technical know-how?

**SHRI K D MALAVIYA** It is only a beginning of the process and I hope once this oil well or gas well is completed, then subsequent processes of our help or co-operation can be considered for which we are readily agreeable.

**MR SPEAKER** Question No 119.  
Shri Shashi Bhushan—absent

**THE MINISTER OF CHEMICALS AND FERTILISERS (SHRI P C SETHI)** I think some other Member may put the question. I have been preparing for the question for the whole of the night and the whole of this morning without engagements, and now I am very much disappointed. Government and Parliament has spent so much money.

**MR. SPEAKER** I am sorry. We cannot do it under the rules.

**SHRI K. LAKKAPPA:** Some Members are absent. There are important questions.

**MR. SPEAKER:** If the Members are not present, I cannot help it.

**SHRI K. LAKKAPPA:** The Speaker can put important questions. You have got enormous powers.

**MR. SPEAKER:** I am prepared to accept the advice provided the Member is present.

Let me see whether any other hon. Member is present. No. The Question List is over.

# WRITTEN ANSWERS TO QUESTIONS

## Consultancy Agreement, with Foreign Countries for Development of Offshore Areas

\*101. **SHRI P. M. MEHTA:** Will the Minister of PETROLEUM be pleased to state:

(a) whether the Central Government are considering to explore possibilities of long term consultancy agreements with advanced countries for the development of offshore areas in India;

(b) whether U.S.A., France and Britain have not agreed to such proposals; and

(c) whether any country has agreed to help India in this regard?

**THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA):** (a) Yes, Sir.

(b) and (c). Some foreign companies have shown interest in the matter. It is not in the public interest to disclose any details in this regard at this stage.

## गरीबों को कानूनी सहायता

\*103. श्री शंकर बहाल सिंह : क्या बिजि, न्याय और कम्पनी कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या गरीबों को मुफ्त कानूनी सहायता देने के लिये राज्यों को किसी प्रकार की वार्षिक सहायता दी गई है; और

(ख) यदि हां, तो उसके आकड़े क्या हैं ?

बिजि, न्याय और कम्पनी कार्य मन्त्री (श्री एच० आर० गोखले) : (क) जी नहीं ।

(ख) प्रश्न ही नहीं उठता ।

## Production of Nitrogenous and Phosphatic Fertilizers

\*105. **SHRI K. MALLANNA:** Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the present installed production capacity of nitrogenous and phosphatic fertilizers in the country;

(b) whether the production is enough to meet the present fertilizer demand in the country; and

(c) if not, the steps Government propose to take in this regard?

**THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) The present installed capacity for the production of fertilizers is 29.73 lakh tonnes of nitrogen and 6.92 lakh tonnes of P<sub>2</sub>O<sub>5</sub>.

(b) and (c). The indigenous production of fertilizers during 1976-77 is expected to be 19.5 lakh tonnes of nitrogen and 4.8 lakh tonnes of P<sub>2</sub>O<sub>5</sub>. The requirement of fertilizers for the year 1976-77 as estimated by the Ministry of Agriculture is 26.5 lakh tonnes of nitrogen, 6 lakh tonnes of P<sub>2</sub>O<sub>5</sub> and 3.5 lakh tonnes of potash.

As the total quantity of fertilizers available both by way of indigenous production and the stocks with the manufacturers and the Central Fertilizer pool at the beginning of the year fall short of the estimated requirement of fertilizers, arrangements for adequate imports have been made to meet the gap. There is no indigenous production of potassic fertilizers and the requirements thereof are met entirely through imports.

**Kirpal Singh Committee Report on Railway Security**

\*107. SHRI P. GANGA REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether Kirpal Singh Committee on railway security and protection has submitted its report to Government; and

(b) if so, the salient features of the report?

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

(b) The salient features of the Report are improvements in the organisational set up and co-ordination and working arrangements of the security forces viz., Railway Protection Force under the control of the Ministry of Railways and Government Railway Police and District Police under the control of the State Governments to make them more effective in ensuring better security of the passengers and the property entrusted to the Railways for transport as also Railways' own property; enhancement of legal powers of the Railway Protection Force and working procedures of the commercial department so as to reduce compensation claims.

**Seniority List of Judges of High Courts**

\*109. SHRI A. K. KOTRASHETTI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is any proposal before Government to maintain a seniority list of Judges of all the High Courts in India; and

(b) whether there is also a proposal to transfer the Chief Justices from one High Court to the other?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) There is no such proposal.

(b) Under article 222 of the Constitution, the President may after consultation with the Chief Justice of India transfer a Judge, including the Chief Justice of a High Court, from one High Court to another High Court. Recently, two Chief Justices were transferred.

**Means to check Contents of LPG Cylinders**

\*112. SHRI N. K. SANGHI: Will the Minister of PETROLEUM be pleased to state:

(a) whether the consumers of LPG do not have any means to check the contents of gas in a cylinder that is supplied to them; and

(b) whether Government have any machinery to check the contents of LPG in each cylinder and give a certificate to that effect so that the consumers get what they pay for?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): (a) and (b). At the Liquefied Petroleum Gas (cooking gas) filling plants, the cylinders are filled according to weight on the filling machines. The cylinders are cross-checked for accuracy

of filling and sealed before being sent out to the retailers. Checks are also made at the showrooms and godowns of the dealers. Further, the weight of empty cylinder is indicated on its body. The weight of LPG in the cylinder can be checked by weighing it, and deducting the tare weight therefrom. The weighing of cylinders can be got done at the showroom/godown of the dealer in the customer's presence, if so desired.

#### **Prices of State Trading Corporation Drugs**

\*113. SHRI K. S. CHAVDA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the prices of drug items imported through the State Trading Corporation were increased by Government in April, 1976;

(b) whether with effect from April, 1976 State Trading Corporation has started charging revised prices but no price increases have been allowed to any units for formulations manufactured out of raw materials purchased from State Trading Corporation; and

(c) if so, reasons for the same?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir. Prices of drug items imported through the State Chemicals and Pharmaceutical Corporation of India were revised on an interim basis in April 1976 and on a final basis on 1st August 1976. The revision took into account changes in customs duty as well as changes in c.i.f. prices. In some cases prices were enhanced and in other cases prices were reduced.

(b) and (c). Consequent to the revision of imported drug prices, formulators have submitted applications to Bureau of Industrial Cost and Prices for revision of price of formulations based on such imported drug. That is being looked into by the Bureau of Industrial Cost and Prices as per fixed formula.

#### **Work on Calcutta Tube Railway**

\*114. SHRI R. N. BARMAN:

SHRI K. M. 'MADHUKAR':

Will the Minister of RAILWAYS be pleased to state:

(a) whether the work on the Calcutta Tube Railway is proceeding as per schedule; and

(b) if not, reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The original schedule to complete the project by 1979 has had to be revised due to the constraint in resources. The Planning Commission have indicated that only limited funds will be available for this Project in the remaining years of the Fifth Plan. It is not possible to make any forecast for completion of the Project until a clear picture is available regarding the resources position in the Sixth Plan.

#### **Indane Gas Dealerships to Unemployed Graduates**

\*115 SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of PETROLEUM be pleased to state:

(a) whether any priority is being given by his Ministry to unemployed graduates of sound financial position in granting licence of Indane gas dealerships; and

(b) if so, the facts thereof?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): (a) and (b). Under its Social Objectives Scheme, preference is being given by IOC, amongst other eligible categories, to unemployed engineers/graduates also in selecting dealers for Indane gas.

**Proposal to declare 200 Nautical Miles of Coastal Marine Waters of Bay of Bengal and Arabian Sea as Economic Zone**

\*116. SHRI P. GANGADEB: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to declare 200 nautical miles of the coastal marine waters of Bay of Bengal and Arabian Sea as economic zone laying claim to all fishing and mineral rights within it; and

(b) if so, steps taken in this regard?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) Yes, Sir.

(b) On May 27, 1976, Parliament amended article 297 of the Constitution vesting lands, minerals and other things of value underlying the territorial waters, the continental shelf and the exclusive economic zone in the Union by the 40th amendment.

Powers have been taken under this amendment to specify the limits of territorial waters, continental shelf and the exclusive zone by a parliamentary law. The Bill for this purpose was introduced in Rajya Sabha on 28-5-1976 and passed by it on 10-8-1976. Lok Sabha has yet to pass it. By clause 7 of this limit of the exclusive economic zone is 200 nautical miles measured from the appropriate base line and is beyond and adjacent to the territorial waters of India.

**Fertiliser Units producing at full Capacity**

\*119. SHRI SHASHI BHUSHAN: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state the names of the fertilizer units

which are producing fertilisers to their full capacity and those which are not?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): Production and capacity utilisation of nitrogen and phosphatic units during the year 1975-76 and during the period April-July 1976 of the current year are given in statement I and statement II laid on the Table of the House. [Placed in Library. See No. LT-11126/76].

**Savings due to cut in import of Components and Spare Parts**

\*120. SHRI JAGANNATH MISRA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Railways have effected substantial cut in the import of components and spare parts; and

(b) if so, the total saving on this account during 1975-76?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b) Yes, Sir. A large number of items which had hitherto been imported have been taken out from the import list thus effecting a saving of foreign exchange to the tune of Rs 5 crores (approximately) during 1975-76. The net effect of this measure will, however, be known in two year's time.

**Suburban Railway facilities between Burdwan and Asansol and between Durgapur-Baniganj and Asansol**

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

(a) whether the long standing demand of the local passengers, merchant and public to introduce all

suburban railway facilities between Burdwan and Asansol and between Durgapur-Raniganj-Asansol sections i.e. running of more local and shuttle trains in this section, is proposed to be fulfilled by his Ministry; and

(b) if so, how and when?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) and (b). A fast morning/evening express between Howrah and Asansol for daily passengers has been introduced from 14-8-76. At present there is no other proposal to provide shuttle trains.

#### Production by Pimpri Drug Unit

**843. SHRI ANANTRAO PATIL:** Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Pimpri, a sick plant of Hindustan Antibiotics Ltd. has recovered in the first half of 1976 and made profit during the quarter of January-March, 1976;

(b) whether the Japanese strain and technology have been introduced since April, 1976 and that have resulted in increase in production;

(c) has the expansion programme made its start and when is it likely to be completed; and

(d) what is the amount sanctioned for the new project and what is the scope of additional employment?

**THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) The production of Hindustan Antibiotics Ltd. during the first half of 1976 has improved consi-

derably as compared to the production during the same period of 1975. The working results during the quarter January-March, 1976 have resulted in a surplus for the first time during the past three years.

(b) The Japanese strain and technology have been introduced since April, 1976 and this has improved the productivity considerably.

(c) The company have submitted to the Government a number of schemes for expansion/diversification during the Fifth Plan period. The Company will start implementing these schemes as soon as they have received the approval of Government.

(d) The Planning Commission have made a revised allocation of Rs. 948.60 lakhs for the expansion/diversification of projects of Hindustan Antibiotics Ltd. during the Fifth Plan period. The company anticipate that these schemes, when implemented, would provide additional employment opportunities to the extent of 3230 persons.

मुस्तावल तथा हांसी डिवीजनों में मुद्रास्तिनी/ बर्खास्तगी के आदेशों का वापस लिया जाना

**844. श्री बांया चरण दीक्षित :** क्या रेल मन्त्री यह बताने की कृपा करेंगे कि गत रेलवे हड़ताल के परिणामस्वरूप मुस्तावल तथा हांसी डिवीजनों में पास किये गये मुद्रास्तिनी और बर्खास्तगी के कितने आदेश वापस लिये गये हैं ?



## रेलमंत्रालय में उप-मंत्री (श्री सुभाष सिंह)

	संयुक्त मंडल	आंशिक वित्त में कारखाना, आंशिक शामिल है	व्यय योजना
(i) निम्नलिखित किये गये कर्मचारियों की संख्या .	97		454
(ii) उपरोक्त (i) में से काम पर वापस लिए गये कर्म- चारियों की संख्या . . . . .	97		442
(iii) बरखास्त किये गये/हुटाए गये कर्मचारियों की संख्या .	46		66
(iv) उपरोक्त (iii) में से काम पर वापस लिए गये कर्म- चारियों की संख्या . . . . .	41		59

घटारी स्टेशन पर किये गये नये-नये निर्माण  
कार्यों का स्वरूप

845. श्री भागीरथ अंबर क्या रेल  
मन्त्री यह बताने की कृपा करेंगे कि

(क) भारत-पाक रेल मार्ग के घटारी  
स्टेशन पर अभी तक किम्-किस प्रकार के  
नये निर्माण कार्य हुए हैं और उन पर अनुमानित  
कितनी घनराशि खर्च हुई है तथा कितनी और  
खर्च की जायेगी,

(ख) क्या इन दोनों देशों के बीच यात्रा  
करने वाले यात्रियों के लिये घटारी स्टेशन पर  
विश्राम एवं ठहरने की कोई विशेष व्यवस्था  
की गई है, और

(ग) इस वर्ष भारत और पाकिस्तान  
के बीच कितनी गाड़ियां चलाये जाने का  
विचार है ?

रेल मंत्रालय में उप-मंत्री (श्री सुभाष  
सिंह) (क) इण्डो-पाक रेलवे लाइन के  
घटारी रेलवे स्टेशन पर निम्नलिखित नये  
निर्माण कार्य किये गये हैं --

- (i) ठलदार बाव्री प्लेटफार्म की  
व्यवस्था ।
- (ii) फलश टाइप शौचालय की  
व्यवस्था ।
- (iii) बाड की व्यवस्था ।
- (iv) कार्यालय तथा स्टेशन पर  
फर्नीचर की व्यवस्था ।
- (v) पानी की सप्लाई के लिये  
अतिरिक्त ट्यूबवैल की  
व्यवस्था ।
- (vi) स्टेशन की इमारत के पट्टे  
सड़क में सुधार ।

बाटर कुलरो, बिजली तथा पंखों आदि  
की व्यवस्था सहित इन सभी नये निर्माण

कामों पर होने वाला अनुमानित खर्च और प्रस्तावित खर्च 9.00 लाख रुपये है।

(ख) जी हाँ।

(ग) अब लाहौर और अमृतसर के बीच एक जोड़ी सवारी गाड़ी चलाई जा रही है। इस समय कोई अन्य प्रस्ताव नहीं है।

सीतामऊ, झाउट एजेसी के बिड़ड़ मामला

846. डा० लक्ष्मीनारायण पोद्दार : क्या रेल मन्त्री मानना और सीतामऊ रेलवे झाउट एजेसियों द्वारा घोटाले के बारे में 27 अप्रैल, 1976 के अंतरागत प्रश्न संख्या 2601 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) क्या सीतामऊ झाउट एजेसी के विरुद्ध चले रहे मामले को इस बीच निर्णय दिया जा चुका है, और

(ख) यदि हाँ, तो उस पर दिए गए निर्णय का संक्षिप्त विवरण क्या है ?

रेल बख्श में डा०-मन्त्री (श्री बूटा सिंह) : (क) और (ख) यह मामला अभी न्यायालय में चल रहा है चार व्यक्तियों का चालान करके उन्हें ज्युडिशियल मजिस्ट्रेट, मडनौर की अदालत में पेश किया गया है जिनमें सीतामऊ झाउट एजेसी का एक लिपिक, सीतामऊ झाउट एजेसी का मालिक और मानना झाउट एजेसी का डेपुटी मालिक हैं और यह मामला अना न्यायाधीन है।

मध्य रेलवे के बम्बई डिवीजन में चाय स्टाल, ट्रालियाँ तथा बूक स्टाल

847. श्री इकम चन्द कश्यप : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि

(क) मध्य रेलवे के बम्बई डिवीजन की मेम लाइनों तथा लोकल लाइनों पर इस

समय चाय स्टालों, ट्रालियों और बूक-स्टालों की संख्या कितनी है, और

(ख) जिन लोगों को ऐसे स्टाल और ट्रालियाँ दी गई हैं उनके हस्तियों, आदिवासियों और रिटायर्ड जर्नियों की संख्या कितनी है ?

रेल बख्श में डा०-मन्त्री (श्री बूटा सिंह) : (क) मध्य रेलवे के बम्बई मण्डल में मध्य लाइनों पर इस समय चार की 58 स्टाल, चाय की 5 ट्रालियाँ, 14 पुस्तक-स्टाल और 2 पुस्तक ट्रालियाँ हैं। बम्बई मण्डल की स्थानीय लाइनों पर चाय की 62 स्टाल और 33 पुस्तक स्टाल हैं।

(ख) अनुमति प्राप्त 4 व्यक्तियों को चाय की 7 स्टाल आवंटित किये गये हैं।

#### Proposal to upgrade Kalka and Simla Stations

848. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the proposal to upgrade the Railway Stations at Kalka and Simla is under the consideration of Government; and

(b) if so, the date by which the decision is likely to be taken in this regard?

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

(b) Does not arise.

#### Licence for Production of Hostalen

849. SHRI VAYALAR RAVI. Will the Minister of PETROLEUM be pleased to state:

(a) whether Government have received any applications for licences to produce Hostalen, high density polyethylene in the country; and

(b) if so, whether sanction has been given to any firm?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI):** (a) and (b). The Government received an application from Messrs E.I.D. Parry for manufacture of 50,000 tonnes per annum of high density polyethylene based on natural gas. The application lacked necessary details regarding financing and viability of the project and was not considered for approval.

#### Oil exploration in Uttar Pradesh

**850. SHRI R. K. SINHA:** Will the Minister of PETROLEUM be pleased to state whether there is any proposal for oil exploration in Uttar Pradesh?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI):** Yes, Sir. The ONGC proposes to undertake drilling at Parewa in Bareilly district and at Puranpur in Pilibhit district.

#### Proposal to connect Patna with Madras via Tatanagar

**851 SARDAR SWARAN SINGH SOKHI:** Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal to connect Patna, Capital of Bihar State, with Madras via Tatanagar (Jamshedpur) by another fast express Train in the near future; and

(b) if so, by when?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) and (b). No, not so far.

मुजफ्फरपुर रेलवे लाइन के बढ़ाने के लिये अभी नहीं बनराशि

**852. श्री बिभूति मिश्र:** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनके मन्त्रालय ने मोतीहारी और सागौली से होकर जाने वाली मुजफ्फरपुर से रक्सौल तक रेलवे लाइन को बड़ी लाइन में बढ़ाने के लिये योजना आयोग से अनुराशि की मांग की है; और

(ख) यदि हा, तो इस पर योजना आयोग की क्या प्रतिक्रिया है ?

रेल बंगाल में उपरान्त (प्रश्न 111) पर

(क) जी हा ।

(ख) योजना आयोग ने अभी तक इस प्रस्ताव को स्वीकृति नहीं दी है ।

#### Foreign contract bagged by RITES

**853. SHRI DHAMANKAR; SHRI SHYAM SUNDER MOHAPATRA.**

Will the Minister of RAILWAYS be pleased to state:

(a) how many foreign Railway contracts have so far been bagged by our Rail India Technical and Economic Services;

(b) which are the countries which have awarded these contracts; and

(c) what is the value of each contract and what are the projects for which these contracts have been secured?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) to (c). A statement giving the required information is enclosed.

## Statement

Name of the country	Value of the contract awarded to the R.I.T.E.S. (Rs. in lakh)	Nature of assignment	Current Status
Syria	24-75	Preliminary feasibility-cum-cost survey together with economic study of three new railway lines— (a) Deir-Ez-Zor-Palmyra (b) Deir-Ez-Zor-Abu Kamal (c) Latakia and Tartus.	Project completed and report submitted to the Syrian Railway authorities.
Iran	21-45	Preliminary feasibility-cum-cost study of a new railway line between Kerman and Shurgar.	Project completed and report submitted to Imperial Govt. of Iran.
Iran	Cost plus overheads	Upgradation of existing line between Mirjaveh and Zahedan.	RITES' team of experts has gone there to study the line and prepare their report.
Zaire	8.7	Secondment of Railway experts and provide necessary back-up services on consultancy basis	9 experts are already functioning in Zaire and 3 more are due to leave shortly.
Ghana	6.0	Study of the existing railway system for formulation of recommendations with a view to improve the operating efficiency of maintenance standards.	6 experts are scheduled to leave for Ghana as soon as initial advance remittance is received

**Phosphatic Fertilizer Plant near Mangalore Port**

854. SHRI P. R. SHENOY: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether a licence has been issued for commissioning a phosphatic fertilizer plant near New Mangalore Port;

(b) if so, the names of parties utilizing the licence; and

(c) whether permission for commissioning the plant had been refused earlier to a party on the ground that the plant would cause water pollution?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). A letter of intent was issued in 1974 to the Karnataka State Industrial Investment

and Development Corporation for setting up phosphatic capacity at Mangalore; the letter of intent has since lapsed. Applications have been received from a private party supported by the Karnataka Government and from Mangalore Chemicals and Fertilizers Ltd. for setting up phosphatic fertilizer capacity near Mangalore and are under consideration.

(c) No, Sir.

**Titanium Dioxide Pigments Project**

855. SHRI A. K. GOPALAN: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Union Government has approved the proposal made by the Kerala Government for Titanium Dioxide pigments project; and

(b) if so, the salient features of the project?

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

(a) Yes Sir. Two proposals have been approved.

(b) 1—M/S. The Kerala Minerals and Metals Ltd., Quilon a Government of Kerala undertaking were granted a Letter of Intent on 15-8-74 for the manufacture of 48,000 tonnes of Titanium Dioxide per annum on the basis of maximum utilisation of plant and machinery subject to the following conditions:—

1. The need for and the terms of foreign collaboration, if any, shall be settled to the satisfaction of the Government.

2. The arrangements for the import of plant and machinery shall be settled to the satisfaction of the Government of India.

3. The manufacture of Titanium Dioxide will be by the Chloride process.

M/S Kerala Minerals and Metals have submitted a foreign collaboration proposal also to implement the project to the annual capacity of 22,000 tonnes in the first phase, which is under consideration of the Government.

2. Besides the above, M/S. Travancore Titanium Products Ltd., Trivendrum a public sector undertaking under the Kerala Government who already hold a licence for manufacture of 24,500 tonnes of Titanium Dioxide per annum were also granted a letter of intent on 29-7-72 to establish a Titanium Complex comprising twelve items, including Titanium Dioxide to the extent of 15,000 tonnes per annum via Chloride route, subject to the following conditions:—

1. The term of foreign collaboration would be settled to the satisfaction of the Government.

2. Import of Capital Goods would be allowed in accordance with the procedure in vogue and subject to

the satisfaction of the Government. Such equipments would be imported strictly in keeping with the capacity proposed to be licenced.

3. The firm would contact the Department of Atomic Energy to secure technical know-how necessary for the production of Titanium Dioxide etc.

Foreign Collaboration to produce Synthetic Rutile using effluents from their existing plant in the first phase of implementation of project has also been approved on 1-12-75. The manufacture of Titanium Dioxide pigments from Synthetic Rutile via Chloride route will be in the second phase.

#### Advisory Council for Institute of Petroleum Exploration

836. DR RANEN SEN: Will the Minister of PETROLEUM be pleased to state:

(a) whether an Advisory Council for the Institute of Petroleum Exploration has been constituted;

(b) if so, the names of the members and subjects to be discussed by the Advisory Council; and

(c) whether the Advisory Council will also keep track of qualified engineers who could be employed gainfully?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) Yes, Sir.

(b) The Advisory Council has been constituted to (i) render advice on research and development programmes of Institute of Petroleum Exploration ONGC, (ii) make suggestions for application of results of research leading to development of new concepts in the natural sciences, and (iii) consider any other matter that may be referred to it mainly connected with the Research and Development programmes of the Institute of Petroleum Exploration.

**Names of the members of this Council are:—**

1. Shri C. Karunakaran, Officer on Special Duty, ONGC.
  2. Dr. Hari Narain, Director, HGRI, Hyderabad.
  3. Shri M. V. A. Sastry, Director, Palaeontology and Stratigraphy Division, GSI, Calcutta.
  4. Dr. K. Naha, Prof. of Geology, Indian Institute of Technology, Kharagpur.
  5. Dr. B. K. Sahu, Prof. of Geology, Indian Institute of Technology, Powai, Bombay.
  6. Dr. S. Z. Qasim, Director, National Institute of Oceanography, NIO, Post Office, Doona Paula (Goa).
  7. Dr. B. G. Deshpande, Head of Department of Geology, University of Poona.
  8. Dr. Jagdish Shankar, Director, University Grants Commission, New Delhi.
  9. Shri S. N. Talukdar, Director, Institute of Petroleum Exploration, ONGC, Dehradun.
  10. Shri V. V. Sastri, Director (R & D), IPE ONGC, Dehradun.
- (c) No, Sir.

#### **New Drug Policy**

857. **SHRI RAJA KULKARNI:** Will the Minister of **CHEMICALS AND FERTILIZERS** be pleased to state whether Government have finalised and approved new drug policy and the role of the foreign drug companies?

**THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** The Hathi Committee in their report has made recommendations on the various facets of the drugs industry. Keeping in mind these recommendations and other factors, Government is in the process of framing a new drug policy which will also cover the role of the foreign drug companies.

#### **Survey for New Railway Lines**

858. **SHRI K. SURYANARAYANA:** Will the Minister of **RAILWAYS** be pleased to state:

(a) whether a large number of surveys are under way for new railway lines in various parts of the country; and

(b) if so, the progress of such surveys in various States?

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

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-11127/76.]

#### **New Railway Lines between Jagadhri and Ponta and from Jagadhri to Chandigarh**

859. **SHRI RAM PRAKASH:** Will the Minister of **RAILWAYS** be pleased to state:

(a) whether any survey has been conducted for laying railway lines between Jagadhri and Ponta and from Jagadhri to Chandigarh; and

(b) if so, amount spent on this survey and the tentative date for the commencement of the work?

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

(b) The cost of the survey between Jagadhri-Ponta Sahib Rajban was Rs. 4.96 lakhs and the cost of survey between Jagadhri-Chandigarh-Ludhiana was Rs. 5.82 lakhs. Both these projects were not found to be viable on financial considerations. Due to unremunerative nature of the project and the very limited availability of resources, it is not proposed to take up the projects at present.

**Proposal for Setting up Fertilizer Plants during next ten years**

860. SHRI B. V. NAIK: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) what are the locations of the fertilizers plants proposed to be set up in India during the coming one decade; and

(b) which are the countries that will collaborate in the setting up of these fertilizer plants?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) The following projects are under implementation at the locations shown against them:—

Name of the Project	Location/State
<i>Fertilizer Corporation of India Limited</i>	
(1) Talcher . . . . .	Orissa
(2) Ramagundam . . . . .	Andhra Pradesh
(3) Haldia . . . . .	West Bengal
(4) Korba . . . . .	Madhya Pradesh
(5) Sindri Rationalisation . . . . .	Bihar
(6) Sindri Modernisation . . . . .	Bihar
(7) Nangal Expansion . . . . .	Punjab
(8) Trombay IV Expansion . . . . .	Maharashtra
(9) Trombay V Expansion . . . . .	Maharashtra
<i>Fertilizers and Chemicals, Travancore Limited.</i>	
(10) Cochin Phase—II . . . . .	Kerala
(11) Madras Fertilizers Ltd., (Expansion) .. . . .	Tamil Nadu
<i>National Fertilizers Ltd.</i>	
(12) Panipat . . . . .	Haryana
(13) Bhatinda . . . . .	Punjab
(14) IFFCO—Phulpur . . . . .	Uttar Pradesh
(15) Maharashtra Co-operative Chemicals & Fertilizers, Tarapur .	Maharashtra
(16) G.S.F.C. (Expansion) . . . . .	Gujarat
In addition, the following projects have been approved for implementation in principle:—	
1. Kota (Expansion) . . . . .	Rajasthan
2. Kakinada Project . . . . .	Andhra Pradesh
3. Mathura . . . . .	U.P.
4. Paradeep . . . . .	Orissa

(b) No foreign collaboration is envisaged in the implementation of these projects. However, import of equipment and services would be made from the best possible source using appropriate credits.

बड़ी सादरी (राजस्थान) से रतलाम तक नई रेलवे लाई

861. श्री अण्णो भाई : क्या रेल मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या राजस्थान में बड़ी सादरी से रतलाम जंक्शन तक नई रेलवे लाइन बिछाने के लिये सर्वेक्षण कार्य कई वर्ष पहले पूरा कर लिया गया था,

(ख) यदि हा, तो उस सर्वेक्षण पर कितनी धनराशि खर्च हुई और उनका क्या नतीजा निकला,

(ग) यह रेलवे लाइन बिछाने का कार्य कब तक आरम्भ हो जायेगा, और

(घ) इस सम्पूर्ण परियोजना पर कुल कितनी धनराशि खर्च होगी ?

रेल प्रशासन में उपररो (श्री बूटा सिंह):

(क) जी नहीं।

(ख) से (घ) प्रश्न नहीं उठता।

#### Freight Concession to Sitar Makers of Miraj (South Central Railway)

862. SHRI ANNASAHEB GOTKHINDE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the question of granting concessions in freight on sitars for

sitar makers of Miraj is being repeatedly raised for the last few years:

(b) whether during his recent visit to Miraj, South Central Railway, the Minister of State for Railways was apprised of the injustice that was being done in the matter; and

(c) if so, what concrete steps are being taken to solve the problem and relieve the Sitar makers of the undue freight burden?

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

(b) The sitar manufacturers have further represented that they should be allowed to carry sitar bundles as luggage alongwith them in the compartments which should be charged at parcel rates on the basis of actual weight and not at luggage rates on computed weight arrived at by measurement.

(c) The manufacturers of sitars at Miraj have already, in relaxation of the extant rules, been permitted, as a very special case, to book one instrument per ticket to be carried with passenger himself on payment of luggage charges on its computed weight by measurement after allowing the normal free allowance.

On a further representation, the Govt have again decided, as a special case, that in cases where four sitars are bundled together, the weight should be reckoned on the total volume (and not separately on each sitar) or on actual weight, whichever is higher, and charges recovered after allowing the normal free allowance. In such cases, however, the bundled sitars are required to be properly crated and carried in the brake-van with a view to avoiding inconvenience to other passengers in the compartment. It would thus be observed that certain concessions have already been allowed to the trade.



**Running of New Delhi-Mangalore  
Cochin Jayanti Janata from  
Trivandrum**

864. SHRI C. H. MOHAMMED

KOYA:

SHRI N. SREEKANTAN NAIR:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to run the New Delhi-Mangalore-Cochin Jayanti Janata Express from Trivandrum after commissioning of the Trivandrum-Quilon broad gauge line; and

(b) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Immediately after opening of Quilon-Ernakulam Broad Gauge line, the speed on the newly laid track will be low. Extension of 131/132 Nizamuddin-Mangalore/Cochin Jayanti Janata Express to and from Trivandrum Central can only be considered when the speed is increased and additional maintenance facilities are developed at Trivandrum.

**Manufacture of Drugs by M/s. Ciba  
Geigy, Ciba Atul and Atul**

865. SHRI NANUBHAI N. PATEL: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether M/s. Ciba Geigy Ciba Atul and Atul manufacture drug intermediates in such a way that none of them is producing upto the final stage; and

(b) if so, particulars of their inter-related activities, names of items produced and supplied to others, quantities supplied during the past three years and prices charged?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). This matter is

under enquiry with the MRTF Commission on an application filed by the Registrar of Restrictive Trade Agreements.

**Consultancy deal with a French  
Company**

866. SHRI D. B. CHANDRA  
GOWDA:

SHRI D. K. PANDA:

Will the Minister of PETROLEUM be pleased to state:

(a) whether a team of French Company, CFP., visited India and held discussions with the concerned authorities recently; and

(b) whether the French Company has offered package consultancy on production and development of Bombay High region?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) Yes, Sir.

(b) Yes, Sir.

**Oil Exploration in Rajasthan**

867. SHRI YAMUNA PRASAD MANDAL: Will the Minister of PETROLEUM be pleased to state:

(a) whether any progress has been made to explore oil in Rajasthan; and

(b) if so, the broad feature thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). ONGC has so far drilled 15 wells on five structures in Rajasthan. Except for a small gas find at Manhera Tibba which was not of commercial significance, no Hydro carbons have so far been found in Rajasthan. Presently drilling is going on at Bhuana the sixth structure.

### Use of Saloons/Inspection Carriages

868. SHRI R. P. YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) what is the criteria for attaching saloons or inspection carriages to different trains;

(b) how many saloons have been attached to trains at Delhi Junction and New Delhi Junction during the last six months together with the particulars of trains; and

(c) the officers using these saloons with dates and the type of saloons?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) While saloons are attached to various trains for Ministers of Central Government, Governors of States, other Indian and Foreign Dignitaries and High Government Officials for their official tours, the Inspection Carriages are attached for all Gazetted Officers of the Railways for their inspection of the working of the Railways. The use of these carriages for Railway Officials is for functional purposes only, such as when they are required to go out on duty for inspection; these serve as 'office on wheels' and provide facility for the officer's stay. These saloons/inspection carriages are not, however, allowed to be attached to Janata trains and certain nominated important trains.

(b) and (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-11128/76].

### Production of Drug Formulations by Foreign Drug Companies without Industrial Licences

869. SHRI S. M. SOLANKI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether a number of foreign companies like Glaxo, Pfizer, May & Baker, Sandoz and Abbot are producing number of drug formulations without industrial licence;

(b) if so, particulars of items, their sales during last three years for these items and the authority responsible for allowing the import of raw materials; and

(c) the action Government propose to take against these companies?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). No instance of manufacturing any formulation without an industrial licence or approval by M/s. Glaxo, Pfizer, May and Baker, Sandoz and Abbot has come to the notice of the Government during the last three years. Any such instance which will come to the notice or which may be brought to the notice of Government will be suitably investigated and dealt with in accordance with the law.

### Projects for New Railway Lines Extension of Rail Lines and Conversion of MG to BG Lines in Kerala (Southern Railway)

870. SHRIMATI BHARGAVI TH-ANKAPPAN: Will the Minister of RAILWAYS be pleased to state:

(a) particulars of the main projects which are in hand and under consideration of Government for the construction of new railway lines, extension of railway lines and for converting metre gauge into broad gauge lines in the State of Kerala on Southern Railway;

(b) the progress of these projects; and

(c) when will they be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). Work is in progress in respect of the following Railway projects, falling partly or wholly in the State of Kerala. The present position in respect of these projects is indicated below.

1. BG railway line from Tirunelveli to Trivandrum via Nagercoil with a branch line to Kanyakumari—180 kms.

Construction work is already in progress. The overall physical progress is 35.5 per cent. In view of the very limited availability of funds for the construction of new rail links, the project is now likely to be completed by 1980.

2. Conversion of MG line into BG from Ernakulam to Trivandrum—221 kms.

Conversion work on the project is already in progress and the overall progress is 92 per cent. The section from Ernakulam to Quilon has already been opened to traffic. The Quilon-Trivandrum section is expected to be opened for traffic shortly. The latest cost of the whole project may be about Rs. 16 crores (approx.)

In addition to the above projects, the following proposals for new lines are under examination, falling in the States of Kerala.

(i) Kuttipuram to Trichur via Guruvayur Length 61 kms Cost Rs. 12 crores—Engineering and traffic surveys have been completed and the survey reports are under examination.

