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**Friday, August 4, 1972  
Sravana 13, 1894 (Saka)**

# **LOK SABHA DEBATES**

**Fifth Session  
(Fifth Lok Sabha)**



सत्यमेव जयते

**LOK SABHA SECRETARIAT**

**NEW DELHI**

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# LOK SABHA DEBATES

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## LOK SABHA DEBATES

Friday, August 4, 1972, /Sravana  
13, 1894 (Saka)

The Lok Sabha met at Eleven of the  
Clock

[Mr SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

रिजर्व बैंक ऑफ इंडिया के कर्मचारियों द्वारा  
हड़ताल

\*श्री मूलचन्द डाया

श्री राम कंवर :

क्या बिना बंसी यह बताना की कृपा करेंगे कि

(क) क्या बम्बई में रिजर्व बैंक के कर्मचारियों  
ने जून, 1972 में हड़ताल की थी और यदि हा, तो उसने  
क्या कारण थे ,

(ख) क्या हड़ताल करने वाले कर्मचारियों की  
मांग सही नहीं थी और यदि हा, तो उक्त  
कर्मचारियों के विरुद्ध क्या कार्यवाही की गयी  
और

(ग) बैंक को अनुमानित कितनी हानि हुई ?

THE MINISTER OF FINANCE  
(SHRI YESHWANTRAO, CHAVAN)  
A Statement is laid on the Table of the  
House.

#### Statement

About 750 Class III and about 1800  
Class IV employees of the Reserve Bank of  
India and its associate institutions in By-  
culla and Fort Office, Bombay, abstained  
from work on certain days during the  
second half of June, 1972

The strike was in pursuance of the  
demand by the Bombay Unit of the Reserve  
Bank of India Employees' Association,

that the modified procedure, in vogue since  
December, 1964, for the disposal of a por-  
tion of the soiled notes in the denomina-  
tions of Rs 1, Rs 2, Rs 5 and Rs. 10  
should be stopped

As the Reserve Bank of India Employees' Association and the management have agreed to meet and discuss the procedures for destruction of soiled notes, the Government do not consider it necessary to express any opinion on the genuineness of the demand at this stage

It is not possible to quantify the loss, if any to the Reserve Bank on account of the strike.

SHRI YESHWANTRAO CHAVAN  
There is another question on the same sub-  
ject No 90 That can also be taken up  
with this.

MR SPEAKER Yes, they can go  
together

SHRI BADE Not here

SHRIMOHAMMAD ISMAIL. He is  
also not present

श्री मूलचन्द डाया हड़ताल करने के पहले आप  
को नोटिस दी गई थी ता आप ने उन कर्मचारियों  
को उनकी नोटिस का जवाब दिया या नहीं  
दिया ?

श्री यशवन्तराव चव्हाण नाटिस फार्मली दी  
थी या नहीं मुझे पता नहीं, लेकिन नाटिस देने  
में कोई स्ट्राइक लोगल तो नहीं बन जाती ।

श्री मूलचन्द डाया आप बताने की कृपा करें  
कि कितने दिन तक हड़ताल चली और कब  
समाप्तता हुआ ?

**SHRI YESHWANTRAO CHAVAN :** I may not be able to tell you the exact dates. But I know it was going on for a week or ten days in Byculla and Fort office, Bombay; nearly 750 Class III and about 1800 Class IV employees of the Reserve Bank of India and its associate institutions in Byculla and Fort office, Bombay, abstained from work. On one day most of the employees except in Trivandrum and Hyderabad went on some sort of symbolic strike and the number at that time was about 9,300.

**श्री मूलचन्द डागा :** अध्यक्ष महोदय : 2,250 आदमियों ने हड़ताल की, 14 दिन तक हड़ताल चली। 14 दिन के बाद क्या आया प्रबन्धकों को, मैनेजमेंट को कि हड़तले गलती की है। जो बात हुआ उसका आपने कोई उत्तर नहीं दिया है। एक महीने पहले नोटिस दी गई थी फिर 14 दिन तक हड़ताल चली। आपने नोटिस का कोई रेस्पॉन्स भी नहीं दिया। इसमें आपको लाल हुआ।

**SHRI YESHWANTRAO CHAVAN :** हड़ताल चली, टोटल स्ट्राइक। In Byculla office, the total strike by Class III employees was from 16th to 30th June, 1972; strike by Class IV employees was on 29th June, 1972. In Fort Office Bombay, total strike by Class III employees was from 17th to 30th June, 1972. The strike in other major offices of the Bank, as I told you, excluding Hyderabad and Trivandrum, was for only one day. As far as days are concerned, this is the information.

The other point is this. You say that notice was given. I do not know what exactly you mean by notice. Some people raised the question of giving up certain procedure which was adopted some time in 1964. Some people said that 'this should be discontinued; otherwise we will go on strike'. Is this the way of treating this as notice?

**श्री रामकृष्ण :** अध्यक्ष महोदय, यह जो बम्बई में रिजर्व बैंक की हड़ताल चली यह एक महत्वपूर्ण हड़ताल थी। यह हड़ताल एक और दो सप्ते के नोटों को जलाने के विषय में चली। सरकार कहती थी कि इकट्ठा करके उन नोटों को जला दिया जाये लेकिन कर्मचारी कहते थे कि नोटों को जल करके जलाया जाये। तो मैं मंत्री महोदय से जानना चाहता हूँ कि क्या वे उन नोट्स को बचा लेते हैं और क्या उनकी नम्बरों के डुप्लीकेट नोट छपे.....ऐसे कोई मामला पकड़े गये हैं और कर्मचारियों को गिरफ्तार किया गया है?

**श्री बलचन्तराव चव्हाण :** ऐसी मेरे पास कोई इतला नहीं है।

**PROF. MADHU DANDAVATE :** May I know from the hon. Minister whether it is a fact that even before the R.B.I. strike was announced, it was categorically assured by the organization concerned that whether their demand is conceded or not, even if they are assured that on all India level some talks will be started with their trade union organisation, in that case, the matter will not be precipitated? So, was it not possible for the Government to accept a simple demand like that and avert the strike altogether?

**SHRI YESHWANTRAO CHAVAN :** As a matter of fact, really speaking, you are trying to get the Government involved in this matter. The Reserve Bank authorities themselves are dealing with the employees. The conciliation authorities came in the picture and they had suggested this and on that ground the strike was withdrawn.

**PROF. MADHU DANDAVATE :** When I am saying 'Government', I am referring to the Reserve Bank authorities. Was it not possible for them? If you permit me, Sir, it is in connection with some serious issue—the procedure of destroying note.

I understand there were two sets of procedures. When the old procedure was there, at least punching was introduced so that the notes would not have gone as black money outside. Under the new procedure, punching has been dispensed with by officers remaining on the spot, with a small security team sitting somewhere in the corner. Don't you think that there is a lot of room for malpractices and even in the interests of the finances of the country and eliminating black money economy, it is necessary that this new procedure should be dispensed with and to revert back to the old procedure?

**SHRI YESHWANTRAO CHAVAN :** He is asking me about my opinion in the matter. It is going to be discussed between the Association and the RBI authorities. I have got certainly some views about it, but I don't think it will be fair to these people who are going to discuss the matter, to express my views beforehand.

**PROF. MADHU DANDAVATE :** It is related to the strike.

**SHRI YESHWANTRAO CHAVAN :** The strike was withdrawn on the ground that the matter will be discussed with the Reserve Bank. You don't want me to prejudice the issue by expressing my views.

**PROF. MADHU DANDAVATE :** I don't want you to prejudice the issue. Just I want to you to clarify the issue.

**श्री अटल बिहारी वाजपेयी :** यह सवाल नहीं है कि मंत्री जी की क्या राय है। सवाल यह है कि पुराने नोटों को नष्ट करने का जो तरीका था क्या वह तरीका बदल गया ? यदि बदल गया तो क्यों बदल गया ? क्या मंत्री महोदय को यह मालूम है कि तरीका बदल गया है उससे लोगों के मन में विशेषकर कर्मचारियों के मन में आशंकाएँ पैदा हुई हैं ?

**श्री यशवन्तराव चव्हाण :** जो तरीका बदल गया है वह आज नहीं बदल गया है बल्कि 1964 से बदला हुआ है। बदले हुए तरीके को बदलने की तैयारी इन लोगों ने शुरू कर दी—हकीकत यह है। इतना ही नहीं, नोटिस वगैरह देने के पहले एक दो आदमियों ने जो रिजर्व बैंक का आदेश था, वह नहीं माना। आदेश न मानने के बाद उनके लिये कुछ सम्पन्धन आर्डर्स निकालने पड़े और उसके बाद स्ट्राइक शुरू हो गई। 1964 से जो पद्धति जारी है वह ठीक है या ठीक नहीं है, उसके बारे में दो रायें हो सकती हैं। इसमें कौन सी रायें ठीक है कौन सी ठीक नहीं है, इस पर मेरी कुछ राय है लेकिन मैं उसको कहना नहीं चाहता। मैं यह चाहता हूँ कि हमारे जो कर्मचारी हैं उनके और रिजर्व बैंक के एग्यारिटीज के बीच में कोई रास्ता निकले।

**PROF. MADHU DANDAVATE :** Most of the experts have expressed themselves against this new procedure.

**श्री श्रीकिशन मोदी :** मैं यह जानना चाहता हूँ कि 14 दिन तक हड़ताल चली और उसके बाद उस मांग को उन्होंने माना कि हम बात करने के लिये सहमत हैं। तो यह पहले ही क्यों नहीं किया, 14 दिन के बाद क्यों सहमत हुए ? और यह हड़ताल लीगल थी या इल्लिगल थी ?

**श्री यशवन्तराव चव्हाण :** मेरी राय से तो यह लीगल नहीं थी।

**SHRI JYOTIRMOY BOSU :** I want to know whether there were any specific reasons for doing away with the punching system which was obtaining before. What was the specific reason?

**SHRI YESHWANTRAO CHAVAN :** It is an old thing. That is why I said, you want me to go into the reasoning of it. I can tell this much there were certain advantages and there were certain disadvantages. The disadvantages outweigh the advantages. Arguments can be advanced.

**SHRI ATAL BIHARI VAJPAYEE :**  
You are expressing an opinion.

**SHRI YESHWANTRAO CHAVAN :**  
I am giving the disadvantages. It is not a case of expressing an opinion. The point is, it was felt, that by discontinuing the system obtaining before 1964, there will be the possibility of doing away with block overtime work. That is the only main advantage in this matter. The question of forged notes, wrong notes, security, etc. was brought in. These are some of the things. I have got statistics which show that the re-issuable percentage is negligible. The quantum of so-called forged notes is so negligible that this cannot work that way. In this overtime work, people got some sort of vested interest in remaining where they were and even when they were under orders of promotion they refused to go and they wanted to stay where they were. And you have to look at the size of the notes which are to be dealt with annually. I have been told that nearly four thousand million pieces are to be dealt with. The accumulation of work was going very high. If we had to continue in the old way, it was felt, in 8 to 9 years time from now onwards, there will be roughly double the number of the piece that will have to be dealt with. Under these circumstances it was felt much better that we adopt this arrangement. There are certain reasons for it. The Reserve Banks has certain reasons why they have to do this way. Ultimately they have to see that they do the service to the customers and to the banks in the proper way.

**PROF. MADHU DANDAVATE :**  
In every bunch of 100 rupee notes, 50 to 60 had been found to be re-issuable notes.

**SHRI YESHWANTRAO CHAVAN :**  
My statistics don't show that.

**PROF. MADHU DANDAVATE :** I have statistics for that.

**MR. SPEAKER :** There should be some procedure. My permission should be taken. He is interrupting without my permission.

**SHRI ATAL BIHARI VAJPAYEE :**  
It is a 'burning' issue, really....

**MR. SPEAKER :** And also a 'punching' issue.

**SHRI S. B. GIRI :** You referred to the strike notice from the employees of the Reserve Bank and you said the strike is illegal. Will you kindly tell us under what grounds you think the strike is illegal?

**SHRI YESHWANTRAO CHAVAN :**  
I am not arguing the legal aspect of it. I am giving you my assessment of it.

**MR. SPEAKER :** It is a question of opinion.

**SHRI YESHWANTRAO CHAVAN :**  
I do not want the statement made by the hon. Member to remain uncontradicted. I can tell him the information about 1971. In regard to Re. 1-notes, the number of notes examined, or which were subjected to full qualified examination, as they call it, was nearly 44,75,90,000. The actual number of reissuable notes was 3,600, and the net excess or shortage actually was found to be only 65. The actual number of forged notes was 51. I am just giving a specimen of things.