(ii) Ernakulam—Alleppey—Length 50.77 kms—Cost Rs. 483 lakhs. Engineering and Traffic Surveys have been completed at the cost of the State Government. The survey reports have just been received. A final decision regarding this project will be taken after reports are examined in all aspects.

#### **Operation of New Delhi-Mangalore-Cochin Jayanti Janta Express**

871. SHRI N. SREEKANTAN NAIR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any representations to the effect that the New Delhi-Mangalore-Cochin Jayanti Janta Express should operate from New Delhi Station in-

stead of Nizamuddin in view of the difficulties experienced by the public; and

(b) if so, what action has been taken in the matter?

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

(b) Running of 131/132 Nizamuddin-Mangalore/Cochin Jayanti Janta to and from New Delhi is not operationally feasible at present for want of requisite terminal facilities at New Delhi.

#### **Cases against Newspaper Industry with MRTP Commission**

872. SHRI H. N. MUKHERJEE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how many cases are pending before Monopolies and Restrictive Trade Practices Commission against the Newspaper industry for violating the Company Affairs regulations;

(b) whether any new notice was served on a newspaper recently; and

(c) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA): (a) The MRTP Commission does not and is not empowered to take action for violating the Company Affairs regulations. However, in terms of the Monopolies and Restrictive Trade Practices Act, 1969, the Commission can institute inquiries only for violating the provisions relating to Restrictive and Monopolistic Trade practices under the MRTP Act, 1969. At present 16 cases involving a number of Companies are pending before the Monopolies and Restrictive Trade Practices Commission against the newspaper industry.

(b) No, Sir.

(c) Does not arise.

**Progress of Metropolitan Transport Project (Railways) Calcutta**

873. SHRI K. LAKKAPPA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the progress of Metropolitan Transport Project (Railways), Calcutta has been very slow; and

(b) if so, the steps being contemplated to expedite the project?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, due to constraint on resources.

(b) Close contact is being maintained with the Planning Commission to obtain as much funds as is possible keeping in view the overall requirements of the economy.

**Search for Oil Deposits in Tamil Nadu**

874. SHRI S. A. MURUGANANTHAM:

SHRI M. KATHAMUTHU:

Will the Minister of PETROLEUM be pleased to state:

(a) whether any attempt has been made to find oil deposits in Tamil Nadu; and

(b) if so, the facts thereof and with what results?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) Yes, Sir.

(b) A number of wells have been drilled in different parts of Tamil Nadu. No oil or gas of commercial significance has been found.

**Railway Accidents due to Sabotage**

875. SHRIMATI SAVITRI SHYAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that sabotage by some interested persons or groups was one of the

causes of railway accidents that occurred between January and July 1976; and

(b) if so, the precautionary measures taken in this regard?

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

(b) Does not arise.

**Pilferage and Theft at Mughal Sarai Yard**

876. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to state:

(a) the position with regard to pilferage and theft of coal, kerosene, fans and other railway property at Mughal Sarai Yard and compensation claimed thereon since the beginning of the emergency; and

(b) how does it compare with the figures of the corresponding period prior to that?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). No case of theft/pilferage of coal and kerosene oil was registered during the period from July, 74 to June, 75 and July, 75 to June, 76 at Mughalsarai.

However, one case of theft of electric fan and 95 cases of other Railway property and fittings were registered during one year preceding the emergency and one case of theft of electric fan and 72 cases of other Railway property and fittings were registered during one year after emergency. Question of compensation claim paid due to pilferage/theft of Railway property does not arise.

### Essential Commodities Depots for Railways Employees

878. SHRIMATI PARVATHI KRISHNAN: Will the Minister of RAILWAYS be pleased to state how many essential commodities depots have been opened by Government for the Railways employees zone-wise since the proclamation of emergency?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): Supply of foodgrains and other essential commodities to the general public including the Railway

employees is primarily the responsibility of the State Governments. However, Railwaymen's Consumer Co-operative Societies organised by Railwaymen as well as State-authorised dealers have set up a number of fair price shops in Railway colonies. In all 1318 fair price shops—419 run by Railwaymen's Consumer Co-operative Societies and 899 by State-authorised dealers—are at present functioning.

2. The zone-wise number of fair price shops opened since the proclamation of the emergency is as under:

Name of Zonal Railway	No of Fair Price Shops opened from July 1975 to June 1976 by		
	Railwaymen's Consumer Co-operative Societies.	State-authorised dealers.	Total
1. Central Railway . . . . .	1	..	1
2. Eastern Railway . . . . .	..	"	7
3. Northern Railway . . . . .	2	..	2
4. North Eastern Railway . . . . .	..	.	.
5. Northeast Frontier Railway . . . . .	2		2
6. Southern Railway . . . . .	..	..	..
7. South Central Railway . . . . .	1	1	2
8. South Eastern Railway . . . . .	1	..	1
9. Western Railway . . . . .	2		2
Total . . . . .	9	8	17

### Proposal to engage Foreign Contract Drillers

879. SHRI N. E. HORO: Will the Minister of PETROLEUM be pleased to state:

(a) whether Government propose to engage foreign contract drillers for carrying out exploratory drilling for oil on land with the help of hell-rigs; and

(b) if so, the broad outlines of its terms and conditions and the progress thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) Yes, Sir.

(b) Offers have been invited by the ONGC, which are yet to be received.

**Uniform Freight Rate, for Fruits and Perishable Articles**

880. DR. K.L. RAO. Will the Minister of RAILWAYS be pleased to state:

(a) whether any studies are made in advance in respect of streamlining traffic for export of seasonal items like Mangoes to determine approximately the number of wagons required and to ensure their availability; and

(b) the reason why the freight rates for fruits and perishable goods varied from year to year and why are rates not uniform in different zones?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The programme for clearance of perishable traffic like managose from the predominantly mango growing areas is drawn up in advance in consultation with the trade and the traffic is cleared currently

(b) It is not a fact that the freight rates for fruits and perishables traffic have varied from year to year. In fact, after April, 1972, only a supplementary charge of 15 per cent was levied over these rates with effect from 15-9-1974 which was, however, not made applicable to vegetables traffic. These freight rates are uniform throughout the Indian Railways, except in cases where special reduced station-to-station rates are quoted by any individual railway under their own powers with a view to capturing new traffic or arresting diversion of existing traffic to road.

**Unmanned Railway Crossing in Bihar**

881. SHRI RAM BHAGAT PASWAN: Will the Minister of RAILWAYS be pleased to state the steps taken to reduce the number of unmanned Railway crossings in Bihar?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): To reduce the number of unmanned level crossings, the

Railways carry out periodical census of road and rail traffic to review the need for their manning. Based on this, certain unmanned level crossings are earmarked for manning in consultation with State Government taking into account various factors such as density of traffic, visibility, accident proneness, etc. as also the availability of funds. During the last three years, 2 unmanned level crossings in Bihar State have been manned.

The number of unmanned level crossings in Bihar State is about 1,500. Manning of all these unmanned level crossings would cost, according to the present day rates, about Rs. 7.5 crores initially, and Rs. 2.25 crores as annual maintenance charges. It is neither feasible nor necessary to man all the unmanned level crossings in the State.

**Fixation of lease money of canteens in Railways**

882. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of RAILWAYS be pleased to state:

(a) principles adopted by Railways for fixing the lease money of canteens;

(b) whether the Railways periodically depute persons to check the daily sales on canteens, and

(c) if so, the action taken as a result thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Contracts for Railway Canteens are not awarded on lease basis but against licence fee which is fixed on the basis of the sales turn-over and other local conditions subject to a maximum of 5 per cent of the sales turn-over.

(b) and (c). Yes. Periodical checks are conducted by a team of Commercial and Accounts Officials for assessing the licence fee on the basis of sales turn-over.

### Steps to check sale of Spurious Lubricants

883. SHRI R. P. DAS: Will the Minister of PETROLEUM be pleased to state the steps taken to check the sale of spurious and untested lubricants which cause damage to sophisticated plants?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): Government have initiated follow up action on the measures recommended by an expert panel setup by the Government to look into the problem of adulteration/misuse of lubricants and suggest comprehensive measures to prevent adulteration. Separately Government have issued a scheme of discipline in regard to distribution of lubricants which is required to be implemented by all the major oil companies. Oil companies have been directed to mount determined and energetic effort by way of repetitive surprise checks on their retail outlets/agents with a view to eradicate such practices as misuse/adulteration. The oil companies have also been asked to increasingly take up direct sales to consumers.

वाटर कूलर, टे रेडिशन तथा गानों की व्यवस्था वाले रेलगाड़ियों का चलाया जाना

885. श्री मोहन स्वामी : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या तमिलनाडू एक्सप्रेस सप्ताह में तीन बार दिल्ली से मद्रास और मद्रास से दिल्ली चला करेगी,

(ख) क्या ट्रेन के डिब्बों में वाटर कूलर और टेलीविजन तथा हवाई जहाजों के अनुसूचित गानों की भी व्यवस्था होगी ?

(ग) यदि हा, तो क्या सरकार का विचार निम्न ब्रिचिंग में अन्य मागों पर इसी प्रकार की रेलगाड़ियां चलाने का है ?

रेल बंगला में उप रंगों (बे ३० दिव)  
(क) जी हा ।

(ख) इस गाड़ी के सभी डिब्बों में जल शीतल और वातातुकूलित डिब्बों में लाउड-स्पीकर उपलब्ध किये जायेंगे । वातातुकूलित कुर्सीयान के दो रैकों में से एक में टेलीविजन की व्यवस्था की गयी है । दूसरे रैक में भी 15 दिन के अन्दर हम सुविधा की व्यवस्था कर दी जायेगी ।

(ग) अन्य मागों पर ऐसी गाड़ियां चलाने का हम समय कोई प्रस्ताव नहीं है ।

### Election expenditure of candidates

886. SHRI P. M. MEHTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether decision has been taken that Government should incur election expenditure of the candidates for Lok Sabha and Assemblies; and

(b) if so, whether this will be implemented in the coming elections?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): (a) No, Sir.

(b) Does not arise.

मुत्तावन और गानों डिब्बों में पुर्ण पर रंग रोगन का काम

887. श्री 1 गग वरम दीक्षित : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) मध्य रेलवे के मुत्तावन और सामी डिब्बों में क कुल कितने पुर्ण पर रंग रोगन का काम निष्पन्नित समय में नहीं हो सका और उसने विलम्ब क क्या कारण है और

(ख) उक्त जिवीजनों में बी० घार० आई०, पी० डब्ल्यू० आई० एस० और टी० ओ० डब्ल्यू० एस० की श्रणियों में इस कार्य के लिए इस समय कितने कर्मचारी नियुक्त किये गये हैं और यदि इन श्रणियों में कोई पद रिक्त है तो उनकी संख्या कितनी है ?

रेल मंत्रालय में उचमंत्रि (श्री बूटा सिंह):

(क) गडर वाले पुलों पर धाम तौर 5 वर्ष में एक बार रंग करना होता है। भुसावल और झांसी मण्डलों में, गडर वाले क्रमशः 91 और 28 पुल ऐसे हैं जिन पर निर्धारित अवधि के दौरान रंग नहीं किया गया है। इसका कारण यह है कि 5 वर्ष की अवधि व्यतीत हो चुकने पर पुलों पर रंग की हालत सन्तोषजनक पायी गयी थी। यह सुनिश्चित करने के लिए कि गडरों पर अधिक समय तक रंग न करने के कारण उनमें जंग न लग जाये, उनका हर वर्ष पूरी तरह निरीक्षण किया जाता है और जहाँ कहीं आवश्यक होता है, उन पर रंग कर दिया जाता है।

(ख) केवल मात्र पुलों के गडरों पर रंग करने के लिए पुल निरीक्षक, रेल-गथ निरीक्षक और निर्माण निरीक्षक, जैसे किमी भी कर्मचारी की नियुक्ति नहीं की जाती। गडरों पर रंग करने का काम रेल-गथ निरीक्षकों की देख-रेख में किया जाता है क्योंकि यह उनकी सामान्य ड्यूटी का अंग है। भुसावल और झांसी मण्डलों में रेल-गथ निरीक्षकों के 181 पद हैं, जिनमें से इस समय केवल 5 पद खाली हैं।

मध्य प्रदेश में बिना चौकीदार वाले रेलवे क्रासिंग

888. श्री गंगा चरण शोक्लिन : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश में बिना चौकीदार वाले रेलवे क्रासिंग कितने हैं; और

(ख) गन तीन बरों के दौरान रेलवे क्रासिंग पर हुई दुर्घटनाओं से कितने व्यक्ति मारे गए ?

रेल मंत्रालय में उचमंत्रि (श्री बूटा सिंह):

(क) मध्य प्रदेश राज्य में 1967 बिना चौकीदार वाले समार ( मवेशी समार सहित ) हैं।

(ख) विगत तीन बरों में अर्थात् 1973-74, 1974-75 और 1975-76 के दौरान इन समारों पर गाड़ी दुर्घटनाओं से 12 व्यक्तियों की मृत्यु हुई थी।

भुसावल डिपार्टमेंट में 1 स्टाल, ट्रांजिज और बुक स्टाल

889. श्री गंगा चरण शोक्लिन : क्या रेल मंत्री यह बताने की कृपा करेंगे कि मध्य रेलवे के भुसावल डिपार्टमेंट में स्थानीय तथा मुख्य लाइनों के प्लेटफार्मों पर इस समय कितने टी स्टाल, ट्रांजिज और बुक स्टाल हैं ?

रेल मंत्रालय में उचमंत्रि (श्री बूटा सिंह) भुसावल मंडल के मुख्य लाइनों पर इस समय चाय की 50 स्टाल, चाय की 41 ट्रांजियां, 20 पुस्तक स्टाल और 11 पुस्तक ट्रांजियां हैं। भुसावल मंडल की शाखा लाइनों पर चाय की 25 स्टाल, चाय की 6 ट्रांजियां और 3 पुस्तक स्टाल हैं।

श्रीशिव कम्पनियों का राष्ट्रीयकरण

890. श्री भागीरथ अंबर क्या रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में नकली औषधियों के निर्माण और औषधियों की कीमत में वृद्धि को देखते हुए औषधियों का निर्माण करने वाली कम्पनियों के राष्ट्रीयकरण का प्रस्ताव सरकार के विचाराधीन है; और यदि हां, तो तत्सम्बन्धी तथ्य क्या हैं; और



(ख) इस समय सरकारी क्षेत्र की औषध निर्माता कम्पनियों किन स्थानों पर कार्यरत हैं और क्या उन के विस्तार एवं उनकी उत्पादन क्षमता के विस्तार की कोई योजना है ?

रसयन और उर्वरक मंत्री (श्री पी० सो० सेठी) : (क) औषध निर्माता के कम्पनियों का 'राष्ट्रीयकरण करने के बारे में कोई प्रस्ताव सरकार क विचाराधीन नहीं है ।

(ख) सरकारी क्षेत्र में इस समय 2 औषध निर्माता एकक हैं अर्थात् ड्रग्स एण्ड फार्मास्यूटिकल्स लि० । (आई० डी० पी० एल०) और हिन्दुस्तान एन्टीबायोटिक्स लि० एच० ए० एल० । आई० डी० पी० एल० का हैदराबाद में एक सिन्थेटिक ड्रग प्लांट, ऋषिकेश में एक एन्टीबायोटिक्स प्लांट और मद्रास में एक सर्जिकल इन्स्ट्रूमेंट प्लांट है । एच० ए० एल० का प्लांट पिम्परी परा में है । जहाँ तक आई० डी० पी० ए० की ओर एच० एल० की विस्तार योजना का सम्बन्ध है, इसमें बारे में 23 मार्च, 1976 के लोक सभा प्रश्न संख्या 1178 और 10-8-76 के अनुरांकित प्रश्न संख्या 133 के उत्तर की ओर ध्यान आकर्षित किया जाता है । इसके अनतिरिक्त अनेक राज्य सरकारों ने केन्द्रीय सरकार आ० डी० पी० एल० और एच० ए० एल० से राज्य सरकारों के साथ समुक्त उद्यम के रूप में औषध निर्माण एकको की स्थापना के लिए सिफारिश की है, आई० डी० पी० एल० और एच० ए० एल० ऐसे संयुक्तियों की स्थापना करने की सम्भावना को जाँच करने को कहा गया है ।

बम्बई - बड़ोदा - रतलाम और दिल्ली के बीच दोहरी रेलवे लाइनें

891. श्री भागीरथ भांडार : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) बम्बई-बड़ोदा -रतलाम और दिल्ली के बीच दोहरी लाइन बिछाने का काम कितना शेष रहा है तथा यह कब तक पूरा हो जाएगा ;

(ख) क्या इन स्थानों के कुछ भागों में दोहरी लाइन को यातायात के लिए खोल दिया गया है ; और यदि हाँ, तो इनको कब से चालू किया गया है तथा उन स्थानों पर, जहाँ पुल तथा बगुदा है, दोहरी लाइनें बिछाने का काम कब तक पूरा हो जाएगा , और

(ग) रतलाम डिवीजन के पंचपी-पलिया, बगुदा तथा मेरुगढ के पास माही नदी पर दोहरी लाइन बिछाने का काम कब तक पूरा हो जाएगा ?

रेल मंत्रालय में उपमंत्री (श्री बटालिह) : (क) और (ख). बड़ोदा का रास्ते दिल्ली और बम्बई के बीच कुल 1384 किलोमीटर की दूरी में से जून 1976 के अन्त में कुल मिला कर 280 किलोमीटर में ही इकहरी लाइन के अलग-अलग टुकड़ मौजूद थे ।

कुल मिला कर 274 किलोमीटर में दोहरी लाइन बिछाने का काम चल रहा है । आशा है कि इस में से कुल मिलाकर लगभग 63 किलोमीटर के टुकड़ चालू वित्त वर्ष में यातायात के लिए खोल दिये जायेंगे और शेष भागों को आगामी वर्षों में अलग अलग चरणों में पूरा किया जायेगा ।

साधनों की उपलब्धता के बारे में अनिश्चितता होने के कारण शेष टुकड़ों पर दोहरी लाइन बिछाने के काम को पूरा करने की कोई लक्ष्य तिथि इस समय निश्चित नहीं की जा सकती।

(ग) पंचपीपलिया सुरंग और माही नदी के पुल पर दोहरी लाइन बिछाने का इस समय कोई प्रस्ताव नहीं है।

वर्ष 1978-79 तक अशोधित तेल का उत्पादन

892. डा० लक्ष्मीनारायण पांडेय : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 1978-79 तक अशोधित तेल का उत्पादन 140 लाख टन होने का अनुमान है ; और

(ख) यदि हाँ, तो इस समय उत्पादन कितना है और 140 टन लक्षित उत्पादन प्राप्त करने के लिए क्या कार्यवाही की जा रही है।

पेट्रोलियम मंत्रालय में उप-मंत्री (श्री जियाउर्रहमान अंसारी) : (क) जी हाँ।

(ख) 1976-77 के दौरान लगभग 9.45 मिलियन मी० टन तक

उत्पादन होने की आशा है। 1978-79 तक प्रति वर्ष लगभग 14 मी० टन तक उत्पादन को बढ़ाने के लिये किये गये/ किये जा रहे उपाय इस प्रकार हैं :—

(i) वर्तमान उत्पादन कुओं का अधिकतम उपयोग ;

(ii) अतिरिक्त विकास के कुओं की खुदाई और अतिरिक्त उत्पादन सुविधाओं के निर्माण सहित वर्तमान तेल क्षेत्रों के विकास में वृद्धि ; और

(iii) अनुवर्ती बसूली पद्धति आदि का अधिक उपयोग।

रतलाम तथा कोटा डिवीजनों में अनुसूचित जाति/अनुसूचित जनजाति के कर्मचारी

893. डा० लक्ष्मीनारायण पांडेय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) पश्चिम रेलवे के रतलाम तथा कोटा डिवीजनों में चतुर्थ श्रेणी के कर्मचारियों की अलग-अलग संख्या क्या है ; और

(ख) इन में अनुसूचित जाति तथा अनुसूचित जनजाति के कर्मचारियों की प्रतिशतता क्या है ?

रेल मंत्रालय में उपमंत्री (श्री ब्रूटा सिंह) :

(क) और (ख)

31-3-76 को  
श्रेणी 4 के  
कर्मचारियों की  
कुल संख्या  
(इसमें सफाई  
वाले शामिल  
नहीं हैं)

अनुसूचित जाति  
के कर्मचारियों का  
प्रतिशत

अनुसूचित जनजाति  
के कर्मचारियों का  
प्रतिशत

रतलाम मंडल  
कोटा मंडल

9733  
8858

11  
9.5

7  
6

### Through Train between Kalka and Bombay

894. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether a request has been received by Government for the running of a through train between Kalka and Bombay to cater the needs of tourists for Himachal Pradesh as also to connect Chandigarh with Bombay; and

(b) if so, the decision taken by Government thereon?

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

(b) This will be considered along-with requests for other trains.

### Railway line between Ernakulam and Kayamkulam in Kerala State

895. SHRI VAYALAR RAVI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have taken a final decision regarding the construction of a Railway line connecting Ernakulam with Kayamkulam via Alleppey in Kerala State; and

(b) if so, the salient features thereof and what progress has been made so far in this matter?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Survey for a railway line from Ernakulam to Alleppey has been completed and the survey report is under examination. A decision regarding construction of the line will be taken as soon as the examination is completed, and would depend upon the availability of resources.

No proposal is at present under consideration for extending the line upto Kayamkulam.

### Relaying of dismantled Railway Lines

896. SHRI R.K. SINHA: Will the Minister of RAILWAYS be pleased to state:

(a) the extent to which the dismantled railway lines have so far been re-laid in various parts of the country;

(b) the names of railway lines which were dismantled earlier and have not so far been laid; and

(c) the proposal under consideration for relaying those railway lines?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A statement is attached.

(c) As a result of development of alternate means of transport and because of stringent financial position it has not been possible to take up the restoration work on the remaining lines.

### STATEMENT

(a) Dismantled Railway Lines so far Restored are as under:

1. Modura-Bodinayakanur.
2. Shoranur-Nilambur.
3. Vasad-Kathana.
4. Bobbili-Salur.
5. Nagrota-Jogindernagar.
6. Bijnore-Chandpur Siau.
7. Unnao-Madhoganj-Balamau
8. Utraitia-Sultanpur-Zafarabad
9. Khairada-Bhimsen.
10. Bhagalpur-Mandarhill.
11. Tinpahar-Rajmahal.
12. Rohtak-Gohana.
13. Cambay Bunder Siding.
14. Dalmau-Daryapur.
15. Akbarpur-Tanda.
16. Saralgah-Raghopur Partapganj.
17. Partapganj-Forbesganj.

**Restoration Work in Progress**

1. Gohana-Panipat.

(b) Dismantled Railway Lines not yet Restored are as under:

1. Madhoganj-Auhadpur.
2. Tirupattur-Krishnagiri.
3. Morappur-Hosur.
4. Gosaigaon-Kaklamukh Ghat.
5. Cocanada-Kotipalli.
6. Moranhat-Khowang.
7. Cinnamara-Titabar.
8. Raipur Forest Tramway.
9. Burhwal-Barabanki.
10. Bahram Ghat-Burhwal.
11. Darwha-Pusad.
12. Nirmali-Saraigarh.
13. Pratapganj-Bhimnagar.

**Damage to Railway bridges and lines due to rains and floods**

897. SHRI R. K. SINHA: Will the the Minister of RAILWAYS be pleased to state

(a) the loss suffered by Government on account of damage to railway bridges and railway lines caused by rains and floods in the current year; and

(b) the loss of revenue to Government on account of cancellation of trains due to rains and floods in the same period?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The loss is estimated to be Rs. 280 lakhs approximately.

(b) The estimated amount of loss is Rs. 98 lakhs approximately.

**Electrification of Bandel Katwa line**

898. SHRI SAROJ MUKHERJEE: Will the Minister of RAILWAYS be pleased to state the steps taken or proposed to be taken to meet the persistent demand of the various Passengers

Associations and the people in general for electrification of Bandel Katwa line?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): A Preliminary examination of the electrification of the Bandel-Katwa section of the Eastern Railway has revealed that sufficient capacity is available with the existing form of traction to cope up with the anticipated increase in traffic in the foreseeable future. It has been found that electrification of the section, which is capital intensive, is not financially justified. Hence there is, at present, no proposal to electrify Bandel-Katwa section.

**Utilization of capacity in polyethylene Industry**

899. SHRI D. D. DESAI: Will the Minister of PETROLEUM be pleased to state:

(a) whether Government are aware that manufacturers of high density and low density polyethylene were not fully utilising their capacity despite an unsatisfied demand for these products; and

(b) if so, the steps taken to ensure full utilisation of capacity in this field?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). The present licensed capacity of both Low Density and High Density Polyethylene of the existing manufacturers is being fully utilised.

**Production of Fertilisers**

900 SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether India has tremendous potential to increase its fertilizer production;

(b) if so, whether production of "NPK" fertilizer in the country would be increased four fold.

(c) whether India's requirement of fertilizer would be met by such an increase; and

(d) if so, salient features thereof?

**THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) to (d). There has been a substantial growth in the installed capacity for the manufacture of fertilizers in India. The present installed capacity for the manufacture of fertilizers is 29.73 lakh tonnes of nitrogen and 6.92 lakh tonnes of  $P_2O_5$  as compared to 0.85 lakh tonnes of nitrogen and 0.63 lakhs tonnes of  $P_2O_5$  at the beginning of the First Five Year Plan. A large scale programme is under implementation in the public, private and co-operative sectors for augmenting the indigenous capacity for production of nitrogenous and phosphatic fertilizers. With the implementation of the above programme, the capacity is expected to increase to 46.90 lakh tonnes of unitrogen and 13.11 lakh tonnes of  $P_2O_5$  by 1978-79. The increased production arising from substantial addition to capacity as envisaged above, should help narrow appreciably gap between demand and indigenous availability of nitrogenous and phosphatic fertilizers.

As there is no production of potassic fertilizers in the country, the entire demand would have to be met by imports.

**Meeting of Federation of Bombay suburban Railway Passengers' Associations**

901. **SHRI RAJA KULKARNI:** Will the Minister of RAILWAYS be pleased to state:

(a) whether a meeting of the Federation of the Bombay Suburban Railway Passengers' Associations was inaugurated by him in Bombay on 15th June last;

(b) whether any memorandum on the problems of the Bombay Commuters was submitted to him; and

(c) what are the main problems of the Commuters and how do Government propose to solve them?

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

(b) Yes

(c) In the Memorandum the Bombay Suburban Passengers' Associations have requested for increase in the number of suburban services, their speeding up, provision of passenger amenities at suburban stations etc. Efforts are being made to meet these requirements so far as they are operationally feasible and justified, subject to availability of funds.

**Application of Third Pay Commission recommendations to Class II Officers of O. & N. G. C.**

902. **SHRI RAJA KULKARNI:** Will the Minister of PETROLEUM be pleased to state:

(a) whether the recommendations of Third Pay Commission have not been applied by Oil and Natural Gas Commission to its more than 1500 Class II Officers, while applying the same to Class I Officers; and

(b) if so, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI):** (a) The recommendations of the Third Pay Commission are not as such applicable to the ONGC employees. However, keeping in view, inter-alia, the said recommendations, the pay-scales of both the categories of employees have been revised on a uniform pattern

(b) Does not arise.

### Trans-Asian Railways

903. SHRI P. M. MEHTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether India also attended the meeting of the Economic and Social Commission for Asia and the Pacific;

(b) if so, whether one of the subjects discussed was urgency of giving concrete shape to the concept of a trans-Asian Railways in view of the serious congestion of ships in the West and South Asian ports; and

(c) if so, what was the outcome of the discussion?

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

(b) Yes.

(c) While the need for Trans-Asian Railway link, from Turkey to Far East was accepted by the member Railways, a number of technical problems connected with through movement of traffic on the multi-gauge system remain to be resolved in addition to the problems of compatibility of the route, rolling stock and fixed equipment. ESCAP continues to make Studies of these aspects. Movement of traffic on Trans-Asian Railway network will, however, become possible only after the work on 'missing links' on the route is programmed and completed by Iran, Bangladesh, Burma and Thailand in their respective countries.

तेल की खोज में संलग्न तेल तथा प्राकृतिक गैस आयोग के कर्मचारी

905. श्री शंकर दयाल सिंह : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय तेल तथा प्राकृतिक गैस आयोग के कितने कर्मचारी तेल निकासने तथा तेल के नये स्त्रोतों की खोज करने में संलग्न हैं ?

(ख) इस समय देश में तेल भंडारों में कितनी मात्रा में अगोषित तेल का उत्पादन प्रतिवर्ष हो रहा है ; और

(ग) उन स्थानों के नाम क्या हैं जहाँ नए तेल भण्डारों की खोज का कार्य चल रहा है ।

पेट्रोलियम मंत्रालय में उप-मंत्री (श्री जियाउर्रहमान बंसारी): (क) लगभग 14,000 ।

(ख) 1976-77 के दौरान 9.45 मिलियन मी० टन कच्चे तेल के देशीय उत्पादन का अनुमान है ।

(ग) नये तेल भंडारों की खोज करने की दृष्टि से सम्प्राप्ति और घरेलू (गजरात) डेमन्टाव और बिड़वार (प्रसम) घुप्राना (गजस्थान) के नटवर्ती क्षेत्रों और कम्बई हाई तथा थाला सरवनाओं के अन्तर्ग्रीट्टोय क्षेत्रों में इस समय खुदई कार्य चल रहा है हिमाचल प्रदेश, अरुणाचल प्रदेश, असम, मेघालय, नागालैंड त्रिपुरा, पश्चिम बंगाल, मंडनान, मडगाट्ट, अन्ध्र प्रदेश, राजस्थान, उत्तर प्रदेश, तमिलनाडु और मजरात में भी तेल अन्वेषण के लिए भूगर्भीय और भूगोलीय कार्य हो रहा है;

हजारीबाग और चतरा को रेल मार्ग से जोड़ा जाना

906. श्रीशंकर दयाल सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार बिड़ार में हजारीबाग और चतरा को रेल मार्ग द्वारा जोड़ने के लिए कोई योजना बना रही है ;

(ख) क्या इस संबंध में सर्वेक्षण किया गया है ; और यदि हाँ, तो उसकी मुख्य बातें क्या हैं ; और

(ग) क्या उन्होंने इस संबंध में कोई आश्वासन दिया था ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह):  
(क) और (ख). चालू कार्य को पूरा करने तथा निम्न कार्यों का निर्माण प्रारम्भ करने के लिए पहले ही अनुमोदन दिया जा चुका है, उन के लिए भी धन की आवश्यकता को देखते हुए, कक्षा को हवाई बाय से रेल द्वारा जोड़ने का इस समय कोई प्रस्ताव विचाराधीन नहीं है।

(ग) जी नहीं।

#### Crash plan for crude production in Eastern Sector

907. SHRI D. D. DESAI: Will the Minister of PETROLEUM be pleased to state:

(a) whether his Ministry has drawn up a crash plan for boosting crude oil production in the Eastern Sector;

(b) if so, the broad features thereof;

(c) whether refining capacity in the Eastern Sector will be adequate to meet the increased output; and

(d) whether there are any plans to increase the refining capacity there?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). While Oil India Ltd., and Assam Oil Co., will maintain their present level of production, the ONGC has planned to increase production from the present level of 1.12 million tonnes per year to 2.25 million tonnes per year by 1978-79, the increase being essentially on account of the development of Galeki oil field.

(c) Yes, Sir.

(d) Does not arise.

#### Asian Rail link project for Indian Railway

908. SHRI D. D. DESAI:

SHRI DHAMANKAR:

SHRI SHYAM SUNDER MOHAPATRA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Railways are planning to take up more consultancy jobs abroad;

(b) whether the proposed Asian rail link will be entrusted to the Indian Railways for completion; and

(c) if so, the broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes. Consultancy service is being undertaken by Rail India Technical and Economic Services Ltd., a Public Sector Undertaking under the aegis of the Ministry of Railways.

(b) and (c). The concept of Trans-Asian Railway link includes utilisation of the existing network and construction of missing links in different countries wherever they exist. The construction of the missing links will have to be undertaken by the respective countries and through the agencies of their choice. It is not possible at this stage to say whether construction of any of the missing links would be entrusted to India.

#### Introduction of super-fast or de-Luxe Train on Ahmedabad-Delhi route

909. SHRI D. D. DESAI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal to introduce a super-fast or de-luxe train on the Ahmedabad-Delhi route; and

(b) if so, the salient features thereof?

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

(b) Does not arise.

Foreign exchange earning due to ex-  
port of Coaches, Bogies and Spares

910. SHRI K. MALLANNA: Will the  
Minister of RAILWAYS be pleased to  
state:

(a) whether Indian Railways are  
now in a better position to export  
coaches, bogies and spares to foreign  
countries; and

(b) if so, the salient features re-  
garding the earning of foreign ex-  
change during the current year along-  
with the names of the countries to  
which exports have been made?

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

(b) During the current year the  
Indian Railways are executing an ex-  
port order for supply of 17 coaches to  
Tanzania. Approximately Rs. 1.85  
crores in foreign exchange is likely to  
be earned as a result of this export  
order.

पूर्वोत्तर रेलवे में मुजफ्फरपुर-मोनपुर रेलवे  
लाइन को बाउन्डेज लाइन में बदलना

911. श्री विभूति मिश्र : क्या रेल मंत्री  
यह बताने की कृपा करेंगे कि :

(क) क्या पूर्वोत्तर रेलवे में मुजफ्फर-  
पुर से मोनपुर तक मीटर गेज लाइन  
को बड़ी लाइन में बदला गया है ;  
और

(ख) यदि हाँ, तो क्या सरकार का  
विचार मोतीहारी और सगौली होते हुए  
मुजफ्फरपुर से रक्सौल तक बड़ी लाइन ले  
जाने का है ।

रेल मंत्रालय में उपमंत्री (बी बूटा सिंह):  
(क) जी हाँ ।

(ख) हाँ: प्रस्ताव की जांच की जा  
रही है ।

मई, 1974 की हड़ताल के बकादार रेल  
कर्मचारियों के लड़के लड़कियों की नियुक्ति

912. श्री रामावतार शास्त्री : क्या  
रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन रेल कर्मचारियों के  
लड़के नरतियों को, जिन्होंने मई 1974  
की हड़ताल में भाग नहीं लिया था,  
बकादार होने के इनाम स्वरूप रेलवे में  
नौकरियां देना आश भी जारी है ;

(ख) इस प्रकार नौकरी पाने वालों  
की रेल-वार और डिप्लोमा-वार संख्या कितनी-  
कितनी है; और

(ग) ऐसी नौकरियां पाने वालों में  
आदिवासी, हरिजनों, मुसलमानों तथा  
बमजोर वर्गों के व्यक्तियों की पृथक्-  
पृथक् संख्या कितनी है और सरकार  
का विचार इस नीति को अब तक जारी  
रखने का है ?