In the case of Rs. 10-notes, nearly 20,30,40,000 pieces were examined, out of which 22,04,481 were found reissuable. The net excess or shortage was found to be only 903, while the number of forged notes was found to be 20. These are the actual statistics. I do not know wherefrom the hon. Member had got his statistics. Let him get them verified.

**PROF. MADHU DANDAVATE :** I shall have them verified.

**Submission of Malviya Committee Report  
on Oil and Natural Gas Commission**

\*85 SHRI B.S. BHAURA :

SHRI BIRENDRA SINGH RAO :  
Will the Minister of PETROLEUM  
AND CHEMICALS be pleased to state :

(a) whether the Malaviya Committee  
on the functioning of the Oil and Natural  
Gas Commission has submitted its  
report;

(b) if so, the main features thereof;

(c) the decisions taken by Govern-  
ment thereon?

THE MINISTER OF LAW AND  
JUSTICE AND PETROLEUM AND  
CHEMICALS (SHRI H.R. GOKHALE):

(a) Yes, Sir.

(b) A statement giving the main features  
of the Report is laid on the table of  
the House. [Placed in library. See No.  
LT-3261/72]

(c) The Report is presently under con-  
sideration of Government.

SHRI BIRENDRA SINGH RAO :  
May I know when this committee was ap-  
pointed, what the terms of reference were  
and when the report was submitted by  
the committee?

SHRI H. R. GOKHALE : It was first  
proposed in July, 1971 that a review com-  
mittee should be appointed, and the appoint-  
ment of this committee was announced in  
Parliament, and that was done by an ex-  
ecutive order of the Government. Shri  
K.D. Malaviya who was the chairman of the  
committee submitted his report to the Prime  
Minister on the 29th May, 1972 on which  
date, he also gave me a copy of the report.  
So, we also got the report on the 29th May,  
1972.

SHRI BIRENDRA SINGH RAO :  
How long would it take for Government to  
take action on the recommendations con-  
tained in this report ?

SHRI H. R. GOKHALE : It is difficult  
to specify the exact period of time, because  
Shri K. D. Malaviya has gone deep into  
several aspects of the working of the ONGC,  
as indeed it was expected of him. It  
touches many aspects like finance, the re-  
structuring of the ONGC itself and so on.  
He has suggested a three-tier organisation  
where decisions have to be taken at the high-  
est level of Government.

All that I can say is that it is being pro-  
cessed very expeditiously, as expeditiously  
as possible, and nothing can be done in  
any case, until the Public Undertakings  
Committee, (who have given a direction to  
us that until they have examined their  
report and given their comments, we should  
not go ahead with the implementation),  
give us their report; for, they had submit-  
ted their report earlier and so, they will  
first examine the report, and after they  
consider our comments, they will make their  
comments on it. Then only, we can con-  
sider the final recommendations of the  
Malaviya Committee report as capable  
of implementation.

SHRI N. SREEKANTAN NAIR :  
It is a fact that Shri K.D. Malaviya requested  
Government to get it examined by a very  
high-powered committee of technical-  
experts of international standing so that the  
technical aspects which the committee has  
recommended may be studied in full?

SHRI H. R. GOKHALE : The sugges-  
tion is there, and Shri K. D. Malaviya is also  
reported to have told the press that how  
would like the technical recommendations  
to be examined by a high-powered committee  
of international experts, but I believe that  
Shri K. D. Malaviya himself is a fairly good  
expert in these matters. There were also

other experts in the committee. If it becomes necessary at some stage to consult other experts, after the examination of the report that thing can be considered

**Control being Exercised by I.O.C. over the Functioning of Indo-Burma Petroleum.**

\*87, SHRI S. C. SAMANTA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) the type of overseeing and control being exercised by his Ministry and the Board of Indian Oil Corporation over the functioning of Indo-Burma Petroleum and chain of subsidiaries recently acquired

(b) whether I.O.C. has decided to buy greases, specialities and barrels from Balmer Lawrie Company without any tender, and

(c) if so, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) (a) to (c) A statement giving the required information is laid on the Table of the House

*Statement*

(a) Under the Indian Companies Act, 1956, each company is managed and controlled by its Board of Directors who are elected or nominated in the Annual General Meeting in accordance with the Memorandum & Articles of Association. There is no provision in this Act for any supervisory role to be exercised by the Parent Company over the Board of Directors of the Subsidiary Company except to exercise the powers available to shareholders in the General Meetings. The Indian Companies Act, 1956, however, provides for the appointment by a parent company under Section

214, of an Inspector of Accounts. The Indian Oil Corporation (IOC) has accordingly nominated an Inspector in respect of the Indo-Burma Petroleum Company Ltd (IBP). Similar arrangements are being made in respect of Balmer Lawrie and Company Limited by the IBP which is its parent company and by Balmer Lawrie and Company Limited in respect of the following four subsidiaries

- i Industrial Containers Limited
- ii Bridge and Roof Company (India) Limited
- iii Steel Containers Limited
- iv BIECCO Lawrie Ltd

Accordingly the Board of Directors of the IOC, a fully Government owned undertaking, is nominated by the Government of India. The Board of Directors of IBP consists of those elected by the shareholders in the Annual General Meetings. Presently the IBP Board comprises IOC's nominees (IOC holds just under 60% of the shares and the remaining shares are held by some 2,000 private investors).

(b) and (c), IOC has in the past shown preference to other public sector companies in regard to its purchases. In pursuance of this policy it has existing contracts for the purchase of barrels from the Garden Reach Workshops and the Bhusaval Ordnance Factory. These were entered into without inviting public tenders. As an extension of this policy, IOC has decided that for a period of one year it shall purchase greases, specialities and barrels from Balmer Lawrie and Company Limited and from its two subsidiaries, i.e. Steel Containers Limited, Bombay and Industrial Containers Limited, Calcutta, without inviting public tenders. This decision has been taken as Balmer Lawrie and its subsidiaries have now become public sector companies. In view of this consideration and the fact that the cost structured would be available to the IOC

so as to ensure that the purchase prices are reasonable, the IOC has decided to obtain its requirements of greases, specialities and barrels from Balmer Lawrie and its subsidiaries

**SHRI S C SAMANTA** From the statement I find that there are existing contracts for the purchase of barrels etc from the Garden Reach Workshops and the Bhusaval Ordnance Factory and these were entered into without inviting public tenders, because they were monopoly supplies. I would like to know the price at which the barrels etc were obtained.

**SHRI H R GOKHALE** The hon member wants to know whether the purchase of greases, specialities and barrels from Balmer Lawrie was without any tender. As I have said in the statement it has been the practice of IOC to give first preference for its purchases to public sector undertakings. Balmer Lawrie has become a public sector undertaking because 80 per cent of its shares are now held in the public sector. Therefore the policy to give preference to the public sector remains.

**SHRI JYOTIRMOY BOST** How did you acquire it?

**SHRI H R GOKHALE** It is another question. But there is a certain kind of check because under our control we are in a position to know the cost structure and regulate the prices to see that they are not unreasonable.

**SHRI S C SAMANTA** What is the price paid to Balmer Lawrie and what is the ruling market price?

**SHRI H R GOKHALE** I do not have the figures just now, I can supply them later.

**DR. RANEN SEN** From the statement, it appears that there are quite a large number of private shareholders in IBP.

Is it a fact that in Balmer Lawrie also 20 per cent shares are held by private shareholders? Is it a fact that Duncan Brothers are owning shares in Balmer Lawrie and the recent acquirement from Duncan Brothers was objected to by the Government in the Company Affairs Department? If so, why?

**SHRI H R GOKHALE** I have got a rough chart here as to the holding of shares. First the hon member referred to IBP. IOC is holding 60 per cent shares in IBP and small private investors own about 40 per cent. I B P's share interest in Balmer Lawrie was formerly about 30 per cent. They were in a minority. Now it has become a public sector undertaking. At that time, Duncan Brothers owned about 22.59 per cent shares, and Alex Lawrie, who were also associates of Duncan Brothers, because they gave proxy to Duncan Brothers in the matter of exercise of voting rights, possessed 27.55 per cent, the remaining 19.77 per cent were with miscellaneous shareholders. The net result of this is that before this reorganisation took place, while IBP had 30 per cent Duncan Brothers had a little over 50 per cent, not to mention 19 per cent held by others. After the changeover, we have taken all the shares of Duncan and Alex Lawrie. This means a holding of about 50.14 per cent. The consequence is that now in Balmer Lawrie we have 80.23 per cent holding giving us a clear majority in the control of the company.

**SHRI PRABODH CHANDRA** Will the Minister keep in view the fact that the cost of production in the public sector is higher? That being so, is it not a waste of money to put public money in the public sector?

**SHRI H R GOKHALE** The hon member is challenging the very basis of our policy. The policy is really to build



up the public sector so as to control the commanding heights, as it is said. Now it is true that in some cases the production cost is more ; in some other cases, it is not. Therefore, to generalise that in all public sector units the cost of production is higher and hence it is not advisable to go in for the public sector is, I think, not correct.

**SHRI DINEN BHATTACHARYYA :** While purchasing shares of Balmer Lawrie from Duncan Brothers, did Government pay higher value for these than the market value? If so, why?

**SHRI H. R. GOKHALE :** The idea in purchasing the shares obviously was to take over the control of this vital company. At this stage, I may mention that this company is not alone because it has four other subsidiaries. They are important subsidiaries and which will now come under the control of the Government of India.

**SHRI JYOTIRMOY BOSU :** The question is very specific. Why is the Minister digressing?

**SHRI H. R. GOKHALE :** I have not finished my reply. I am coming to it. Some shares were available in the market, but the quantum of the shares which were available in the market was very small and the taking over of those shares would not only have not given us any control but it was a insignificant proportion of what we required for taking over control of Balmer Lawrie. As it is, Duncan Brothers were trying, and in which attempt we frustrated them. *(Interruption)*

**SHRI JYOTIRMOY BOSU :** Goenka.

**SHRI H. R. GOKHALE :** Whether it is Goenka or not, it is immaterial. We frustrated that effort. What is important is, we frustrated their effort. They were trying to secure control over Balmer Lawrie

by making a proposal to Government that whatever shares we possess we should sell them.

**SHRI JYOTIRMOY BOSU :** I am coming to the edge of my patience. The whole thing is stinking in Calcutta.

**SHRI H. R. GOKHALE :** I have got the figures. Why are you impatient? I am dealing with all parts of your question.

What I am pointing out is that when they offered to purchase our shares they offered a price of Rs. 160 per share. Now, we did not want obviously to part with our share, because our idea was to take over their shares and obtain control over the company, but when this question came up, the question was, what is the price. I have got the figures with me. In respect of the Dunca Brothers' shares, the price of Rs. 95 per share was paid, and with respect to equity holding of Balmer Lawrie from Alex Lawrie, Rs. 85 per share was paid. This was done on purely economic considerations after consulting the Department of Company Affairs, and Finance, and I think at some stage even after consultation with the Unit Trust of India.

**SHRI INDRAJIT GUPTA :** What was the market price?

**SHRI H. R. GOKHALE :** It was lower than this, but in the market, the shares were not available. The shares available were a very small fraction.

**SHRI JYOTIRMOY BOSU :** Sir, may I submit one thing? I was trying to catch your eye. Do not refuse this time. It involves Calcutta. I can say something which may be of interest to you and the House. May be it will be embarrassing to the Government.

**MR. SPEAKER :** But in between his reply, you force yourself a number of times, on him.

**SHRI JYOTIRMOY BOSU** You just give me one minute to let my steam out I assure you I will be very brief

**MR. SPEAKER** Kindly keep to your seat

**SHRI JYOTIRMOY BOSU** Yes, Sir, then you will call me?

**MR. SPEAKER** Just cool down for a time

**SHRI JYOTIRMOY BOSU** I am already cooled down Sir

**SHRI ATAL BIHARI VAJPAYEE**  
The reply given by the hon. Minister has not allayed our apprehensions. May I know if there is anything in the records to show that the shares were not available in the market and the Government had to pay a higher price in order to secure the shares?

**SHRI H. R. GOKHALE** As I said, shares were available but they were so insignificant in number that it could not have achieved our objective and that is why we did not buy them.

**SHRI DINEN BHATTACHARYA**  
What was the market price of that share? He did not reply.

**MR. SPEAKER** He says they were so insignificant.

**SHRI DINEN BHATTACHARYA**  
Might be, but what was its actual value? *(Interruption)*

**SHRI JYOTIRMOY BOSU** Will the hon. Minister kindly tell us if it was not a fact that Balmer Lawrie, because of the heavy losses they had incurred in the last three years on the Bridge and Roof Co., and in other business, they were trying to sell the concern but there was no buyer?

Is it not a fact that the shares had been steadily quoted around Rs. 62, although originally they had a face value of Rs. 200, and there was no buyer? Is it also not a fact that the Government paid over Rs. 90 for a dying concern and paid a premium of 50 per cent on the quoted market price of the company?

**MR. SPEAKER** You are making a statement. You might put the question straight. *(Interruption)*

**SHRI H. R. GOKHALE** I have answered the question already. The question is not to take over the shares for the sake of taking them over, and purchasing five shares or 10 shares. What was the objective? The objective was to take over control of the company along with the subsidiaries. This could be achieved only by major holding of the Duncan Brothers and Alex. Lawrie. *(Interruptions)* The point was whether we should take it over or not. By all standards it was a reasonable price. *(Interruptions)*

**SHRI JYOTIRMOY BOSU** At what price was it quoted in the market? They have paid a premium of fifty per cent on the quoted price and those people had got benefit to the tune of Rs. 6-7 lakhs.

**SHRI ATAL BIHARI VAJPAYEE**  
This matter requires a thorough enquiry. They have paid a much higher price. You know the background. I need not mention the names.

**SHRI JYOTIRMOY BOSU** I have made a certain observation. Let the Minister contradict. The price was quoted continuously around Rs. 66. They have paid Rs. 90 for the same share. That company was incurring heavy losses.

**MR. SPEAKER** Will you please allow the Minister to answer. You go on speaking and do not allow the Minister to speak.

**SHRI H. R. GOKHALE :** It is absolutely not true that the purchase of these shares was done with any ulterior considerations. It was on proper economic considerations, for taking over these companies.....(*Interruptions*)

**MR. SPEAKER :** I shall ask the Minister not to answer the question if he is interrupted like this

**SHRI H. R. GOKHALE :** The point is there were very few shares available in the market and the rate of shares quoted was less than the rate at which it was purchased. A very small percentage of the shares could not have given control at all. Even the share market, there is reason to believe, was manipulated by Goenka Duncan brothers for the reason that they themselves were trying to purchase our shares. They themselves offered to pay Rs. 160 or so and we offered Rs. 95. Their attempts were frustrated and we said that we should take control by buying the shares. How the share values are manipulated is well-known to the hon. Member.

**SHRI DINFN BHATTACHARYA :** He has not so far replied what was the market value.

**SHRI JYOTIRMOY BOSU :** My question is specific. What was the quoted market price and at what price they bought the shares?

**SHRI H. R. GOKHALE :** I gave all the figures. Is there any point in repeating the same thing?

**MR. SPEAKER :** He repeats the question. The hon. Minister did reply to that question. If he repeats the question, the hon. Minister will repeat his answer till the question hour is over

**SHRI JYOTIRMOY BOSU :** He has not given the quoted market price.

**SHRI H. R. GOKHALE :** I should tell you, as I said earlier, that there were few shares available in the market and their price was less than Rs. 95, which we paid.

**SHRI JYOTIRMOY BOSU :** What was the price?

**MR. SPEAKER :** Why do you not have a little patience? You ask a question and do not allow him to reply

**MR. H. R. GOKHALE :** The exact quotations fluctuate. If the member desires, I will give this information to him

**SHRI JYOTIRMOY BOSU :** rose—

**MR. SPEAKER :** You have monopolised most of the time. He says he has not got the information and he will supply it.

**SHRI PILOO MODY :** That is about the market price. About the sale price, he should know exactly. That is not subject to market fluctuation.

**SHRI H. R. GOKHALE :** The price of shares which were available in the market—a few of them—was lower than the price we paid. The price we paid was Rs. 95 to Duncan Brothers and Rs. 85 to Alex Lawrie. As I said, even Duncan Brothers were prepared to buy the shares at Rs. 160 whereas we paid them 85 and Rs. 95. The exact quotation in the market was lower than this price.

**SHRI INDRAJIT GUPTA :** On the basis of the figures which the minister has himself just now given, I want to know if it is true that Duncan Brothers valued these shares so highly that they were prepared to offer Rs. 160 per share to acquire even the shares which the Government had, how does the minister explain this

that ultimately they were willing to part with their shares to Government for Rs. 85 and Rs. 95 only ?

**SHRI JYOTIRMOY BOSU :** It is a cock and bull story.

**SHRI H. R. GOKHALE :** Considerable time passed between that offer and this transaction. When they realised they were not in a position to succeed in their endeavour to take over this company and we stood firm that we will take it over, they gave away the shares.

**Amenities to Indian P. O. Ws. in Pakistan**

\*88. **SHRI NIHAR LASKAR :**

**SHRI VEKARIA :**

Will the **MINISTER OF DEFENCE** be pleased to state :

(a) whether the Indian P. O. Ws. in Pakistan are as comfortable as the Pak P. O. Ws. in India ;

(b) whether the Government have made any enquiry in this regard ; and

(c) if so, with what results ?

**THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) :** (a) to (c). According to the reports received from the International Committee of Red Cross, the Indian prisoners of war in Pakistan are being treated in accordance with the relevant provisions of the Geneva Convention governing the treatment of prisoners of war. Several enquiries were made by Government in response to which the above has been confirmed by the International Committee of Red Cross.

**SHRI NIHAR LASKAR :** May I know whether the relations of the Indian prisoners of war in Pakistan are getting any communications from those prisoners?

**SHRI VIDYA CHARAN SHUKLA :** Yes, Sir. The mail received from the Indian prisoners of war in Pakistan is regularly delivered to their relations in India. Similarly, mails of the Pakistani prisoners of war in India are also transmitted to Pakistan.

**श्री ब्रजल बिहारी बाबूदेवी :** क्या यह सब है कि प्रायः इंडिया रेडियों जो हमारे पास पाकिस्तानी युद्ध-बन्दी हैं उनके सन्देश पाकिस्तान में उनके घर वालों को प्रसारित कर रहा है और यह बना रहा है कि वे यहाँ ठीक तरह से रखे गये हैं। मैं जानना चाहता हूँ कि क्या इस तरह के प्रसारण पाकिस्तान रेडियों से भी हो रहे हैं ?

**श्री विद्याचरण शुक्ल :** इसके बारे में हम जोयो ने पता लगाया था। यह बताया गया है कि वहाँ पाकिस्तान रेडियों से भी प्रसारण होते हैं वहाँ उन्हें यह सन्देश दिये जाते हैं। लेकिन जिस प्रकार का प्रसारण हम करते हैं सन्देशों का उस प्रकार का प्रसारण वे करते हैं या नहीं इसके बारे में सूचना नहीं है। सूचना एकत्र करके सभा पटल पर मैं रख दूँगा।

**श्री ब्रजल बिहारी बाबूदेवी :** नहीं कर रहे हैं।

**श्री विद्याचरण शुक्ल :** पता लगा लूँगा।

**SHRI BIRENDER SINGH RAO :** May I know whether any Indian army personnel who were taken prisoners before the December war from the border areas are still in custody of Pakistan? If so, have the government taken any steps to see that they are also treated on par with the prisoners of war?

**SHRI VIDYA CHARAN SHUKLA :** I am not really sure whether there were any army personnel who were taken prisoners by Pakistan before it launched the aggression on 3rd December. But in case there are, I am quite sure they would be treated as prisoners of war along with the rest of the prisoners who were taken prisoners at the time of the aggression.

**SHRI BIRENDER SINGH RAO :** Let the Minister confirm his facts because I know he is wrong.

**SHRI S. M. BANERJEE :** There are many Indian prisoners of war who are ailing. What arrangements have been made to see that they are sent back to this country?

**SHRI VIDYA CHARAN SHUKLA :** As the hon. House knows, those prisoners who are not well or seriously sick are exchanged through the good offices of the International Committee of the Red Cross. This position is constantly under review. According to the precedents, sick and seriously wounded prisoners of war are exchanged. But according to our present information there is no such prisoner eligible for repatriation.

**SHRI D. BASUMATARI :** Apart from the information received from the international agencies, have they verified them from the prisoners of war who have been repatriated from Pakistan?

**SHRI VIDYA CHARAN SHUKLA :** Yes, Sir. We have ascertained the position from those prisoners who were repatriated from Pakistan. By and large, they have corroborated the version given by the International Committee of the Red Cross.

#### Setting up of a Tourism Board

\*89. **SHRI RAMSHEKHAR PRASAD SINGH :**

**SHRI SHRIKISHAN MODI :**

Will the Minister of **TOURISM AND CIVIL AVIATION** be pleased to state:

(a) whether Government are considering a proposal to set up a Tourism Board ; and

(b) If so, what will be its main functions?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH).**

(a) A National Tourism Board under my Chairmanship was constituted on 25th May, 1972.

(b) The main functions of the Board will be to advise the Ministry of Tourism and Civil Aviation on matters relating to the improvement of the tourism infrastructure in all its aspects, and to suggest ways to coordinate tourism schemes and activities in the public and private sectors.

**SHRI RAMSHEKHAR PRASAD SINGH :** May I know how many members are officials and how many non-officials?

**DR. KARAN SINGH :** Apart from me as Chairman, my colleague, the Minister of State is the Vice-Chairman. Then there are 9 official members and 5 non-official members.

**SHRI RAMSHEKHAR PRASAD SINGH :** Who are the officials and who are the non-official members?

**DR. KARAN SINGH :** Sir, should I read out all the names? The idea of the National Tourism Board is really to do two things? One is to coordinate the activities of the various Government of India agencies relating to tourism. So, we have the Secretary of my Ministry, the Financial Adviser, the Chairman of the India Tourism Development Corporation, the member of the Railway Board concerned with tourism, Air India, Indian Airlines, the Director-General of Archaeology, because archaeology is very closely linked with tourism, the Chairman of the Inter-State Transport Commission to deal with tourism and, of course, the Director-General of Tourism.

So, all the major agencies in the Government of India connected with tourism and its affiliated activities, its ancillary activities, are included.

In addition, we have five non-officials who have been selected for their personal knowledge of tourism. One is Shri Ajit Kedkar who is, at present, the President of the Federation of Hotel, and Restaurant Associations of India; the other is Shri Ramesh Thapar, the former Chairman of the India Tourism Development Corporation; then Shri Inder Sharma who is a leading travel agent; Shri Som Banegal who is in advertising and Shri Patwant Singh who is in designing.

We have chosen these five non-officials to try and bring in a broad spectrum of expertise and new ideas in the functioning of the Tourism Board.

**SHRI RAMSHEKHAR PRASAD SINGH:** From the list, it appears there are experts on the Board. May I know from the Government whether there is any proposal with them to have some M. Ps. or other persons who can give you ideas and experience of travelling public and tourism in various parts of the country?

**DR. KARAN SINGH:** As the House is aware, there is the Consultative Committee attached to my Ministry in which the M. Ps. are fully involved. There are 40 M. Ps. in that Committee. Then, there is the Tourism Development Council which is a much bigger body and in which all the States are represented. There are nine M. Ps. on that body. This Board is really a compact body consisting of persons who are directly connected with the development of tourism either officially or unofficially. Therefore, we thought it is better to keep a small compact body.

**DR. RANEN SEN:** Is it a fact that there are State Government tourist agencies in almost every State and that there is no proper coordination between the Tourism Board and the State Government tourist agencies so much so that they

are at logger-heads sometimes and, if so, what steps the Government propose to take to rectify this state of affairs?

**DR. KARAN SINGH:** The question of being at loggerheads does not arise. The National Tourism Board has come into being hardly a couple of months ago. The coordination would be with the states. As I mentioned, there is another much bigger body called the Tourism Development Council on which every State Minister of Tourism is represented and there are also M. Ps. on that. So, the coordination is always done there. There is no question of any conflict between the two bodies. They serve entirely different purposes.