रेल मंत्रालय में उपमंत्री (बी बूटा सिंह):

(क) से (ग): संख्या सभा पटल पर रखे  
गये विवरण में बतायी गयी है । [संख्या-  
लय में रखा गया । देखिये संख्या LT  
11129/76] इस योजना को 1-1-  
1976 से वापस ले लिया गया है ।  
लेकिन 31-12-1975 तक प्राप्त  
आवेदनों के सम्बन्ध में औपचारिकताएं पूरी  
करने और नियुक्तियों के आदेश  
जारी करने के लिए रेल प्रशासनों को 30-9-  
1976 तक का समय दिया गया है ।



**Drive to provide basic amenities to Passengers in Trains**

**913. SHRI RAGHUNANDAN LAL BHATIA:** Will the Minister of RAILWAYS be pleased to state:

(a) whether Railways have launched another drive during the last three months to ensure basic amenities in trains for passengers;

(b) if so, whether surprise checks were conducted by the Railway Board and the Zonal Railways in the recent past; and

(c) if so, outcome thereof?

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

(b) Yes.

(c) Drives are a regular feature of our working and they lead to greater passenger satisfaction. Greater awareness is created amongst the staff to ensure adequate supply of water in coaches and to ensure better cleanliness of lavatories, apart from ensuring that fittings like fans are kept in working order. From the trend of recent opinion expressed in Committee meetings and our own feed back information, it is felt that there has been an all round improvement.

**Racketeering in sale/transfer of Railway Tickets**

**914. SHRI RAGHUNANDAN LAL BHATIA:** Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that there has been racketeering in the sale and transfer of railway tickets; and

(b) if so, whether any new orders have been issued during the last three months to end the racketeering?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** (a) Some cases of resale/transfer of reserved tickets by

unauthorised agents and other unsocial elements by charging extra amount have come to notice from time to time.

(b) Besides intensifying checks at Officers' level with the help of anti-fraud squads and Vigilance Organisation, the period for advance reservations has been extended to six months uniformly in all classes and all trains and at all stations.

**I.O.C. agreement with Iraqi National Oil Company for crude**

**915 SHRI RAGHUNANDAN LAL BHATIA:**

**SHRI RAM PRAKASH:**

Will the Minister of PETROLEUM be pleased to state.

(a) whether an agreement has recently been signed between Indian Oil Corporation and the Iraqi National Oil Company;

(b) if so, the total quantity of crude oil to be imported between May and December, 1976 under the agreement; and

(c) whether the Iraqi crude is earmarked for the Haldia Refinery?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI):** (a) and (b). An agreement was recently entered into between the Indian Oil Corporation and the Iraqi National Oil Company for the import of 2.1 million tonnes of crude oil between May and December, 1976;

(c) The Iraqi crude is not earmarked only for the Haldia Refinery. However, as it is suitable for processing in that Refinery, quantities are allocated to meet the requirements of Haldia Refinery.

**I.O.C. contracts with National Companies of Iran and other countries for crude**

**916. SHRI RAM PRAKASH:** Will the Minister of PETROLEUM be pleased to state whether the Indian Oil Corporation had entered into contracts during 1976 with National Companies of Iran, Saudi Arabia and U.A.E. for supply of crude?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI):** Yes, Sir.

**Construction of new Railway lines, conversion to broad-gauge lines and doubling of Railway tracks**

**917. SHRI RAM PRAKASH:** Will the Minister of RAILWAYS be pleased to state:

(a) the broad outlines regarding the works in hand for construction of Railway Lines conversion to broad-gauge lines and doubling of railway tracks at present; and

(b) the names of the States which have demanded construction of new railway lines?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI RUTA SINGH):** (a) A statement is laid on the Table of the House. [Placed in Library. See No. LT-11130/76].

(b) There have been demands for construction of new Railway lines from various State Governments which have been considered on merit depending on the availability of funds.

**Works undertaken by Railway Construction Corporation of India**

**918. SHRI B. V. NAIK:** Will the Minister of RAILWAYS be pleased to state what are the works undertaken by the newly started Railway Construction Corporation of India?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH):** The Indian Railway Construction Company (Private) Limited, a Public Sector Undertaking, set up recently under the aegis of the Ministry of Railways, has not, so far, secured any railway construction project.

**Sale of obsolete drugs by multinational drug companies**

**919. SHRI N. K. SANGHI:** Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether according to a report prepared by Haslemere group, a London based voluntary organisation, the multinational drug companies are engaged in profiteering, price fixing and promotion of ineffective drugs and this is more widely pronounced in the third world;

(b) whether the report has pointed out that while in America, 35 per cent of the drugs produced by these multinationals were found ineffective, obsolete or having irrational combinations and were withdrawn from the market but the same medicines were being sold in the third world;

(c) if so, whether Government tried to find out whether such obsolete and ineffective medicines have found their way to India; and

(d) if so, steps being taken against the above menace?

**THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) Government have seen the news items appearing in the "Times" of London dated the 14th May, 1976 and the "STATESMAN" Calcutta of 17th May, 1976 regarding a report prepared by Haslemere group, a London based voluntary organisation. The news item in "TIMES" states that the authors of the report do not claim to have conducted any original research but have drawn on

a large number of diverse sources in the preparation of their report. According to the "TIMES" the author have concluded that there is clear evidence of profiteering, price fixing, promotion of ineffective drugs which is more widely pronounced in third world.

In India prices of drugs are statutorily controlled under Drugs (Prices Control) Order, 1970 which also provides for a mechanism for revision in prices. Under the said order the price once fixed cannot be altered without the approval of the Government. Drug manufacturing units having turn over of less than Rs. 50 lakhs are exempt from the purview of the said order. All importers of formulations intended for sale in the country are required to get their prices fixed before such sales could be effected. The said order applies uniformly to all drug manufacturing companies including the multinationals operating in the country.

The alternative scheme of pricing mentioned in the said order also provides that gross profit before tax, if it exceeds 15 per cent of the sales turn over as shown in the audited accounts of the manufacturer or importer has to be funded separately and could only be utilised for the purposes specified in the order with the approval of the Government.

(b) to (d). Quality control on drugs in India is exercised under the provisions of Drugs and Cosmetics Act, 1940. According to the said Act no new drug can be imported or manufactured in the country unless it is approved by the Drug Controller. Firms applying for permission to market new drugs are required to furnish detailed pharmacological, toxicological, biochemical and other studies to prove the safety and efficacy of the drug to the satisfaction of Government. Only such drugs as are considered safe and effective are

permitted to be marketed in the country. No new drug which is prohibited in the country of origin is permitted to be marketed in India. One of the conditions imposed in the permission for introduction of a new drug is that in case any toxic or untoward effects are noticed subsequent to the permission then the permission granted will be withdrawn. Government have also appointed an Essential Drugs Committee for advising Government on matters relating to the essentiality and safety of drugs. This Committee is consulted on matters relating to the safety, efficacy and essentiality of drugs.

#### Issue of licences to Public Sector drug units during Fifth Five Year Plan period

920. SHRI K. S. CHAVDA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many letters of intent and industrial licences have been granted to Public Sector Drug units during the Fifth Five Year Plan period giving names of items with capacities covered in these approvals;

(b) when were these approvals granted and whether these public sector units have gone into production of any of the items covered; and

(c) if not, by when they are likely to go into production?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). During the Fifth Five Year Plan, 11 Industrial Licences and 8 Letters of Intent have been granted to the Public Sector Drug Units. The detail of these Industrial Licences/Letters of Intent are given in the Statement laid on the Table of the House. [Placed in Library. See No. LT-11131/76]. The production

of the following drugs in the LDPL plant has already commenced:—

**Bulk:**

1. Chloropropamide
2. Metronidazole
3. Nitrofurantoin
4. Sulphaphenazole
5. Thiacezone

**Formulations:**

1. Indomethacin Capsules
2. Frusemide tabs.
3. Methyl Dopa tabs.
4. Phthalyl Sulphathiazole tabs.
5. B. Complex tabs.
6. Chewable Vitamin 'C' tabs.
7. Primaquine Phosphate tabs.

It is expected that the production of all the drug items including expansion scheme will commence or will be implemented by the end of the Fifth Plan

**Grant of letters of intent and industrial licences to Foreign Drug Companies**

921. SHRI K. S CHAVDA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of foreign companies with more than 26 per cent foreign equity who were granted letters of intent and industrial licences during the last two years;

(b) how many companies have established the projects approved during the last two years and gone into production; and

(c) whether foreign companies undertake the manufacture of formulations by securing imported raw materials, which are not permitted to them as per policy, through other means?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). The names of foreign drug manufacturing companies with foreign equity more than 26 per cent who were granted letters of intent/industrial licences during the period from 1-4-74 to 31-3-76 are as follows:—

**(A) Letters of Intent**

1. M/s. Hoechst Pharmaceuticals Ltd.
2. M/s. Duphas Interfran Ltd.
3. M/s. Ciba-Geigy of India Ltd.
4. M/s. Suhrid Geigy Ltd.
5. M/s. Burroughs Wellcome (I) Pvt. Ltd.
6. M/s. Sterling Drugs (I) Pvt. Ltd.
7. M/s. Bayer (I) Ltd.
8. M/s. Mc-Gaw-Ravindra
9. M/s. German Remedies.
10. M/s. Organon (I) Ltd.
11. M/s. Boehringer Knoll.
12. M/s. Glaxo Laboratories.
13. M/s. Parke Davis.
14. M/s. Anglo-French
15. M/s. Smith Kline and French.
16. M/s. Synbiotics Ltd.
17. M/s. Sandoz (I) Ltd.

**(B) Industrial Licences**

1. M/s Burroughs Wellcome
2. M/s. German Remedies.
3. M/s. Merck Sharp & Dohme.
4. M/s. Roche Products.
5. M/s. Hoechst Pharmaceuticals Ltd.
6. M/s. Pfizer Ltd.
7. M/s. Alkali & Chemical Corpn. of India Ltd.

8. M/s. Bayer (I) Ltd.
9. M/s. Sandoz (I) Ltd.
10. M/s. Organon (I) Ltd.
11. M/s. Glaxo Labs. (I) Ltd.
12. M/s. Searle (India) Ltd.
13. M/s. Roussel (I) Ltd.
14. M/s. Uni-UCB Pvt. Ltd.
15. M/s. Uni-Sankyo Ltd.
16. M/s. Synbiotics Ltd.
17. M/s. Miles (India) Ltd.

The companies who have been granted letters of intent can imple-

ment the projects only after the letters of intent granted to them are converted into industrial licences. The position regarding implementation of industrial licences granted to these companies is indicated in attached Statement.

(c) Two instances of manufacture of formulations by such companies without valid industrial licence have come to the notice of Government. Position in this regard has already been indicated in reply to Lok Sabha Unstarred Question No. 41 answered on 10-8-76.

#### Statement

Sl. No.	Name of Company	No. of Industrial licences granted during last two years	No. of implemented licence	No. of unimplemented licences
1	2	3	4	5
1	M/s. Burroughs Wellcome	1	1	..
2	M/s. German Remedies	2	2	..
3	M/s. Roche Products	1	1	..
4	M/s. Merck Sharp & Dohme	3	3	..
5	M/s. Hoechst	6	4	*2
6	M/s. Pfizer	1	1	..
7	M/s. Alkali Chemicals Corpn. of India Ltd.	1	..	*1
8	M/s. Bayer (I) Ltd.	1	1	..
9	M/s. Sandoz (I) Ltd.	1	1	..
10	M/s. Organon (I) Ltd.	1	..	*1
11	M/s. Glaxo (I) Ltd.	1	1	..
12	M/s. Searle (I) Ltd.	1	..	*1
13	M/s. Roussel (I) Ltd. (COB Licence)	1	1	..
14	M/s. Uni-UCB (COB Licence)	1	1	..
15	M/s. Uni-Sankyo	1	1	..
16	M/s. Synbiotics	1	..	*1
17	M/s. Miles India Ltd.	1	..	*1

\* The validity period for implementation of the licences is two years which has not yet expired.

**Production vis-a-vis consumption of Oil**

923. SHRI S. R. DAMANI: Will the Minister of PETROLEUM be pleased to state:

(a) what is the estimated production of indigenous oil in the current year;

(b) what is the consumption trend in view of the expected higher production activity in agriculture and industry; and

(c) the broad features of contracts entered into with other countries for import of oil during this year and also of any other long term contracts?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The target of production of crude oil in 1976 is 8.96 million tonnes.

(b) The consumption of petroleum products during the first six months of 1976 has been higher by about 5 per cent as compared to the corresponding period last year.

(c) Arrangements have been made for import of required crude oil from Iran, Iraq, Saudi Arabia and UAE

both through their National Oil Companies and private oil companies.

**Cost Estimates of Koyali Refinery and Other Projects**

924. SHRI S. R. DAMANI:

SHRI S. A. MURUGANAN-THAM:

SHRI Y. ESWARA REDDY:

Will the Minister of PETROLEUM be pleased to state:

(a) the original project cost estimates respectively of Koyali Refinery expansion, Mathura Refinery and construction of offshore terminal at Salaya with pipe links with Koyali and Mathura;

(b) what are the latest estimates and how is the escalation of costs accounted for; and

(c) the broad outlines of time schedules for the completion of these projects?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The original costs of Koyali expansion, Mathura Refinery and the connecting pipeline including oil terminals at Salaya, based on feasibility reports prepared in 1973, were estimated as under:

(Rs. 'crores)

(i) Koyali Expansion	28.08
(ii) Mathura Refinery	97.00
(iii) Pipeline	119.90

(b) The present cost estimates of these projects are as under:—

(Rs. 'crores)

(i) Koyali Expansion (based on DPR recently submitted by IOC)	56.49
(ii) Mathura Refinery** (**As assessed in 1974. The DPR is under preparation of IOC. The revised cost estimates will be known as soon as the DPR has been finalised)	149.42
(iii) Pipeline**	188.16

The increase in costs is mainly due to unprecedented escalation in the cost of equipment, materials and labour that has occurred on account of oil crisis subsequent to the preparation of feasibility reports. The other factors are provision of financial cost to cover interest charges on the capital taken on loan during construction period, addition and alteration made during engineering design, provision of extra facilities, etc.

(c) As per the present assessment, the Koyali Expansion project is expected to be mechanically completed by the last quarter of 1977 and commissioned in early 1978. The Off-shore and On-shore terminals and the Pipeline from Salaya to Viramgam and Koyali are expected to be completed in the last quarter of 1977 to coincide with the mechanical completion of the expanded Koyali Refinery.

The Mathura Refinery is scheduled to be mechanically completed by December, 1979 and commissioned by April, 1980. The pipeline from Salaya to Mathura is expected to be

completed in the last quarter of 1979 to coincide with the mechanical completion of the Mathura Refinery.

### Cases of Crimes on Railways in West Bengal

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

(a) the number of cases of crimes in West Bengal in Eastern, North East Frontier and South Eastern, Railways during the last three years, year-wise;

(b) loss suffered by Railways and the travelling public as a result of these crimes; and

(c) in how many cases the culprits were caught and what steps have been taken to improve the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). (a) Total number of cases of crime reported in West Bengal on Eastern, Northeast Frontier and South Eastern Railways during 1973, 1974 and 1975 is given below:

Railways	Number of cases		
	1973	1974	1975
Eastern	16,811	18,696	17,224
Northeast Frontier	627	758	697
South-Eastern	1,335	1,437	1,296

  

(b) Railways	Loss suffered by Railways and travelling public (Rs.)		
	1973	1974	1975
Eastern	62,72,993	1,34,11,440	96,11,659
Northeast Frontier	4,57,786	5,98,376	9,66,836
South-Eastern	2,74,281	7,16,691	5,24,845

(c) (i) 8,812 persons were arrested during 1973, 1974 and 1975.

(ii) The following steps have been taken for prevention of crimes on Railways:—

- (1) Important trains are being escorted by Armed Police and Railway Protection Force staff.
- (2) A vigorous drive has been launched against the criminals and receivers of stolen property in cooperation with State Governments. In addition to action for specific offences, action has also been taken under the preventive laws.

#### Oil Drilling in Laxmikantapur and Sundarbans

926. SHRI R. N. BARMAN: Will the Minister of PETROLEUM be pleased to state:

(a) whether the work on drilling oil has been started at Laxmikantapur in West Bengal.

(b) if not, when this will be taken up; and

(c) what has been the findings of the drillings made in Sundarbans area for oil potentialities?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) No, Sir.

(b) Drilling at Laxmikantapur would depend on the results of drilling at Diamond Harbour, which would be taken up in the near future.

(c) No drilling has so far been carried out in Sundarbans area.

#### Aid by World Bank for Production of Fertilizers

927. SHRI YAMNA PRASAD MANDAL: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether World Bank provided aid to the tune of \$212 million for production of fertilizers in the country during 1975; and

(b) if so, the terms and conditions of this aid?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). In 1975, an agreement was signed with the World Bank for a loan of US \$109 million for the Phulpur project of Indian Farmers Fertilizer Cooperative Limited and another agreement with the International Development Association (IDA), a soft lending affiliate of the World Bank, for a development credit of US \$105 million. The two loans together amount to \$214 million.

The World Bank loan of \$109 million is to be utilised for meeting the foreign exchange component of the Phulpur fertilizer project and is for a term of sixteen years including five years of grace, with interest at the rate of 8 per cent per annum.

The I.D.A. development credit of \$105 million is to be utilised mainly for improving the operations of the existing fertilizer units, both in the public as well as private sector. Apart from the balancing equipments required for improved operations of fertilizer plants, the credit would be available for:—

- (i) development of associated facilities to ensure reliability of captive power generation equipment, and



- (ii) schemes designed for better production control like recovery of fluorine in phosphatic fertilizer plants and production of items like soda ash and argon associated with fertilizer plants.

This credit does not carry any interest but only a service charge of 3/4 per cent per annum; the period of repayment is fifty years including ten years of grace period.

#### **Prices of Drugs under 20-Point Economic Programme**

928. SHRI S. M. SOLANKI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state—

(a) whether the drug units are being forced to reduce their prices under the 20-Point Economic Programme of the Prime Minister in spite of the fact that there is statutory price control in this commodity; and

(b) is there any lacunae in the Price Control Order and if so, the action proposed to be taken by Government to remove the anomalies?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b) The prices of drugs are statutorily controlled under the Drugs (Price Control) Order, 1970 which provides a mechanism for revision in prices. The prices of drugs and medicines are revised by the Government from time to time in accordance with norms and procedures prescribed in this Order. The prices fixed under the Order are ceiling prices and dealers are not precluded from selling them below the ceiling price. There is no lacuna in the Drugs (Price Control) Order 1970 and this Order has been operating satisfactorily since May, 1970

The Programme Implementation Committee, Delhi Administration have initiated action to seek voluntary cooperation of the manufac-

turers and dealers, including manufacturers and dealers of drugs and medicines to reduce prices of articles of mass consumption.

#### **Pending Applications for Grant of C.O.B. Licences**

929. SHRI S. M. SOLANKI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many applications for the grant of C.O.B. licences for drug items are pending with Government and particulars regarding names of the companies and items applied for; and

(b) particulars of C.O.B. licences granted during the last two years with names of the companies and items and capacities approved in such licences?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). At present 12 applications for the grant of COB licences for drug items are pending with Government. Statement I showing particulars regarding names of the companies and items applied for in COB licences which are pending with Government and Statement II showing the particulars of COB licences granted to the drug manufacturing companies during the period 31-7-74 to 1-8-76 with the names of the companies and items with annual capacities approved in such licences are laid on the Table of the House. [Placed on the Table of the House. See LT-No. 11132/76].

#### **Drilling in West Bengal and Orissa Coast**

930. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of PETROLEUM be pleased to state:

(a) whether work on offshore drilling in West Bengal and Orissa Coast has been abandoned; and

(b) if not, when it is likely to re-start?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI):** (a) No, Sir.

(b) The data/information obtained from two exploratory wells drilled in Bengal-Orissa offshore is currently under review, and further programme of work would depend on the outcome of the review.

**Fresh Survey for Railway Line from Jaipur to Chandbali**

**931 SHRI SHYAM SUNDER MOHAPATRA:** Will the Minister of RAILWAYS be pleased to state:

(a) whether there will be a fresh survey of Railway line from Jaipur to Chandbali connecting them with Cuttack and main line in Orissa; and

(b) if so, when will this project start?

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

(b) Does not arise.

**Electrification of Railway Lines in Kerala**

**932 SHRIMATI BHARGAVI THANKAPPAN:**

**SHRI C JANARDHANAN:**

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have taken any final decision to electrify railway lines in the State of Kerala;

(b) if so, the provisions made therefor in the annual plan for 1976-77; and

(c) whether the Kerala Government have agreed to help the Railways in this regard?

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

(b) Does not arise.

(c) Kerala Government have remitted Rs 50,000 to the Railways for carrying out a cost-cum-feasibility study for electrification of Olavakot-Cochin and Ernakulam-Trivandrum Central Sections.

**Saving of Furnace Oil due to its Substitution by Coal**

**933. SHRI P GANGADEB:** Will the Minister of PETROLEUM be pleased to state:

(a) whether there has been any saving of furnace oil as a result of its substitution by coal during 1975-76;

(b) if so, whether there has been some foreign exchange saving also; and

(c) if so, the broad features thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI):** (a) to (c) Yes, Sir. As a result of substitution of furnace oil by coal and the various fuel efficiency measures introduced in industrial units and the power sector, furnace oil consumption decreased from 4,502 million tonnes in 1973-74 to 4,300 million tonnes in 1974-75 and 4,253 million tonnes in 1975-76. Taking into account the earlier growth rate in furnace oil consumption, it is estimated by Directorate General of Technical Development that a saving of nearly 45 lakh tonnes of furnace oil was effected in 1975-76, as a result of these measures, valued at approximately Rs. 27.5 crores.

### Use of Electronic devices for Safety of Trains

935. SHRI P GANGADEB: Will the Minister of RAILWAYS be pleased to state:

(a) whether Indian Railways are considering any steps to ensure the safety of trains;

(b) whether Government have any proposal to use electronic devices for the purpose; and

(c) if so, salient features thereof?

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

(b) and (c). Electronic devices, like Automatic Warning System and axle counters are being provided progressively for improved safety in train operation.

### Maharashtra Express

936 SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the speed of Maharashtra Express between Kolhapur and Pune is 35 Km. per hour and between Pune, Manmad, Bhusawal and Nagpur 30 Km per hour;

(b) whether Government propose to dieselise this train for speeding it up and provide dining car to make the journey more comfortable; and

(c) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) 83/84 Maharashtra Express is already booked to run at 90 KMPH on its entire run except on Drund-Manmad section where it is booked at 80 KMPH due to steep gradients. Due to a large

number of halts en route, the average speeds of 83 DN and 84 UP Maharashtra Expresses between Kolhapur and Pune are 35 and 37.5 KMPH and between Pune and Nagpur 39 and 40 KMPH respectively.

(b) No.

(c) Does not arise.

### Double Decker Coaches for Taj Express

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

(a) whether there is a proposal to introduce double decker coaches on Taj Express shortly on a pilot basis; and

(b) how soon is the proposal to be implemented?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). One prototype double decker coach has been manufactured and the train to which it will be attached is under consideration.

### Overseas Operations by O&NGC

938. SHRI R S. PANDEY: Will the Minister of PETROLEUM be pleased to state:

(a) whether Rs. 6.15 crores have been earmarked for overseas operations of the Oil and Natural Gas Commission during 1976-77; and

(b) if so, the broad features of the overseas operations?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). ONGC has entered into a Service Contract with Iraq National Oil Company for exploration, development and production of Petroleum in an area of 4175 sq. kms. in South Iraq. In addition, ONGC has secured

a contract for conducting seismic survey of an adjoining area. A provision of Rs. 6.15 crores has been made for both these contracts in the Annual Plan of 1976-77.

**Utilization of Allocated Fund for Metropolitan Transport Project (Railways) Calcutta**

939. SHRI K. LAKAPPA. Will the Minister of RAILWAYS be pleased to state:

(a) whether a large amount of allocated funds with the Metropolitan Transport Project (Railways) Calcutta have not been utilised;

(b) if so, the reasons therefor; and

(c) the steps proposed to be taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, in the period 1972-1976.

(b) In the first two years, 1972-73 and 1973-74, expenditure was less than what was anticipated due to (i) finalisation of designs taking more time (ii) shortfall in imports (iii) less compensation paid for land acquired. In 1974-75 and 1975-76, the surrender of funds was due to the necessity of a detailed review of the project by the Government in the light of the constraint on resources and the increased cost of the project.

(c) Construction work has been planned to utilise the funds made available for the project.

**Steel stolen by Crows in Bombay**

940. SHRI RAJDEO SINGH. Will the Minister of RAILWAYS be pleased to state:

(a) whether Crows have started stealing Steel for making nests along the railway track in Bombay;

(b) whether any loose wire hanging from the nests along the track could cause an accident if the wire happened to touch the pantograph of the railway line; and

(c) if so, what steps have been taken to guard against this new danger?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No. Crows pick up stray wire pieces along with other materials to build nest on overhead structures.

(b) Yes.

(c) The following steps have been taken to guard against this danger which has all along been in existence:

(i) Special gangs of staff are employed to remove crow-nests from overhead structures during nesting season.

(ii) Insulating sheets are provided on roof of coaches of electric trains in the vicinity of pantographs

(iii) Bird guards are provided on overhead wires close to the structures.

**Manufacture of Coaches, Diesel and Electric Locomotives**

941. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state.

(a) whether the three production units of the Railways manufactured 535 shells of coaches, 517 furnished coaches, 138 diesel and 54 electric locomotives during 1975-76;

(b) if so, the percentage of imported parts used in coaches; and electric and diesel locomotives; and

(c) whether the manufacture of steam locomotives has been completely abandoned?

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

(b) The percentage of imported parts used was as under:—

(i) Electric Locomotive . . . . .	B.G.	13.7%
(ii) Diesel Shunter WDS-4 and Diesel Locomotive ZDM-3/ZDM-4 . . . . .		19.0%
(iii) Diesel-Electric Locomotive . . . . .	B.G.	9.5%
(iv) Diesel-Electric Locomotive . . . . .	M.G.	9.4%
(v) Fully Furnished Conventional Coach—		
(a) inclusive of steel and wheels & axles: . . . . .		23.85%
(b) excluding steel . . . . .		3.59%

(c) Yes.

#### Muslim law of Polygamy

942. SARDAR SWARAN SINGH SOKHI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Pakistan, Bangladesh, Tunisia and other countries having a majority of Muslim population have amended the Muslim Law of Polygamy; and

(b) whether Government propose to enact such a legislation in India to bar Muslims from keeping more than one wife at a time so as to bring it in line with majority Community of the country and make family planning a success under the 20-Point Economic Programme of our Prime Minister?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): (a) Certain restrictions on polygamy have been imposed in Pakistan. Polygamy has been banned in Tunisia, Algiers and Turkey. Regarding Bangladesh, this Ministry has no authentic information in the matter.

(b) There is no such proposal.

#### Recommendations of the various Committees on Commission rates of Petroleum and high speed diesel

943. SARDAR SWARAN SINGH SOKHI: Will the Minister of PETROLEUM be pleased to state

(a) whether the Oil Prices Committee had sent any recommendation to Government of India in January this year, regarding fixation of new Commission rates of petrol and high speed diesel oil which remained unchanged since 1955;

(b) whether Shantilal Shah Committee on oil prices had also made certain recommendation;

(c) whether the NCAER in its report to Government of India in 1972, had also made recommendation for upward revision of commission on both the above mentioned products;

(d) whether the petroleum dealers in the country are facing many problems due to non-revision of the Commission; and

(e) if so, what steps Government propose to take to implement the recommendations of the Committees?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) to (c). Yes, Sir.

(d) and (e). As recommended by the Oil Prices Committee in its Interim Report submitted in January 1976, Government introduced *w.e.f.* 1-7-76, the sliding scale of commission to make outlets of low and medium throughput economically viable, at the same time containing the high profits of the high throughput outlets. On an average, the commission works out to Rs. 65/KL for motor spirit and Rs. 40/KL for high speed diesel oil, instead of the previous commission of Rs. 41.80/KL and Rs. 17.60/KL respectively.

Dealers have made further representations to the Committee whose final report is awaited.

#### Catering system in trains

944. SARDAR SWARAN SINGH SOKHI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the catering system is deteriorating day by day in Mail Trains like Kalka Mail and other fast Express trains whereas the food served in Rajdhani Express is of superior quality;

(b) whether Government propose to change the present catering system in fast trains; and

(c) if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No, on the contrary, the standard of catering service, provided on Mail and fast Express trains has progressively improved. The Food served on Rajdhani Express Train is of different quality as special higher tariff is charged from the passengers travelling by this train.

(b) and (c). With a view to supplying better quality of food on the Mail and Express Trains, base-kitchens were set up on important routes to serve ready-to-serve meals. Under this system, food prepared under hygienic condition is picked up in insulated

trolleys and supplied to the pantry cars on trains where it is stored in hot cases and supplied hot to passengers on run. It is now our policy to extend the system progressively to other trains.

#### Fall in growth rate of IOC

945. SHRI JAGANNATH MISHRA: Will the Minister of PETROLEUM be pleased to state:

(a) whether the growth rate of Indian Oil Corporation has lately registered a fall; and

(b) if so, the remedial measures proposed in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). Yes, Sir. The growth in total sales of IOC during the last three years has been as under:

1973-74	. . . . .	7.2%
1974-75	. . . . .	4.0%
1975-76	. . . . .	1.9%

This decline in growth has been the result of fall in overall consumption of POL products in the country and the greater availability of products with Hindustan Petroleum Corporation and Bharat Refineries Limited, crude supplies to whose refineries were earlier restricted. This decline in growth has thus been inevitable.

#### Compilation of financial statements by Companies

946. SHRI B. S. BHURA:  
SHRI D. K. PANDA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether most of the companies take abnormal time for compilation of their financial statements;

(b) whether Government have any proposal to make it compulsory for

companies to prepare their financial statements before expiry of the next consecutive financial year; and

(c) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA): (a) No, Sir. According to the information available in the Nineteenth Annual Report on the Working & Administration of the Companies Act, 1956 already laid before the Lok Sabha on 30.3.1976, the total number of companies at work in the country as on 31-3-1975 was 43644. 37,362 copies of balance sheet and profit and loss account were filed by the companies with the respective Registrars of Companies.

(b) and (c). Under Section 219 of the Companies Act, it is obligatory for the companies to lay before the annual general meeting, a balance sheet and profit and loss account within a period of six months from the date of closing of its financial year. Section 220 requires that three copies of these accounts should be filed with the Registrars of Companies within 30 days from the date of adoption in the annual general meeting to be held in accordance with the provision of Section 166 read with Section 210 of the Act. Delay in holding of Annual General Meeting by the companies consequently causes delay in filing of balance sheet and profit and loss account with the Registrars of Companies. In order to obviate this delay, a proposal is under consideration to make it obligatory for a company to file its balance sheet and profit and loss account with the Registrars of Companies irrespective of the fact whether an annual general meeting is held or not.

#### **Production of Dye-stuffs and Intermediates**

947. SHRI DHAMANKAR: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether any studies have been undertaken to gauge the needs of demands and supply of sophisticated dyes and intermediates, both domestic as well as for exports;

(b) if so, whether we are technologically advanced and well equipped to produce the required type of dye-stuff and whether foreign collaboration on a selective basis is contemplated to fill any technological gaps in this regard; and

(c) what is the present capacity in the country for dye-stuffs and intermediates whether any additional capacity is being created and what types of dyes and intermediates are served for the small-scale sector?

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

(a) Yes, Sir, studies have been undertaken to gauge the targets to be fixed for various dye-stuffs and the same continue to be revised from time to time to meet the changing pattern of domestic consumption as well as in the export market.

(b) We are sufficiently advanced to produce dye-stuffs using our own technology, but for sophisticated types foreign collaboration may be considered provided an economic capacity is possible for the production.

(c) The present production capacity for dye-stuffs in the country is estimated at 16,700 tonnes per annum and additional capacity is being created to cover the gaps. The dye-stuffs and intermediates reserved for small-scale sector are:—

(i) Azo Dyes (Direct and Acids).

(ii) Basic Dyes.

(iii) Pyrazolone (Intermediate).

**Production of Associated Gas and Crude from off-shore areas of Maharashtra and Gujarat**

948. SHRI DHAMANKAR: Will the Minister of PETROLEUM be pleased to state:

(a) the anticipated production of associated gas along with the potential crude production from the Bombay High off-shore area and other promising off-shore structures of Maharashtra and Gujarat;

(b) whether any active advance planning has been done on the profitable utilisation for industrial and other purposes of associated gas which will be available from off-shore projects; and

(c) if so, what are the projects which could be harnessed and based on associated gas and other phased programmes so as to avoid pointless flaring of the gas for want of outlets to use it?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) to (c). At the optimal level, the production of oil from Bombay High off-shore field is expected to be around ten million tonnes per annum and the production of associated gas around three million cubic metres per day. The production potential of Bassein and other off-shore structures where oil has been discovered is yet to be estimated. The issues relating to the transportation and utilisation of the associated gas from Bombay High field are under study.

**Completion of alternate alignment on Kangra Valley Railway**

949. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAY be pleased to state:

(a) whether the alternate alignment on Kangra Valley Railway has been completed; and

(b) if so, the likely date by which the line would be opened to goods and passenger traffic?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Work on the re-alignment of the section between Jawanwala Shahr and Guler stations of the Kangra Valley Railway line is still in progress. M/s. Braithwaite, Burn & Jessop Construction Co. Calcutta, who have been entrusted with the work of fabrication and erection of girders for three major bridges (Dehar Sukhad and Gail) on the project, have been specifically requested to expedite the work on these bridges and to try to complete the work by end of September, 1976. It would be possible to open this line soon after completion of the bridges—say by 31-10-1976.

**Running of train between Mangalore and Subramanya Road**

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

(a) whether it has been decided to run passenger trains between Mangalore and Subramanya Road on the newly laid railway line in South Kanara District; and

(b) if so, the date by which the line will be opened for the traffic?

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

(b) Tentatively by the end of December, 1976.

**Restoration of Roads near Mangalore**

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

(a) whether the two roads from Neerumarga to Valachhil and Neerumarga to Arkula near Mangalore have



not been restored by the Railways after laying Mangalore-Hassan railway line across these roads; and

(b) if so, the manner by which these roads will be restored?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). For the road from Neerumarga to Valachhil, an unmanned level-crossing has been provided and is now in use by road users.

For the road from Neerumarga to Arkula which crosses the railway line about 2550 ft. distance from the above level-crossing, a pedestrian crossing has been provided.

Vehicular traffic will utilise the level-crossing referred to earlier.

#### Withdrawal of L.P.G. supplies to Hostels and Restaurants by IOC

952. SHRI RAM BHAGAT PASWAN: Will the Minister of PETROLEUM be pleased to state:

(a) Whether Government have directed Indian Oil Corporation to withdraw L.P.G. supplies to hostels, canteens and restaurants in the country; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). In view of the limited availability of Liquefied Petroleum Gas (cooking gas) and keeping in view the objective of giving priority to domestic users so as to help the housewives, oil companies were advised as under:—

(i) The demand for LPG from organised establishments, where cooking is done by employees, like canteens, hotels, shops, etc., should not be entertained except to a limited extent as specified.

(ii) LPG may be supplied to student hostels in areas where coal/soft coke is not readily available, on the basis of an assessment of the resident student population; and

(iii) A phased programme may be drawn up for withdrawal of LPG supply to hotels, restaurants, canteens etc. No withdrawal of LPG from those using it in the past has, however, been started yet and it has been decided to pend such action for the time being.

However, LPG connections have been allowed in a few cases of hotels/hostels which cater to the needs of foreign tourists.

#### Setting up of Kerosene Depots at Taluka Level

953. SHRI MOHAN SWARUP: Will the Minister of PETROLEUM be pleased to state:

(a) whether oil companies in public sector propose to implement a scheme of setting up kerosene depots at Taluka level all over the country;

(b) if so, the broad outlines of the scheme; and

(c) the time by which it would be implemented?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) to (c). A field survey for the development of Taluka Kerosene Depots (TKD) was conducted by the Hindustan Petroleum Corporation Limited in coordination with other oil industry members. A pilot project has also been started in Ratnagiri district. The concept of Taluka Kerosene Depots envisages setting up of Kerosene storage points, as far as practicable, in each Tehsil/Taluka, so that kerosene distribution upto Taluka level will take place under oil companies' directions as per State-wise allocations made by the Ministry

of Petroleum. The subsequent distribution of kerosene beyond TKD will be done through Dealers/Retailers and it will be the responsibility of the respective State Governments, as is the position at present. The Damle Committee on Distribution System of Petroleum Product has also commended the scheme and recommended its acceptance in principle by the Government. Recommendations of the Committee are, however, at present under consideration.

11.42 hrs.

# PAPERS LAID ON THE TABLE

MR SPEAKER: In view of the unprecedented situation, I find, some hon. Members on this side are not present. I will allow today as a special case, without any precedent, the hon. Minister for Parliamentary Affairs to lay the papers on behalf of his colleagues who are not present.

Shri H. R. Gokhale.

## NOTIFICATION UNDER SUPREME COURT JUDGES (CONDITIONS OF SERVICE) ACT

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHAE): I beg to lay on the Table:

- (1) A copy of the Supreme Court Judges (Travelling Allowance) Amendment Rules, 1976 (Hindi and English versions) published in Notification No G.S.R. 343(E) in Gazette of India dated the 18th May, 1976 under sub-section (3) of section 24 of the Supreme Court Judges (Conditions of Service) Act, 1958 [Placed in Library. See No. LT-11117/76.]
- (2) A copy of the High Court Judges Travelling Allowance (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No.

G.S.R. 344(E) in Gazette of India dated the 18th May, 1976, under sub-section (3) of section 24 of the High Court Judges (Conditions of Service) Act, 1958. [Placed in Library. See No. LT-11118/76.]

## TAMIL NADU COOPERATIVE SOCIETIES (APPOINTMENT OF SPECIAL OFFICERS) ACT

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): On behalf of Shri A.C. George, I beg to lay on the Table a copy of the Tamil Nadu Cooperative Societies (Appointment of Special Officers) Act 1976 (President's Act No. 25 of 1976) (Hindi and English versions) published in Gazette of India dated the 1st June, 1976, under sub-section (3) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976 [Placed in Library. See No. LT-11119/76.]

## NOTIFICATION UNDER ESSENTIAL COMMODITIES ACT

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): I beg to lay on the Table under sub-section (6) of section 3 of the Essential Commodities Act, 1955, a copy of Notification No. S.O. 440(E) (Hindi and English versions) published in Gazette of India dated the 30th June, 1976 extending the Cement (Quality Control) Order, 1962 to the State of Sikkim [Placed in Library. See No. LT-11120/76.]

## NOTIFICATIONS UNDER ALL-INDIA SERVICES ACT

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): I beg to lay on the Table a copy each of the following Notifi-

[Shri Om Mehta]

cations (Hindi and English versions) under sub section (2) of section 3 of the All India Services Act 1951 -

- (1) The Indian Police Service (Fixation of Cadre Strength) Seventh Amendment Regulations, 1976 published in Notification No GSR 351(E) in Gazette of India dated the 25th May 1976
- (2) The Indian Police Service (Pay) Eighth Amendment Rules 1976 published in Notification No GSR 352(E) in Gazette of India dated the 25th May 1976
- (3) The All India Services (Death cum Retirement Benefits) Fifth Amendment Rules 1976 published in Notification No GSR 758 in Gazette of India dated the 5th June 1976
- (4) The All India Services (Death cum Retirement Benefits) Sixth Amendment Rules 1976 published in Notification No GSR 158 in Gazette of India dated the 5th June 1976
- (5) The Indian Police Service (Fixation of Cadre Strength) Fifth Amendment Regulations 1976 published in Notification No GSR 812 in Gazette of India dated the 12th June 1976
- (6) The Indian Police Service (Pay) Fourth Amendment Rules, 1976 published in Notification No GSR 813 in Gazette of India dated the 12th June 1976
- (7) The Indian Police Service (Pay) Sixth Amendment Rules 1976 published in Gazette of India dated the 12th June 1976
- (8) The Indian Police Service (Pay) Seventh Amendment

Rules, 1976, published in Notification No GSR 818 in Gazette of India dated the 12th June 1976

- (9) GSR 400(E) published in Gazette of India dated the 16th June 1976
- (10) The Indian Police Service (Pay) Ninth Amendment Rules 1976 published in Notification No GSR 827 in Gazette of India dated the 12th June 1976
- (11) The Indian Police Service (Fixation of Cadre Strength) Eight Amendment Regulations 1976 published in Notification No GSR 401(E) in Gazette of India dated the 16th June 1976
- (12) The Indian Police Service (Pay) Twelfth Amendment Rules 1976 published in Notification No GSR 402(E) in Gazette of India dated the 16th June 1976
- (13) GSR 403(E) published in Gazette of India dated the 16th June 1976
- (14) The Indian Administrative Service (Fixation of Cadre Strength) Thirteenth Amendment Regulations 1976 published in Notification No GSR 404(E) in Gazette of India dated the 16th June 1976
- (15) The Indian Administrative Service (Pay) Thirteenth Amendment Rules 1976 published in Notification No GSR 405(E) in Gazette of India dated the 16th June 1976
- (16) The Indian Administrative Service (Fixation of Cadre Strength) Twelfth Amendment Regulations 1976 published in Notification No GSR 416(E) in Gazette of

India dated the 22nd June, 1976.

- (17) The Indian Administrative Service (Pay) Twelfth Amendment Rules, 1976, published in Notification No. G.S.R. 417(E) in Gazette of India dated the 22nd June, 1976.

- (18) The Indian Administrative Service (Fixation of Cadre strength) Fourteenth Amendment Regulations, 1976, published in Notification No. G.S.R. 424(E) in Gazette of India dated the 25th June 1976

- (19) The Indian Administrative Service (Pay) Fourteenth Amendment Rules, 1976 published in Notification No. G.S.R. 425(E) in Gazette of India dated the 25th June 1976

- (20) The Indian Administrative Service (Pay) Eleventh Amendment Rules 1976 published in Notification No. G.S.R. 900 in Gazette of India dated the 26th June 1976

- (21) The Indian Police Service (Pay) Tenth Amendment Rules, 1976, published in Notification No. G.S.R. 901 in Gazette of India dated the 26th June 1976

- (22) The Indian Police Service (Pay) Eleventh Amendment Rules 1976, published in Notification No. G.S.R. 902 in Gazette of India dated the 26th June, 1976.

- (23) The Indian Police Service (Fixation of Cadre Strength) Ninth Amendment Regulations 1976, published in Notification No. G.S.R. 438(E) in Gazette of India dated the 3rd July, 1976.

- (24) The Indian Police Service (Pay) Tenth Amendment

Rules, 1976, published in Notification No. G.S.R. 439(E) in Gazette of India dated the 3rd July, 1976

- (25) The Indian Administrative Service (Fixation of Cadre Strength) Fifteenth Amendment Regulations 1976, published in Notification No. G.S.R. 900 in Gazette of India dated the 10th July, 1976

- (26) The Indian Administrative Service (Pay) Fifteenth Amendment Rules 1976, published in Notification No. G.S.R. 991 in Gazette of India dated the 10th July, 1976

- (27) The Indian Administrative Service (Fixation of Cadre Strength) Ninth Amendment Regulations 1976, published in Notification No. G.S.R. 465(E) in Gazette of India dated the 23rd July 1976

- (28) The Indian Administrative Service (Pay) Tenth Amendment Rules, 1976 published in Notification No. G.S.R. 466(E) in Gazette of India dated the 23rd July 1976

[Placed in Library See No. LT 11121/76]

REPORT ON THE GENERAL ELECTIONS TO THE LEGISLATIVE ASSEMBLIES AND PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTIONS, NOTIFICATIONS UNDER TAMIL NADU HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS ACT AND A STATEMENT re DELAY IN LAYING NOTIFICATION re TAMIL NADU INDIAN MARRIAGE (REGISTRATION) RULES.

THE MINISTER OF STATE IN THE MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS (DR V A SEYID MUHAMMAD) I beg to lay on the Table

- (1) (i) A copy of the Report on the General Elections to the Legislative Assemblies of Manipur, Naga-

[Dr. V. A. Seyid Muhammad]

land, Orissa, Pondicherry and Uttar Pradesh in 1974, Gujarat in 1975 and the Presidential and Vice-Presidential Elections, 1974—Narrative.

(ii) A statement (Hindi and English versions) explaining the reasons for not laying simultaneously the Hindi version of the above report.

[Placed in Library. See No. LT-11122/76.]

(2) A copy each of the following Notifications under sub-section (3) of section 116 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 read with clause (c) (iv) of the Proclamation, dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu:—

(i) The Installation, Safeguarding and Accounting of Hundials Rules, 1975, published in Notification No. G.O.Ms 1231 in Tamil Nadu Government Gazette dated the 12th November, 1975.

(ii) G.O.Ms 1409 published in Tamil Nadu Government Gazette dated the 17th December, 1975 making certain amendment to the Administration of the Hindu Religious and Charitable Endowments Common Good Fund Rules, 1962.

(iii) G.O.Ms. 1541 published in Tamil Nadu Government Gazette dated the 21st January, 1976 making certain amendment to the Advisory Committee Rules, published in Notification No. S.R.O. A-1034 dated the 17th February, 1960.

(iv) G.O.Ms 780 published in Tamil Nadu Government Gazette dated the 30th June, 1976 making certain amend-

ment to the Installation, Safeguarding and Accounting of Hundials Rules, 1975.

(v) Three statements (Hindi and English versions) showing reasons for delay in laying the notifications mentioned at (i), (ii) and (iii) above.

(vi) Four statements (Hindi and English versions) explaining the reasons for not laying Hindi versions of Notifications mentioned at (i), (ii), (iii) and (iv) above [Placed in Library. See No. LT-11123/76.]

(3) A statement (Hindi and English versions) showing reasons for delay in laying Tamil Nadu Government Notification No. G.O.Ms. 2966\* published in Tamil Nadu Government Gazette dated the 10th December, 1975 making certain amendments to the Tamil Nadu Hindu Marriage (Registration) Rules, 1967. [Placed in Library. See No. LT-11124/76.]

#### NOTIFICATIONS 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 a copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 842 of the Companies Act, 1956:—

(i) The Cost Accounting Records (Soda Ash) Rules, 1976, published in Notification No. S.O. 1720 in Gazette of India dated the 29th May, 1976.

(ii) The Companies (Particulars of Employees) Amendment Rules, 1976, published in Notification No. G.S.R. 942 in Gazette of India dated the 26th June, 1976.

\*The notification was laid on the Table on 18-5-1976.

- (iii) The Companies (Transfer of Profits to Reserves) Amendment Rules, 1976, published in Notification No. G.S.R. 472(E) in Gazette of India dated the 24th July, 1976. [Placed in Library. See No. LT-11125/76.]

11.45 hrs

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS**  
**SIXTY-SIXTH REPORT**

SHRI G. G. SWELL (Autonomous Districts): I beg to present the Sixty-sixth Report of the Committee on Private Members' Bills and Resolutions.

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES**

**FIFTY-FOURTH, FIFTY-FIFTH AND FIFTY-SIXTH REPORTS**

SHRI NIHAR LASKAR (Karimganj): I beg to present the following Reports of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes:—

- (1) Fifty-fourth Report on Action Taken by Government on the recommendations contained in the Thirty-Fifth Report on the Ministry of Agriculture and Irrigation (Department of Agriculture)—Reservations for Scheduled Castes and Scheduled Tribes in the Indian Council of Agricultural Research (Headquarters), the Indian Agricultural Research Institute and the Directorate of Extension.

- (2) Fifty-fifth Report on Action Taken by Government on the recommendations contained in the Forty-second Report on the Ministry of Education, Social Welfare and Culture (Department of Education)—Reservation for, and employment of, Scheduled Castes and Scheduled Tribes in the University Grants Commission and admission and other facilities provided to Scheduled Castes and Scheduled Tribes by the Universities.

- (3) Fifty-sixth Report on Action Taken by Government on the recommendations contained in the Forty-eighth Report on the erstwhile Ministry of Finance (Department of Banking)—Recruitment of Probationary Officers in the Bank of India.

11.48 hrs.

**DELHI SALES TAX (AMENDMENT AND VALIDATION) BILL\***

MR SPEAKER: Shri Raghu Ramaiah has been authorised. Shri Raghu Ramaiah

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH) Sir, on behalf of Shri Pranab Kumar Mukherjee, I beg to move for leave to introduce a Bill to amend retrospectively the law relating to sales tax as in force in the Union Territory of Delhi during a past period and to validate taxes on the sale or purchase of certain goods during such period.

MR SPEAKER: The question is:

"That leave be granted to introduce a Bill to amend retrospectively

\*Published in Gazette of India Extraordinary Part II, section 2, dated 17-8-76.

†Introduced with the recommendation of the President.

[Mr. Speaker]

the law relating to sales tax as in force in the Union territory of Delhi during a past period and to validate taxes on the sale or purchase of certain goods during such period."

*The motion was adopted.*

SHRI K. RAGHU RAMAIAH: Sir, I introduce the Bill.

11.50 hrs.

**TERRITORIAL WATERS, CONTINENTAL SHELF, EXCLUSIVE ECONOMIC ZONE AND OTHER MARITIME ZONES BILL—contd.**

MR. SPEAKER: The House will now take up further consideration of the following motion moved by Sri H. R. Gokhale on the 16th August, 1976, namely:—

"That the Bill to provide for certain matters relating to the territorial waters, continental shelf, exclusive economic zone and other maritime zones of India, as passed by Rajya Sabha, be taken into consideration."

The time taken was 25 minutes. Shri Jagannath Rao may now continue his speech.

SHRI JAGANNATH RAO (Chattrapur): Mr. Speaker, Sir, I was submitting yesterday how, at the United Nations Conference on the Law of the Sea a broad consensus was arrived at regarding the territorial waters, its extent, continental shelf and maritime zones which are synonymous with the exclusive economic zone and, to this extent, the sovereign rights of the coastal States over these areas. What would remain to be decided by that International body was about the exploration and exploitation of the deep sea bed resources and how that body should be constituted, its powers and functions and so on. But, that does not deter us from proceeding with the

admitted areas, that is, the territorial waters, the continental shelf and maritime zones as admitted by a number of States. So, we need not wait for that.

We have got a long sea coast—the Bay of Bengal in the east, the Arabian Sea in the west and the Indian Ocean in the south. We have got vast resources. We found oil in the offshore and also other mineral resources within this area and we will have to exploit them at the earliest and we need not wait till a broad consensus or an agreement is arrived at at that Conference regarding the other matters which are still unresolved.

Sir, the international conferences go on unending; they do not arrive at decisions. That does not mean that we should sit idle as spectators and should wait till a final agreement is arrived at or it is signed. On such of those points as there are agreements—unanimous agreements—we should take them as decisions arrived at at the Conference and we shall have to take advantage of that and start exploiting the resources. We are exploring oil and we have exploited it and got good reserves and we shall have to intensify our efforts to find oils in the Bay of Bengal and also in other places in our country in the sea bed.

Apart from that, as I said, we have got mineral resources such as manganese ore in the deep sea beds as also copper, nickel and other valuable metals. We have to take advantage of it. The sea contains valuable metals—precious stones and all that. I do not understand why we should wait till the treaty is signed or a final conclusion is arrived at on the points which are still unresolved. These are my respectful submissions firstly.

Secondly, as I said, we have no marine technology and we have not been able to apply our mind in that direction. That we will have to do immediately by taking the assistance of our friendly countries. The Soviet

Union has been helping us in several fields of our economic activities with whom we have to enter into an agreement for a period of ten, fifteen or twenty years and see that we get their technology for the exploitation of deep sea resources and to train our young men so that we can start forthwith and we should not wait for the future date. The international conferences are unending; they go on year after year. I have seen it because I happened to be a Member of the Indian Delegation in the United Nations Conference where the same subjects come every year and nothing is decided. Therefore, while we have full faith in the U.N. let us not wait for the final decision which, I am sure, will never be reached.

Apart from that, the first thing that we will have to see is about the sea pollution. Sea pollution is a problem which affects the living resources in the sea, that is, fish. It is said that four-fifth of sea pollution is caused by the land based sources and one-fourth by the ships which, by discharge of the oil, cause the sea pollution. Sir, this problem cannot be decided by the law of sea. It is outside its purview but I am sure in 1958 the inter-Governmental Maritime Consultative Organisation went into this question and suggested a broad spectrum which authorised the coastal States to make laws and regulations to control this pollution.

The shipping tonnage has increased in the last 25 years. It has gone upto 306 million GRT. Many nations depend on oil which has to be carried by bulk carriers and there is bound to be sea pollution. Therefore, this problem has to be tackled immediately since we have got a long sea coast.

Then, Sir, we have got valuable fishing fields in this continental shelf which have to be exploited but unfortunately our fishermen do not go beyond the territorial waters. We have the right to go beyond the territorial waters for fishing. In Kerala there are very good fishermen and they

are using Norwegian trawlers for catching fish. It is said Japan gets 50 per cent of its protein food value from fish. We can as well do that. The coastal States should be allowed to exploit these resources and Central Government should come to an agreement with the States and give them necessary help and need not wait till States come up individually to exploit these resources.

Then there is the problem of land-locked States. It is said that they are entitled to share the benefits of the living resources of the sea and not the non-living resources. Recently in an article written by Shri D. Sen, Secretary-General of Law of the Sea Conference it is said that land-locked States are entitled to share the living resources and not the mineral resources. The Minister may explain the position. In the other House the Minister stated that if Nepal and Bhutan want to exploit the resources of sea we will have to permit them. I want to know whether land-locked States are allowed to share the mineral resources.

Then I come to the point about historic waters. What are the historic waters which the hon. Minister has in mind. There is an interesting judgement of Justice T. R. Venkataraman Iyer of the Madras High Court in the year 1953 wherein he has explained that Palk Strait and the Gulf of Mannar cannot be said to be part of the sea. They are islands which have an opening into the inland waters and not the sea. They are part of the territory of India and the successive Sovereigns of India have exercised control over this area and it was acquiesced in by other States. Therefore, we have got that status—the sovereign status—over this area and these areas should be treated as part of the territory of India.

Then I want to know about the status of the Andaman and Nicobar Islands, the Lakshadweep and Amindiv Islands. What about Goa? Are you taking them as part of the territory of India or giving them a separate archipelago status?



**SHRI INDRAJIT GUPTA (Alipore):** Goa is in the mainland.

**SHRI JAGANNATH RAO:** It is also an island. It is connected by Karnataka.

**SHRI B. V. NAIK (Kanara):** Goa is a part of Indian territory.

**SHRI JAGANNATH RAO:** In all these cases, you have to measure the territorial waters and the continental shelf. Leave Goa alone, I would like to know about the Lakshadweep and Amindiv islands and the Andaman and Nicobar Islands. Are they treated as part of India or are they given a separate status in which case the calculation of maritime zone would be different? This has to be made clear.

Then what about the maritime boundaries with neighbouring countries? We have neighbouring countries, perhaps not that friendly, which are less friendly, like Pakistan on the one side and Bangladesh on the other. Have any talks been carried on or started with these countries about the maritime boundaries between these countries and India? Have we got any dispute or tussle between Burma and India about maritime boundaries? I understand there was a maritime boundary settlement between Sri Lanka and India. All these matters have to be gone into and settled early and the necessary maps and charts have to be published. The maps are prepared and printed at Dehra Dun where we have got the Hydrological Survey of India manned by naval officers of the Government of India and the Security Press. In 1966 I happened to go there along with some MPs. They are doing a good job. Charts have to be prepared soon so that we know our boundaries.

Then I come to some clauses of the Bill. As I said yesterday, this Bill is only an enabling Bill. It defines the geographical areas of the sea which belong to us. As regards clause 5

and 7, cl. 5 relates to the contiguous zone of India which is up to a distance of 24 nautical miles from the baseline. The continental shelf is 200 miles from the baseline. These clauses come into force on such dates or such different dates as the Central Government may notify. I do not see the reason why different dates should be notified. Contiguous area is only 24 miles from the baseline or 12 miles from the outer edge of the territorial waters limit; continental shelf is 200 miles from the baseline or 188 miles from the edge of the territorial waters. These are universally admitted by all the world States as coming within the sovereignty of the concerned State. Should we not say that our sovereignty exists as soon as the Bill is passed and assented to by the President when the Act comes into force? I do not see the reason why different dates should be appointed. This is my submission.

My second submission is this. We have got power to extend any enactment to these areas. That means our sovereignty extends over these areas. That being so, where is the need for us to say 'as if they are part of India'? When we have the right to impose restrictions or control or make rules and regulations to control the various activities of other nations in these areas, why should we say 'as if it is a part of the territory of India'? I do not see the difference.

Another thing. In these clauses, right is given to the Government to alter any of these areas. By 'alter' is meant that we may increase the limit or decrease it depending on international agreements. Therefore, that is one reason why I say that our sovereignty straightway extends and applies to these areas specified in clauses 5 and 7 immediately from the date of the coming into force of this Act.

While replying to the debate in the other House, the Minister said:

"As I have said in my opening speech, there has been universal

acceptance and everyone has agreed that 200 miles should be the limit of the economic zone. It was also said that there our sovereignty prevails in respect of the exploitation and exploration of the living and non-living resources and in certain other matters like carrying out of research, control of pollution and things of that nature."

So, when it is an accepted principle, why should we be afraid of the international community? I am sure our friend, the Soviet Union, will stand by us in the international conferences. Let us not lose further time. Let us take advantage of what has been agreed to in the conference and start exploitation and scientific and technological research in the field of exploitation of deep sea-bed resources.

12 hrs.

You say that our sovereignty extends and is "deemed to have extended." As I said while speaking on the Constitution (Fortieth Amendment) Bill, the Presidential Proclamation of 1956 fixed the territorial limits at 6 nautical miles. In 1965, after article 297 was amended by the Constitution (Fifteenth Amendment) Act, the limit was increased to 100 nautical miles. So, how can you say "sovereignty is deemed to have existed"? If it is said like that because of international understanding, that is a different matter. That is one more reason why I say that the Bill should come into force immediately and the decisions arrived at the international conference on the Law of the Seas should be put into action immediately.

SHRI SAMAR MUKHERJEE (Howrah): Sir, we generally support this Bill. The non-aligned conference is going on now at Colombo. The non-aligned countries have raised these issues of control over the seas as well as the question of sovereignty for the exploitation of the sea-bed resources. Generally I think this Bill is in conformity

with those demands. It is a fact that the areas under sea and the natural resources have become issues of big conflicts of interests. As days pass by, these conflicts are being intensified. The history of the efforts made on an international plane to arrive at some solution gives the picture that up till now since 1958, the main issues have not yet been clinched, though some general consensus has emerged from the conferences. We know that the main conflict is between the big imperialist powers and the newly-developing or under-developed countries, which were deprived of the rights to utilize the sea resources for the development of their economies and for the benefit of their people.

The Minister in his statement in the other House said that there has been some general consensus and on the basis of this consensus this Bill has been drafted. On the other hand, he has also stated that the issues have not yet been clinched and he cannot say categorically when all these will be clinched. Here we have some apprehensions and reservations that if we go on unilaterally demarcating our own areas, specifying our own rights, whether it will solve the conflicts or will further intensify the conflicts. While the conflicts with the imperialist countries is of one category, that of the neighbouring or land locked countries is of a different nature.

The Minister has made it specifically clear that there is flexibility in the scope of the Bill and in the interpretation of the areas and if in the Conference some general consensus is arrived at, or some issue is clinched, we will adjust our law according to that decision. Still, there is some fear or apprehension because these areas are becoming centres of conflict. Already there is some conflict centering some of the islands like *Paracels* and *Spratly* with Philippines and some other countries. Since in these areas petroleum and some other rich mineral resources are available, there is every likelihood of conflict. These conflicts

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should be resolved through peaceful methods, by dialogue and negotiations.

One doubt is whether our unilateral action in the passing of this Bill will bar the possibility of adjustment with those neighbouring countries which are friendly with us. In fact, there is already arrangement with land-locked countries like Nepal and Bhutan for the exploitation of the territorial waters and they can set up some structures for maritime exploitation. The reaction of those countries to this Bill is not before us.

The Minister in his speech in the other House said that New Zealand has threatened that if any unilateral action is taken without clinching the issue in the international conference, then it will unilaterally pass a law, declaring 300 miles as its economic zone.

The Minister has mentioned that America and some other States have already passed laws, but what are those laws, are they in conflict with the interests of our country? There is no report before us about that. We do not know whether by passing this law unilaterally, we are creating obstacles for a settlement at an international conference or not but there is a report that the developed countries are proposing some of the proposals of the non-aligned countries.

These are some of the questions which require clarification. Otherwise, we think we must stand firmly by the proposals of the non-aligned countries about the 200 miles economic zone and the 24 miles contiguous zone. We must have proper control and utilisation of these areas and that is why we support this Bill, but these are the misapprehensions that I have mentioned.

I think that the imperialists will not easily go down if they think that this will generally throw them out of their old controls. So, must take a firm

stand against them, but towards the friendly and land-locked countries and our neighbours we must be much more flexible. Any wrong handling may give scope for reactionary forces to isolate India. I want to draw attention to the recent example of Bangla Desh propaganda regarding the Parakka waters. This has been raised unfortunately at Colombo also. So, the fear may gain ground among the small neighbouring countries that India is now developing herself as a boss and taking full advantage of this consensus at the international conference for exploiting the resources in the narrow interests of the people of India alone. If that happens, we will lose politically though there may be some economic gains. That is why particular care must be taken in the framing of this Bill and its execution, because the other countries are also searching for new resources. As sea resources have tremendous potentialities conflicts may flare up centering these resources unless sufficient avenues are kept open for them. That is why, while supporting the Bill we want Government to be particularly careful about dealing with the demands and interests of these countries.

SHRI K. NARAYANA RAO (Bhilai).—Sir, I rise to support this Bill in the larger interests of the country not only of today, but in the light of the future prospects which it holds for the economic growth of the country. Hitherto till very recent times, the high seas have been seen mostly by the European navigational powers in the form of freedom of the high seas. But the recent technological developments have shown that there is much potential underneath the ocean and also a great future for the economic growth.

Even now, except in respect of two aspects, still the picture has not really come up clearly from all the discussions that have taken place in the international plane. The two things which have clearly emerged, as the hon. Minister has rightly said, are

about the territorial waters and also about the continental shelf. There also, there are qualitative differences. About the economic zone also, the international consensus is very clear, though about the content there are certain variables.

In the light of these things, I would like to confine myself, from the Constitutional point of view, to its implications and also to its international ramifications. From the Constitutional point of view, the recent amendment is very clear that the territorial waters cannot be claimed for whatever purposes by the respective States in the Indian Union. This has to be made clear because even today in several Federal Constitutions, the debate is going on whether the territorial waters belong to the federating units or to the Union Government. Judicial decisions are also confusing. They draw a distinction between the territorial waters for the purpose of international law and territorial waters for the purpose of exploitation of the economic resources underlying therein. Our position is very clear that, for all practical purposes, from international and Constitutional points of view, the territorial waters, the economic zone and all these things pertain to the Central Government and will be utilised for the Union purposes. Having said so, I only make a suggestion whether, in the resources exploitation, the concerned coastal States, the federating units, can be given some special concern. This is the basic issue. From the national point of view, it is true that every wealth that is drawn should go to the exchequer. But our claim for territorial waters and economic zone is based on geography in the international context; if that is our claim for a special concern about our coastal economic zone, and all that, I think, the same concern may also enter into the calculations so far as the federating States, which are the maritime States, are concerned....

AN HON. MEMBER: Rights of coastal States for what?

SHRI K. NARAYANA RAO: I am not elaborating on that, it may be in the form of royalties or whatever it may be, I do not know. I am only floating an idea, I am not elaborating on that.

AN HON. MEMBER: Fisheries come under the State List.

SHRI K. NARAYANA RAO: They draw a distinction between inland fisheries and marine fisheries. So far as inland fisheries are concerned, it is a State subject, but about marine fisheries, it was not clear before, but now the recent Amendment has made it clear—all the living and non-living resources within the entire economic zone belong to the Centre and must be utilised for Union purposes. This is only by way of convention, if you can evolve in the future, that I was suggesting a special concern to the coastal States.

Now I come to Clause 2. There was some discussion about this in the international forum, whether the islands can be included for the purpose of calculation of the limit of the territorial waters, continental shelf, economic zone or any other maritime zone. We have calculated rightly not only the mainland of this country but also the islands that we have, that is to say, we have at least two offshore islands which are Union Territories recognised in the Constitution in article 1 read with Schedule 1—the Andaman and Nicobar Islands and the Laccadive, Minicoy and Tmindi Islands. In this context I have had occasion to look into the 1958 Convention on Territorial Waters. There, they draw a distinction between islands with low water tides and islands without low water tides. I quote, in this regard, 11(2) of the Geneva Convention on Territorial Sea and Contiguous Zone, 1958:

“Where a low-tide elevation is wholly situated at a distance exceeding the breadth of the territorial sea from the mainland or an

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island, it has no territorial sea of its own."

I do not know what is meant by a 'low-tide elevation'. Anyway these islands are away from the distances specified here. In the light of these things, perhaps there is a need for a change in the law in this regard. But this is not so far as the continental shelf is concerned. The Geneva Convention concedes the extension of the continental shelf even to the island itself.

Now, certain other things. About the details the Bill has provided exhaustively. One thing, I have a doubt about the two provisions. One is about the designated areas. In the designated areas, so far as the contiguous zone is concerned, it is conceived in the context of physical reservation so that both in the economic zone concept as well as in the contiguous zone concept the government has reserved the right to designate a particular area for the purpose, *inter alia*, of physical reservation. Whether this can be conceded in the future discussions is open to doubt because this concept is conceived in a different context for the length and sometimes the coincidence, for instance, of the economic zone and the continental shelf though they run parallel to each other. But these concepts have distinct hallmarks of their own. So far as our extension of physical reservation and designation of certain areas are concerned, whether they will be protected or not and whether the international community will also come round to this concept is still doubtful.

The next point I would submit is about the delineation of the coastline between two countries about these zones.

Clause 9 provides how to draw the line in this regard. I just do not know what happens because in the earlier conventions and the Sea Law Conference, they have used two diffe-

rent types of measures. One is, for the purpose of the continental shelf. There they tried to distinguish between those states which are adjoining and those which are upward. There they have laid down two different criteria. In the Territorial Waters and the Contiguous Zone they have adopted a different zone and we just do not know what those points are and whether our provision conforms to those things or whether we have made any deviations from those positions and if so, in what regard and I wish all these the hon. Minister may kindly explain.

Now, the last point I wish to make is that in our Constitution, as recently amended, power has been given to Parliament to specify from time to time the limits of the territorial waters, the continental shelf, etc. Here, I concede that in the above concept of 'under the authority of law' probably the power is delegated as such. In this context, the Bill has provided that where there is a change in the international law and if the limit is to be altered in the case of territorial waters or the economic zone, the power is given to the Central Government to issue notifications, but care has been taken to see that no notification shall take effect without the approval of the Parliament. But this is not the position that has been taken with reference to agreements concluded with other countries with reference to the maritime boundaries between the two countries. Here, what they have stated is:

"Every agreement referred to in sub-section (1) shall as soon as may be after it is entered into, be published in the Official Gazette."

That means that it will have the effect of altering the limit provided in the Act itself. I do not know whether we have abdicated this power unconditionally and totally to the government....

SHRI JAGANNATH RAO: Like any other agreement entered into by

the Government, that will also come to the House and only with the approval of the Parliament it will be altered.

**SHRI K. NARAYANA RAO:** Not only that, clause 9(3) is very significant. It says:

"The provisions of sub-section (1) shall have effect notwithstanding anything contained in any other provision of this Act."

That means that it abrogates the very provisions of this law itself. This, I submit, is a type of vicious delegation which is not warranted. Therefore, I wish that every agreement altering the position taken here must be brought before the House and must be approved by the House. Then alone it will be in tune with the constitutional amendment that we have passed earlier stating that it will be for the Parliament to fix the limits of the continental shelf, the contiguous zone and the economic zone. I think this blanket power is not necessary. With these remarks I welcome this Bill.

**SHRI INDRAJIT GUPTA (Alipore):** Mr. Speaker, Sir, I welcome this Bill. But it gives rise to some very interesting implications and questions, which I hope the hon. Minister will clarify and reply to when he replies to the Debate.

To some extent the Bill is of course in conformity with the consensus which has been arrived at already, though not formal agreement, but consensus of agreement, on the question of territorial waters and particularly exclusive economic zones. But to some extent I see in this Bill—I don't disagree for that reasons, but I see this—that this is a sort of preemptive measure. Because, as far as I have understood it, the conventions which were adopted at the previous conferences on the Law of the Sea in 1958 and 1960 have not yet been actually finalised. That is the reason why a third conference is now taking

place. But it seems, as Mr. Jagannath Rao has pointed out that the matters are not so easy to reach agreement on and conference after conference is taking place on an issue which was become at the particular moment important, not only from the point of view of security. Considerations of security must be there and those considerations hold good always. But security considerations have now undoubtedly been overshadowed by the question of sovereignty. Science and technology has brought home to everybody the fact that beneath the waters of the ocean and on the sea-bed itself there are tremendous riches available in the form of raw materials, minerals and so on, not to mention oil. So, I agree with some speakers who have said that while we definitely should take this preemptive action in order to assert our sovereignty as we consider it very legitimate, so we should voluntarily place a limitation on it to that extent only that it should not in future, involve us in any kind of conflicts or disputes with that family of nations of which India is also a member.

I do not want to say that there are no disputes between non-aligned nations or between developing nations. There are some disputes as we know very well relating to the Law of the Sea. Such disputes may arise from time to time.

But more important than those disputes are the common interests of all the developing countries, the non-aligned countries, the countries which over the last 25 or 30 years have won their national independence from colonial powers. That should be the paramount consideration.