#### **Grant of Additional Loan to Mysore**

**\*91. SHRI PAMPAN GOWDA:**

**SHRI C. K. JAFFER SHARIEF:**

Will the Minister of FINANCE be pleased to state:

(a) whether the Central Government assured the Mysore Government to grant additional loan of Rs. 105 crores to meet their requirements for the current plan;

(b) whether the said amount has been reduced by Government; and

(c) if so, the reasons therefore and the extent of reduction?

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN):** (a) to (c). According to the assessment made by the Planning Commission at the beginning of the Fourth Plan period, Mysore was expected to have a gap in resources totalling Rs. 105.72 crores, Rs. 60.50 crores on plan account and Rs. 45.22 crores on non-Plan account. The quantum of special accommodation to be given to the state Government was to be determined each year after taking into account the recommendations of the Fifth Finance Commission and the assessment of the Planning

Commission in regard to unavoidable non-Plan Commitments, the scope of economies in non-Plan expenditure, the efforts made to improve revenue and tax collections and mobilisation of other normal budgetary resources,

The latest assessment made by the Planning Commission indicates that while the Government of Mysore would be eligible to receive Rs. 60.50 crores as special accommodation for the State Fourth Plan, they would now not be entitled to special accommodation on non-Plan account.

**SHRI PAMPAN GOWDA :** At the beginning of the Fourth Plan Mysore was given special accommodation, covering both Plan and non-Plan items, of Rs. 105 crores. Now the Government of India has changed its policy or view and is saying that Mysore is not entitled to non-Plan items amounting to Rs. 45 crores. May I know the reason for this change?

**SHRI YESHWANTRAO CHAVAN :** As I have explained, after the reappraisal of the Plan it was found that non-Plan expenditure was, really speaking there; it was explained by two major items: one, of dearness allowance to the State Government employees which may be justifiable as far as they are concerned, and the other, the expenditure on Cauvery which is a matter under dispute. It was on the reappraisal of the Plan that it was found that there was no non-Plan gap which entitled special grant from the Government of India. That was the Planning Commission's assessment and on that basis this was done.

**SHRI B. V. NAIK :** What would be the effect of Centre taking up the entire financial responsibility of Rs. 175 crores of Kali hydro-electric project? Would it not ease the situation of the finances of the Government of Mysore?

**SHRI YESHWANTRAO CHAVAN :** It should certainly ease the financial position of the Government of Mysore.

**MR. SPEAKER :** Dr. V. K. R. V. RAO-

**SHRI B. V. NAIK :** Reply is still to due to my question, Sir. My question was this. Now that the entire expenditure in respect of Kali hydro electric project is to be borne by the Centre and it has to be a completely Central project with no commitment of the Mysore State Government, would this alleviate the financial distress of the Government of Mysore which is chronically in financial distress?

**SHRI YESHWANTRAO CHAVAN :** Really speaking, this is not going to be a Central project as such, but we certainly say that we will take the responsibility by giving loans for the scheme. Naturally this concession would ease the difficulties, if at all there are any, in the Mysore budget. That is what I said.

**DR. V. K. R. VARADARAJA RAO :** The Finance Minister has stated that the Central Government, on the advice of the Planning Commission, has seen fit not to grant Rs. 45.00 crores of non-Plan expenditure. I take it from what the Finance Minister said that both the items of expenditure, namely, the Cauvery expenditure and the expenditure of dearness allowance, are expenditures which are inevitable in the context of the political and economic compulsions facing the Mysore Government....

**AN HON. MEMBER :** Karnataka.

**DR. V. K. R. VARADARAJA RAO :** I stand corrected—the Government of Karnataka. If these expenditures are inevitable, am I to understand from the Finance Minister, first, whether the Planning Commission, also found that the State

had resources to meet this non-Plan gap without affecting its programmes for the planned economic development of the State? This is my first question and if I may ask a second question (*Interruption*)

SHRI SAT PAL KAPUR He is a new Member, Sir

DR V K R VARADARAJA RAO  
I am always a new Member

MR SPEAKER Would you have replied to a second question when you were a Minister?

DR V K R VARADARAJA RAO  
He has not got that freedom of a Member

SHRI YESHWANTRAO CHAVAN  
Second part of the question

DR V K R VARADARAJA RAO  
Yes, as a second part of the same question—Sir it is good for a professor to educate so many students—I wanted to ask I was under the impression that when the Prime Minister announced the special accommodation of Rs 105 crores, that was not so much on the basis of a detailed examination of all these deficits that the Finance Minister has talked about but was a kind of compensation for the injustice that Mysore now Karnataka, had suffered at the hands of the Fifth Finance Commission, so much so, that it was the only State which got less money from the Finance Commission

MR SPEAKER I need not remind you that you are asking a question

SHRI YESHWANTRAO CHAVAN  
I would like to answer the second part of his question first It is about whether the Prime Minister had made any commitment of any specific amount Certainly, in the

beginning as it was felt that the Fifth Finance Commission has not taken into consideration all the problems of Mysore, therefore, indication was given that if there is any gap between non-Plan expenditure and Plan expenditure, that will be done But, at the same time, in 1970, in the Parliament, both by the Prime Minister and the former State Minister during discussions on the Budget in March-April, 1970, these criteria were laid down I would like Dr Rao to take into account the criteria laid down

- (a) The reasonableness of the requirements of the Plan outlay for each State
- (b) The Impact of devolution under the recommendations of the Finance Commission
- (c) The benefit that each State is likely to get as a result of the additional resources mobilisation of the Centre
- (d) The position of the State Governments on capital account including the debt repayment liability of past loans, and
- (e) The efforts made by the State Governments to mobilise and conserve their own resources

These are the criteria and when all these questions were taken into account at the time of the mid appraisal of the Plan it was found out that these were the two reasons which explained the non-Plan gap of the Mysore Government These are the two major items

Now whether there were political compulsions or not, is a different matter.

DR V K R VARADARAJA RAO  
Economic compulsions



**SHRI YESHWANTRAO CHAVAN :** Even it may be. Whatever political compulsions they may be, sometime they become economic compulsions and economic compulsion is always a political compulsion. It is true. But the point is : this sort of compulsions existed in each State. We cannot say that this was only peculiar to Mysore State. The question of giving additional dearness allowance and the commitments to be made for that are an all India problem. That will have to be considered, examined ; even sympathetically it has to be examined in the context of the national problem as such.

It will be done, I am sure, because the terms of reference of the Sixth Finance Commission includes this question.

Now, the other major item was about the Kaveri project. You know the political complications of that. Naturally, the Planning Commission could not undertake sanction of this expenditure.

So, these are the two important items which, at the time of the reappraisal of the Plan were considered to be non-Plan gap which does not entitle any special grant from the Government. But, at the same time, we have taken account the problems of Mysore Government and already myself and the then Planning Minister, Mr. Subramaniam, had a series of discussions with the new Finance Minister and the Chief Minister and we try to understand their problems as sympathetically as possible, and try to find out the way. Whatever, Central assistance, special assistance meant for this year—it was coming to about Rs. 10 crores or so, and it was raised to more than Rs. 11 crores or so and again, the additional overdraft which was beyond the ceiling was treated with some sort of a special concession.

## WRITTEN ANSWERS TO QUESTIONS

### Revision of agreement with Foreign Oil Companies

\*81. **SHRI SARJOO PANDEY :** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether the question of revising the existing Refinery Agreements with the foreign Oil Companies in India has been examined by Government;

(b) if so, the decisions taken by Government in the matter; and

(c) the concrete steps taken in pursuance of these decisions?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) :** (a) to (c) A very detailed study has been undertaken of the various alternatives open to the Government such as the revision of refinery agreements by negotiations, or the acquisition of majority shares in the marketing and refinery operations of the foreign oil companies etc. No decision has been taken so far.

### Location of Oil Refinery at Mathura (U.P.)

\*82. **SHRI BHOGENDEA JHA :**

**SHRI ARJUN SETHI :**

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

(a) Whether Government is going to set up India's biggest Oil Refinery in Mathura; and

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

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) :** (a) Yes, Sir.

(b) A statement is placed on the Table of the House

### Statement

The salient features of the North-West Refinery project are as follows —

- (i) The refinery will have a capacity of 6 million tonnes per annum and will be the biggest oil refinery in the country. It is estimated that saving in foreign exchange resulting from refining of imported crude oil will be about Rs. 40 crores per year.
- (ii) The crude oil requirements of the refinery will be met by imports. The refinery will be designed to process a wide variety of Middle East crude oils falling in the gravity range of 320–360 API.
- (iii) Crude oil to be imported will be received in the Gulf of Kutch where a single buoy mooring facility will be provided. From there crude oil will be brought to a shore terminal and therefrom by a pipeline (approximately 1200 Kms. in length) to the refinery site at Mathura.
- (iv) The refinery is expected to produce motor spirit, naphtha, High speed, Diesel Oil, Kerosene Oil, Light Diesel Oil, Furnace oil (including feedstock for fertilizers), LPG and Bitumen.
- (v) The refinery will have its own captive power generation unit which would meet the refinery's power and steam requirements. Provision will also be made for adequate effluent treatment and disposal facilities.
- (vi) The total investment on the refinery, pipelines, off-shore terminal and on-shore facilities would be approximately Rs. 161.15 crores (excluding township).

(vii) A special feature of the refinery project will be the provision of a one-million tonne Hydro Cracker to convert heavy oil into more valuable middle distillates for which there is large and growing demand in the north-west region.

(viii) It is estimated that the refinery complex along with off shore and pipeline facilities would create employment potential for about 1300 people.

(ix) The refinery is likely to be ready for commissioning by 1977.

भारतीय रुपये के मूल्य में ह्रास

\* 84 श्री शिव कुमार शास्त्री क्या वित्त मंत्री यह बताने की कृपा करेंगे कि

(क) क्या स्वतन्त्रता प्राप्ति के पश्चात् से बढ़ते हुए मूल्य के कारण भारतीय रुपये का मूल्य घटकर 40 प्रतिशत रह गया है, और

(ख) यदि हाँ तो इस सबब में सरकार क्या बंदम उठा रही है ?

वित्त मंत्री (श्री यशवन्तराव चव्हाण)

(क) विशिष्ट समयावधियों के तन्त्रों में मुद्राभा के मूल्य का प्रायः उपभोक्ता मूल्यों के सूचक घका व व्युत्क्रमा (रेतीप्रकल) के रूप में प्राप्ता जाता है। भारत के लिये अखिल भारतीय औद्योगिक कमचारी उपभोक्ता मूल्य सूचक घक का जिसका आधार वर्ष 1949 है इस प्रयोजन के लिये सर्वाधिक उपयुक्त सूचक-घक माना जा सकता है। साराणी 1 में इस आधार पर आवश्यक तथ्य दिये गये हैं। अन्य देशों व तुलनीय घक के साराणी 11 में दिये गये हैं। इससे यह पता चलेगा कि लगभग 25 वर्षों की लम्बी अवधि में राष्ट्रीय मुद्राभा की क्रय-शक्ति में भारी गिरावट घान की प्रवृत्ति एक विश्व-व्यापी प्रवृत्ति है।

(ख) मूल्यों में स्थिरता बनाये रखने की आवश्यकता को हमारी विचार प्रयोजनाभा में

स्वीकार किया गया है, बिना वरूप में चौथी पंचवर्षीय आयोजना का उद्देश्य यह रहा है कि मूल्यों का स्थिर रखने हुए सामाजिक न्याय के साथ-साथ विकास किया जाय। कृषि और औद्योगिक विकास के विभिन्न कार्यक्रमों का उद्देश्य वस्तुओं और सेवाओं की पूर्ति में वृद्धि करना और उसके जरिये लोगों के जीवन-यापन स्तर में कुछ सुधार करना है। सरकार की राजस्व नीति का उद्देश्य गैर-मुद्रास्फीतिकारी और न्यायसंगत तरीके से विकास के लिए साधन जुटाना और सामाजिक आर्थिक कार्यक्रमों पर होने वाले व्यय की पूर्ति करना है। इनके साथ-साथ सरकार का यह प्रयास रहा है कि आयोजना-भिन्न व्यय को यथासंभव न्यूनतम रखा जाय। तीन मशस्त्र मयचौ पर आने वाले भारी व्यय बंगला देश में शरणार्थियों के बहुत बड़ी संख्या में आगमन और राज्या का बाढ़ और भूकाल में राहत पहुंचाने के लिये दी जाने वाली वित्तीय सहायता जैसी आपादित परिस्थितियों का छड़कर घाटे की वित्त-व्यवस्था का आश्रय आयाजित आधार पर लिया गया है। ऋण-नीति का निर्माण इस प्रकार किया गया है कि सट्टेबाजी के प्रयाजना के लिये बैंक-राजिया का दुरुपयोग करने का रास्ता बंद हो जा सके।

सरकार सट्टेबाजी को रोकने, कमिया का आवश्यकता पड़ने पर नियमित के जरिये भा दूर करने और उपयुक्त मूल्यों पर आवश्यक वस्तुओं की पर्याप्त पूर्ति और सम्यक् वितरण की सुनिश्चित व्यवस्था करने के लिये भी विभिन्न कदम उठाती रही है। आवश्यकता पड़ने पर आवश्यक वस्तु अधिनियम और अन्य समर्थकारी विधियों के अन्तर्गत मूल्यों और वितरण सम्बन्धी नियंत्रण लागू किये गये हैं। कन्द में अर्सेनिब पूर्ण सगठन और राज्या के स्तर पर ऐसे ही अन्य सगठन 20 आवश्यक वस्तुओं की पूर्ति और उनके मूल्यों पर नियमित रूप से नजर रखते हैं और स्थानीय कमियों को दूर करने के लिये निर्माताओं/व्यापारियों के साथ मिल कर प्रबन्ध करते हैं। टैरिफ आयोग और औद्योगिक लागत तथा मूल्य कार्यालय जैसे निकायों की सहायता में

समय समय पर महत्वपूर्ण वस्तुओं के मूल्यों का निर्धारण किया जाता है।

जन साधारण के हितों की सुरक्षा के लिये सरकारी मध्य धनाजों और बीनो के लिये एक सरकारी वितरण प्रणाली का संचालन कर रही है और इसके मेल का बढान के लिये कारंबाई की जा रही है।

### सारणी I

आर्थिक उपभोक्ता मूल्य सूचक अंक  
आधार — 1949—100

वर्ष	सूचक ध्व	1949 की तुलना में भारतीय वर्ष की वय शक्ति प्रतिशत
1950	101	99.1
1956	105	95.2
1962	130	76.9
1964	134	74.6
1967	209	47.8
1969	215	46.5
1969	213	46.9
1970	224	44.6
1971	230	43.5
1972	236	42.4

(पाच महीना का औसत)

### सारणी II

1948 की तुलना में 1971 में बने हुए देशों की  
मुद्राओं की वय शक्ति (प्रतिशत)

देश	वय शक्ति (प्रतिशत)
1	2
1 आस्ट्रेलिया	38.6%
2 कनाडा	56.2

(1944 की तुलना में)

1	2	3
3. फ्रांस . . .	.	28.3
4. जर्मनी . . .	.	64.6@
5. भारत . . .	.	41.4
6. इटली . . .	.	48.5
7. जापान . . .	.	31.0
8. नीदरलैंड . . .	.	41.7
9. न्यूजीलैंड . . .	.	37.3
10. स्वीडन . . .	.	39.3
11. स्विटजरलैंड . . .	.	60.0
12. थाइलैंड . . .	.	50.4
13. ब्रिटेन . . .	.	39.2
14. संयुक्त राज्य अमेरिका . . .	.	59.1
15. यूगोस्लाविया . . .	.	23.4+

@ 1949 की तुलना में ।

+ 1951 की तुलना में ।

#### Investment of L.I.C. in Uttar Pradesh

\*86. SHRI R.K. SINHA : Will the Minister of *FINANCE* be pleased to state :

(a) whether the Life Insurance Corporation is taking steps to invest more money in Uttar Pradesh to remove disparity in development;

(b) if so, the broad outlines thereof and the criteria likely to be followed by Life Insurance Corporation while investing money in Uttar Pradesh; and

(c) whether there is any proposal regarding District Faizabad and if so, the salient features thereof?

THE MINISTER OF FINANCE (SHRI YESHWANT RAO CHAVAN) : (a) and (b) Consistent with its policy of investing for the good of the community as a whole the LIC seeks, as far as the available investment opportunities permit, to achieve a fair spread of its investments throughout

the country and to remove regional disparities. Its fresh investments in Uttar Pradesh have registered a substantial increase in recent years.

(c) LIC's direct involvement at the district level is generally in the form of loans to Municipal Committees for Water Supply and Sewerage Schemes, loans to Co-operative Industrial Estates and loans to Co-operative Sugar Factories. These are normally required to be sponsored by the State Government concerned. The LIC has not so far received any specific proposal for the U.P. Government in respect of Faizabad District.

खराब नोटों के जलाये जाने के बारे में रिजर्व बैंक आफ इंडिया के कर्मचारियों द्वारा हड़ताल

\*90. श्री आर० पी० बड़े :

श्री मोहम्मद इस्माइल :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रिजर्व बैंक के कर्मचारियों ने जून 1972 में देश व्यापारी हड़ताल की थी ;

(ख) एक रुपये और दो रुपये के खराब नोटों को जलाने के बारे में सरकार की क्या नीति है; और

(ग) हड़ताली कर्मचारियों की मांगें क्या थीं ?

वित्त मंत्री (श्री यशवन्त राव चव्हाण) :

(क) से (ग). भारतीय रिजर्व बैंक कर्मचारी संघ की बम्बई शाखा में इस मांग को लेकर हड़ताल की गयी थी कि दिसम्बर 1964 में लागू की गयी एक रुपये, दो रुपये, पांच रुपये और दस रुपये के गंदे नोटों के निपटान की परिवर्तित प्रक्रिया को छोड़ दिया जाना चाहिये ।

भारतीय रिजर्व बैंक बम्बई और उसकी संबद्ध संस्थाओं में कार्य करने वाले तृतीय श्रेणी के लगभग 750 कर्मचारियों और चतुर्थ श्रेणी के लगभग 1800 कर्मचारियों तथा अन्य कार्यालयों

के 9300 कर्मचारियों ने काम नहीं किया। इसका ब्यौरा इस प्रकार है —

(1) भावखला कार्यालय तृतीय श्रेणी के कर्मचारियों द्वारा 16 जून से 30 जून तक पूर्ण हड़ताल और चतुर्थ श्रेणी के कर्मचारियों द्वारा 29 जून, 1972 को हड़ताल।

(2) फोर्ट कार्यालय बम्बई तृतीय श्रेणी के कर्मचारियों द्वारा 17 जून से 30 जून, 1972 तक पूर्ण हड़ताल और चतुर्थ श्रेणी के कर्मचारियों द्वारा 29 जून, 1972 को हड़ताल।

(3) बैंक के अन्य बड़े कार्यालय हैदराबाद और बिबेंद्रम का कार्यालय शामिल नहीं है। तृतीय श्रेणी के कर्मचारियों की हड़ताल केवल 29 जून, 1972 को हुई और 17 जून, 1972 से 30 जून, 1972 के बीच की अवधि के एक या अधिक दिनों तक कर्मचारी सामूहिक रूप से कार्यालय में जिलम्ब से उपस्थित हुए।

भारतीय रिजर्व बैंक अधिनियम 1934 के अन्तर्गत देश का केन्द्रीय बैंक होने के कारण बैंक नोटों को जारी करना तथा दुबारा जारी करना भारतीय रिजर्व बैंक का काम है। अतः चूँकि भारतीय रिजर्व बैंक को ही देश की मुद्रा के प्रबन्ध का अधिकार सौंपा गया है वही शब्दे नोटों को समाप्त करने के सम्बन्ध में प्रक्रिया निश्चित करता है।

**Loan sanctioned by L.L.C. to the Hindustan Times New Delhi for construction of a Building**

\*92. SHRI VAYALAR RAVI :  
SHRI INDRAJIT GUPTA :

Will the Minister of FINANCE be pleased to state :

(a) whether the Life Insurance Corporation of India has sanctioned a loan of Rs. 50 lakhs to 'The Hindustan Times' to construct a building at Kasturba Gandhi Marg in New Delhi,

(b) if so, the condition on which this loan has been sanctioned;

(c) whether Government are aware that 'The Hindustan Times' has transferred or is about to transfer the ownership of this building to a private party, and

(d) if so, the steps taken to prevent it?

THE MINISTER OF FINANCE (SHRI YFSHWANT RAO CHAVAN) : (a) Yes, Sir

(b) The loan was sanctioned in 1967 to the Hindustan Times Ltd on a first legal mortgage of their properties situated at 1/2 B, Pusa Road and 18/20 Kasturba Gandhi Road, New Delhi. The loan carries interest at the rate of 9% with a rebate of 1% for punctual payments and is repayable within a period of 12 years from 31st May 1969

(c) Government have no information in the matter

(d) Does not arise

**L.N.S. 'NILGIRI'**

\*93 SHRI PURUSHOTTAM KAKODKAR :  
SHRI K. LAKKAPPA :

Will the Minister of DEFENCE be pleased to state :

(a) whether India's first Warship the INS Nilgiri, built by the State-owned Mazagaon

Dock Limited will be the greatest fighting force to the Indian Navy, and

(b) if so, to what extent it will be helpful to Navy?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) and (b) INS Nilgiri is a modern general purpose frigate and will be an asset to our Navy

Different classes of warships have different roles. As such, it will not be appropriate to make a comparative assessment of the nature suggested in the question

#### Smuggling on India-Bangla Desh Border

\*94 SHRI SHASHI BHUSHAN Will the Minister of FINANCE be pleased to state

(a) whether attention of Government has been drawn to the news item which appeared in the 'Navbharat Times' dated the 23rd June to the effect that smugglers have become more active on the India-Bangladesh border and

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

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) Yes Sir, Govt have seen the report that appeared in 'Navbharat Times' dated the 23rd June 1972 regarding smuggling on India-Bangladesh border

(b) The seizures of contraband goods made by the various enforcement authorities during the last six months indicate that there is some amount of smuggling across the Bangla Desh border. However, stern measures are being taken by the Customs, Border Security Force and the State Governments to check the smuggling

Expansion of Nangal Fertilizer Factory modernisation of Sindri Fertilizer Factory and Establishment of new fertilizer factories in Punjab and Haryana

\*95 SHRI V MAYAVAN

SHRI GIRIDHAR GOMANGO Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether there is any proposal under the consideration of the Government for the expansion of Nangal Fertilizer Factory, Modernisation of Sindri Fertilizer Factory and establishment of new fertilizer factories in Punjab and Haryana,

(b) if so the broad outlines of the proposal, and

(c) the other steps proposed to be taken by Government to augment the production of fertilizers with a view to make the country self sufficient?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H R GOKHALE) (a) Yes, Sir

(b) A statement giving required information is laid on the table of the House

(c) Efforts are being made to increase indigenous production of fertilizers with a view to achieving self sufficiency as early as possible by (a) maximising capacity utilisation in the existing units (b) creation of additional capacity by setting up new fertilizer plants and (c) by expansion of existing units where feasible

#### Statement

(1) *Nangal Expansion* The proposal for expansion of the Nangal Fertilizer Factory has been posed to the World Bank or foreign exchange financing and is presently under consideration of the Bank

The project envisages ammonia production of 900 tonnes per day, of which 600 tonnes per day will be used for production of urea to the extent of 1000 tonnes per day and the remaining 300 tonnes of ammonia per day will be used for maintaining the present production of 80,000 tonnes per annum of nitrogen in the existing plants as calcium ammonium nitrate. The electrolyser and ammonia plants in the existing unit will be gradually replaced and consequently the power requirements of the existing units may be reduced from 164 MW per day to 36 MW per day. The estimated cost of the project is Rs. 73.62 crores of which foreign exchange portion is estimated at Rs. 39.15 crores. The project will be based on fuel oil as the feed-stock.

(2) *Sindri Modernisation* : The scheme envisages the production of 40,000 tonnes of additional ammonium sulphate and 3,79,000 tonnes of urea. In terms of nitrogen, the capacity would go up from about 85,000 tonnes to about 2,55,000 tonnes per annum. The scheme involves a change over from the present feed-stock of coke and coke-oven gas to LSHS/HSLS (i.e. heavy petroleum fractions) from the refineries at Bongaigaon/Barauni. The project is estimated to cost about Rs. 96.25 crores with a foreign exchange component of Rs. 23.45 crores.