I think, the concept of 200 mile territorial limit has been more or less accepted. But, it has not been finalised in terms of some specific treaty. Naturally, if such concepts of territorial limits, territorial systems, contiguous zones and exclusive eco-



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conomic zones are accepted, eventually, to the extent that they are accepted it also implies a sort of shrinkage of the open seas. To that extent, the open seas will shrink and that shrinkage of the open seas has got further implications for certain countries and certain powers, of course, who may not like the idea at all. That is very obvious and, perhaps, this is one of the reasons which lie behind the conflict or the disagreements which are obviously surfacing between the developing and non-aligned countries on the one hand and the imperalist countries of the former colonial countries which were holding the colonial empires on the other, many of which are very powerful military powers which have got powerful naval forces at their command.

This exclusive economic zone is a concept which of course is vital now for the developing countries. There is no doubt about it. With that rider, I would like to ask that question which has been asked—how are the interests of the landlocked countries going to be safeguarded? We have got landlocked countries as our neighbours with whom we have got very good friendly relations. There is Afghanistan; there is Nepal; there is Bhutan and so on. We also know that by virtue of these being landlocked countries certain problems regarding transit of traffic and so on already exist between us and Nepal, for example, with which we have continuously been trying to have friendly negotiations and talks for some mutual amicable settlement. So, we have to bear in mind this one point; there must be some scope, some latitude must be there in whatever laws we frame to provide for the legitimate interests of those landlocked countries which are our neighbours and with whom we have and, with

which, we hope, to continue our friendly relations.

Sir, in this Bill, it has very correctly been stated that the right of innocent passage is the only thing which we can concede through these territorial waters which rules out of the concept of any free passage, particularly of course, in the case of warships of any kind, whether they are surface vessels or submarines or other under water vessels. For India, this is a matter of particular importance in view of what is happening in the Indian Ocean areas. I do not need to elaborate on this. Diego Garcia base has now become operational, we are told; we are reading in the papers every day and we remember what happened in 1971, during the Bangladesh Conflicts and so on. So, there can be no question of free passage. Though the rights of free passage are demanded by certain powers, in the interests of our own security, in the interests of our national defence, it is essential, as the Bill has made clear, that the only right that can be conceded is the right of an innocent passage and, to the extent, that some powers insist on going on proliferating the military bases in the Indian Oceans or building up their navies, their naval strength, it becomes all the more important for us to emphasise this question of innocent passage as against a free passage right.

I would like to know from the Minister, because I was not able to ascertain quite conclusively, whether or not, it is a fact that the United Nations General Assembly, in 1968, has declared some sort of moratorium on the exploiting of sea bed resources, especially minerals, whether that moratorium is still in force because the dispute over sea bed resources between technologically developed countries and undeveloped countries is really a matter of acute conflict of interests. And this probably could be the most difficult thing to solve. I think a Declaration was

made at the United Nations that the mineral wealth, particularly, of the sea bed, should be treated as—the words used—a 'common heritage for mankind' and, therefore some sort of a Declaration was made about the moratorium on the exploitation of these minerals until a final agreement was arrived at.

A proposal was made about setting up a Sea Bed Authority. Now, what is the position regarding that? And what is the view of our Government regarding that? It seems that certain powers are anxious that even if such a sea bed authority comes into force, it should have minimal powers and not be invested with very many powers whereas other countries like ours or the developing countries would like perhaps such a sea bed authority to have adequate powers to ensure that no country unilaterally by virtue of its superior technology and resources is able to try to appropriate some of these sea bed resources for itself. What is now the position regarding the sea bed authority proposal? I would like to have some clarification from the Minister.

Then there is the question of right of other countries to carry on scientific research in the exclusive economic zone of another country—of course, with the permission of that country. There can be no question or doing that unilaterally. I do not know what is the thinking of our Government on this question. I would certainly not recommend very much that we should give permission easily to foreign powers to come into our exclusive economic zone on the plea of carrying on scientific research because these are methods and modalities by which nowadays all sorts of things are done and all sorts of dubious and doubtful operations are carried on by certain powers in the name of scientific research.

This 200 mile economic zone will impose naturally on any developing country including India, enormous problems also which

I hope the Government has fully considered. Here is our country with an enormous long coastline and once we have defined our position and given it a statutory form then the whole business of maintaining a mechanism for coastal vigilance in order to guard the inviolability of our economic zone means something which is really quite a stupendous task calling for tremendous resources which I do not know whether we have yet been able to acquire. This problem of maintaining vigilance along the coast also implies acquisition of sophisticated under-water technology for purposes of exploration and exploitation. Would not these aspects—the question of vigilance and the question of technological resources to exploit this economic zone—present problems which we have already had to encounter? We had some experience in regard to the question of checking the smuggling operations, particularly on our western coast. We all know the volume of smuggling which was taking place from Abu Dhabi. I have no doubt that it is still continuing but on a reduced scale. In between we were faced with the problem of acquiring a few hover-crafts. Even that had presented enormous problems of finding funds and foreign exchange for acquiring these hover-crafts and so on. Once we have stated before the world through statute that this is our 200 mile-economic zone, this question of vigilance will present a very big problem from the point of view of resources. As far as the technological capacity to exploit that economic zone for our own benefit is concerned, we are now actively engaged in offshore exploration and drilling for oil, and we are still at the stage where we have to rely to a great extent, on foreign technical assistance for this purpose, which we hope we will be able gradually to overcome.

You will recall that last year when there was a question of democratizing



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zones in the Bay of Bengal within which we would carry on our exploration or drilling work and Bangladesh wanted to carry on theirs also some difficulties and problems arose as to how to appropriate one part of the Bay of Bengal to them and one part to us for this purpose.

SHRI JAGANNATH RAO: Maritime boundaries.

SHRI INDRAJIT GUPTA: It is a question of maritime boundaries. All these questions are involved. So, I hope that when we are going in for all this, the implications will be properly considered and the obligations that follow from this in the interests of our own national security and development will not be avoided but will be boldly undertaken.

As far as pollution hazards go, Shri Jagannath Rao has spoken about it. Nowadays anti-pollution technology at sea has developed considerably and is developing very fast and we should have to insist that these anti-pollution technology standards and so on should be applied rigorously to all vessels which pass through our territorial waters, that means not only foreign ships but our Indian ships also: I do not know to what extent the Indian merchant marine fleet has reached a stage of development where it is able to utilise this latest anti-pollution technology. It is all very well for us to insist that foreign ships should take necessary precautions, but we must see to it that our own vessels also are not found lacking in this respect.

One clause in this Bill has provided for offences by companies which I think obviously refers to the question of pollution from land-based companies which very often discharge all sorts of effluents into the water causing pollution hazards. Penalties are prescribed for such offences and so on. 'Companies' means, I presume, any company which is doing business in

India, whether it is an Indian company or a foreign company or whatever it is. There is no distinction. So I take it, this covers everybody. But in the case of foreign governments which may violate any of these clauses or provisions of our statute, what will the position be? It is not international law yet—that is my point. This is not yet accepted universally as international law. Any breach of international law by any country is normally dealt with in a particular way. But when we are introducing our own statute and law and some other country chooses, for whatever reason, to violate our exclusive economic zone or territorial waters or anything like that, what sort of situation will we be confronted with and how do we propose to deal with it? From what I have understood also, there is this possibility even between the best of friends of disputes arising over the question of fishing rights. We know there are so many big disputes over fishing rights taking place in so many parts of the world.

SHRI JAGANNATH RAO: Tuna in Mexico.

SHRI INDRAJIT GUPTA: Mexico and Alaska, Newfoundland and so on. We know what has been happening. There are some countries which go in for largescale maritime fishing very near their own coasts. They are so situated with the geographic and climatic conditions that the bulk of the fish catch they make is very near to their own coastal waters. But there are other countries which are also leading maritime countries in the world which do not catch their fish very near their coasts but far out in the open seas, which rely mainly on long-distance fishing fleets equipped with what are called mother ships, factory ships and all that. They stay out in the open sea for months together and do their fishing. The catch is transferred to the mother ship, processed in the factory ship which stays out and then after a long period

these catches are brought back. This question, I think, has also given rise to certain variations in the attitudes of certain countries and powers towards these definitions from the point of view of their self-interest, whether their fishing wealth is located adjacent to their immediate coastal waters or they are countries who catch fish at longer distances. It is this which determines the varying attitudes of countries. It is very difficult sometimes to define these things because there are so many species of fish which have migratory habits. They may be feeding and breeding in the shallow waters adjacent to our coast, but they migrate seasonally and go out into the open seas, where anybody can catch them and you cannot say, "it is our fish". The fish move from one coast to another in a sort of lateral direction also. We have got such countries as our neighbours also round about, where this problem may arise.

The fact is that there is a tremendous potential lying untapped. In fact, our country is one of the most backward in this respect. We have not been able to tap the immense potential lying there. We should see that once we codify these definitions in our statute, it implies that we should try to make some good use of it. Actually fishing near the coastal waters of our country, for example, would not be a very attractive proposition to distant water fleets. They do not come near our coast; they catch fish in the open seas. But we should be on our guard. Nowadays technology is moving in such a direction that powers which usually indulge in distant water fish catching can, with the help of mother ship, factory ship, etc. come very close to the coastal waters of other countries and carry on fishing, specially when that country concerned is somewhat backward in its development of fishing capacity by modern means.

All these questions arise and they are very interesting. I have no

doubt that as time goes on, we will have to face new problems and adjust ourselves, and perhaps even adjust our laws accordingly. Mr. Jagannath Rao asked about historic waters. I had also noted it down. There is no definition of historic waters in law. There is mention of historic waters, but nothing has been said as to what is meant by it. You may not specify it in the Bill here, but the minister should tell the House what is his concept of historic waters.

It is probably a happy coincidence that Parliament is discussing this Bill at a time when the Colombo Conference is in session. I saw today in the papers that Mrs. Bandaranaike in her inaugural address also has referred to the fact that this historic gathering of the heads of non-aligned governments should also discuss this question of the law of the sea and attempt amongst themselves to come to some common ideas, some common outlook on this question. It is very important. I hope that at the Colombo Conference India also will take some initiative in the matter and try, for example, to evolve at least as far as the non-aligned community is concerned, some sort of mechanism for settlement of disputes which may arise out of the law of the sea between ourselves. There are friendly neighbouring countries, countries with a colonial past, with the common objective of independent economic development, which are faced with new threats and pressures exerted by neo-colonialists and imperialist forces. At least among themselves they should try to evolve some machinery for the settlement of disputes which may arise from time to time among themselves, arising out of the law of the sea. Also, I hope they will try to evolve some methods by which there will be better co-operation in the settling of these maritime boundaries. As I mentioned the case of Bangla Desh and India, there are so many others. These are ques-

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tions which the non-aligned countries can settle very well among themselves without waiting for anybody else. They can evolve a machinery for the settlement of disputes arising out of this law of the sea, a machinery for co-operation among themselves for settling maritime boundaries and mutual co-operation, which of course will not fructify overnight, for the beneficial transfer of technology among themselves, which is most important because technologically most of these countries are still far, far behind the advanced countries, and that is where we are at a disadvantage, but we cannot always safeguard our interests simply by putting down laws on paper. Laws on paper have to be backed by resources and technology which will permit us to really assert our national sovereignty and our rights against the more powerful Powers. So, there should be some arrangement also for beneficial mutual transfer of technology among these non-aligned countries who, after all, have got such great identity among themselves which is bringing them together in this great conference which is taking place now.

With these words I support the Bill and hope that I will get replies to some of the questions which I have raised.

MR. SPEAKER: I think we have exceeded the time far too much, and still there are three speakers left.

SHRI B. V. NAIK (Kanara): While welcoming this Bill, I would like to draw the attention of the hon. Minister to fishing which is of great importance to us and to our fishermen.

Entry No. 57 of the Union List mentions fishing and fisheries beyond territorial waters as a subject to be dealt with by the Central Government, but Entry No. 21 puts fisheries as such within the State List. I pre-

sume, therefore, that as far as management of fishing and the profession of fishing is concerned, within twelve nautical miles it will be the responsibility of the State Government and their Directorate of Fisheries, and beyond twelve nautical miles it will be the responsibility of the Union Government. Besides the administrative absurdity in such a concept that after twelve miles the Central Government officials take care of fisheries and the fishing profession and that within twelve miles the State Government officials will do the same, I want to know from the hon. Minister of Law whether it is possible to identify one single agency for the purpose of administering and managing the fishing trade as such.

The point which I am making is very valid, with due apologies to Shrimati Parvathi Krishnan, because the right of fishing of Indian seamen within 200 nautical miles from the coast has never been protected and preserved as such. In defining the exclusive economic zone we have said, "exclusive jurisdiction to preserve and protect the marine environment and to prevent and control marine pollution." I looked into the definition of the "designated areas", and there the same thing continues, because it says: "In regard to the continental shelf, sovereign rights for the purpose of exploration, exploitation, conservation and management of all resources". May I know from the hon. Minister whether, since the continental shelf has been defined as including all resources, this includes the marine biological resources also.

यानी जो दरिया में जिन्दा चीजें रहती उस को बायोलोजिकल रिसोर्सेज कहते हैं।

अध्यक्ष महोदय : दरिया में नहीं, बल्कि समुद्र में।

श्री बी० वी० नायक : जी हाँ, आप ठीक कहते हैं। जिस को हम मछली कहते हैं।

This is of such vital importance to our fishermen along our coastline of 3,500 miles. In view of the encroachment of these areas by aliens with superior technology as well as trawlers, I think a categorical assurance would go a long way.

Already, in respect of coastal fishing, even today our fishermen with mechanised boats go beyond twelve nautical miles. The point that has been raised by Mr. Rao is very valid. Already, fishermen from my area are quarrelling with fishermen from Goa. Fishermen from South Kanara in Karnataka are having a battle royal, a running battle, with fishermen coming from Tamil Nadu. Already there is that fierce war. We have our own sort of cod or mackerel or sardine war. They are not able to see eye to eye. Therefore, when you have defined fishing within the territorial waters as the business of the State Governments, do we give the State Government the exclusive right to prevent other people from coming in the designated area? I hope I have registered this point and that the hon. Minister will kindly give a reply. This is a plain question, almost a fisherman's question asking you whether I as an Indian fisherman have the full right upto 200 miles—tell me yes or no—and nobody, Russian, Japanese, Chinese or Taiwanese, will come into our waters. If that is protected, it will have a tremendous impact on our fisheries trade and on the growth of our trawlers, and there will not be this dog fight between the big and small fishermen.

Within the area of the exclusive economic zone you want to put the designated area and the contiguous zone, but if I have understood aright, the area of territorial waters was purely on the basis of the international power situation. It was an area which could be said to be within the gunshot of your mainland canons. But now, with the missiles that have

been added to the armouries of the world, no area of the earth is protected against the missiles.

Therefore, the meaning of an economic zone today has a significance; it has an economic significance. We congratulate the Minister. I hope that....

MR. SPEAKER: The hon. Member will continue after Lunch.

We adjourn to meet again at 2.00 p.m.

13.00 hrs.

The Lok Sabha adjourned for Lunch  
till Fourteen of the Clock

The Lok Sabha re-assembled after Lunch at four minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

TERRITORIAL WATERS CONTINENTAL SHELF, EXCLUSIVE ECONOMIC ZONE AND OTHER MARITIME ZONES BILL—Contd.

MR. DEPUTY-SPEAKER: Mr. B. V. Naik to continue his speech.

SHRI B. V. NAIK: Leaving aside the question of the fisheries in regard to the exclusive rights of our fishermen, the next issue is with regard to the territorial waters. Clause 3 of the Bill says clearly:

"The sovereignty of India extends and has always extended to the territorial waters of India (hereinafter referred to as the territorial waters), and to the seabed and subsoil underlying, and the air space over, such waters."

All along our coast there are those coastal strips lying virtually at zero altitude. The zero altitude of a particular area usually puts it be-

[Shri B. V. Naik]

low the high water-tide mark and above the low water-tide mark. In some parts of our country in an area as long as 100 k.m. there will be 20 to 30 thousand acres of land. There are no clear-cut land records existing in the States regarding these lands. These are known as salt lands, khar lands or salt water lands. As to whose clear jurisdiction it is, whether of the Centre or of the States, has not defined. I wish that the jurisdiction of this thing should be defined and it should be completely taken over by the Centre.

There is already a controversy in respect of the Backbay Reclamation in Bombay. In regard to coastal waters of India, in regard to those lands which are below the zero altitude, there is dispute as to whose jurisdiction it is. There is dispute whether it belongs to the Corporation of Bombay, the State of Maharashtra or the Union of India, as a national asset. In regard to our big metropolitan areas land out of sea-bed may be reclaimed for the purpose of constructing coastal buildings, apartments etc. There are other lands which can be reclaimed from the sea. The Central Government must come out with clear statement on the ownership and right in regard to the administration of such pieces of land. Already adequate discussion has taken place at the time of the Constitution Amendment Bill. There are international implications of this particular Bill. The only thing which I would like to suggest is this. There are land-locked countries tying themselves up together among the international communities, not identifying their interests with developing countries. They are trying to go along with Czechoslovakia and other land-locked countries.

MR. DEPUTY-SPEAKER: Do you want that also to be provided in this Bill?

SHRI B. V. NAIK: This Bill, in its assessment, and in its ultimate analysis, will have to prove its credibility on the basis of international acceptance. There are controversies in the forums of United Nations regarding the problems of the developed countries with coasts and developed countries without coasts.

MR. DEPUTY-SPEAKER: I think you are going of the limit of this Bill.

SHRI B. V. NAIK: Sir, I will try to confine myself within the 200 nautical mile limits. I welcome the Bill to the extent certain areas are defined. There is provision in this Bill that you can alter even the territorial limits of 12 k.m. Alter for what? Alter for further extension or for reduction or alter your adjacent areas? Therefore, if it is a question of an administrative order subsequently to be taken by the Government, without the sanction here. I think the word 'alter' should be curtailed. It may mean reduction or extension.

With these words, I support this Bill.

DR. HENRY AUSTIN (Ernakulam): Sir, I support this Bill. In fact this Bill is a sequel to the Constitution Fortieth Amendment Act, 1976. Those who have followed the prophecies of the traditional geologists and demographers may have noted the cynicism or pessimism about our future. From the dawn of the century, they were saying that by 2,000 A. D. we will have exhausted all our resources and that the fate of mankind would be far from desirable; would be disastrous. But, fortunately, for us, scientists, particularly, those working in the field of marine biology and related sciences pertaining to the sea have come out with scheme offering great optimism for the future; they have said that inexhaustible resources are lying concealed under the sea and with accelerated pace of the studies



of the sea resources, the concealed marine wealth can be exploited for the use of mankind. It was in this context that great articulation had been initiated in various countries particularly developing countries for the study of marine science and for the exploration of the resources of the sea. Thanks to the consistent movement or agitation that was carried on in the developing countries, particularly, by the non-aligned countries, the U.N. was moved to hold the Conference on the law of the seas. As everyone knows four sessions of this conference were already held and the fifth one is now currently being held in New York.

Fortunately, the Conference has been able to arrive at broad consensus at least on some of the major issues. And this Bill seeks to incorporate achievements so far of the Conference on the law of the seas. I happened to be in New York when our esteemed Law Minister was attending that Conference, I knew how lively it was and how effective the advocacy our own Law Minister had been to achieve some of our national aspirations in this regard at that Conference.

As everyone knows, India has a long coast line of 4,000 miles; our country includes about 1,280 islands and islets including the archipelagos of Andaman and Nicobar Islands and the Lakshadweep. This naturally makes us very much concerned about what is happening in the seas—in the Bay of Bengal, Arabian Sea and in the Indian Ocean—where we had enormous mineral resources concealed under the seas. On the western coast, in the Arabian sea—in the Bombay High and Bassein, regions we have been able to prospect and exploit oil, consequent upon the studies made about the existence of hydro-carbon in that area. As early as the later half of the 18th century, great marine biologists dis-

covered a largest fishbreeding centre known as the Wadger Bank in the seas of Trivandrum. Naturally, our country should become concerned, therefore, about the Seas and it is this concern that is reflected in this Bill that has been brought forward before us by the esteemed Law Ministers.

The most significant achievement of the conference on the law of seas is the establishment of what is called an exclusive economic zone. The traditional view, about the jurisdiction and rights of countries in regard to the adjacent seas was limited to what was called territorial waters extending only a few nautical miles from their Coast lines. But today because of these discoveries of the existence of vast resources in the seas, the concept of an economic zone was developed. This Bill seeks to establish an exclusive economic zone extending from the appropriate base line deep into the sea upto 200 nautical miles where we will have exclusive rights over living and non-living resources and jurisdiction for certain other matters such as scientific experiments.

Perhaps, we are late in this field. Already the U.S., Canada, Mexico, and France and in our neighbourhood Bangladesh, and Sri Lanka have taken legislative steps to establish this economic zone. Perhaps, our Law Minister has taken time to introduce this Bill because he was expecting further favourable outcomes from the current session now being held in New York. It is also perhaps the reason why we are saying in this Bill that Government will at appropriate time notify the time when these provisions will come into effect.

With respect to this 200 nautical miles exclusive economic zone we will have absolute sovereign rights for exploitation of living and non-living resources. Further, we will have jurisdiction over other matters including putting artificial islands or other installations for purposes of drilling and prospecting of oil.

[Dr. Henry Austin]

With regard to continental shelf earlier there was no clear cut, universally accepted limitation. Till today this subject is mainly dealt with in our country by Presidential orders. With the passing of this Bill the continental shelf will be fairly defined. The continental shelf will be earmarked from the appropriate base line extending right upto 200 nautical miles, the area of exclusive economic zone.

MR. DEPUTY SPEAKER: It may even be longer.

DR. HENRY AUSTIN: Yes, Sir, this law will undoubtedly bring much satisfaction to us by the establishment of areas for economic exploitation, but then there should be some laws regarding the seas beyond the exclusive economic zone because I believe that the entire sea should be the common heritage of mankind. Merely because we are going to establish the economic zone it does not mean that the mighty powers will have exclusive powers to do whatever they want in the high seas of the world. For instance, the much disputed Diego Garcia islands are hardly 800 miles away from my constituency. It is there that some big powers are building up a nuclear armament depot. This is of great concern to us. Even as we are concerned and are trying to bring necessary legal framework for the purpose of scientific and economic exploitation of the seas, we have also to be concerned about the security problem in our oceans.

As regards the 24 mile contiguous zone contemplated in that bill, there is the right of innocent passage but if warships have to pass it has to be with prior permission. But what about the 200 mile zone? It just out of the contiguous zone and inside the economic zone, there is a build-up of naval armaments. Security problems will become very vital. I suggest that this matter may also be brought up at the Law of the Seas conference. Of course, it is a wider question. I do

not want to bring it within the ambit of this Bill. But it being a matter of urgent importance to the weaker nations, particularly the non-aligned countries, I refer to it. You may feel that I am bringing in something which is irrelevant to our debate now, but if you have seen the TV reports of the yesterday's proceedings of the Non Aligned Summit Conference in Colombo, almost every speech made in the morning session yesterday highlighted this point of the military build up in Diego Garcia and interference with other people's affairs. In that view this is also a matter of vital interest to us and germane to this Bill.

I am sure after the Bill comes into force our scientists and others will have a great opportunity to exploit the mineral and fishery resources of our coastal regions upto the limit of the 200 mile economic zone. This is a long overdue Bill and I heartily welcome it.

१ श्री हरी सिंह (खुर्जा) : उपाध्यक्ष जी, रूदन में जा बिल माननीय विधि मंत्री ने प्रस्तुत किया है मैं उस का स्वागत करता हूँ। यह बिल हमारे देश के लिये बहुत ही महत्वपूर्ण है। प्रस्ताव की बात है कि हमारे विधि मंत्री जी का विधि सशरी बड़ा अनुभव है और सी ला का फेरितेज जो दुनिया में हुई तीनों में उन्होंने क्रियात्मक रूप से हिस्सा लिया। उसी के अनुभव में यह बिल आया है। सत्तार की जो इस सशरी में सर्वमान्य मान्यताये हैं उन्हीं के आधार पर यह बिल आधरित है। यह बिल देश की सुरक्षा के लिये बहुत ही महत्वपूर्ण है। इस बिल की धाराओं और उप-धाराओं के मात ही जाता है कि देश की सुरक्षा के लिये बात तीर पर ध्यान रखा गया है। कोई भी वापारिक या अन्य प्रकार के जहाज यासनी से आ जा सकते हैं, उन पर कक रुकवा करने की कोई बात नहीं है।

कोलिका केस की सुरक्षा को ध्यान में रखते हुए इस बिल में इस बात का प्रावधान किया गया है कि बार लिम्स, सबमैरिन्स आदि बगैर झंडा लगाये और पहले से नोटिस दिये हुये हमारे वाटर्स में नडा आ सकते।

इस बिल को पढ़ने से पता चलता है कि हमारे विधि मंत्री जी ने न केवल सुरक्षा का ध्यान रखा है, बल्कि आर्थिक परिस्थितिया का भी ध्यान रखा है। आज न केवल घरनों से बल्कि समुद्र से भी बहुत से पदार्थ मानव की भलाई के लिये निकाले जाते हैं। दुनिया की आर्थिक स्थिति और आर्थिक सत्रा में समुद्र का बहुत बड़ा रोल है, मैं उन बातों की और जिस समय आप का ध्यान नहीं ले जाना चाहना। लेकिन जो समुद्र से पदार्थ निकलने हैं उन का भी बड़ा महत्व है। 200 मीन का जो इकानामिक ज्ञान प्रेस्काईव कर दिया गया है इ; से हमारे मछुप्रा को समुद्र में पाया जाने वाली हजारो किस्म का मछिनया का पकड़ने में आसानी हो। और उस से देश की प्रोटीन की आवश्यकता पूरी होगी साथ ही मछिनियों का विदेशी में भेज कर करोड़ों का विदेशी मुद्रा कमाया जा सकती है जिसे हमारे आर्थिक स्थिति सुधरेगी। हमारे समुद्र में एक तरह की मछना हाती है जिस का टेन्ट सिगाडे की तरह उबलने के साथ होता है। वह भीन जैसी लगती है हमारी मछुप्राए उन मछनों को पकड़ कर करोड़ों रुपये की विदेशी मुद्रा देश के लिये कमायेंगे।

इस बिल से जो हमारे पड़ोसी राज्यों की सरकारों को यह भी पुर हो गई है क्योंकि हम ने निश्चित रूप से कह दिया है कि हमारा किसी देश से झगडा नहीं है, और न करना है। माननीय हुनरी आस्टिन साहब, मैं डीक ही कहा है कि हमारे

बैज्ञानिक लोग समुद्र से धन्य वस्तुओं की खोज करेंगे जिस से देश में नये नये परिकर्तन आवेंगे। इसी तरह से जो पेट्रोल की समस्या है वह भी जल्दी ही हल हो जायगी क्योंकि कि हमारे बैज्ञानिको ने पेट्रोल की खोज में काफ़ी चमत्कारी काम किया है जो तारीक के योग्य है और उस से हमारी भाषा और साहस बढ़ना जा रहा है कि हमारा देश जो पेट्रोल के संबंध में दूसरों पर आघातित था वह अब हम को अपने ही समुद्र में मिल जायगा और हम आत्म निर्भर हो जायेंगे। इस लिये इस दिशा में भी यह बिल विशेष रूप से सुरक्षा देता है। यह केवल टैरिटोरियल वाटर्स की समस्या के सत्रा में ही नहीं बल्कि आर्थिक तथा और दूसरी महत्वपूर्ण समस्याओं के सत्रा में अच्छा बिल है। एक के बाद एक उन्धाराये रख कर हमारे समुद्र के प्रशान्त का जो समस्या भी उस का हल कर दिया गया है। यही नहीं जो जहाज या हमारे आदमी हम तरह का काई काम करेंगे जो हम कानून के मुताबिक नहा हावा उस के लिये इ; विन में सजा का भा; व्यवस्था है और अन्य अपराधों के लिये जो जो सजायें है उन का भी जिक्र किया गया है।

यह विन सम्पूर्ण है और मैं समझता हू कि देश की खुशहाली के साथ साथ सुरक्षा भी प्रदान करेगा तथा पड़ोसियों के साथ अच्छे संबंध बनाने में भी सहायता करेगा। इन शब्दों के साथ हम बिल का स्वागत करना हूँ।

THE MINISTER OF LAW, JUSTICE  
AND COMPANY AFFAIRS (SHRI



H.R. GOKHALE): Sir, I am very grateful to the House because there has been a very satisfying and good debate. In fact, the standard of the discussion on this Bill has been fairly high. Although every one supported the Bill, so many points were referred to to highlight the importance of some aspects affecting the law of the seas. That is as it should have been.

In my opening remarks, I had very briefly attempted to point out the broad consensus which has emerged on some of the points which have been under negotiation and discussion in the Law of the Sea Conferences which have been taking place for the last so many years. Unfortunately, the impression generally held seems to be that the only major point in the law of the seas is the economic zone. It is no doubt a major point but not the only major point. In fact, there are many other issues of equally great importance which are being negotiated and discussed in the law of the seas conference and had been discussed in the previous conferences. The Bill does not take care of all these issues. We are here concerned with the provision of our maritime zones. With regard to other matters which are outside the scope of defining our maritime zones, the Bill does not say anything. It was not expected that a Bill of this type would say anything about other matters which do not pertain to our maritime zones.

There has been a consensus on the extent of territorial sea. We started with three miles under a Presidential Notification and then extended it to 6 miles. In the Caracas Conference which I attended as a representative of this country. I first said, it should be 12 miles. That was said on the basis of what was noticed as a general consensus in the countries participating in that conference. Today we are in a position to say that a very large majority of the countries participating in the conference, including the developed countries, have agreed that the extent of territorial waters should

be 12 miles. Even here it is not as if different distances were not claimed. Some countries claimed upto 30 miles, some up to even 100 miles. But today the position has emerged that 12 miles has been regarded as a general consensus with regard to the extent of territorial waters.

The same thing applies to contiguous zones. It begins, of course, from the same base line from which the territorial zone begins, but extends up to 24 miles, which means about 12 miles further ahead of the limit at which the territorial waters come to an end. The jurisdiction in respect of this contiguous zone is in certain matters like customs, fiscal matters, immigration, sanitary and such other matters, where ordinarily outside our territorial waters the jurisdiction of our country would not have extended and our laws would not have been applicable. So, this idea of a contiguous zone is another matter in which I think I can say safely there has been a general consensus at the Conference.

The third is with regard to the economic zone, which is most spoken of, not only in this country but all over the world, because it is a new idea which has emerged in the recent past. In article 297 of our Constitution, before its amendment by the Fortieth Amendment, there was a reference to the continental shelf, although the extent of the continental shelf and its definition was not given. But, for the first time, after the Fortieth Amendment, when article 297 was amended, there is a reference to other zones, like the economic zone, the territorial waters, the contiguous areas and the continental shelf, and power is taken under the Constitution so that Parliament can pass appropriate laws in order not only to lay down the limits of the maritime zone but also to provide for certain other matters, which are closely connected with the use to which these zones would be put by our country.

The economic zone, as I said is a recent concept, comparatively speak-

ing, and I think our country should take credit for it that for the first time it was raised by us, along with certain other countries, when we insisted that it was to the utmost advantage, particularly of the developing countries, that an exclusive economic zone of 200 miles should be available for the full exploitation and exploration of the living as well as non-living resources in the economic zone. When we say that India has complete sovereignty, or will have complete sovereignty over the economic zone....

**SHRI N. K. P. SALVE (Betul):** Will it be complete?

**SHRI H. R. GOKHALE:** No, I am coming to that. When we say that we have sovereignty, it is not to say that the economic zone will become a part of the territory of India. Someone said earlier that when you are saying for an economic zone you have complete sovereignty, certain laws can be extended and made applicable to that area, as if it is a part of the territory of India. It is not so. So far as territorial waters are concerned, of course, they are part of the territory of India, but not the economic zone.

In the economic zone one will have exclusive right to explore and exploit the living and non-living resources, which will of course take in the right of fisheries, which will also take in the right of deep sea mining such as exploitation of mineral resources, and all available evidence indicates that there are plenty of it not only in the economic zone which will come to us, but all over the world, in many countries which will come under the economic zone, such minerals as, for example, copper, cobalt or mineral nodules of different types, which are available at the bottom of the sea.

**MR. DEPUTY-SPEAKER:** What is the meaning of "the designated area"?

**SHRI H. R. GOKHALE:** I am coming to that. For example, in the exclusive economic zone, even though the sovereignty to explore and 1392 LS-8.

exploit is there, the right of navigation of the international community is not hampered. Now, if areas are allowed to be designated, ultimately when it is brought into force, we would have to protect our rights in respect of our installations. For example take the Bombay High, where we have got oil wells which are dug in many places. They are well within the economic zone and certainly within the continental shelf. If the areas are designated and some places were called reserved areas, by designating the same as designated areas, the navigation of certain ships through those areas will be regulated, or sometimes prohibited, so that our security installations are safe or what we are doing or what we are not doing there is not known to outside forces.

**SHRI N. K. P. SALVE:** In this area, are you entitled to have defence installations? Because, you have limited jurisdiction. I will make myself clear. In the exclusive economic zone the sovereign rights are for exploration and exploitation and for conserving ocean wealth. Section 6(b) speaks only of safety and protection of artificial islands, off-shore installations etc. Does it give you the power to put defence installations? I am asking this question because we have seen the invaluable work done at the Bombay High. You know how open and how vulnerable it is. So, this question has some significance. Could you have defence installations to protect your interest in the exclusive economic zone?

**SHRI H. R. GOKHALE:** Firstly, the provisions relating to designated areas here do not anywhere talk of any defence installations. The second thing is, they talk of designated area for certain purposes, where certain installations are there. In the economic zone navigation is free. But if certain areas are designated in respect of those designated areas certain regulations or restrictions can be put on navigation, so that our installations, or whatever we have there in respect

[Shri H. R. Gokhale]

of exploration or exploitation can be protected from outside view or from destruction or such other things. So far as this Bill goes, that is the limited purpose of providing for areas to be designated under this Act. What I was saying was that here we have got this idea of the exclusive economic zone.

The additional thing which has emerged with regard to the various zones is this concept of the continental shelf. As has been evident from the provisions of this Bill, while the idea of the economic zone depends on a distance of 200 miles, the idea of a continental shelf is not dependent on distance. It has got a geographical or geo-physical connotation. It may be that in given circumstances it may be beyond the 200 mile limit, which is part of the economic zone. I do not want to say here that our continental shelf goes or does not go beyond the 200-mile limit, but theoretically it is possible that the area which is covered by the continental shelf can be beyond the 200 mile limit of the economic zone. In any case, the right in respect of exploration and exploitation will continue up to the 200-mile limit; it would not be less than 200 miles. But if the continental shelf is beyond the 200-mile limit, then it is subject to this restriction that while in the economic zone we have got all the rights of exploration and exploitation, we have even got the right to control pollution, we have got the right for marine research and so on and so forth, if the area extends outside the economic zone but it is still within the continental shelf, then we have got the right, so far as exploitation of the resources on the ocean floor, that is, the bed of the ocean is concerned. We will be entitled to fisheries, which is limited to what is known as sedentary fish, which we will be able to take, but the water column which is above the floor up to the surface is free, that is available for everyone.

DR. HENRY AUSTIN: Suppose the continental shelf extends beyond 200

nautical miles which is the exclusive economic zone, will we have any security right in respect of that area beyond the 200 miles, if it is within the continental shelf?