(3) *Proposal for a fertilizer plant at Bhatinda in Punjab* : The Punjab State Industrial Development Corporation Ltd. have submitted a proposal for the establishment of a fertilizer plant at Bhatinda in Punjab envisaging a production of 1000 tonnes of urea per day based on 600 tonnes per day of Ammonia plant. The capital cost of the project is estimated at Rs. 42.59 crores and Rs. 47.43 crores depending on the use of Naphtha or LSHS/fuel oil as feedstock. The foreign exchange cost is estimated to be of the order of Rs. 11.28 crores or 13.71 crores respectively depending on the feedstock used.

(4) *Proposal for a fertilizer project in Haryana* : M/s. Bharat Steel Tubes Ltd. have submitted a proposal for the establishment of a fertilizer plant in Haryana envisaging production of 100 tonnes of urea per day based on a 600 tonnes per day ammonia plant. The estimated capital cost of the project is Rs. 41.52 crores with Rs. 12.76 crores in foreign exchange if naphtha is used as feedstock and Rs. 48.93 crores, with Rs. 15.01 crores in foreign exchange if LSHS is used as feed-stock.

The Government of Haryana have indicated that they would be participating in the project.

#### **Participation of Air India Pilots in World-wide strike against Skyjacking**

\*96. SHRI SUKHDEO PRASAD

VERMA :

SHRI RAMAVATAR SHASTRI :

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether the Air India pilots joined the world-wide pilots strike against skyjacking; and

(b) if so, the number of flights cancelled, the total number of passengers affected and the total loss incurred as a result thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) Yes, Sir.

(b) Two International flights and the three domestic flights operated by Air-India on behalf of Indian Airlines. The net loss was approximately Rs. 9.49 lakhs. According to information available, about 1300 passengers were affected.

#### **Demand for setting up of a Petro-Chemical complex at Barauni**

\*97. SHRI D. K. PANDA : Will the Minister of PETROLEUM AND CHEMICAL be pleased to state :

(a) whether an All Parties Committee formed at Begusarai (Bihar) has demanded

the setting up of a Petro-chemical Complex at Barauni,

(b) if so, the broad outlines of the demand, and

(c) the decision of Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI DAI BIR SINGH)

(a) Yes Sir

(b) and (c) The representation is for the setting up of a Petro-chemical Complex at Barauni. A Study Team has been constituted to examine the possibilities of production of Aromatics and to suggest a suitable location for these facilities. A final decision will be taken on the basis of the findings of the Study Team.

स्वयं करके बारे में बांधू समिति की मिकारिशों

\* 98 श्री महादोषक सिंह शास्त्री

म्या बिल मंत्री यह बताने की कृपा करेंगे कि

(क) प्रत्यक्ष तब तक बारे में बांधू समिति का किन किन मुख्य सिफारिशों की लागू किया जा रहा है

(ख) किन किन सिफारिशों का स्वाकार रद्द किया गया है और

(ग) उन्हें स्वाकार न करने का क्या कारण है ?

बिल सत्रात्मक में उप-मंत्री (श्रीमती सुशोभा राहतगी) (क) बांधू समिति रिपोर्ट का कुछ सिफारिशों को पहले ही बरगधान कानून (समाधान) विधायक 1971 और बिल अधिनियम 1972 में समाविष्ट कर लिया गया है। सरकार बाकी सिफारिशों का जांच कर रही है।

(ख) और (ग) ये प्रश्न नहीं उठते हैं।

पाकिस्तानी युद्ध-बन्धियों पर व्यय

\* 99 श्री कूलचन्द धर्मा

श्री फते सिंह राव गायकवाड़

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि

(क) पाकिस्तानी युद्धबन्धियों पर भारत सरकार ने अब तक कुल बिलनी धन राशि खर्च की है और

(ख) उक्त धन राशि किन मदों पर खर्च की गया ?

रक्षा मंत्री (श्री जगजीवन राम) (क) 30-6-1972 तक पाक-युद्धबन्धियों पर किया गया कुल व्यय 4 50 58 000 रुपये है।

(ख) जिन मदों का आधार पर उपर्युक्त व्यय किया गया है वे इस प्रकार हैं —

(क) युद्धबन्धियों को अग्रिम वेतन

(ख) युद्धबन्धियों का संचालन

(ग) युद्धबन्धियों का दिया गया वस्त्र

(घ) युद्धबन्धियों को दिया गया राजन

(ङ) युद्धबन्धियों को दिया गया डाक्टरी सामान और उपकरण

(च) यंत्रणा या तापीय सुविधाय

(ट) युद्धबन्धियों को दिये जाने वाले जल सफाई बिजली परतीकरण आदि पर किया गया व्यय

(ड) युद्धबन्धियों के फोटो

(ण) युद्धबन्धियों के रिजों पर

(त) अन्य मद

(ड) युद्धबन्धियों के पाकी देखभाल तथा सुरक्षा करने वाले पेशामनिब कमबानियाँ के वेतन तथा भत्ते पेटार, व्यय तथा अन्य व्यय।



**Steps to stop foreign Airlines from discontinuing their services through Calcutta Air port**

\*100. SHRI SOMNATH CHATTERJEE : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether the higher incidence of sales-tax on aviation fuel in the State of West Bengal is one of the major factors which are dissuading the foreign airlines in maintaining their services through Calcutta Airport;

(b) if so, whether Central Government have taken up the matter with the State Government; and

(c) the steps Government propose to take to stop the foreign airlines from discontinuing their services through Calcutta Airport?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) There have been representations from the Airline Operators' Committee at Calcutta and the IATA (International Air Transport Association) against the high incidence of sales tax on aviation fuel.

(b) The matter has been brought to the notice of the Government of West Bengal.

(c) Government are keen that the importance of Calcutta Airport should be maintained and international airlines should not discontinue services touching this airport. A new international terminal building at a cost of about rupees two crores has recently been constructed at Calcutta, and Government would welcome the resumption of services by those entitled to operate.

**National Council of Applied Economic Research**

801. SHRI BISHWANATH JHUNJHUNWALA : Will the Minister of

FINANCE be pleased to state :

(a) Whether Government's attention has been drawn to the news item appearing in the "Times of India" dated the 18th June, 1972 that a great unrest is prevailing among the workers of the National Council of Applied Economic Research;

(b) whether conditions of service of the economists working in the council, procedure for their recruitment, promotion or retrenchment have not yet been prescribed and in the absence of set rules cases of favoured promotions have taken place; and

(c) if so, whether Government propose to appoint a high level committee to go into the working of the NCAER and if not, how the grievances of the employees of the Council are going to be met?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) Yes, Sir. There was some unrest among the workers of the National Council of Applied Economic Research but now normal working conditions prevail.

(b) The Council has well established conventions to regulate the service conditions of its staff. No specific case of favoured promotion has been brought to the notice of the Government.

(c) The Council is an autonomous independent body registered under the Societies Registration Act of 1886 and as such the question of the Government appointing a high-level committee for the redressal of the grievances of the employees of the Council does not arise. It is, however, learnt that the highest administrative authority of the Council is himself looking into these matters.

**Value of import licences given to various firms during the last three years**

802. SHRI K. SURYANARAYANA :

Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the

reply given to parts (b) and (d) of Unstarred Question No. 5175 on 5th May, 1972 regarding the value of import licences given to the various firms during the last three years and state :

- (a) whether the information referred to therein has since been collected; and
- (b) if so, whether it would be laid on the Table of the House?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) : (a) and (b) Some data has been received, but complete particulars in respect of certain firms are still awaited. As soon as complete information becomes available, a statement will be laid on the Table of the House.

**Representation received from 'Shoshit Samaj Ekta Committee**

803. SHRI M. KATHAMUTHU : Will the Minister of FINANCE be pleased to state :

(a) whether Government have received any representation from the 'Shoshit Samaj Ekta Committee', New Delhi, dated 5th June, 1972 complaining about the discrimination against Harijans in the State Bank of India, Ajmal Khan Branch, New Delhi; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) Yes, Sir.

(b) Investigation by the State Bank of India into the allegations contained in the representation is not yet complete.

**Extension of facilities of industrial development bank and I.F.C. to Tea Industry**

804. SHRI CHANDRA SHEKHAR SINGH : Will the Minister of FINANCE

be pleased to state :

(a) whether Government have since decided to extend the facilities of the Industrial Development Bank and the Industrial Finance Corporation to the Tea Industry as per recommendations of the Study Group appointed by the Reserve Bank;

(b) if so, whether necessary legislation to amend the relative enactments for the purpose have since been prepared; and

(c) if so, when it is likely to be introduced in Parliament?

THE MINISTER OF FINANCE (SHRI YESHWANIRAO CHAVAN) : (a) to (c) A major part of the activity of the tea industry is considered to be of an agricultural nature and the Industrial Development Bank of India and the Industrial Finance Corporation cannot provide financial assistance as such for those activities under the existing provisions of their relevant statutes. However, the plantations are eligible for financial assistance from the Industrial Development Bank of India for the processing of raw tea and for modernising, expansion, purchasing machinery and equipment.

The recommendations relating to further extension of the facilities of the Industrial Development Bank of India and the Industrial Finance Corporation to the industry made by the Working Group on finance to the tea industry are at present under the consideration of the Reserve Bank of India

**Investigation Into Supply of Sub-standard Rum**

805. SHRI CHANDRA SHEKHAR SINGH : Will the Minister of DEFENCE be pleased to refer to the reply given to part (c) of Unstarred Question No.5867 on the 12th May, 1972 and state:

(a) whether the investigation by the C.S.D. (I) of the sub-standard rum comprising of 36,400 dozen bottles supplied by Khodey's Distillery has since been completed; and

(b) if so, the outcome thereof?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) Yes, Sir.

(b) The investigation confirmed that the quality of the rum was sub-standard and the firm has agreed to replace the entire stocks at their cost.

*Promotion in C.S.D. (I)*

806. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of DEFENCE be pleased to refer to the reply given to part (c) of Unstarred Question No 5866 on the 12th May, 1972 and state:

(a) the number of posts filled up so far from the panels mentioned in (i), (ii) and (iii) of the said reply and the number of persons still awaiting promotions in each category of these panels;

(b) the reasons for not filling up the vacant posts and the time by which the employees in existing panel are likely to be promoted, and

(c) whether these types of panels have been rendered obsolete in the past and fresh panels are drawn every time when fresh promotions are about to be made and if so, the reasons therefor?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) Number of posts filled from panels for 1970-71 category-wise is as under :-

(i) DGM (Stores)-One The panel, which is valid for a year only, has lapsed by efflux of time.

(ii) Manager Selection Grade/AGMs-Fifteen. All the names on the panel were absorbed. The panel is exhausted. A fresh panel for 1971-72 has not been drawn up there as is no expectation of vacancies in these posts.

(iii) The total number of names on the panel, the vacancies which occurred and were filled up during 1970-71 are indicated hereunder :-

	No. of names on panel	No. of vacancies filled
Storekeeper Class I .	3	1
Storekeeper Class II .	4	4
Storekeeper Class III .	11	11
Storekeeper Class IV .	13	13
SC Clerks/Asstt .		
Accountant .	25	12
UD Clerks .	58	58

All the vacancies which arose in 1970-71 were filled in accordance with the panel, which has now lapsed. A fresh panel has been drawn up in May-June 1972. Vacancies arising now will be filled from this panel.

(a) Vacancies which occurred were filled up. Future vacancies will be met from the current panel.

(c) The life of a panel is one year which is extendable by six months. Old panels are rendered obsolete after the above period and new panels are drawn up. Fresh panels are not drawn each time a promotion is to be made. When a vacancy occurs during the currency of a panel, the topmost person on the panel is promoted.

*Financial Assistance to Missing Defence Personnel*

807. SHRI BISHWANATH JHUNJHUNWALA: Will the Minister of DEFENCE be pleased to state:

(a) whether Government have made provisions for giving financial assistance to the families of those defence personnel who died or were wounded during the Indo-Pak war of 1971, but no such facilities are being given to those who have been listed as missing; and

(b) if so, the reasons for the same and whether Government would reconsider the whole matter ?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM)** (a) Attention is invited to the replies given to Starred Question No 80 answered on the 17th March 1972 and Unstarred Question No 7556, answered on the 26th May, 1972

(b) Does not arise

**Garbage from Air Force Mess in Jalalahalli sold to Villagers**

**808 SHRI BISHWANATH JHUNJHUNWALA** Will the Minister of DEFENCE be pleased to state

(a) whether Government's attention has been drawn to the news item appearing in the 'Hindustan Times' on the 12th July, 1972 that garbage from the Air Force mess in Jalalahalli which is intended for pig feed is being sold to villagers,

(b) whether Government have instituted any inquiry into the matter, and

(c) if so the outcome of the inquiry and the action taken thereon?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM)** (a) to (c). The matter was brought to notice of Government in June 1972. Wherever the Municipal Committee or the Cantonment Board do not collect, the garbage from an Air Force Station it is the practice to hand over the clearance of garbage to a civilian contractor. The contract entered into by the Air Force Station, Jalalahalli stipulates that the garbage collected will be used only for feeding pigs and will not be sold for human consumption. Inquiries show that there is no substance in the allegation that the garbage from the Air Force Station, Jalalahalli is being sold to the villagers for human consumption.

**Setting up of a Petrochemical Complex in Rajasthan**

**809 SHRI BISHWANATH JHUNJHUNWALA** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the Chief Minister of Rajasthan during his visit to Delhi in July, 1972 held discussions with the Central Government for setting up of a Petrochemical complex in Rajasthan, and

(b) if so, the salient features of the offers made and the reaction of Central Government in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI DAI BIR SINGH)**

(a) No, Sir

(b) Does not arise

**Foreign know-how at Mathura Refinery**

**810 SHRI BISHWANATH JHUNJHUNWALA** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the Mathura Refinery will be designed and constructed wholly by Indian know-how,

(b) if not, the spheres where foreign know-how will be required, and

(c) how much of the machinery to be required for this Refinery will be available indigenously and the extent of foreign dependence in this matter?

**THE MINISTER OF LAW & JUSTICE & PETROLEUM & CHEMICALS (SHRI H. R. GOKHALE)** (a) Available Indian know-how both in design and construction will be utilised to the maximum possible extent and it is proposed that the prime consultant should be an Indian engineering organisation.

Know-how for certain units envisaged for the refinery will have to be obtained

under licence by payment of royalties or know-how fees.

(b) Some of the major units for which foreign know-how may be required are as follows :—

LPG and Naphtha Sweetening unit,  
Catalytic reforming unit,  
Hydro-desulphurisation unit's  
Hydrocracker and Hydrogen units,  
Visbreaker Unit, and  
Sulphur recovery unit.

(c) since neither the process engineering for the detailed engineering work has yet been done, it is not possible at this stage to give any reliable indication of how much of the machinery will be available indigenously. As a very rough estimate, equipment, machinery and raw-materials for fabrication such as steel plates etc. to the extent of 30% of the total cost of the Refinery, might have to be imported.

#### **Loans Sanctioned by banks to mining Enterprises**

811. SHRI PRATAP SINGH NEGI:  
Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 4268 on 28th April, 72 and state;

(a) the names of the Banks, the amount of loans sanctioned and the dates of sanction; and

(b) whether any part of the loan is not disbursed and if so, the reason therefor?

THE DEPUTY MINISTER IN THE  
MINISTRY OF FINANCE (SHRIMATI  
SUSHILA ROHATGI): (a) and (b) :  
The required information is given in the  
attached statement.  
(See Col., 57—60)

#### **Direct Loans Sanctioned to mines by I.D.B.I.**

812. SHRI PRATAP SINGH NEGI:  
Will the Minister of FINANCE be pleased to state:

(a) the number of direct loans sanctioned by the Industrial Development Bank of India to mines in India during the last three years;

(b) the names of the mining companies, the amount of loans sanctioned and date of sanction;

(c) whether any coal mines has recently applied to the Industrial Development Bank of India for any loan; and

(d) if so, the name of the coal mine, the amount applied for, the amount sanctioned and disbursed?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b): During its last three accounting years ending 30th June, 1972, the Industrial Development Bank of India has sanctioned only one direct loan of Rs. 200 lakhs in April, 1972 to M/S. Bolani Ores Limited located in Keonjhar, Orissa State.

(c) and (d): M/S. Sethia Mining and Manufacturing Corporation Limited which operates two coal mines has requested the Industrial Development Bank of India for financial assistance of Rs. 90 lakhs in the form of privately placed debentures. The application is under consideration of the Development Bank.

आर्थिक दृष्टि से पिछड़े क्षेत्रों में सैनिक प्रशिक्षण स्कूल

813. श्रीमती बी० प्रार० सिन्धिया-ग्वानियर :

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में ऐसे कौन कौन से क्षेत्र हैं जो आर्थिक दृष्टि से पिछड़े हैं परन्तु उन क्षेत्रों में

## STATEMENT

*Names of the Nationalised banks, loans sanctioned by them to running Enterprises, the date of sanction, amount not Disbursed and the Reasons therefor*

Sl. No.	Name of the Bank	Number of Units	Loan sanctioned (Rs in lakhs)	Date of sanction	Amount Undisbursed (Rs in lakhs)	Reason for non-disbursal	
1	2	3	4	5	6	7	
1	Punjab National Bank	1	35 00	June, '70	Nil		—
2	Union Bank of India	1	5 00	May, 69	Nil		—
3	Canara Bank	2	12 50	1969	Nil		—
			14 50	1970	0 07		
			14 50	1971	0 80		
			14 50	upto 31-5-72	0 81		
4	Central Bank of India	1	56 00	30 00 Sept 69		1 68 Not availed of by the units	
						30 00 The company wanted certain changes in the original terms of sanction which are not acceptable to the Bank	
5	United Commercial Bank	9	8 00	April, 69	Nil		
			0 25	Jan, 71	"		
			1 50	April, 69	"		
			2 00	April, 69	"		
			3 00	April, 69	"		



सशस्त्र सेनाधा में काले लोग भर्ती होते हैं तथा क्या चम्बल घाटी भी उनमें शामिल है,

(ख) क्या उन क्षेत्रों में सैनिक प्रशिक्षण स्कूल खोलने जान की कोई योजना है और

(ग) यदि हा तो तत्सम्बन्धी मुख्य बातें क्या तथा यदि नहीं तो इसने क्या कारण हैं ?

रक्षा मंत्री (श्री जगजीवन राव) (क) सरकार की नीति भर्ती को व्यापक बनाने की है जिसमें सशस्त्र सेना में भर्ती होने के लिये सब नागरिका का बिना निशान क्षेत्र पर बिचार किये समान अवसर मुलम हा सक । इस नीति को ध्यान में रखते हुए देश के प्रत्येक भाग में भर्ती करने के लिये लगातार कदम उठाये जा रहे हैं जिसमें चम्बल घाटी जैसे प्राथिक दृष्टि से पिछड़े क्षेत्र शामिल हैं ।

(ख) और (ग) जो नहीं श्रीमान बहा इस प्रकार की कोई आवश्यकता नहीं है ।

विदेशों से प्राप्त सहायता

814 श्रीमती बी० आर० तिम्बिया, खालियर  
क्या बिल मंत्री यह बनाने की कृपा करेंगे कि

(क) गत तीन वर्षों में प्रति वर्ष किम किम देश से कितनी-कितनी विदेशी सहायता प्राप्त हुई तथा इस अवधि में उन वर्षों का पुराने ऋणों का कितना-कितना मूलघन तथा व्याज प्रतिवष दिया गया , और

(ख) इस समय भारत पर कुल कितना ऋण है और उस पर भारतीय मुद्रा में तथा विदेशी मुद्रा में कितना व्याज दिया जाता है ?

बिल मंत्री (श्री बसन्त राव चव्हाण) : (क) और (ख) दो विवरण—विवरण 1 और विवरण 2—सप्ताह-टबल पर रख दिये गये हैं । [प्रश्नानुसंध में रखे गये । देखिये सख्या LT-3262/72]।

31 LSS/72—4

**Officers' Associations in the State Bank and Nationalised Banks**

815 SHRI ROBIN KAKOTI Will the Minister of FINANCE be pleased to state

(a) whether Officers' Associations are permissible in the State Bank and Nationalised Banks

(b) if so the names of the Officers' Associations,

(c) whether the management and the Government have recognised them, and

(d) If not the reasons therefor

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) (a) to (d) The information is being collected and will be laid on the Table of the House

**Recruitment in Nationalised Banks of Gujarat**

816 SHRI SOMCHAND SOLANKI Will the Minister of FINANCE be pleased to state

(a) the number of times the nationalised banks have made recruitments of new candidates for their Branches in Gujarat during 1971 and the number of candidates who have been selected during 1971

(b) the number of Scheduled Caste and Scheduled Tribe candidates selected during 1971, and

(c) whether the reserved quota for Scheduled Castes and Scheduled Tribes has been observed, and

(d) if not the reasons therefor

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) (a) to (d) The information is being collected and will be laid on the Table of the House shortly



बैंक प्रायोग की सिफारिशों की क्रियान्विति

817. श्रीमती बी० आर० सिन्धिया, खानिपूर : क्या बिल संती यह बताने की कृपा करेगा कि :

(क) बैंक प्रायोग की कितनी सिफारिशों को क्रियान्वित किया गया है, और

(ख) कौन-कौन सी सिफारिशों को स्वीकार नहीं किया गया है और इस के क्या कारण हैं ?

बिल संसद में उप-मंत्री (श्रीमती सुशीला रोहतगी) :

(क) और (ख) बैंकिंग प्रायोग के सिफारिशों सरकार के विचाराधीन हैं ।

**Enquiry into the Accident involving a Pushpak Aircraft in New Delhi on 15-7-1972**

818. SHRI M. S. SIVASAMY: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether any enquiry has been held in the accident involving a Pushpak aircraft which occurred on the 15th July, 1972 in New Delhi, and

(b) if so, the outcome thereof and action taken by Government thereon?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) An inquiry is being held by the Civil Aviation Department.

(b) The report is awaited.

**Help to Unemployed Graduate-Engineers and Ex-Servicemen by Organisations under the Ministry**

819. SHRI M. S. SIVASAMY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the names of the different organisations under his Ministry which help the unemployed Graduate-Engineers and Ex-Servicemen in providing them opportunities for self-employment as dealers or otherwise; and

(b) the nature of opportunities of employment provided, State-wise and year-wise, for the last three years?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE): (a) and (b). The information is being collected and will be laid on the Table of the House.

**Oil discovered at Linch**

820. SHRI M. S. SIVASAMY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the nature and quantity of oil discovered at Linch near Ahmedabad during the month of July, 1972; and

(b) the progress made in this regard?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE):

(a) Only one well has been drilled in the Linch area so far. On testing, it gave a good flow of oil. Laboratory investigations are being done to determine the properties of the oil. It may, however, be mentioned that from the results of one well only, it is not possible to make an estimate of either the oil reserves in the area or the quality of the oil. A few additional wells will have to be drilled and tested for this purpose.

(b) The first well has been tested and locations for drilling of two step-out wells have been released.

**Factors responsible for High Price of Fertilisers**

821. SHRI B. K. DAS CHOWDHURY: SHRI R. K. SINHA:

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

(a) whether any study was conducted recently by the Fertilizer Association of

India and it was found that the unutilized installed capacity in the fertilizer industry due to the non-availability of raw materials and spares and power cuts are the major factors responsible for the high price of fertilizers in the country; and

(b) if so, the main findings thereof and the steps taken by Government in this regard?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE):

(a) No, Sir.

(b) Does not arise.

**Expenditure on Scarcity Relief Work in States**

822. SHRI G.Y. KRISHNAN:

SHRI PAMPAN GOWDA:

Will the Minister of FINANCE be pleased to state the amount of money that has been incurred by Government for scarcity relief works in the country, State-wise during the last two years?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): A Statement indicating the assistance provided to various State Governments towards expenditure on drought relief measures in 1970-71 and 1971-72 is laid on the Table of the House.

*Statement*

Assistance given to State Governments towards expenditure on drought relief measures in 1970-71 and 1971-72—

STATE	1970-71		1971-1972	
	On relief account	Short-term loans for agricultural inputs.	On relief account	Short-term loans for agricultural inputs.
1. Andhra Pradesh	—	—	15 03	—
2. Assam	—	—	0 75**	0.01
3. Bihar	—	—	20 00**	—
4. Gujarat	5.04	—	0 60†	0 15†
5. Jammu & Kashmir	—	—	2 37‡	2 50
6. Madhya Pradesh	0.67*	—	—	—
7. Maharashtra	2.50	5 00	22 50	7.00
8. Mysore	2 00	—	3 00	1.08
9. Rajasthan	25.01	1.46	—	—
10. West Bengal	0.50	—	—	—
Total	35.72	6 46	64 25	10.74

\*As arrears for 1969-70.