SHRI H.R. GOKHALE: In respect of the economic zone, there is no doubt that we have got the exclusive right for exploration and exploitation, both in respect of the resources in the water column and at the bottom of the sea, on the sea floor.

MR. DEPUTY-SPEAKER: Not even fishing, only sedentary fish.

SHRI H. R. GOKHALE: That is beyond the economic zone, where we are outside the economic zone, but still within the continental shelf area, where we have got the right of exploitation of the sea bed or the ocean floor. Sedentary fish is regarded as part of the ocean floor resources, which can be exploited by us within the continental shelf areas.

The definition of the continental shelf was first evolved in the Convention which was signed in 1958, which is called the Geneva Convention. Subsequently, no Convention as such has yet been signed. There, of course, there was a very general definition given, which would mean that 'continental shelf' would include the shelf plus the natural prolongation of the coastal territory which was taken, the slope and the rise upto the end of the margin; it will all be covered within the continental shelf concept; the sub-soil area, and the bed area will be there. That is what is generally accepted now as the concept of the continental shelf and which is now taken in the Bill as defining the continental shelf because it is thought—and I think rightly—that on this aspect of the matter, there is no difference. There is substantially no difference even between the developed countries and the developing countries with regard to these four concepts—if I may repeat very briefly, the concept of territorial waters, the concept of economic zone, the concept of contiguous

zone and the concept of continental shelf.

One question has been raised—I expected that it would be raised—and that is, why is it that the two clauses of the Bill, namely, Clause 5 and Clause 7, one dealing with contiguous zone and the other dealing with exclusive economic zone, these provisions, are not being made effective immediately after the Bill receives the assent of the President. I had said earlier—and it was rightly pointed out by hon. Member, Shri Indrajit Gupta, in the course of his speech and I fully agree with him—that there should be no attempt to give an impression that we want to take any unilateral action. The whole thing is being discussed at the international level. While it is true that there is a consensus in respect of some of the matters, it is equally true that that consensus is still a consensus, it has not matured into a treaty which can be regarded as part of the existing international law. I hope there will not be any difficulty so far as these concepts are concerned. When they come, nobody will be in a position to say that, by taking unilateral action, depending only on the consensus, we have, by legislation, in exercise of our sovereign powers, done this or done that.

A reference was made by hon. Member, Shri Samar Mukherjee, to the legislation passed in the United States. The Congress has passed a legislation and there, of course, as far as I have been able to gather, it is limited to the right to exploit fishery resources upto 200 miles. There also, the legislation is not made effective immediately; it is to come into effect from March 1977. The whole idea was made clear by Dr. Kissinger when he spoke in the meeting, to which he referred, in New York; he said that, first of all, there should be no unilateral action; the second thing was that this would lend a certain degree of urgency to the deliberations of the Conference; every one was greatly disappointed and had, in fact, become pessimistic that this Conference had

dragged on from year to year for years to come and nothing concrete was coming out, and unless something like a push was made applicable, no final conclusion would be reached. I do not want to comment on what Dr. Kissinger said and to what extent he was right or not. But the fact is that he had said this in the meeting in New York, to some businessmen whom he was addressing; in that meeting, he spoke extensively about the American point of view regarding the Law of the Sea question. We do not wish to give any impression that we are taking any unilateral action...

SHRI N. K. P. SALVE: Irrespective of what they say.

SHRI H. R. GOKHALE: Yes, irrespective of what they say. We have not said March 1977. All that we have said is that it will be when the Government will, by issuing a notification, bring them into effect. Therefore, our option is open, to decide on the appropriate time when these provisions should be brought into force. In fact, we really give effect to the idea that there will be no unilateral action. It is not perhaps that clear in respect of the American legislation because there is a sort of ultimatum in that, that is, upto March 1977; then their law will be passed and they will go ahead with the exploitation of the resources of 200 miles, whatever the International Conference on the Law of the Sea may or may not decide. It is true that these are not the four things which really are important to the Conference. There are many more things of very great importance on which there has been no understanding, where we are far away from consensus yet. One such thing was referred to and, very appropriately, by Mr. Indrajit Gupta in his speech. Of course, as he said, as you go on fixing the zones,—he used a very appropriate word,—the area of the open high seas gets contracted. I think he said there is a shrinkage of the open sea. That is what he said. It does happen. To the extent you give exclusive rights to the coastal States,

[Shri H. R. Gokhale]

that part of it goes out of what will be the open sea for exploitation. Therefore, the people who want to have everything for themselves do look upon these things with a certain degree of resistance.

Now, in the last Conference in New York, not this one which is going on now, an attempt was made by the United States of America to introduce this principle that even though these economic zones are acceptable, for the purposes of other reasons they can still be regarded as part of the high seas. Now it was a contradiction in terms and we have resisted it and ultimately, it has not gone through. But this supports the idea that the shrinkage of the high seas does not become very palatable to some of the countries. If you go to the high seas, that is where really a substantial area of disagreement particularly between the developing countries and the developed countries has arisen.

Now, who will exploit the areas which are on the high seas and which have been regarded as the common heritage of mankind? My friend, Mr. Gupta, was right that the United Nations had passed a resolution in 1971, if I am right, laying down a certain moratorium with regard to the exploitation of those areas until a final treaty was signed or an agreement reached. The United Nations resolution in this respect, as in other respects, is, of course, of great moral value, but nothing more than that.

While, I know, for the purpose of commercial exploitation, this moratorium has so far been adhered to, attempts are being made in the Law of the Seas Conference where there is an encroachment, there is an attempt at an encroachment for themselves alone to explore these areas of the high seas to the detriment of an international authority which is called the International Sea-bed Authority which is sought to be established. Most developing countries have supported the concept of the constitution of an International Sea-bed Authority. So also

India. But now the conflict there, the discussion there and the difference there which has emerged out of this is that the International Sea-bed Authority may do it in the high sea areas which are the common heritage of mankind; but as for countries and authorities which are developed, which have got the technology, which have got the resources and which have got the wherewithal for exploring these areas, why should they be prevented from exploring these areas even though an International Sea-bed Authority is established? Now, this is resisted very much by us and by other developing countries. One reason is that if such a thing is allowed, there is a great danger of the International Sea-bed Authority itself becoming, what you call, a non-starter. Therefore, if it is to be a matter fully under the control of an International authority such exploitation or exploration of these areas, in addition to the exploitation by the International Sea-bed Authority, becomes extremely dangerous for other countries which do not have the resources. All the resources will be pooled. In fact the resources of the International Sea-bed Authority also, to a certain extent, will come from the countries which have got the resources and the money, and when they do not have the incentive to build up the International Sea-bed authority and they have got a right to go on, on their own, exploring these areas, the International Sea-bed Authority will be a mere dream. An international regulation of exploitation of these resources of the high seas will act sufficiently to the detriment of the interests of the developed countries...

MR. DEPUTY SPEAKER: Is there a convergence of interests of big powers in this regard?

SHRI H. R. GOKHALE: There is, to a certain extent. The big powers have converged on this. The point is really the question of the haves and the have-nots. Those who have the technology, those who have the money, those who have everything else which

is needed to carry on this on their own want to do it irrespective of whether or not...

MR. DEPUTY SPEAKER: Cutting across ideological lines?

SHRI H. R. GOKHALE: Yes, cutting across even ideological lines. This has happened. We have been discussing this, and a delegation of the Americans—with their leader who was also the leader in the conference in New York—as well as the Soviet Delegation came here and we have had long discussions with regard to these points of view. So far we have only parted where we were; but we have not given up hopes. We think, with sufficient pressure being brought by developing countries, some reasonable way out would be found whereby those who are in a position to exploit these resources will not do it to the disadvantage of developing countries. Mr. Indrajit Gupta referred in his speech to non-aligned nations and the conference in—Sri Lanka. I heard the speech of the Prime Minister of Sri Lanka, Mrs. Bandaranaike, in regard to law of the sea. Some time before, our Prime Minister had spoken with regard to the new colonialism coming out of these disputes relating to law of the sea and the necessity of the countries coming together with their technology and resources to develop these on the basis of collective efforts. Probably the non-aligned conference must be the appropriate forum to give a push to this idea. In all the conferences which I have attended so far, our delegations have been trying to work in close harmony and cooperation with the Group of 77, and the other developing countries. By and large, regarding these major issues, an attempt was made to pose the issue which is to the advantage of the developing countries.

A reference was made to the question of scientific research in the economic zone. I have said, so far as scientific research in the economic zone is concerned, with regard to pollution and scientific research the coastal

State will have the jurisdiction. Rehere they were saying that in respect cently when the Americans came of foundational research they should have the power to carry on research not only in economic zone but in territorial waters. These are matters which are pending discussion and solution at the international level, in the international sea conference.

As to pollution, particularly, with reference to pollution by oil by navigation, a convention was signed sometime back, India had signed that convention with regard to pollution of the sea by oil coming out of the ships. Our Merchant Shipping Act was accordingly amended. A question was asked as to what happens when other country's ships go there. It is true that there are some international immunities and it may be that these matters will have to be settled through diplomatic channels, through certain legal regulations and so on. These are matters which have to be taken care of by having appropriate legislation in this country as a follow-up action in respect of the legislation which this House is considering just now. Now, some questions were raised.—I think, that discussion is a little out of place here—with regard to the inter-State relations between State and State and the Union Government, whether fisheries are a matter for the States or whether it is a matter for the Centre. All these discussions, if I may say so, with respect, are irrelevant. That is an internal matter and, I think, that by regulations or by discussions or by negotiations, those matters can be easily settled.

My hon. friend, Shri Naik, was, for example very much keen to know as to whether, after 200 mile economic zone is set up, our fishermen will be entitled to go and fish in that area exclusively in the sense that the fishermen from other countries will not be able to go there. The answer is obvious that it really the Indian fishermen who alone will be entitled to do so. And that is why you will notice



[Shri H. R. Gokhale]

that in clause 5, there is an injunction that "no person including a Foreign Government, shall except under and in accordance with the terms of any agreement of the Central Government, or by a licence or a letter of authority granted by the Central Government, explore or exploit any resources of the exclusive economic zone." There is a proviso that:

"Provided that nothing in the sub-section applies in relation to a citizen of India. ."

This does not apply to a citizen of India. So, my hon. friend, Mr. Naik, need have any anxiety any longer.

With regard to the maritime boundary, in some cases, that has been settled by negotiations. For example, with Sri Lanka they have been settled. They have also been settled with regard to Indonesia. Discussions are now in progress with the other countries and they are still in the process of negotiations and we hope that even with regard to the other neighbouring countries, solutions advantageous to both the countries will be found. In fact, an attempt has been made in this regard.

SHRI H. N. MUKERJEE (Calcutta North-East): What about Burma and Bangladesh?

SHRI H. R. GOKHALE: I am coming to that. As I said already with regard to Sri Lanka and Indonesia boundaries have been demarcated already. Negotiations are going on with Burma, Bangladesh and Maldives with regard to maritime boundaries. Efforts also have been made to enter into negotiations with Pakistan and Thailand for the demarcation. If and when these negotiations come to a stage when we can say that an agreement has been reached; naturally it will be published and it will be known to everyone. An attempt has been made to find a solution by negotiations rather than by unilateral

action. Other questions were raised which were very valid. They were with regard to the historical waters. It was said this Act does not define the historical waters. It does not define the historical rights. It is well understood that so far as historical waters are concerned, they are those over which the coastal states effectively, continuously and, over a substantial period of time, exercise the sovereign rights with the acquiescence of the community of States meaning thereby that irrespective of the zones which are the result of an international law or any other legislation, by force of historical circumstances, certain waters have been recognised as such by a community of States which were affected by them. In the historical waters, we have the right to exploit or explore the resources. They are recognised as historical waters.

So far as Sri Lanka is concerned, with regard to the Palk Straits, by an agreement, they have been accepted as our historical waters on our side. With regard to the other part, discussions are going on and may be, some solution will be found with regard to that also.

I think I have already said about the pollution. I said that any discussion with regard to the federating Unions of India may not be necessary and may not even be proper to be entered into. At this stage, when we are discussing this Bill, I have tried to clarify the position with regard to the international sea-bed authority and the exploitation of the resources underneath the high seas which are the common heritage of mankind. I have also said about the scientific research in the economic zone and such other allied matters which form the subject matter of this legislation which is before the House for consideration to-day. Sir, I am very much thankful to the hon. Members for having taken such keen interest and raised issues of great importance. In fact, I would have been very much

disappointed if these issues had not been raised in the course of this discussion. I once again thank all the hon. Members for participating in the discussion and propose that this Bill be taken into consideration.

15 hrs.

**SHRI H. N. MUKERJEE:** Since it is the idea that developing nations should move as closely together as possible, may I know how in relation to the idea not only of historic waters which seems to me somewhat intangible but also with regard to the more concretely defined economic zone whether we have had discussions with such countries as Burma and Bangladesh because this idea of the economic zone extending to 200 miles or so on the part of both Burma and Bangladesh might lead to certain purely geographical problems which would have economic and other repercussions and those problems would have repercussions on us also? Since this is a legislation which is going to strengthen our hands in the task of having an international understanding, may I know if in regard to our own neighbours—who are all developing countries—we have had discussions which gave us tangible idea of concretisation of the economic zone and similar other devices which are mentioned in this Bill so that we can proceed in a more optimistic manner?

**SHRI H. R. GOKHALE:** In fact, there are two important matters about which I forget to mention. One was the landlocked countries and the other is regarding the islands like Andaman and Nicobar. But before I do that I would refer to what Shri Mukerjee said. First of all, I said that so far as demarcation of the maritime boundaries between India and Sri Lanka and India and Indonesia are concerned, an agreement has been reached. So far as other countries like Burma, Bangladesh, etc. are concerned, discussions are in progress. We have tried to open

negotiations even with Pakistan. The approach has been to settle the matters by negotiation and the conflict which would otherwise arise would be sought to be avoided on respect of all these countries.

Coming to Andaman and Nicobar islands, that has been a point on which there has been a difference of opinion between the position which we took at the last Conference and the other countries. Of course, Andaman and Nicobar islands are part of the territory of India. They are not archipelago States in themselves as some other archipelago States are but still they have all the characteristics of an archipelago. They are a cluster of islands. They have got their own internal waters and for all practical purpose they may not be distinguished from the other archipelago States. But in suite of the benefits which these islands and their clusters should receive on the basis of the various zones which are sought to be established we had been saying that these should be regarded as archipelagos and they should have status which other archipelagos have. There are about thirty such archipelagos all over the world. The other countries where similar questions have arisen have taken this attitude that though part of the mainland, they are archipelagos geographically and for all other practical purposes should be given the same status as full-fledged archipelagos. This has been resisted by other countries particularly the powerful countries and I would not say that the whole question is closed because we have raised it over again in this Conference being held at New York and will continue to raise it in future. Even though they are not recognised as archipelagos, the 200-mile limit is going to apply even on the basis of their being mere islands. But the point is that there are various other issues which arise when they are regarded as archipelagos, the question of internal waters and so on and so forth. Therefore, we are not satisfied with a status



[Shri H. R. Gokhale]

which is less than an archipelagic status for these islands, which are part of the territory of India.

Then with regard to landlocked states, we had taken, according to my submission, a very reasonable attitude at the conference because we ourselves are concerned very closely with some landlocked states like Nepal and Bhutan. We wanted to take a reasonable attitude. We decided that we recognise that even though these landlocked states are disadvantaged because they are not on the coast, they should not be completely denied all the benefits of the resources of the sea. This is the position taken by some other countries also in respect of landlocked states, but there is certainly no unanimity, consensus or understanding yet. We have been saying that while they should have the benefit of exploiting the living resources of the sea, they will not have the right to exploit the non-living resources of the sea, but all this, we said, will depend on mutual understanding and negotiations, because even if Nepal has to come to the seashore for exploiting the living resources, they will have to pass through the territory of India and such matters as the right to have a route or, for example, to lay down pipes or whatever is necessary can only be determined by mutual negotiations between the landlocked state and our country. But generally our attitude has been of sympathy and understanding so far as the landlocked states are concerned. No solution has yet been reached, but I hope as days go by in this conference or, may be, in the next, some way out will be found.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for certain matters relating to the territorial waters, continental shelf, exclusive economic zone and other maritime zones of India, as passed

by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: We take up clause by clause consideration.

The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

Clause 2 was added to the Bill.

Clause 3—(Sovereignty over, and limits of territorial waters).

SHRI B. V. NAIK: I move:

Page 2, line 6,—

for "alter" substitute "extend"  
(5)

I only want to ask the hon. Minister whether 'alter by notification...' means rejection or does it mean only extension.

MR. DEPUTY-SPEAKER: May mean anything.

SHRI H. R. GOKHALE: It is very easy. Alteration is a much wider term than extension.

MR. DEPUTY-SPEAKER: The question is:

'Page 2, line 6,—

for "alter", substitute "extend"  
(5)

*The motion was negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 3 stand part of the Bill".

*The motion was adopted.*

Clause 3 was added to the Bill.

MR. DEPUTY-SPEAKER: Clause 4. Amendment No. 1 by Shri K. Narayana Rao. He is absent. The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5 to 8 were added to the Bill.

MR. DEPUTY-SPEAKER: Clause 9. Amendments by Shri K. Narayana Rao—he is absent. The question is:

"Clauses 9 to 16 stand part of the Bill".

The motion was adopted.

Clauses 9 to 16 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. R. GOKHALE: I beg to move:

"That the Bill be passed".

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed".

The motion was adopted.

15.10 hrs.

# CONTINGENCY FUND OF INDIA (AMENDMENT) BILL

THE DEPUTY-MINISTER IN THE  
MINISTRY OF FINANCE (SHRIMATI  
SUSHILA ROHATGI): Mr. Deputy-  
Speaker, I beg to move\*:

"That the Bill further to amend  
the Contingency Fund of India Act,  
1950, be taken into consideration."

The Bill seeks to further amend the Contingency Fund of India Act, 1950, for the purpose of raising the corpus of the Contingency Fund of India Rs. 30 crores to Rs. 50 crores. The Contingency Fund of India was established under article 267(1) of the Constitution in 1950 with a corpus of Rs. 15 crores to enable advances to be made out of it for purposes of meeting unforeseen expenditure pending authorisation of such expenditure by Parliament by law under article 115 or article 116 of the Constitution. The corpus of the Fund was raised to Rs. 30 crores in 1970.

Of the total corpus of Rs. 30 crores, Rs. 2 crores have currently been placed at the disposal of the Ministry of Railways and the balance of Rs. 28 crores is at the disposal of the Ministry of Finance to meet the requirements of unforeseen expenditure of Civil, Defence and P & T Departments.

The augmentation of the corpus of the Contingency Fund in 1970 followed the recommendation of the Administrative Reforms Commission that the corpus of the Fund should be enhanced to enable funds being found for urgent schemes and projects which could not be postponed till supply by Parliament. Another contributory factor was the convention then established in pursuance of the recommendations of the Public Accounts Committee that additional requirements for investments in or loans to public sector undertakings and private concerns, grants to private institutions and certain types of subsidies, in excess of certain limits, even where these could be met by reappropriation of savings should be treated as expenditure requiring specific parliamentary approval. This necessitates recourse in urgent cases, to the Contingency Fund, if adequate time to seek supplementary provisions from Parliament is not available. The corpus of the Fund was temporarily raised to Rs. 100 crores from 9th February to 30th

\*Moved with the recommendation of the President.

[Smt. Sushila Rohatgi]  
April, 1972, to meet the additional demands following the emergence of Bangladesh.

The position was reviewed recently. The total size of the Budget has more than doubled since the corpus of the Contingency Fund was raised in 1970. This, coupled with the aforesaid convention, has led to the need for a larger imprest with the President, in the absence of which implementation of urgent schemes will have to be deferred until Parliamentary approval is available. This will obviously be not in the public interest. Utmost caution and restraint will continue to be exercised in drawing upon the Contingency Fund.

The Contingency Fund of India (Amendment) Bill involves a withdrawal of Rs. 20 crores from the Consolidated Fund of India for transfer to the Contingency Fund of India. At this stage, however, this transfer does not involve any real outgo of cash. Sir, I move.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Contingency Fund of India Act, 1950, be taken into consideration."

SHRI DINESH JOARDER (Malda): This is a small Bill and this fund enables them to meet unforeseen expenditure that may arise in the following year, expenditure which could not be foreseen at the time of preparation of the budget as also to meet expenses on projects which are taken up after a budget is passed and before the next budget is framed and presented to Parliament. But I am constrained to say that we have not been given any specific instances over the last 28 years since the introduction of this Contingency Fund in 1950, where the Government found that the money at their disposal had been totally exhausted and some unforeseen expenditure for a new project or some other item could not be met. This fund which stands at Rs. 35 crores is being increased to Rs. 50 crores. Were there any contingencies or emergent

situations in the past when the amount in the fund was found to be insufficient? We have not been given such specific instances necessitating the increasing of the corpus of this fund from Rs. 30 to 50 crores.

It has come to the notice of the House that this fund has very often been used to meet certain expenditure which should not have been met from this fund. There are also instances of gross violation of the provisions of the Contingency Fund Act as well as the rules made thereunder. There is an instance of such violation of the provisions where money had been drawn from the contingency fund but in the appropriation accounts it had been shown to have been drawn from the consolidated fund. There is an instance mentioned by the Public Accounts Committee in their 22nd report where an amount had been drawn from the contingency fund by the Home Ministry and at the time of showing this in the appropriation accounts, it has been shown that it has been drawn from the consolidated fund. This is a gross violation of the rules and shows the negligence of the government in handling this contingency fund. The PAC report says:

"The committee are unable to understand how an advance drawn from the Contingency Fund came to be booked wrongly by the department in the accounts for the year 1973-74 as an expenditure from the Consolidated Fund. What is worse, though expenditure incurred in satisfaction of court decrees, awards of arbitral tribunals, etc. is correctly debitable as a 'charged' item of expenditure, the department committed further mistake in booking the expenditure as a voted item. This clearly indicates a gross lack of knowledge of the basic principles of accounting and classification. The committee would like the Ministry to examine this lapse and ensure that the supervision exercised over the accounting of expenditure is adequate and that responsibility for the lapse is located."

We do not know whether the recommendations of the PAC have been taken due care of, whether this lapse has been located, who are the persons responsible for this lapse, etc. Though the Report of the PAC has been placed before the House, the Ministry have not told us whether all the recommendations have been properly implemented or not. We do not know their comments on the recommendations of the PAC. This is a very recent report, of the period 1974-76. There are also earlier reports which indicate lapses relating to earlier periods.

Government have now become very negligent because they have got the two-thirds majority in the House. So, they are taking everything very lightly. Whether it is according to the law of the land or not, whether it is in consonance with the provisions of the Constitution or not, everything can be done because they have got the majority.

They are spending money and passing Bills in whatever way they like in every sphere, and they are brought before Parliament in a very casual way. We act merely as a rubber stamp for all the actions of the executive.

They say that they want to increase the corpus of the Contingency Fund from Rs. 30 crores to Rs. 50 crores. But they have not given any reasons for that. They have not explained whether they have faced any difficulty in meeting any emergent expenditure, after the passing of the budget. They have not given any specific instance to show that this demand is justified. They have not given any valid reasons for enhancing the corpus of this fund. At the same time, there are many instances of lapses in spending money, as pointed out by the PAC in many of their reports. Therefore, I oppose this move of the Government.

की मूलबन्ध. बला (ताली) :  
उपाध्यक्ष महोदय, संविधान के अनुच्छेद  
267 और 283 के अनुसार कॉन्टिजेंसी

फंड का हिस्सा एक बनाया गया था।  
उस में संशोधन करके आकस्मिकता निधि  
की राशि को 30 करोड़ रुपये से बढ़ा  
कर 50 करोड़ किया जा रहा है। यह  
रकम या तो बैंड कैपिटल है, या वह  
किसी बैंक में जमा होती है, जिसका  
इन्ट्रेस्ट मिलता है। अगर सरकार ढाढ़  
यादि देवी विपत्तियों या अन्य स्थितियों  
में इस राशि को काम में लाना चाहती  
है, तो वह इस को बढ़ा कर केवल 50  
करोड़ रुपये तक क्यों रख रही है वह  
इस को पांच गुना या सात गुना क्यों  
नहीं कर देती है। स्टेटमेंट का  
आवश्यकत एंड रीजन्स में कहा गया है  
"...बारा 2 के अधीन निधि की  
मूल राशि तीस करोड़ रुपये है।  
वार्षिक बजट में वृद्धि के परिणाम  
स्वरूप निधि की मूल राशि में भी वृद्धि  
करने की आवश्यकता अनुभव की गई है।"  
सरकार ने इस बारे में कोई कारण नहीं  
बताये हैं कि यह आवश्यकता क्यों अनुभव  
की गई है। मैं चाहता हूँ कि मंत्री  
महोदय उन कारणों पर प्रकाश डालें।

SHRI H. N. MUKERJEE (Calcutta—  
North-East): Like Mr. Daga I also  
feel that Government has not been  
good enough to vouchsafe to us the  
real reasons why this particular Bill  
has been put before us. We have only  
been told that the increase in the size  
of the annual Budget requires  
augmentation of the corpus of the  
Contingency Fund of India. I am  
afraid that Government has been  
remiss in so far as strict adherence to  
the normal processes of accounting  
are concerned, and very probably use  
of the Contingency Fund has been  
made almost in the nature of using a  
Savings Bank account in addition to  
your Current Account. You dip into  
the Savings Bank account only to  
supplement what you happen to need,  
but the Contingency Fund of India has  
to be treated more seriously, and one  
should take moneys out of the Con-

[Shri H. N. Mukerjee]  
 Contingency Fund only when there are very special circumstances. Where those circumstances can be anticipated more easily, they could be put in a different way in so far as the Budget figures are concerned they could come out of the Consolidated Fund of India not out of the special device of the Contingency Fund.

That is why as my hon. friend Shri Joarder pointed out a little while earlier, the Public Accounts Committee had to take note of a matter which had originally been raised in Parliament. My hon. friend Shri Serhiyan had raised the question of the mis-utilisation of certain moneys and the approach to the Contingency Fund of India which was of a very lackadaisical character and the Speaker had to give a ruling which required an investigation of the position to the extent that it could be made.

My hon. friend Shri Joarder has already quoted from the 222nd Report of the Public Accounts Committee which has pointed out the kind of mistake which necessitated the intervention in the matter on the part of a non-official Member and which evoked from the Speaker a ruling which required a fresh examination of the Government's attitude towards the Consolidated Fund of India and also the Government's attitude in regard to accounting processes in general.

That being so, this is a matter which cannot be lightly put before the House and pushed through. I know this would be passed in a short while and that very few Members are actually interested because everybody has got the idea that this is a routine piece of legislation but we should have a great deal more information as to how exactly the Contingency Fund of India is dipped into. It is a very special fund; it is a fund which can be utilised only on contingencies arising in certain emergent circumstances which could not be anticipated. We can understand certain things about floods and other kinds of

calamities which call for relief and other measures which require the utilisation of the Consolidated Fund of India, but the Contingency Fund, through experience, should be capable of definition in objective terms on the basis of the annual requirements, on the basis of the average recurrence of Contingencies of the sort which have taken place in the last decade or so. If we had before us facts in regard to the requirements for having to dip into the Contingency Fund of India, we can understand it but we find that it is only said that because the Budget size has increased, the Contingency Fund size should also increase. That does not exactly stand to reason and that is why it is necessary to have a better idea of what has happened before.

I need not repeat what Shri Joarder has quoted from the 222nd Report of the Public Accounts Committee, but the Committee requires that Government should take adequate steps in regard to the Speaker's ruling that the lapses pointed out should be examined, that the supervision over the accounting of expenditure should be adequate, that the responsibility for the lapses should be located. This is the Report of the Public Accounts Committee and it is evidence of the fact that Government's dealings with the Consolidated Fund of India have not been as careful and punctilious as they ought to have been. This is a pointer which is not particularly happy. There are many other instances of Government becoming rather lapse in so far as accounting procedures are concerned and the recent change in the status and the powers of the Comptroller and Auditor General of India also is an indication of how Government appears to be trying to upset certain norms, certain rules, which had been settled after a long period of experience. And that is why it requires a great deal more explanation before the House can be expected to pass this Bill.

15.30 hrs.

[Shri C. M. Stephen in the Chair]

**SHRI Y. S. MAHAJAN (Buldana):**  
Sir, I am surprised that this simple and innocuous Bill has been opposed by the hon Members on the other side.

The Contingency Fund of India was established in 1950 under articles 287(1) and 283(1) of our Constitution. It is in the nature of an imprest. It enables the Government to meet unforeseen expenditure, that is, the expenditure of an emergency type, including that on a new service till supplementary demands are granted by Parliament. Such occasions arise quite often, and provision has to be made immediately; it is not possible to wait till supplementary demands are placed before the House and are passed by it.

In 1970 the corpus of the fund was increased from Rs. 15 crores to Rs. 30 crores. In 1972, temporarily, for two months and one week, it was raised to Rs. 100 crores; because of the emergency expenditure which we had to meet immediately after the Bangladesh war. I remember having participated in the debate when hon. Members on the other side made all sorts of baseless allegations that the fund was being utilised for party purposes. I would like to say that the Fund is used carefully very cautiously and with great restraint. For instance, even if a new service is provided for in the Budget, no expenditure is incurred on it till the demands are granted by Parliament or even during the period when 'On Account' grants are passed. So much care is taken to see that it is used only for emergency purposes or to meet unforeseen expenditure.

Hon. Member, Shri Dinesh Joarder, has said that the money is used in a very negligent manner but gave no specific instances when money was so used. The hon. Member did not himself cite a single illustration to point out that the money was misused?

**SHRI DINESH JOARDER:** That was not my contention. I wanted the Government to let us know in which year

and to meet which item of the project the funds were found short and Government failed to meet it from out of the Contingency Fund.

**SHRI Y. S. MAHAJAN:** Then you could have asked for an account as to how it was used in the last five years. You said that it was being used in a negligent manner, but you have not cited any illustrations to prove that the money was so misused.

The other hon. Member said that the Fund was being used in a lackadaisical manner, that these contingencies could be anticipated and provided for. Contingency or emergency, by its very nature, cannot be anticipated; it is something which cannot be anticipated, and such emergencies are bound to increase in number as the economic transactions of Government increase in extent and depth. In 1970 our budgeted transactions amounted to Rs. 300 crores and during this year our budgeted transactions amounted to Rs. 5,500 crores. The State is taking upon itself larger and larger functions and that is because we are developing into a welfare and socialist State. Under these conditions, when some difficult position arises and money has to be expended, the Government should be able to come forward with money for it. Suppose there is an earthquake as it happened in China, do you mean to say that the Government should wait till the Supplementary Demand is passed by Parliament?...

**SHRI DINEN BHATTACHARYYA (Serampore):** Nobody has said it.

**SHRI Y. S. MAHAJAN:** In a welfare State when the Government takes care of citizens even from before birth till after death, many more of such things are bound to occur. Therefore, the demand for increase of the corpus of the fund from Rs. 30 crores to Rs. 50 crores is justified and I support it.

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI):** I thank

[Smt Sushila Rohatgi]

all the hon. Members who have participated in this short but interesting debate

At the very outset I would like to allay the fears of the hon. Members that it is not the intention and it has never been the intention of the Government that this Contingency Fund should in any way be utilised in a reckless manner or in a light manner or should be taken as a routine affair. Not so by any means. But the very nature of the Contingency Fund itself, as the previous speaker has stated, is something on which demands cannot be foreseen beforehand. So, in case situation arises, if it is not handled immediately in an urgent manner, the very purpose of the Fund itself is lost. Therefore to lay down all the circumstances is not very easy. But I do agree that what has been the need for raising it needs to be explained. For that I will just enumerate some of the cases that we had before us.

From October 1975 onwards we find that there was a greater demand for agricultural short-term loans from the various States. In fact, some of the States wanted money for the agricultural operations for pesticides, fertilisers and other things. As a matter of fact taking all together it may even come to Rs 20 crores. Agricultural operations are not something you will agree with me, which we can postpone for a long time. So in two instalments about Rs 10 crores were taken out for this. And I hope hon. Members will agree that it has not only borne fruit but it has really done something which has justified the purpose for which it was taken.

At the same time we also launched a Regional Rural Bank Scheme. Our Minister is sitting here—and for that also some money was required and the only way this contingency could be met as expeditiously as possible was through the Contingency Fund. Therefore, we find that money was also required for the Regional Rural Banks. I am sure that you will agree

that not only it has done well but, as a matter of fact, there is a demand from almost all the States that there should be more Regional Rural Banks in every State.

Now, another need arose for developing co-operatives for proper distribution of the essential commodities to the public and for that it was necessary to strengthen and streamline the development of co-operatives and so a substantial amount of money was required for that purpose. Therefore, there also we found the need was there.

Then we found that with the levy of an excise surcharge on aluminium, some subsidy needed to be provided to the State Electricity Boards. So this action was taken in time and we have gone to the assistance of the Electricity Boards. This could not be foreseen and it could not also wait for the Parliament passing it at that particular time. So that was met and it was authorised and done.

So all these are some of the reasons. There are many more reasons. There are some court decrees against the Government and these commitments have to be met immediately. Then there were natural calamities. The calamities do not come at our invitation. So some of these things happen and we have to be prepared to go to the succour of the needy and help them at the right time. For that also such a Contingency Fund should be there. At the same time it is our intention and it will be our constant endeavour to see that there is no constraint on this and it should not be misutilised. As a matter of fact we wish to see that it receives the approval of the Parliament.

At the same time I would also like to say that I was rather sorry why our pleasant colleague, Mr Jaiswar from CPM—I do not know why—should have chosen this occasion to inject politics into the matter. I do not think that by passing this Bill the Lok Sabha will become a rubber-stamp. I do not think that is the intention. As a matter of fact, by providing more into

etc. (Second Amdt.) Bill

the corpus we will only be helping the people carry out those things which are really necessary for them and the country at large. Apart from that, there is hardly any other point except the violation that is brought to our notice. We find even in this particular instance which he has mentioned that it did not reflect any violation of the Contingency Fund of India Act. What happened was that certain items were wrongly classified in the accounts and this matter was dealt with by the Public Accounts Committee and regularisation of excess expenditure is being taken up. I think this should allay the fears or doubts in the minds of hon. Members and I request that the Bill may be passed.

SHRI DINEN BHATTACHARYYA  
Sir, there is no quorum in the House.

MR CHAIRMAN The Bell is being rung.

Now, there is quorum.

The question is

"That the Bill further to amend the Contingency Fund of India Act 1950 be taken into consideration."

The motion was adopted.

MR CHAIRMAN We take up clause-by-clause consideration. The question is

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

MR CHAIRMAN The question is  
"That Clause 1 the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRIMATI SUSHILA ROHATGI  
Sir, with your permission, I beg to move:

"That the Bill be passed."

MR CHAIRMAN: The question is

"That the Bill be passed."

The motion was adopted.

15.45 hrs.

CONSERVATION OF FOREIGN EXCHANGE AND PREVENTION OF SMUGGLING ACTIVITIES (SECOND AMENDMENT) BILL

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT

etc. (Second Amdt.) Bill

OF REVENUE AND BANKING

(SHRI PRANAB KUMAR MUKHERJEE).

Sir, as the hon. Members are aware, in December, 1974, Parliament enacted the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 to detain persons engaged in smuggling, foreign exchange racketeering and related activities. When the Proclamation of Emergency necessitated by internal disturbances was issued on the 25th June 1975, it became necessary to further strengthen the provisions of law to effectively deal with the aforesaid persons during the emergency. The Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 was therefore, amended on 1st July, 1975, by the insertion of a special provision in the form of section 12A of the Act. This section enables the Government to issue a declaration in respect of a person detained under the principal Act to the effect that the detention of such a person is necessary to deal effectively with the emergency. Wherever such a declaration is issued the statutory requirements of communication of grounds of detention to the detenu within five days of his detention and reference of his case to an Advisory Board within thirty-five days of his detention are frozen during the period the declaration remains in force. The main purpose behind incorporation of these special provisions was that some of the smugglers and foreign exchange racketeers had been posing a serious threat to the economy and thereby to the security of the nation owing to the vast resources and influence at their command. During the present emergency the observance of the aforesaid statutory procedural requirements was not considered to be in the larger interests of the nation.

These special provisions would have in the normal course ceased to have effect on the 25th June, 1976. If these had been allowed to lapse, there would have been a serious set back to the operations designed to combat smuggling and foreign exchange manipulations. It is, therefore, proposed to extend the period of operation of the spe-



[Shri Pranab Kumar Mukherjee] The provisions contained in section 12A of the Act, by another twelve months. For the removal of doubts, it is proposed to clarify that every declaration made under the aforesaid provision before the 16th June, 1976 would also continue to remain in force during the extended period.

In view of the urgency of the matter the President promulgated the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance 1976—No. 6 of 1976—on the 16th June, 1976. The Bill seeks to replace the provisions of the Ordinance.

I beg to move—

"That the Bill further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, be taken into consideration."

MR. CHAIRMAN: Motion moved: "That the Bill further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 be taken into consideration."

SHRI DINESH JOARDER (Malda)

Sir, we have heard the hon. Minister and also it has been stated in the Statement of objects and reasons that if the provisions had been allowed to lapse, that would have created a serious set-back to the anti-smuggling operations. If this is the purpose under which the provision under section 12A of the Act has been extended for an other period of 12 months totalling to 24 months what would happen after that? You may again come forward here for a further extension of this period on the same plea of a serious set-back in the anti-smuggling operations.

Is the Government thinking of extending the emergency for an indefinite period so that this draconian law may continue for an indefinite period? (Interruptions) Here I am talking about this particular amendment to section 12A dealing with the anti-social elements, smugglers who are behind the bars and not those who had been given any scope for going to the court.

Of course, I support this provision, but I want to know why the Government is coming forward before us with a piecemeal legislation. Those who had been detained under this Act should not be allowed to go to the courts for seeking any relief—that provision should be there. Normal laws of the country like the Indian Penal Code and also the amendment to that code and the Criminal Procedure Code which we have passed are also there. There should be a provision under that Act that when a particular person has been found guilty of that particular offence, there should be a public censure by publication of their names in the newspapers and there should also be a radio announcement about that, we want to know as who are these smugglers who are giving these sorts of difficulties to the Government in conservation of foreign exchange and allied matters. We want to know the names of the guilty persons responsible for foreign exchange racketeering. The names of such persons should be publicly censured. If this is not done the people at large will not know about these persons guilty of smuggling and foreign exchange racketeering. Further, they will have the scope of maintaining the same social status even after they come out of the prison. They will be getting the same social status and free entry into the society. Government must take some definite steps and the people at large should know as to the steps being taken by the Government against the smugglers and the foreign exchange racketeers.

A few days back we learnt that about 65 residences belonging to people having connections with big business houses have been searched and certain amount of money has been seized from their lockers. In this search certain big business houses are involved. A comprehensive list has not as yet been published as to the names of the persons detained under this Act and particularly under section 12A of this Act. What are the properties that have been attached and what is the amount of money that has been

recovered from them. I would also like to know from the hon. Minister as to how they propose to have a check so that these persons when they are released after some period—you cannot extend these sorts of provisions for an indefinite period—will not indulge into similar activities in future. Government must take certain measures to stop them from taking up similar activities in future. What are the views of the Government in this respect? How will these persons and their properties be dealt with? It is not clear.

Also the persons who are not yet detained and who have been indulging in smuggling activity on the northern and eastern borders are finding new ways of carrying on these activities. There are some organisations and some agencies which are lying low at the moment. As soon as the emergency is over, they might again come to the surface and carry on their activities. What steps are being taken to check and stop these activities once for all? What steps are being taken to see that these activities are stopped in other form, racketeering in foreign exchange and smuggling activities, in other parts of the country also? A few days ago in Bangalore, I think, the hon. Minister, Shri Pranab Mukherjee, held a conference with officials of the Home Ministry, police officers and other officers to see to it that smuggling activities do not come to the surface on the southern and eastern coastal areas of the country. There is apprehension on this score. We know that smuggling activities have not been stopped altogether.

Then there is this over-invoicing and under-invoicing in foreign trade indulged by big monopoly houses. You are giving them all sorts of concessions, to the jute industry, textile industry, sugar industry and many other industries. This has been discussed here earlier. By under-invoicing and over-invoicing, these houses keep a large part of the foreign exchange earned in foreign banks. Many of the persons engaged in this foreign exchange racketeering have

deposited this money in foreign banks. What are you going to do about it? Have you been able to seize any of these amounts in those foreign banks? Actually, we are not in the know of how Government are able to check this kind of foreign exchange racketeering and smuggling activity. It is not clear. Even this detention is a very temporary provision. We want Government to take definite steps on these lines.

**SHRI B. R. SHUKLA (Bahraich):** Smugglers of and racketeers in foreign exchange acquired fabulous wealth by their anti-social, anti-national and clandestine activities and when such activities assumed alarming proportions, Government was compelled to bring forward a Bill in 1974, the Conservation of Foreign Exchange and Prevention of Smuggling Activities Bill which was passed. Smugglers and racketeers are only a species of the wider class of smugglers of goods from foreign countries and also smugglers of Indian goods to foreign countries. Their activities had become all the more serious when the emergency was proclaimed on June 25, 1975. There was a tremendous salutary impact on the activities of those persons. Many of them were put behind bars. Along with various other fiscal measures, this measure went a long way to curb their activities. If any measure in the country had been widely acclaimed by the people, by the Members of the Opposition including Marxists, it was this measure. The whole House is behind the government in extending its support to the measure because everybody is fed up with the activities of the smugglers.

16 hrs.

Now the grievance of Mr. Joarder is that the House has not been taken into confidence by disclosing the names of the big sharks. Perhaps he is not realising that it would not be in public interest to publish their names at present. When normalcy returns and when the economic situa-

[Shri H. R. Shukla]

tion is brought under control the name of every smuggler should be published prominently in newspapers and it should be announced on the radio. For reasons known to the government they think this perhaps is not the time to do so.

The extension of the provisions of the original Act is sought by the Government. Everybody shares the view of the government that the leopard has not changed its spots within a short span of one year. Smuggling and racketeering in foreign exchange are not sporadic or isolated in nature or done at the spur of the moment. It is an ingrained habit of the smugglers. In order to bring home to them that they should not repeat those activities it is necessary that the provisions of the Act should remain in operation for a longer time than a short span of one year.

Now it has been said that even the worst criminal deserves a fair trial; there should be a regular proceeding in a court of law and there should be an opportunity to the criminal to know the charges against him and what evidence is there. That procedure is applicable to normal times; when the nation is passing through a critical period and crisis the normal functioning of the court should not have precedence over emergent provisions like this. They are also not ordinary criminals. They are big sharks with international ramifications and associations. They are connected to big persons even in this country. They have their own liaison with political persons also. These big sharks cannot be brought within the net of the ordinary criminal law, they will break that net. So, to punish them effectively nothing short of the provisions of the Act now being extended will meet the necessity of the situation. If any measure is going to be retrained as a permanent measure, it should be on the lines of the present Bill. Otherwise, vulgar display of wealth, threatening the economy, running of

black-markets, having a parallel economy, etc.—all these phenomena would be recurring.

With these words, I support the Bill.

**SHRI PRIYA RANJAN DAS MUNSI** (Calcutta—South): Sir, I congratulate the minister for the efforts taken by his ministry to save the country from the smugglers, speculators and persons possessing huge foreign exchange without knowledge of the government. This is a simple amending Bill extending the life of the parent Act. Mr. Joarder said, this sort of piecemeal legislation will not help. I do not agree with him. When there is emergency, some of the constitutional provisions like fundamental rights cannot be claimed by the citizens. We have observed that previously smugglers and other economic offenders used to take advantage of the situation and after getting bail from the court, they used to hide themselves, with all their property. So, the government had no alternative but to bring forward some stringent measures. Nobody can say when the emergency will be withdrawn. It is not possible for the Finance Minister to say that this sort of legislation will be ended on a particular day. I do feel that such amendments are welcome as they weaken the nerve and pulse of the people in the underworld.

Apart from paying my compliments to the ministry and the minister, I submit that some more efforts should be made. It is true that after 1974 till the end of 1975, this ministry has taken a number of steps to unearth black money, foreign exchange etc. and also to deal with smugglers having international connections. We have found some serious things in dealing with them. Fortunately, I have taken a special effort to publish the documents in a journal in our State. In a series of articles, I have ventilated the habits of the smugglers. Apart from

their trade, the smugglers have built up a society itself in which their children and other family members feel that this is not a crime but a sort of profession which should be maintained by the family members. In the Calicut area of Kerala and in some parts of Surat, I had the privilege of meeting a few young men, who were upright in character and good in academic results, but with a bad background. Their relations are still behind the bar. It appears somehow or other, due to the inefficiency of the administration long ago, this business was accepted as a social deal by these groups of people. The main contacts that they have built up in this country is, first, with the Middle East and, secondly, by the border States in the western side of Punjab with Pakistan and, on the north-eastern side, with Nepal and, of late, with Bangladesh.

I came to know during my investigation that smuggling was conducted not only in goods of this country but also there was some inhuman trade in blue films. They used to engage poor Indian girls for this inhuman profession and the blue films used to be exported to the Middle East countries by the smugglers. Since these cases are under investigation, I do not want to disclose their names in the interests of the country. This is how the people of the under-world used to operate for the last so many years.

I am sorry to say that the officials of the Finance Ministry, specially of the Department of Revenue and Expenditure, are not doing proper justice, according to the policy evolved by the Government. I am not suggesting that they are making discrimination between A and B. At the same time, there should be a broad outlook. A few days back I heard over the AIR that Shri Biswajeet Chatterjee was put behind the bars and kept in the Delhi prison for violation of the income-tax rules and that he was released the next day. It is good that you did that, though he was a noble man by heart

and he has donated a lot of his earning for the cause of the people. I am glad that Government did not spare these people. But, at the same time, I have to express my disappointment about the way in which some of the people connected with the Bombay film industry have been dealt with.

I have explained on an earlier occasion how these people connected with the film industry managed to get foreign exchange when they were abroad and how they kept it in their foreign bank accounts. First they will send their middle men to make all the arrangements. Yes, the very same people were awarded Padma Shri and they used to be invited for all the film festivals. I have to express my disappointment that not even one big shot has been touched yet. I would appeal to the Ministry to make further investigations in the matter and see that proper justice is done to all people without any discrimination.

Secondly, I want to say how the monopoly houses operate through smugglers. For example, Birla, Jalan, Bajoria or Modi will never deal directly with a smuggler. They do it through their middle men. When there was a shortage of nylon yarn, for instance, these big monopoly houses used to have dealings with the smugglers through middlemen. If at all he is caught, it is the middle men who will get the punishment. The officials have never tried to find out who are behind these middlemen. If an enquiry is made to find out the real people behind them, I can say with confidence that a large number of people belonging to these big business houses would have to be detained. Some of the young people are employed by the big business houses as Accounts Assistant on a salary of Rs. 500 or Rs. 700. When there is any shortage of any raw material, they are asked to deal with the smugglers, and if they are successful in their deals, they are promoted and given some perquisites. Of course, in some cases they are caught

[Shri Priya Ranjan Das Munsi]

by the Government and put behind the bars or even shot dead. Yet, those who patronise them are not touched. This is not proper. They should find out the real people behind them and punish them.

It is good that Government have devised a machinery to deal with people within the country. They are detained without being sent even to a court, and I am glad about it. But what is the step which they are going to take to deal with those Indian citizens who often go abroad and keep their accounts in Swiss banks, or speculate international market, or purchase some flats binami in West Germany, London or Paris, and come back again. There are a number of these people in this country in the big business houses and also in other circles. I know some of them, but I cannot give out their names because life would not be safe if they are not detained. I know an industrialist whose total capital investment is under Rs. 1 crore, whose three units in West Bengal have been taken over by Government and made into six. They go abroad ten times a year. I cannot understand why they go abroad so often and what they do there, but they are moving nicely and safely. The Minister belongs to my State and he understands what I say. He is aware of the matter.

I know him, he does not spare anybody. I have every faith in his courage, because a year and a half ago while he was very young in this Ministry—I am not talking of his age, he is now mature—he was in Bombay City and I took him without police in a taxi. I asked him to introduce himself as a young man who was going to get married who would like to purchase some very good perfumes etc. He did so and easily purchased a few things which were found to be foreign goods. He dealt with them through his officers. But it is not possible for

him to do it everyday because now his face is known to all, but he can still do it through some of his officers. He also got the support of a large number of young people who gave him information for the sake of the country.

I found in the newspapers the other day a report that a retired police officer of Calcutta, Dev Vallab Dhar, ex-D.I.G., who was charge-sheeted and removed, has been appointed by the Globe Detective Agency which is giving information to big business houses about the plans of the Government. I hope that in consultation with the Home Ministry, he will take proper steps.

I will be extremely glad if the Minister can tell us apart from the citizens who are detained, how many officials of the income-tax and customs department as also the Ministry have been detained, because there is an opinion that some of them have links with smugglers and hence the anti-smuggling operations could not be carried through very successfully.

With these words, I pay my compliments to the Minister and the officers in his department who took great risks during the emergency. The lives of some of them were at stake, but with the encouragement of Parliament I hope they will march ahead.

SHRI C. K. CHANDRAPPA (Tellicherry): I rise to support this Amendment Bill, and I have no hesitation in saying that the Government has taken some good steps in its operation against the smugglers. I feel that the action of the Government against the smugglers has to continue. That can be understood only if you understand the magnitude of the problem as we are facing today. According to the Government's statement, they have already ordered detention in respect of 2,512

persons and there are still 346 persons who are at large. I think, Government have been given sufficient powers by Parliament to deal with these people, and we have extended our support continuously whenever Government came forward seeking more and more powers to deal with smugglers. But here I must say that the actions taken by the Government to put down the smugglers are rather weak. I agree, they have conducted so many raids; I have got the figures; in 1974 they conducted 49,555 raids and they got Rs. 60 crores worth of goods; in 1975, 64,569 cases were detected and the money realised by way of goods was Rs. 45 crores; during the six months of this year, 1976, more than 12,000 cases were detected and more than Rs. 12 crores were collected. With all these that Government has done, I do not think that they can claim that they have completely immobilised the smugglers. They have not. That is why, even during the period of Emergency, during the last six months, they could find out another 12,000 cases. They have not succeeded in completely smashing the ramifications created by the smugglers in our country.

Now, what is happening in the world of smugglers? The newspapers are full of reports. I think, the Ministry might have knowledge about it. In the western coast of this country, Government has taken very serious steps to prevent the inflow of smuggled goods, but the smugglers are not accepting their defeat. They are now looking for new points of entry, and it has been reported that the smugglers have shifted one of their centres, from Dubai to Rangoon. It was reported in the *Economic Times*, in the Indian press. They are now sending the smuggled goods to Manipur. I have seen a lot of smuggled items being sold in the open market; I raised it, and the Minister said that it might be something sold through government disposal stores. That is not so. The

fact of the matter is that that part of the country is now becoming more and more vulnerable, the part of India which is bordering Bangladesh, the part of India which is bordering Burma, the part of India which is bordering Nepal. This side is becoming more and more vulnerable to smuggling activities. They are now indulging in bringing new items, not the conventional ones. The smugglers are smuggling out of this country new items, for instance, automobile spare parts; the smugglers are bringing gold and opium into this country. Girls from Kerala—it may not be a very good thing to tell—are being smuggled outside the country, even after all these operations against smuggling. In this context, what kind of explanation have Government to offer? They have failed to arrest 346 smugglers who are still absconding. Still more strange is the fact that they have not confiscated a single property from any smuggler. This is as per a reply given by you to one of the questions here. I can tell you, if the Minister is in need of my assistance, the number of the question and all that you have answered....

SHRI DINEN BHATTACHARYYA (Serampore): Yes, you give it.

SHRI C. K. CHANDRAPAN: It is in reply to unstarred question No. 484 dated 13-8-76. The Government say:

"No property has been confiscated so far under the Smugglers and Foreign Exchange Manipulators' Forfeiture of Property Act, 1976."

Last time, I think it was 6-7 months ago, when this Minister came with all enthusiasm to introduce this Bill, I think all sides of the House welcomed that Bill. We all extended our full support to the Minister, we all wished him well to let him fight against these smugglers, let him forfeit their properties and let him

[Shri C. K. Chandrappan]

bring the smugglers' ill-gotten wealth to the national exchequer. What happened in this case is only this. According to the Government's own reply to the same question, they said that in 235 cases they have issued notices for forfeiting the properties and I do not know if it has been done by the concerned authorities. Then 'The Competent Authority of Bombay issued notices in 100 cases. The Competent Authority of Madras issued notices in 98 cases. The Competent Authority of Delhi issued notices (only) in 37 cases'. These are the notices issued under the Smugglers and Foreign Exchange Manipulators Forfeiture of Property Act for confiscating their property and the list of these top smugglers is also given in the answer. But, why, after issuing the notices the Government failed to act even in a single case to forfeit their property and make a breakthrough in fighting the smugglers who are absconding?

When we extended our support to this legislation, we expected that the Government will act in that fashion. Otherwise this will be just an eye wash. Not that I am accusing the Government of inaction. Not that I am accusing that the Government is in connivance with the smugglers. Nothing of that kind. The Government has in fact failed to act in a manner this Parliament wanted the Government to act, this nation wanted the Government to act, to bring down the edifice and the threat created by the smugglers to our country.

When we extend our support again, certain questions remain unanswered. For example, 71 foreign smugglers are arrested, smugglers who are foreigners. But again a smuggler who is wanted by the Interpol, who could come to India, got admitted in a hospital in Goa died there and his body was kept in the morgue for three months. For whom I do not

know? And only after his identification was searched by the Government, it was found that he was a West German citizen. The Interpol said that he was holding a passport which was forged and the person in whose name he came to India, is still alive in Germany and the Interpol told the Government that this smuggler is the leader of an international smugglers' gang for whom they were searching. But this fellow could land in India and could go to a hospital and fortunately for us and for the world he died. Your Police, your Customs and your Security could do nothing. This has happened under emergency. I hope you will not deny this, because, if you have a mind to deny, I can give the name of the smuggler. This has happened in our country.

This is against foreign smugglers. If they come in the guise of tourists, if they come in the guise of intellectuals and academicians, what is the step the Government is going to take? I do not think you have done anything in that regard. You have arrested some people. It is good. Many more persons are roaming about and this point should be taken care of. The machinery created is inadequate to deal with the situation, to meet the requirements of the situation. Mr Joardar asked about this. This Bill seeks to extend this provision for another 12 months. It is natural to ask what will happen after these 12 months. Are you doing anything in the direction of setting up machinery permanently to deal with smuggling? We do not know why Government is only thinking of dealing with this issue on an ad hoc and temporary basis. The hon. Minister made a promise in this House that the Government is thinking on the lines of setting up special courts to deal with smugglers and to try them. I do not say that they should be given all kinds of justice which is required under normal law. I am not demanding that. You can



try them under the provision of special courts. You can hang them if you want. I do not oppose it. We will lend you all our support. But what we are saying is this. Why do you want 12 months, in an ad hoc manner? Again the Minister will come and ask for another 12 months extension. That is not the way to deal with the problem. At what stage is this proposal now, of setting up special courts with special powers, to try and punish smugglers? This is my question. The Director of Revenue Intelligence, Mr. Srinivasan, said in Calicut which is in my State, on 1st of July, that the consideration of setting up a special court was in an advanced stage. Advanced stage may be like advanced stage of pregnancy or something like that, I do not know. I would like to know from the Minister as to when this child is going to be delivered. These ad hoc measures will not help the situation. Of course, we are supporting now because you will say that you are helpless. But this is not a foolproof way in which you can deal with such a serious problem.

Now, regarding smuggled goods available in the country, Mr. Das Munsi said about this I think that they are taking a light view of the matter. If you really want to put down smuggling you should get the cooperation of the people. The DAVP is putting up an advertisement: Be an Indian; buy Indian goods. I think the money for that Department is being spent by the Ministry of Revenue and Finance. Under that very board or hoarding smuggled goods are being sold, not through the co-operative societies. In Calcutta streets various smuggled goods are available, things like cigarettes which you and I would like to smoke, a good blade that we may like to buy, and so on. We are being tempted. And you are putting up an advertisement there saying, don't

buy goods which are not Indian goods. These very non-Indian goods are being sold there under that big banner which you are putting up.

It is a shame. This happens in all the big cities in this country. You can find this out if you just go there as a buyer. If you want to create that atmosphere that the people of this country will not buy these things, well, you should make such an arrangement that you should ensure that the smuggled goods are not coming in the open market. The smugglers will not have that audacity to sell these things in public in defiance of all laws of the land.

I think the Government has to implement this legislation with a sense of urgency and with more seriousness. Then only the desired results will be there. These are some of the points which I want to bring to the notice of this House and the hon. Minister. I hope in all fairness the Minister while replying to this debate will enlighten us on these problems which we have raised. I support this amendment.

SHRI VAYALAR RAVI (Chirayinkil): Mr. Chairman, Sir, I fully support this Bill of the hon. Minister and I take this opportunity to congratulate him and all those dedicated officers of his Ministry who, by and large, have done a good part of their job to check the smuggling and foreign exchange racket.

Shri Bhattacharyya and his friends are always critical about the emergency and they were asking about the gains made out of it. I hope that they will agree with me that the economic condition of this country had improved. I do not want to go into the details of the internal situation or what is happening in other parts of the country. It is very clear that after this Bill came into operation, Government could check not only the smuggling activities but also



[Shri Vayalar Ravi]

the circulation of the black money and thereby they could contain the inflation. This is the only country which could control the inflation to a minus point. Many Members have spoken about the different aspects and so I do not want to go into them in detail. Mr. Banerjee will agree with me here that Shri Mukherjee has done a good job of it. Take the foreign remittances from the people who are abroad. Three years ago the foreign remittances were only Rs. 330 crores. Now, if I am right in February this year it has gone up to Rs. 1200 crores. It is because of the incentives offered to people working abroad. They have been able to remit here their foreign exchange earnings. The money from abroad is more than double because of this concession. This is the contribution of this Bill. The remittances from abroad have now gone up. I would like to draw the attention of the Minister to other points. I want to know whether he has studied the problems of the people staying abroad or he has made any evaluation or analysis of it. To whom have you given those concessions in the matter of remittances from abroad? Is it for the benefit of the employee working abroad or to the nurses and others? Can they bring such a huge amount of money from abroad? It is only some rich people who live abroad who can do this. But when you are giving incentives and concessions have you taken into account the condition of the salaried people living abroad and sending part of their salary of this country. I think you have not made a study of the problems of the fixed salary people working abroad. No incentive has been given to such people.

Sir, I happened to meet a gentleman from Kuwait recently. He told me that he had purchased a plot of land measuring about 10 cents in Bangalore and wanted to dispose it off. He could not do so as the Reserve Bank objected to it. He wrote to the Reserve Bank and the Reserved Bank

made a query who asked you to purchase the land? What a pity! He came on a two-week leave and spent most of his time in going to the Reserve Bank and meeting the officers over there. I want to know, is it a crime for a person who had worked abroad and put his foreign exchange earnings in India in dollars to purchase a plot of land? Later on, he was asked to submit a pre-dated application and granted permission on paper and allowed to sell the land. Of course, he could sell the land. He asked me a question, "Do you want me to invest more money in India?" This is a classic example of harassment.

Now, Sir, people come to India on leave after two to three years of stay abroad. They come with ten to twenty saris for their relations. You know as to how much they are harassed by the customs authorities. Sir, a direct Air India flight was introduced from Abu Dhabi to Madras for the convenience of Keralites and others working abroad. As soon as this flight touched the Madras airport the customs authorities pounced upon these passengers like tigers. I say that you be strict but why can't you have confidence in the people who come after two to three years with twenty saris? Why can't you have a reasonable attitude in the matter? That flight has since been cancelled.

Sir, I suggest that you may fix some slab system for the salaried people working abroad, namely, if they send so much of amount they will be given so much of concession. If a man works abroad and sends a good amount of his salary to India in foreign exchange why don't you fix a slab system and allow him to bring something for his relations. I appeal to you to consider the problems of the fixed income group working abroad. If you have a talk with them you will know their problems.

The next point I would like to make is about the impounding of passport. I fully support this provision. In this

Will the detention power has been given to certain important people, even upto the level of Joint Secretary.

Again I would make an appeal to the Minister. Do not treat all people staying abroad as smugglers. Do not go on that presumption. Yes, check them and find out. But unfortunately, in some cases injustice has been done. I know of some cases. I can say this before the Minister. I do not want to go into details. When impounding the passport of a person living abroad, how do you re-examine the case? who is the appellate authority? Here if you detain somebody, there is an Advisory Board to examine that case and examine the whole issue. But when you are impounding the passport of a person, what is the machinery you have to re-examine the whole issue?

I can cite an example. The man produced all evidence. He had made remittances through the Canara Bank, through the Indian Overseas Bank. All the accounts of the different amounts have been produced. His patriotism was reported on by the ambassador himself. I do not want to go into the details. But because of some personal reasons, because somebody had written 'this man is a smuggler', his passport was impounded. This is not the way to do it. The evidence has been produced before you. But without reason, some incriminating statement was made by a Deputy Secretary sitting in an embassy abroad, who was prejudiced against him, and the passport was impounded. This, I think, is not justified. I make an appeal to the Minister to consider the establishment of some kind of appellate authority to examine such cases on appeal in regard to impounding of passport, whether it is genuine or whether it has been done out of personal prejudice. In this case I know it was done on merely personal prejudice. As I said, the patriotism of that man has been exported by the ambassador himself. Unfortunately, you could not take a decision. I do not know whether you had the power

or who the authority was which took that decision against him in this matter.

Then Shri Das Muni was speaking about films and smuggled goods. Shri Chandrappan also made a mention of something in that regard. There is an instance in Kerala where one man escaped prosecution—I do not want to mention his name. Shri Bhattacharya may be interested because he is a big financier of his party. The party is called Popular Automobiles. By making a declaration of Rs. 80 lakhs of black money, they escaped prosecution. I am only sorry to say that your department could not make any check.

SHRI DINEN BHATTACHARYA  
(Serampore). Your Government also did it.

SHRI VAYALAR RAVI: I was going to say that. The Kerala Government did it. I do not know whether they smuggled him in or not. This party had been advertising the availability of foreign automobile parts. I had appeared in *The Hindu* in all the English newspapers: 'Popular Automobiles—available foreign car spare parts'. How is it coming? Have you given them an import licence? Or is it smuggled in? Of course, earlier there was smuggling. Recently the Kerala Government's Economic affairs department made a search and they found on big packets 'Made in Germany', 'Made in England', 'Made in America' everywhere. Later they found that all this was made in their factory itself. Of course, they were smuggling these earlier. But you allowed them to cheat the people and you allowed these crooks to escape prosecution by giving them a chance to declare an amount of black money to the tune of Rs. 80 lakhs Shri Bhattacharya and his party may be very angry for this. He is the sole financier of his party in Kerala all the time.

SHRI DINEN BHATTACHARYA:  
who?

SHRI VAYALAR RAVI: Please ask Shri Namboodiripad.

SHRI DINEN BHATTACHARYA: I am interested so that I may get some money.

SHRI VAYALAR RAVI: I am asking when these advertisements have been appearing that they have spare parts of foreign cars and so on, how has it come about?

Then Shri Das Munsi spoke about films. I have seen a photograph of a famous film producer touching the feet of Haji Mastan. He was a film producer and actor once upon a time. He is still claiming to be patriotic (Inter-ruption). I want to know how when one fine morning Haji Mastan went into jail all this chain has been broken, how all this chain of black money has been broken. What is the explanation given about this photograph showing his touching the feet of Haji Mastan? What action has been taken? Have you made a search on that? Have you found out what are the links that these people have? Have you made any kind of examination of this matter? You are arresting smugglers and foreign exchange racketeers. We are saving money through the black door but delivering it through the front door. Have you taken action against persons who indulge in under-invoicing and over-invoicing and are increasing their Swiss bank account? Have you ever arrested any exporter or businessmen on this account? The businessmen are now happy; they have started praising the 20-point programme; it is just hypocrisy. They want to exploit the name of the programme of the government. Big firms are entering the export business. I can give names and I shall write to him; I do not want to mention the names in the House. They are doing under-invoicing and over-invoicing. Some arrangements are made with foreign buyers to remit the money into Swiss bank accounts or other accounts abroad. You have not taken action against them and they are flourishing even

today. The hon. Minister must look into this matter also. To cite an example, he can take up one or two cases and try to put them behind the bars along with Haji Mastan and others. They are equally criminals. Millions of people working outside are sending money to the country out of their meagre salaries. Remittances from abroad had gone up to Rs. 1500 crores. The grievances of such people who send their meagre salaries to our country should be considered. The exploiters and foreign exchange racketeers should be put behind bars. When passports are impounded there should be an appellate authority to examine the whole case. With these words, I fully support the Bill .....

श्री मूल बिल का नाम (अन्य) :  
समाप्ति ज. जब मैं इस बिल को पढ़ रहा था तो इस के स्टेटमेंट प्राक प्राक्वेन्टन और रोजन्स में मैंने यह आइडिया कहा :

"There would be serious set back to the anti-smuggling operations if the provisions had been allowed to lapse and hence the President promulgated on the 16th June, 1976, the Conservation of Foreign Exchange and Prevention of Smuggling Activities Ordinance"

एक तर्क है कि 15 अक्टूबर 1976 को तब तक के प्रस्तावों में का कारण सुना है कि हम नामर्ल स्थिति लाना चाहते हैं। और आप कहना चाहते हैं कि ज्यों ही यह कानून खत्म हुआ तो तस्करी का व्यापार और बढ़ सकता है। तो यह निश्चित रूप से श्रेय है। ऐसा निष्कर्षण होनी चाहिये कि दूध नहीं। हर दस्त तो एडमर्ल सिचुएशन नहीं रहेगा, इमर्जेंसी कानून लागू नहीं रहेगा। हमें कोई ऐसा कानून बनाना चाहिये कि सब के लिये तस्करी का व्यापार खत्म हो जाये, जो कि देश के लिये अभिशाप है। आप ने एक राज का समय बर्बाद दिया। आप इस कानून को तस्करी से

लानू कीजिये। बांग्ला देश ने धर्म,  
कहा है :

"Bangla Desh issued yesterday an emergency Bill which provides for death penalty to smugglers, hoarders and black marketeers and 14 years imprisonment ...."

हैं और बर्तन म.केटिंस के लिये जहा इनने कानून बना है वहा आप यह भी बताइये कि 400 स्मगलर्स जो देश के बाहर चले गये थे और आपने सदन में आश्वासन दिया था कि उन की प्रीपर्टी को जप्त किया जायगा, तो कितने लोगों को आप ने बाहर से पकड़ कर बुलाया ?

श्री मन्मोहन ने कहा था कि जो स्मगलर विदेशों में चले गये हैं, उनको यहां बुला कर गिरफ्तार किया जायेगा और स्मगलिंग के द्वारा उन्होंने जो प्रापर्टी बनाई है, उस को जप्त कर लिया जायेगा। इस आश्वासन का एक कानून भी पार किया गया था। मैं यह जानना चाहता हूं कि ऐसे कितने स्मगलर्स को बांग्ला हिन्दुस्तान में बुला कर गिरफ्तार किया गया है और उन की कितनी प्रापर्टी को जप्त किया गया है।

क्रिमिनल पोसीजर कोड की धारा 87 और 88 के अनुसार फरार व्यक्ति के मकान और जायदाद बरौद को कुक किया जा सकता है। मैं यह जानना चाहता हूं कि क्या सरकार ने इस कानून के अन्तर्गत किसी जायदाद को कुक किया है।

श्री मन्मोहन यह भी बताये कि इनजैन्सी के खतर होने के बाद सरकार स्मगलिंग को रोकने के लिए नार्मल कानून के अन्तर्गत और कस्टम्स डिपार्टमेंट, एक्ससाइज डिपार्टमेंट और अन्य डिपार्टमेंट्स के माध्यम से क्या कार्यवाही करेगी।

गोहाला गांधी के सदन में स्वदेशी आन्दोलन का था और यह कह गया था कि विदेश वस्तुओं का बायबोट दिया जाये। इस समय हमारे यहां जो विदेशी चीजें जाती हैं, या पकड़ी जाती हैं, उन को दुकानों या कस्टम्स हाउस में बेचा जाता है, लोग उन को खरीदते हैं और इस तरह उन चीजों के लिए उन की एडवॉइस बढ़ा है। या तो सरकार यह व्यवस्था करे कि इन विदेशी चीजों को जप्त किया जायेगा, नष्ट कर दिया जायेगा और उन को किसी दुकान या सुपर बाजार में बेचा नहीं जायेगा, और जो व्यक्ति इन चीजों को रखेगा, उस को सजा दी जायेगी। इस प्रकार लोगों के मन में विदेशी चीजों के प्रति हैट्रिड पैदा की जाये।

श्री प्रणव कुमार मुखर्जी के सब स्टेटमेंट बहुत अच्छे होते हैं और उन के कदमों में काफी लाभ भी हुआ है। वह इस कानून को अवधि एक मास के लिए बढ़ रहे हैं। मैं यह कहना चाहता हूं कि सरकार जिन विभागों पर, कस्टम्स डिपार्टमेंट और एक्ससाइज डिपार्टमेंट आदि पर इतना पैसा खर्च कर रही है, उन को कमा जाये और साधारण कानून के अन्तर्गत इस तरह काम किया जाये, जिस से स्मगलिंग को खत्म किया जा सके। सरकार ने हजारों अफसरों को भर्षा है और करोड़ों रुपयों की प्रापर्टी को जप्त कर लिया है। उस के बाद भी पाकिस्तान के साथ रेन-सम्बन्ध जारी होने पर फिर स्मगलिंग होने लगी है, लोग कहते हैं कि वहा में मोना आने लग गया है। इस पर विचार करने के लिए श्री मुखर्जी और गृह मंत्री ने एक मीटिंग भी बुलाई।

मैं फिर आग्रह करता हूं कि नार्मल ला के अन्तर्गत सबरी से काम लिया जाये। केसज को कोर्ट में ले जाने के बजाये समरी ट्रायल से स्मगलर्स की सजा दी जा सकती है। सवाल यह है कि नार्मल ला कब काम करेगा।

[श्री मून चंद डग]

—या बिल मीला से ही काम लिया जाता रहेगा। जबकि हाल में श्रीमहोदय श्री सदन के साबने धार्ये धीर कहेंगे कि चूंकि सभी एक तस्करी खत्म नहीं हुई है, इस लिए इस कानून को धीर एक साल के लिए बढ़ाया जाये। मुझे आशा है कि सभी महोदय अपनी बार इस कानून की अवधि को बढ़ाने के लिए सदन के सामने नहीं धार्येगे। हां अगर बिल इसी कानून से स्मगलिंग खत्म होती है तो इस कानून की हमेशा के लिए बढ़ाये रखा जाये। मैं यह नहीं चाहता कि स्मगलर्स को बन्द रख ने के लिए एमर्जेंसी में यही कानून रहे। स्मगलर्स के बिना बाहर क्या कानून है। उन के बिना काला कानून बनाइए कि वे लोग ऊपर ही न उठ सकें। एमर्जेंसी का सवाल नहीं है।

17 hrs.

[SHRI VASANT SATHE in the Chair.]

SHRI S. M. BANERJEE (Kanpur): Mr. Chairman, Sir, I rise to support the Bill and pay my warm compliment to my hon. friend, Shri P. K. Mukherjee and some of the officers who have really worked hard and established that there are people in this country whose integrity cannot be challenged. Recently, when I went to Bombay I had a talk with some of my friends and I was surprised to see that the face of Shri Mukherjee, which is apparently a lovable face, has become a terror to the smugglers. He has really established that smuggling can be checked by taking strong action.

My hon. friend, Shri M. C. Daga, quoted the speech of the Prime Minister at Red Fort. I do not know what its connection with this Bill is. The Prime Minister was speaking about emergency and saying that it may be

slakened. She said: "यह उसकी कुछ शिथिल करने को हासिल कर रहे हैं।"

If this Bill was not there, if this power was not there with the Government, I am sure the bigger smugglers would have dictated their own terms and it would not have been possible to put them behind the bars. At that time it was necessary, and the life of the Bill which is being extended should be supported by all of us.

A question which has been raised is whether any permanent statute is necessary. It may not be necessary. I believe that human nature changes. But the nature of a person, who has been earning fabulous amounts out of smuggling, might change but it changes after he or she was hammered properly.

In this case, it was asked, for instance, why not burn the smuggled goods. I am one of those who believes in burning cigarettes. Give me any amount of cigarettes, even foreign cigarettes. I will burn them before the next day. But the point is that the ordinary shopkeepers who deal in smuggled goods like blades and scents are not harming the country at all. They are not going to harm our conception of swadeshi, the swadeshi andolan or the swadeshi way of life. What is harming us is the amount of gold which is going out of this country. Who are doing this? It is not the shopkeepers who are selling the goods, but the big smugglers, who have a team of experts at their command who do it in connivance with some high officials. Even though some of them have been put behind the bars, their partners are still outside. The hon. Minister should try his best to see that those partners are also put in jail. I know the smugglers die very hard because they have an international wing.

The other day some people were caught from Vikram Hotel. The hon. Minister said that they were smugglers.

All of them were foreigners and they have murdered some people. Shri Om Mehta in his reply said that they were from France and that they belong to some international ring of smugglers, who are operating in this country. It is difficult to catch them unless such powers are given to the officers. Of course, they have to use them judiciously.

My hon. friend, Shri Chandrappan, said that the smugglers have shifted their operation from Dubai to Rangoon. Previously, Dubai was smugglers' paradise. Now they have shifted to Rangoon and they are sending some goods through our borders. So, our border areas should be protected. But the question in which we are more interested in the things which are being taken out of this country. Has the value of the goods smuggled out of this country minimised? The figures show that the amount of goods smuggled out of this country in 1973-74 was much more than what it is today. That means it has been checked, and for that I wish to congratulate the hon. Minister once again.

Then there is under-invoicing and over-invoicing. I fully agree with Shri Vayalar Ravi and Shri Chandrappan when they say that this should be checked. I do not impute any motives, but all the big business houses which are flourishing in the various industries especially in the jute industry, are actually involved in this under-invoicing and over-invoicing, and they are conserving foreign exchange in the Swiss and other banks, and we cannot put our hands on their accounts. I have information with me, I do not want to divulge it, that they are helping some of the sons of the big officers who are being educated abroad. They are paying them money regularly, and that is the attraction for which they are gaining favours from the officers. I know that the officers are generally very good and honest, but you know we have our soft corner for our sons and daughters, and

naturally they cannot possibly deny that obligation. How to arrest this tendency? It is a very difficult job. One of the officers, Shri Srivastava, Director of Revenue Intelligence, put his hand on the Bajorias and other houses, but ultimately he got the setback of his life. So, if you cannot completely eliminate this under-invoicing and over-invoicing, at least try to minimise it in the matter of jute and other goods. So, these people are there who are doing it regularly, and that amounts to the worst type of smuggling. A smuggler smuggles a particle article, but these people are actually taking away the money of this country and conserving it in foreign banks for their own interest and for supporting some of these people who are a menace to our society.

Then, the question is whether we have been able to put our hand on the various accounts in the Swiss banks or not. We want to know whether this is possible or not, and if possible, what we have done.

I had a discussion with the hon. Minister and I do not wish to mention the name, but I was surprised to know that a warrant has now been issued against a person who got one of the worst type of smugglers arrested risking his life and got a reward of Rs. 95,000 for that. This, will discourage persons. If that man has done something wrong, he should be hanged, but persons who get smugglers arrested risking their lives, property and business, should be properly helped and encouraged.

Then I come to smuggling of jewellery from this country. The tendency now is to smuggle the costliest jewellery belonging to the old Rajas and Maharajas, Rajmats and Maharanis and of course the Rajkumaris, because in India nobody can possibly purchase them. I am told, I do not know whether it is correct, that the official valuation of a particular necklace was Rs. 185 lakhs. I am yet to see it and if I see it, my eyes may

[Shri S. M. Banerjee]

be dazzled and I may die, but the question is that such things can be purchased by whom? Only by the Arab countries. So all efforts are now being directed to smuggle jewellery to the Arab countries because they are able to purchase them. There is no market for them in the USA now, and they will also ultimately sell them only to the Arab countries, because they are the persons who are enamoured of these things like big diamonds etc. That should also be checked I would also suggest to the hon. Minister that whatever jewellery has been seized from the big Mahara-  
jas etc. should go to the National Museum and if these Mahara-  
jas etc. are prepared to donate them to the National Museum, they should be accepted. They should not be arrested for this. Suppose a particular Maharani or Rajmata says, 'Do not put me in jail; take away all the jewellery and keep them in the museum or treasure', we should agree. I know, in Moscow, there is a National Treasure where all such things belonging to the Czar period are kept and they are still shown to people. Instead of the thing going through smuggling to Arab countries, let them remain in the national treasure. That is my suggestion, and I hope that the Minister will consider this.

Then, I want to say something about selling of the smuggled goods. If the smuggled goods are here, then they should be sold in a proper manner. I am told that there is a shop in Nehru Market or somewhere which is far off from this place, where these goods are sold. They should be sold in the Central Government Employees' Cooperative Stores or in the Super Market. One Wilkinson blade will easily come for a month. The cigarettes are also cheaper. I do not encourage these things, but I do not mind these smuggled goods being purchased by our people. The smuggled goods should not be burnt; that will only be a heroic action;

let them be purchased by the people who want them. What is the harm in that? But they should be sold in open market in a proper manner. In Bombay, I have seen, all these things are available. But people cannot possibly distinguish whether a thing is fake or real. Three-in-one is sold there, and people purchase thinking that it must be a Sony Set or an Akai Set; they cannot show these to others, and when they come back, they find that it is only a case and there is nothing inside. That is why I suggest that the smuggled or confiscated goods should be sold in open market.

My hon. friend has said something about customs. I fully agree that people should be allowed to bring something for their own family members. I was present the other day, and I can say with confidence and with all conviction that the customs officers in Delhi and other places are not so bad; if you bring a bottle of wine or whisky or some cigarettes or nylon sarees for your wife, they do not bother about these things. I have also seen the amount of things that some people bring—the entire excess-weight consists of foreign goods. The customs officers do not mind if somebody brings a bottle of 'Intimate' for his wife or beloved. If instructions are issued to the customs not to be harsh to the people, then every person who goes out will bring only foreign goods. Why do we lose hockey and other matches? When our players go, they only go round to see what possibly they can take from there; they are not interested in the game, be it football or hockey. I am not imputing motives to any one. But it is a fact that they bring so many things. Last time when they won, they were let off by the customs. But when they lose naturally they are caught. I must admire the work being done by the customs officers. It is a very difficult job. But one thing, I would like to point out. When the suit-cases belonging to a lady are searched, it should not be done openly. It looks bad. People



from the gallery are also watching the whole thing. Somebody takes out a brassier and asks whether it is English or Indian. Somebody is showing a blouse and you ask 'Is it Indian or foreign?' This way ladies are put to shame. After all they have come to India. They are not foreign ladies. They are all Indians. Treat them well. If you want to search somewhere, let there be a proper place where the ladies' garments could be searched. Some people have to face this humiliation. That is why I am telling. I do not want ladies to come with smuggled goods more than the men. They have got equal rights. These are small matters. The Minister can simply issue directives. That is a different matter. If there are two cabins for searching men and women as we have got with respect to security checking, I think that will be better. Otherwise, they are put in a very embarrassing position which the Government could avoid.

With these words I support the Bill. I must again assure the hon. Minister a young Minister who has established his integrity beyond doubt and has got a bunch of devoted officers. I wish him all success. Mr. Pranab Kumar Mukherjee has shown his strength and I wish he becomes stronger in his life—after all I am at the fag end of my life—but he is going to live longer in this country—so that these good things are shared by my son or my grandchildren.

श्री हरी सिंह (खुर्जा) : समाप्ति सत्रोदय, विदेशी मुद्रा संरक्षण और तस्करी निवारण द्वितीय संशोधन विधेयक 1976 पर मदन में बर्बाद चल रही है। मैं इस बिल का स्वागत करना हूँ। मैं समझता हूँ कि मंत्री जी तथा इस विभाग के अधिकारियों और कर्मचारियों ने रिजल्ट वर में जो काम किया है, सप्रशंस्य है। अना कर्तव्य पालन करते हुए कस्टम अधिकारियों को इन तस्करी से मुझे भी मुझे जिसमें कुछ बायल भी हुए, कुछ को चोट भी लगी।

इन अधिकारियों को विभाग द्वारा पुरस्कार भी किया गया है। लेकिन आप जानते हैं कि जो विदेशी मुद्रा की गड़बड़ बोटाया करने वाले लोग हैं, जो मंगलर और तस्करी हैं वे सोना चांदी ही चोरी छिपे नहीं लाते हैं बल्कि नारकोटिक्स, काँडे, दवाइयाँ आदि भी लाते हैं और उनकी तस्करी करते हैं। विदेशी मुद्रा का अनधिकृत रूप से जो व्यापार करने वाले वे उन्होंने हिन्दुस्तान की अर्थ व्यवस्था को चौपट कर दिया था और मालूम है कि हिन्दुस्तान के मरने जो एक बहुत भारी संकट आ कर खड़ा हो गया है, आर्थिक संकट आ कर खड़ा हो गया है, उम्मीद यह देश उबरने वाला नहीं है, अब देश चले वाला नहीं है। कोई गम्मा तब नजर नहीं आता था। जो तस्करी लोग थे, जो विदेशी मुद्रा का व्यापार करने वाले लोग थे उन्होंने अपनी अहमकता गवर्नमेंट भी बना रखी थी जिस से गैरो प्राइवः मिनिस्टर, गैरो आई जी आदि रखे हुए थे तब तब वे लोग गुप्त नामों में रखे हुए थे। अधिकारियों के ऊपर भी इन्होंने अपना प्रभाव जमा रखा था। ऐसी मिमालें मौजूद हैं जिन में इन लोगों ने तब तब से शासन को अपने काबू में कर रखा था, अधिकारीगण इनके कुंज से बाहर नहीं थे, उनको इन लोगों ने तब तब से प्रशोधन दे कर अपने काबू में कर रखा था। जो सराहनीय कार्य इस विभाग से किया है उनके लिए यह विभाग न केवल बधाई का पात्र है बल्कि मैं समझता हूँ कि अगर वह हमें तब से कार्य करता रहा तो जो देश में आर्थिक संकट अब भी बोझा बहुत दिखाई पड़ता है वह भी समाप्त हो जाएगा। विदेशी मुद्रा का अनधिकृत रूप से व्यापार करने वालों ने, तस्करों और काला बांधा करने वालों ने देश में आर्थिक संकट पैदा कर दिया था और दिखाई पड़ने लगा था कि अब देश आर्थिक संकट से उबरने वाला नहीं है। यह कानून जब लागू किया गया था और जिस को आज फिर से संशोधित करने की आवश्यकता पड़ी है बड़ा कारगर साधक



[श्री हरी सिंह]

हुआ है, इस कानून के अन्तर्गत बड़े बड़े तस्करों को धरपकड़ कर गिरा है और उनकी कार्रवाइयों पर रोक लगाने में सरकार को मदद मिली है, उसके हाथ कमजूर किए हैं। यों तो जाते ही हैं कि विभाग ने अपने प्रयत्नों से बटोड़ों लाने का तस्करों का भाव और विदेशी मुद्रा यदि इनके यहाँ से 'कट' है। भाव के तो अत्यधिक तत्व हैं, ये डर गए हैं, भय-भोत हो गए हैं और काला घड़ा करने वालों की कार्रवाइयों पर अकुल हुआ है। लेकिन मैं कहना चाहता हूँ कि ये जो काला घड़ा करने वाले लोग हैं ये बड़े चतुर होते हैं। ये समय को परखते हैं, समय के अनुसार चलते हैं। इन्होंने इस तरह से कार्य करना आरम्भ कर दिया है जिससे ये सोचने पर मजबूर हो गए हैं न आ पाए। इस बीच का ध्यान देना होगा। इस विभाग ने दुर्घा तथा एफ दूसरी नाव का कर समुद्र में जो स्मगलिंग होना था उस पर रोक लगाई है, उन लोगों को धरपकड़ का है। इनसे उन लोगों का मनोबल टूटा है।

इस बिल में लिखा हुआ है कि इस बिल को आवश्यकता इसलिए महसूस की गई है कि अगर यह सम्मेलन न किया गया तो जा हमारे प्रयत्न हैं वे डोने पड़ जायेंगे।

यह बात बिल्कुल सही है। जो तस्कर हैं इनके बड़े लम्बे लम्बे हाथ हैं, इनकी दूररे देशों में शाखाएँ होती हैं। और यही नहीं इनने पीछे विदेशी नाकने हैं जो भारत को कमजोर बनाना चाहती हैं क्योंकि उनका ध्येय होता है कि अगर स्मगलर्स, फारेन एक्सचेंज रेवेन्यू में और काला घड़ा करने वाले आन्तरिक आयिक सकट को पैदा कर देंगे तो उनका मकसद पूरा होगा। मकसद यह कि कमजोर हो जाने पर देश उन ताकतों के पास जायगा और वह हम पर आधिपत्य जमावेंगे। तो यह जो रीएक्शनरी नाकने हैं यह लोग भी इन तस्करों का साथ देती हैं। उनका पेशा राजनीतिक था, और आर्थिक इस माने में कि जब देश की अर्थ-व्यवस्था

दुर्लभ काली तो देश बोलखान हो जायगा, देश की ताकत खत्म हो जायगी।

इन के जो विरोध काम करते थे उनके पास पावरफुल चामरलैस ईट्स होते थे, म्यूच मीडिया होता था और महकमे बने हुए थे। यहाँ से टेलीफोन हुआ तो कॉपीन टेलीफोन पहुँच गया और कॉपीन से कमकसा पहुँच गया। इस प्रकार स्मगलर्स और क्रौरेन एक्सचेंज रेवेन्यू का जाल बिछा हुआ था पूरे देश में। हमारी सरकार ने मम्बीर प्रयत्न किये हैं जिससे देश को ताकत मिली है। इस बिल में प्रथम सम्मेलन होना चाहिये। माननीय डागा जी ने कहा था कि हमको इस बात को परमानेंट बना देना चाहिये ताकि इमरजेंसी में यह सब कानूनों की जरूरत न पड़े। बाल प्रण्डी है, लेकिन जब मर्ज बढ जाता है, या प्रादत बहुत खराब हो जाती है तो उसके लिए स्पेशल इलाज की जरूरत होती है, और यह कानून उसी मर्ज का इलाज है। जब तक स्मगलर्स पूरी तरह से खत्म नहीं कर दिये जाते हैं तब तक इस तरह के कानून की जरूरत रहेगी।

यह बिल सामयिक है, विभाग का प्रयत्न बड़ा सफल है। लेकिन इस विभाग को आत्म-संतोष की बात नहीं सोचनी चाहिये, बल्कि मुस्ती से काम करने रहना चाहिये।

एक बात और कहनी है कि बहुत से लोगों को जब पता लगता है कि सरकार बड़ी तेजी से काम कर रही है स्मगलर्स के खिलाफ, हांडर्स के खिलाफ, ना ऐसे लोगों की गतिविधियों की खबरे जनता मुमनाम पक्षों द्वारा आधिकारिकता तक पहुँचती है। मेरी भाव है कि इस तरह के मुमनाम पक्षों पर आपको तबज्जह देनी चाहिये। यह नहीं कि किसी का नाम नहीं लिखा है इसलिए उस पर ध्यान न दें। अगर आपको खबर मिलती है तो आपको देखना चाहिये कि इस खत के पीछे भी कोई सचाई हो सकती है।

आप स्मगलर्स जैस में पड़े हैं, कुछ की सम्पत्ति नीलाब हुई है और कुछ की विधेयों से

पकड़ कर बुलाने की कोशिश की जा रही है। यह सारे प्रयत्न साबित करते हैं कि हमारी सरकार का ट्रैंड इस मीनेस से निपटने का है। सारे देश के अन्दर जो आर्थिक संकट है उसको खत्म करके ऐसी अर्थ व्यवस्था देश में कायम करनी है जिससे देश तरक्की करे और अपनी इकोनामी जैनरेट हो। हमारे देश का आर्थिक ढांचा फले फूले।

एक बात मुझे और कहनी है कि जो लोग बाहर जाते हैं विदेशों में, वहां डेढ़, दो साल या 6 महीने काम कर लेते हैं तो उनको बहुत सारा सामान लाने की इजाजत मिल जाती है। मतलब यह कि उन्हें इस बात की छूट रहती है कि 5, 6 महीने तक कोई चीज खरीद कर इस्तेमाल करें और फिर उसको देश में ले आएं। यह जो नियम है इसमें संशोधन करना चाहिये। जो देश के बाहर 6 महीने तक या उससे ज्यादा समय तक रहते हैं उनको बहुत ज्यादा सामान अपने देश में लाने की इजाजत नहीं होनी चाहिये क्योंकि अब सभी चीजें अपने देश में बनती हैं। कौन सी वस्तु ऐसी है जो हमारे देश में नहीं बनती? हमारे देश के कपड़े और घड़ियां बहुत अच्छे हैं। इतनी अच्छी और सस्ती घड़ियां किसी मुल्क की नहीं हो सकती हैं जितनी कि हमारे देश की हैं। आप देखें एच०एम०टी० की घड़ियां बहुत अच्छी हैं।

**श्री एस० एम० बनर्जी :** जो आदमी 5, 6 साल तक बाहर रहता है, उसको वहां पर नये कपड़े बनवाने ही पड़ेंगे। क्या उसको उन कपड़ों को लाने की इजाजत भी नहीं होनी चाहिये?

**श्री हरी सिंह :** वे लायें, लेकिन वे डेर के डेर और अम्बार के अम्बार न लायें जिनको उनके पोते और पड़पोते तक पहन सकें। हम देखते हैं कि कई लोग पूरी दुकान उठाकर ले आते हैं। वे ऊपर का रंग खरोचकर

या कवर को फीका करके चीजों को पुराना बना देते हैं और इस तरह पुरानी चीज की आड़ में नई चीजें लाते हैं। यह भी बड़ी भारी स्मगलिंग है और सरकार को इस तरफ ध्यान देना चाहिये। इस अधिनियम की अवधि बढ़ाने के लिये यह जो विधेयक सदन में विचार के लिये पेश किया गया है, यह बड़ा ही सामयिक है और इस पर तत्परता से काम करने की बहुत आवश्यकता है।

देश में जम्हूरियत को बचाने के लिये जो बहुत से प्रयत्न हुए हैं, उनमें इस विभाग द्वारा किये गये उपाय भी बड़े सहायनीय हैं। इन अलफाज के साथ मैं इस विधेयक का समर्थन करता हूं।

**SHRI K. MAYATHEVAR (Dindigul):** Mr. Chairman, Sir, I stand to support this Bill. All of us are aware of the anti-social elements who were indulging in smuggling activities. They are anti-nationals. It goes without saying that it is they who were responsible for this unprecedented inflation in India and Government were able to control this by their action. The people expect a much more effective action by Government against the smugglers.

So far as Government is concerned, we have given them all the powers that were necessary to put an end to the smuggling activities that were going on in this country. But, I am sorry to say that only fifty persons have been arrested—big sharks only have been apprehended. For instance in Tamilnadu Coolie Mastan was a smuggler who was arrested in Bombay. But one Mr. Yasin has still not been arrested because in Tamilnadu he was the right hand man of the then Chief Minister of Madras and the supporter of then Law Minister, Shri Madhavan. At the time they were ruling it is they who had been protecting this person, Shri Yasin who was a famous international

[Shri K. Mayathevar]

smuggler in Tamilnadu. He was like a millionaire, a powerful man like Mastan and Bakhia. It is shameful that our Government has not been able to arrest this person and put him behind the bars. Why?

We are having the Extradition Law. That is applicable to all countries uniformly, be it USSR, USA, Britain or France. Why were we not able to extradite Shri Yasin under the Extradition Law?

Shri Yasin could have been extradited under the Extradition Law applicable to all the countries. He was in Singapore sometime back, he was in Bangkok later on and in the east-asiatic countries I am sorry to say that he came into India as well as left India without the knowledge of the Government. Sir, we will have to arrest many such people so as to annihilate the entire smuggling activity. Unfortunately, the Government of India is still treating this smuggling offence as an economic offence. I have pleaded three to four times on the Floor of the House for treating this offence as a 'pucca' criminal offence.

Sir, these smugglers are responsible for inflation and rise in prices. They are not only stabbing the economy of the country but also they are stabbing at the back of the poor masses of India. We must introduce a special law to give punishment to such people. There should be a provision for a minimum of ten years' sentence for this offence. As present under Customs Act and Foreign Exchange Act we are only giving them two years imprisonment plus a fine of Rs. 2,000/-. This is not sufficient. I plead for a change in the law.

Further, Sir, I would like to know what are you going to do with these smugglers after the Emergency is

lifted? They will—once released—once again become multi-millioners. These fellows in spite of having committed national offence and anti-social offences are treated as very big people in the society even now. We must amend the entire law permanently. It is no use extending it merely by 12 months. We must have a special law, special courts and provide special punishment to these offenders. I would like to suggest, if necessary introduce a new sub-section to Section 302 IPC to provide death sentence for the offence of smuggling.

Mr. Chairman, Sir, these smugglers who are at present behind the bars are being given the son-in-law's treatment in the jail. I am told they are provided with all the facilities except giving them ladies.

AN HON. MEMBER: They are allowed to go to their wives.

SHRI K. MAYATHEVAR: Sir, the people expect more stern action against these people. Why are you allowing them access to all these privileges. I plead that these people should be treated as part of the ordinary criminals inside the jail. Then only they will feel sorry for their offences and when they come out, will rectify themselves and completely change their mode of life. They are not political offenders, they are not political leaders, to be given special privileges inside jail. They are pucca offenders under certain provisions of law, not only of customs but of foreign exchange. Hereafter at least they should be treated as ordinary criminals under IPC and some other offences under the law of the land.

I am from Tamil Nadu. The hon. Minister knows it.

AN HON. MEMBER: And ADAR.

SHRI K. MAYATHEVAR: Thank you for the compliment. Last year

some members of our party brought to the notice of Government in Rajya Sabha that the ex-Chief Minister, Shri Karunanidhi, and the then Law Minister, Shri Madhavan, were reliably said to have deposited large amounts of money in foreign banks. Now after the appointment of the Inquiry Commission, the Government of India have dug out so many crores on account of black money, unaccounted money, received by them by way of corruption or misuse of power on the pretext of executing so many plans for the public. Still larger amounts remain in their names or in their benami names—especially these two Ministers. This may also be checked by the Government of India.

What are the provisions we are having? What are the laws we are having now to bring back all the black money or earned money or unearned money deposited by our smugglers in foreign banks? Our laws are even now silent on this. Some friends were happy to note that the inflow of money is larger now as a result of the emergency and steps taken thereafter. But that inflow is not sufficient. Still so many crores are allowed to be deposited in foreign banks. Under these circumstances, the Government of India must at least take effective steps to bring back all the money deposited by our smugglers in foreign banks in their names or in fraudulent benami names.

Then what are the measures taken to confiscate their property? Notices have been issued against some. Issuing notices is not enough. You must immediately take action to forfeit all the properties of these people. It is high time you implemented that kind of law. The actions taken at present are not sufficient and adequate. We are not happy. We are ready to support you to the fullest extent. You go forward with still more speed. That is what we expect, the people of Tamil Nadu expect, the whole Indian people, 60 crores of them, except of Government—go forward more speedi-

We are happy with whatever action has been taken by Government against smuggling activities. We are happy to support it and welcome it and we will support you in future also if you take much more serious, much more effective, action against these people and try to confiscate the properties of these smugglers without consideration of any sympathy for them because they are not ordinary offenders, they are offenders at the national level, they are not only economic offenders, they are offenders whose offences are killing the entire Indian economy. With this plea, I conclude my speech and thank the hon. Chairman for giving me this opportunity.

SHRI B. V. NAIK (Kanara): So much has been said on this Conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Bill under consideration that it is very difficult to add more. I think the root cause of smuggling not only in our country, but in the world at large is—in spite of my own secular outlook, I have to say this that Islam does not forbid smuggling. Islam is a religion which does not forbid smuggling just as they forbid eating pork.

MR. CHAIRMAN: Which religion forbids smuggling?

SHRI B. V. NAIK: I hope the Chair will tolerate a compliment being paid. Before economic nation-states came, there was religion and there were few inhibitions. In the history of England there was a time when, particularly in the 15th and 16th centuries, smuggling was there very much. Later on when nation-states came in, they put tariff barriers and thereafter it became antinational. But in regard to Islam as a whole they believe in economic internationalism, believing in interest which is preceding even Marxist interpretation of religion or economics, they are cutting down all the interest; there is permission; it is not a forbidden act because Islam is both a State religion as well as religion. I am not

[Shri B. V. Naik]

going into the dangerous field, all the Muslim countries in the Arab world, in Dubai, etc. I hope I have been able to carry conviction. In Kuwait and middle-eastern countries exporting of smuggled goods is carried on as an open trade. Collection of funds is really big business in those countries, collection of funds, not against receipts, but parking of their vehicles, their ships, their trawlers, their mechanised boats and all those things are done under the jurisdiction of the sheikh and is legal, there is nothing illegal.

SHRI DINEN BHATTACHARYA  
What are you saying? What is your proposition?

SHRI B. V. NAIK: The collection is an open collection. Small people invest in it. In other words, the root of our smuggling is not in this country but it is in some of those countries where it is permitted.

MR. CHAIRMAN: Mr. Naik is always original.

SHRI B. V. NAIK: In the circumstances, if you can bear with that, the solution for a permanent cure to this malady should lie, as suggested by Mr. Chandrappan, in changing the consumer habits in the Calcutta streets, Bombay streets, port areas and towns. If you want to put a stop to opium trade, stop opium consumption; if you want to put a stop to some other consumption of luxury goods, stop that consumption. But more important, if you want to tackle it realistically and at a political level, you should do this. But things suggested by Chandrappan were suggested centuries ago by reformers. But it has not been possible. We tried prohibition, it had not succeeded. Therefore, the solution would be to tackle it at the root, that is, in the Arab world, particularly those countries known for smuggling will have to be tackled at a diplomatic

plane. It is a matter essentially falling within the purview of the Ministry of External Affairs and if I could say so, on a bilateral basis fresh initiatives particularly with our sister countries in the middle east by our goodwill, which we enjoy might pay dividends. I am not saying that smugglers who continue to be allegedly, fairly influential in many parts of the world and elsewhere are not influential in those countries. If the suggestion is credible to the hon. Minister—his expression does not reveal it—we can ask the other non-aligned countries through diplomatic channel so that those countries impose immediately law in their respective jurisdiction against the operation of those smugglers in respect of those friendly countries, wherever there is objection. So, from Dubai, if Pakistan does not object to the smuggling, they can carry on the smuggling operations. But if there is a smuggler in Dubai and India objects to the smuggling, the State law must come in. This is my suggestion and it may be examined.

My colleague Shri Maya Thevar said, something must be done about foreign banks considering the sovereignty of these countries, particularly Switzerland and others, it would be a difficult proposition. But like the voluntary disclosure scheme for tax dodgers, does the ministry have any plan—Stage II—for these smugglers also? Once the person who has been locked up behind the bars comes to know that there is no escape from it, if you keep the door open to the smuggler who has been detained under COFEPOSA that in case he declares in writing, "I am holding accounts in such and such foreign banks; these are the deposit numbers and these are the specific branches, etc", if he discloses all such information which he alone can disclose, will it be worth-while to have a scheme whereunder a person who admits the guilt, as in the case of non-payment of taxes, might be in a position to be in the good books of

the government and you will be also able to collect the foreign exchange he has accumulated through nefarious means? Otherwise, what sovereignty do we have over Swiss Banks? It is prevailing because we cannot do anything. There are limitations of national sovereignty. You can impose heavy penalty, confiscation of goods, etc., but does the ministry have such a plan for these people also?

**MR. CHAIRMAN:** The same procedure which you suggested for Dubai can be adopted here also. Why have different standards?

**SHRI B. V. NAIK:** If I am carrying on smuggling from Dubai, a port, my actions are plainly known. But if I\*\* go and deposit 100 dollars in a Swiss Bank, there is no way of knowing whether we are MPs\*\* or smugglers. Since there is difficulty of identification, I would suggest that the voluntary disclosure scheme which has been adopted in regard to tax dodgers may be tried here also.

**MR. CHAIRMAN:** Your remark is not called for and it will be deleted from the records, in respect of the Chair. You can include yourself.

**SHRI K. LAKKAPPA (Tumkur)** To preserve the dignity of the House, his name also should not be included.

**SHRI B. V. NAIK:** Having understood the gravity of the situation, I would not labour that point. If you go through the entire construction, you will see that there was absolutely no intention to offend the dignity of the Chair.

**MR. CHAIRMAN:** I know you did not do it deliberately, but that should not find a place even in a lighter vein.

**SHRI B. V. NAIK:** What I have stated now is for the purpose of record. The confiscation of property that has been done so far is inadequate. Since I come from a constituency, which is in the West Coast, there are some inhabitants there who are smugglers. According to my information, which is based on the reply given by the hon. Minister in reply to a question, in Karnataka some properties belonging to the smugglers have been attached by the District Magistrates. I do not know under which Act. There are some such instances. I want the hon. Minister to enlighten us on this point.

Yesterday when I was talking about the MISA I expressed the hope that we would like to see the day when it is outside the statute book of this country. I am sure many hon. Members will join me in that sentiment. But when it comes to COFEPOSA, since it deals with anti-social elements, the Minister has received full-throated and almost unanimous support from all sections of the House and I would say that it should find a permanent place in the Statute Book of this country. I am making this suggestion after due deliberation and continuous observation. I join the sentiments of the rest of the Members and I repeat that it should find a permanent place in the statute book.

**SHRI K. LAKKAPPA (Tumkur):** Mr. Chairman, while supporting the Bill, I would like to say that the Statement of Objects and Reasons for this Bill says:

"The special provisions for dealing with emergency contained in section 12A of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 have proved helpful in dealing effectively with persons engaged

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\*\*Expunged as ordered by the Chair.



[Shri K. Lakappa]

in smuggling and foreign exchange racketeering who, owing to their large resources and influence, have been posing a serious threat to the economy, and thereby to the security of the nation."

Therefore, we have to extend our support to this measure.

Enough has been said regarding the smuggling activities and the leakage of foreign exchange. It is the need of the hour to consolidate the gains of emergency and act more vigilantly to conserve our foreign exchange to prevent the smuggling activities in the country.

So far as the detenus under COFEPOSA are concerned, the people specially in Bombay are wondering whether they are really in prison or in paradise. Even though Parliament has passed all sorts of laws to deal with them effectively, I wonder why they are being given such good treatment, be it the Central Government or the State Government. There was a report in the *Times of India* recently which reads:

"The incidence of coronary ailments seems to be exceptional high among the COFEPOSA detenus, judging by the relatively large numbers in which they have been admitted to the prison ward of the St. George's Hospital in Bombay since the crackdown on the alleged smugglers and racketeers in foreign exchange. By itself, this would have interested only those involved in advanced medical research, but public interest, indeed concern, has of late been aroused, and for good reason, because many of the detenus supposed to have been laid up with serious heart trouble have been seen merrily moving around the city; some have, in fact, been caught sneaking back into their hospital-cum-prison in the wee hours of

the morning. Whether they have been going out on their traditional business or pleasure or a judicious combination of both has not been fully established.. But it is beyond doubt that they could not have embarked on their nocturnal prowls had they been what they claim to be: heart patients."

On the pretext of heart ailment, the detenus have been having virtually all freedom to move about the city and meet people who are engaged in smuggling activities, those who are defending and backing them.

"It is against this background that the Chief Minister of Maharashtra, Mr. S. B. Chavan, has ordered that all COFEPOSA detenus under treatment at St. George's Hospital be transferred to J. J. Hospital."

I am not criticising the Chief Minister of Maharashtra, but why should such lenient treatment be meted out to them? The people of this country begin to feel that the smugglers are respected by such treatment. I know that you are doing very good work, but please give good treatment to the poor people, give them food, shelter and clothing, but not to these people who should be treated mercilessly.

Recently the hon. Minister stated at the Calcutta airport that smuggling to our neighbouring countries is on the increase. Though special arrangements have been made and a collectorate has been established, still the smuggling activities are rampant in these areas. There are certain people in detention who are operating with the connivance of big people who are defending them. It may be that some of them are lawyers or belong to big business houses.

MR. CHAIRMAN: He may continue day after tomorrow.

**BUSINESS ADVISORY COMMITTEE****SIXTY-THIRD REPORT**

**THE MINISTER OF WORKS AND  
HOUSING AND PARLIAMENTARY  
AFFAIRS (SHRI K. RAGHU  
RAMAIAH):** I beg to present the

Sixty-third Report of the Business  
Advisory Committee.

18 hrs.

*The Lok Sabha then adjourned till  
Eleven of the Clock on Thursday  
August 19, 1976/Sharada 28, 1898  
(Saka).*