\*\*Includes assistance for relief measures on account of floods.

†As arrears towards relief expenditure in 1970-71 on account of flood, drought and earthquake.

‡As arrears for 1970-71.

**Study Team for visiting drought affected areas in Bihar**

823. SHRI SUKHDEO PRASAD VERMA: Will the Minister of FINANCE be pleased to state :

(a) whether Government of Bihar has asked the Central Government to send a team of officials to assess the drought conditions in Bihar; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) Yes, Sir.

(b) A Central team will be constituted and asked to visit Bihar to make on-the-spot assessment of the situation and to fix ceilings of expenditure for purposes of Central assistance.

**Para Jumping Training to N.C.C. Cadets**

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

(a) whether Para jumping has been added to the training course of N.C.C. cadets; and

(b) if so, the reactions of the young cadets to this new item in their training?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a). Para training/Para jumping was, for the first time, introduced this year as an experimental measure as part of attachment of NCC cadets with Regular Army. 38 cadets were selected from all over India for this training. Out of these 29 have qualified successfully.

(b) The cadets showed great interest and enthusiasm in this new item of training.

**Assistance to West Bengal for drought affected areas**

826. SHRI SAMAR GUHA :  
SHRI JYOTIRMOY BOSU :

Will the Minister of FINANCE be pleased to state :

(a) whether the Government of West Bengal asked for about Rs. 30 crores from the Central Government for meeting the drought situation in West Bengal ;

(b) whether the Study Team of the Central Government approved only Rs. 7 crores for the purpose ;

(c) if so, the items for which the West Bengal Government wanted the said amount and the reasons for approving only less than one fourth of the amount asked for by the West Bengal Government; and

(d) the expenditure already incurred and proposed to be incurred by the West Bengal Government for dealing with the problems of the drought situation in the State and its residuary problems ?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) :

(a) to (c). The State Government had estimated their requirements of funds at Rs. 30.6 crores, with Rs. 13.31 crores under relief items and Rs. 17.31 crores under loan items. After detailed discussions with the State Government and in the light of impressions gathered during its spot visits the Central Team recommended a total ceiling of Rs. 6.35 crores, with Rs. 4.70 crores for the relief items and Rs. 2.15 crores for loan items, for purposes of Central assistance. In recommending these ceilings of expenditure the Central

Team also took into account the considerable scope for the utilisation of the existing provisions having an employment content in the State Annual Plan for 1972-73 as also the scope for coordination between Plan works and relief measures in general.

(d) The State Government are yet to report the progress of expenditure incurred by them under the ceilings adopted for the current financial year 1972-73.

**Visit of Central Team to Drought affected areas**

827. SHRI P. GANGADEB: Will the Minister of FINANCE be pleased to state:

(a) whether a Central team visited certain State for on the spot study of the drought affected areas in respective States;

(b) if so, the States visited by Central team; and

(c) whether any report has been submitted by them to Government?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) to (c). Central teams have visited so far during the current financial year, the States of Maharashtra, Orissa, Rajasthan, Tripura and West Bengal for on-the-spot assessment of the drought situation and the requirement of funds for relief measures, for purposes of Central assistance. While the Central team to Tripura which has just completed its assessment is processing its report, other teams have submitted their reports.

**Seizure of Japanese cloth being smuggled into India**

828. SHRI HUKAM CHAND KACHWAI: Will the Minister of FINANCE be pleased to state:

(a) whether Japanese cotton goods worth about Rs. 8 lakh were seized at Kolsa port (Bombay) in the last week of June, 1972

(b) whether some Indians were involved in the above transaction; and

(c) if so, the steps Government have taken to stop such illegal trading?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a). On 23-6-1972 Customs authorities seized Japanese textiles fabrics, synthetics or blended, valued at about Rs 10 lakhs (at Indian market rate) alongwith nine pieces of Radiogram-cum-tape recorders valued at about Rs 16,000/at Kolsa Bunder, Bombay.

(b) Yes, Sir.

(c) The following steps have been taken by the Government to stop such illegal trading :—

Systematic collection and follow-up of information, keeping a watchful eye on the suspected smugglers, rummaging of suspected vessels or aircraft, and checking of vulnerable sectors along the coast and the land frontiers. Additional launches and vehicles are being provided from time to time for effective interception, prevention etc. Some senior officers of the rank of Collectors of Customs, Additional Collectors of Customs and Assistant Collectors of Customs have been posted in vulnerable areas to look after anti-smuggling work exclusively Customs Act, 1962 has been amended making additional provisions to take special measures for the purpose of checking illegal import and export of certain commodities and facilitating their detection. On the import side except when the goods are for personal use, these regulatory provisions include the requirement of intimation of the place of storage, maintenance of accounts, transport and

sale under the cover of vouchers and reasonable precautions before acquisition in respect of notified goods. The position is kept under constant review.

### **Impact on India's Trade Due to Pound Floatation**

829. SHRI RAMAVATAR SHASTRI: Will the Minister of FINANCE be pleased to state :

(a) the impact of the floatation of the Pound Sterling on India's export trade with hard currency countries, and

(b) whether Government have taken any steps to protect the interests of our export trade in the context of the current crisis in the Western money market ?

THE MINISTER OF FINANCE  
(SHRI YESHWANT RAO CHAVAN) :

(a) The impact of the floatation of Pound Sterling on India's export trade with hard currency countries is so far not of any significance.

(b) To protect the interests of our foreign trade Government has sought to ensure that there is as little variation as possible in the value of the rupee by utilising the margins accepted by the I.M.F. in fixing the rates for the sale and purchase of Sterling.

Arrangements have also been made by RBI to protect the interests of exporters by providing forward cover for six months for purchase of Sterling.

### **Central Government Undertakings in Rajasthan**

830. SHRI M. C. DAGA: Will the Minister of FINANCE be pleased to state :

(a) the total number of Central Government Industrial Undertakings in Rajasthan; the total capital invested in each of them till date and also the amount of profit

earned or loss suffered by each of them during the year 1971-72;

(b) the steps being taken by Government to run those factories in profit which are incurring loss at present and the time by which it would be done; and

(c) if not, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) There are six Central Government industrial undertakings in Rajasthan. The final audited accounts for all these companies for the year 1971-72 are not yet available. The investment (equity and loans) in these companies as at the end of 1970-71 and provisional figures of profit/loss made by them during 1971-72 are as follows :—

Name of the undertaking	Investment as at the end of 1970-71	Profit (+) Loss (—) in 1971-72 (Provisional)
(Rs. in crores)		
1. Hindustan Copper Ltd.	39.56	Under Construction
2. Hindustan Salts Ltd.*	1.79	(+) 0.0004
3. Hindustan Zinc Ltd.†	16.60	(—) 0.20
4. Instrumentation Ltd.	7.87	(+) 1.44
5. Machine Tool Corpn. of India Ltd.	4.98	(—) 0.25
6. Sabmhar Salts Ltd.*	1.15	(+) 0.28

\*Company year is from October to September.

(b) and (c). As will be seen, only the Hindustan Zinc Ltd and Machine Tool Corporation of India Ltd have incurred losses during 1971-72, while the Hindustan Copper Ltd is still under construction. Low prices of zinc and lead have to a certain extent influenced the financial results of the Hindustan Zinc Ltd. The price of zinc has recently been revised. Steps have also been taken for improving operational efficiency. As a result, this company is likely to make a profit during 1972-73. The Machine Tool Corporation of India Ltd commenced commercial production only during 1970-71 and has also been experiencing some lack of demand. Its financial results will improve in the coming few years with increase in its sales and production. The Management is taking steps to improve the off take position and capacity utilisation.

#### Panel to Define Objectives of Public Sector

831 SHRI C T DHANDAPANI  
SHRI SHRIKISHAN MODI

Will the Minister of FINANCE be pleased to state

(a) whether Government have set up a panel to define objectives of public sector,

(b) if so, whether the report submitted by the panel has been examined by Government, and

(c) if not, when the report is likely to be submitted?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) to (c) The Administrative Reforms Commission had in their Report on Public Sector Undertakings recommended that Government should comprehensively and clearly state the objectives and obligations of public undertakings in respect creation of off-reserve's self-financ-

ing, return on investment, wage and pricing policies etc. Government accepted this recommendation. The question of implementing it was considered at a seminar in 1970 in which the public sector chiefs, administrative Ministries and various professional experts etc. participated. The consensus at the Seminar was that the individual enterprises themselves were primarily responsible for laying down their objectives. Government issued instructions that the objectives may be formulated accordingly with the approval of Government.

More recently an Experts Committee constituted by Government to examine the organisation of Public Relations Departments of public enterprises had *inter alia* recommended that Government should lay down management and public relations objectives in clear and specific terms for the public sector as a whole. The Secretaries Committee on Public Sector Undertakings have examined this recommendation and formed a sub-group to go into this matter thoroughly and draft a statement of the objectives and obligations of the public sector. Government have not appointed any Panel for the purpose. The various complex issues involved are being considered by the sub-group and a final decision will be taken on receipt of the recommendation of this sub-group.

#### Production of Portable Walkie Talkie Transmitter by Bharat Electronics Ltd.

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

(a) whether Bharat Electronics Ltd. have developed a range of equipment for the Police including portable Walkie Talkie Transmitter, and

(b) if so, whether Government propose to produce it on commercial basis?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) : (a) Yes, Sir.

(b) These are professional equipments and at present the production of these equipments by Bharat Electronics Limited is intended mainly to cater to the requirements of the Police forces. However, Bharat Electronics Ltd. will try to meet the requirements of other authorised customers also.

**Location of a Petrochemical Complex in Kerala**

833. SHRIN. SREEKANTAN NAIR :  
DR. HENRY AUSTIN :

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

(a) whether Government of Kerala have been repeatedly representing for the location of the Petro-chemical Complex in the State and if so, the outcome thereof; and

(b) whether sufficient quantity of Naphtha is available there for the establishment of the Project at Cochin and if so, the reasons for not taking a decision in the matter ?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI DALBIR SINGH) : (a) and (b). In November 1970, the Government of Kerala proposed the setting up of a petro-chemical complex at Cochin based on Naphtha produced by Cochin Refinery. The State Government was informed that in the context of shortage in the indigenous availability of naphtha expected from 1973 onwards, it was not possible to set up a petrochemical complex at Cochin.

**U.S. Aircraft Flying over Indian Territory**

834. SHRI SAROJ MUKHERJEE : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether a U.S. aircraft carrying naval personnel was ordered to land at Bombay

airport on June 21, 1972 for overflying without permission;

(b) if so, the brief facts of the incident; and

(c) the steps taken by Government to prevent recurrence of such incidents?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) to (c). Yes, Sir. Capitol International Airways Inc. Nashville, Tenn, USA, requested for permission for their DC-8 aircraft to overfly India between 20th and 23rd June *en route* to Bangkok. As the aircraft was to carry military (naval) personnel both ways, the operator was informed on the 17th June 1972 that their request could not be acceded to.

On 21st June, an aircraft of the said company, on flight from Tehran to Bangkok contacted Bombay Flight Information Centre, and as there was no authority for this aircraft to overfly India it was made to land at Bombay. The aircraft was carrying 107 US naval personnel who were in uniform and the flight was chartered by the US Air Force. No arms and ammunition were being carried.

On the evening of 22nd June the aircraft was permitted to leave without flying over Indian territory at any point after take off. It flew over the high seas without at any point flying over Indian territory. The matter was brought to the notice of the US authorities through diplomatic channels and our policy regarding overflights by foreign aircraft was made clear to them.

**नीमच (मध्य प्रदेश) में एलकसाइड कारखाने की स्थापना**

835. डा० लक्ष्मीनारायण वाघ्देव : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) नीमच मध्य प्रदेश में स्थापित किये जा रहे एलकसाइड कारखाने के निर्माण में कितनी प्रगति हुई है ;

(ख) इस पर कुल कितना व्यय होगा, और  
(ग) वेस में ऐसे कारखाने कहा-कहा चल रहे हैं ?

बिस् मंत्रालय में उप-मंत्री (धीमती सुतोला रोहतगी) : (क) अतैमिक कार्य ।

उत्पादन खडो के डाचो का निर्माण कर लिया गया है । उत्पादन खडो में शेष कार्य अर्थात् फर्श डालना, पम्पर करना और दीवारों पर रंग करना आदि कार्य सयत्र एव उपकरणों की स्थापना के बाद किये जायेंगे । अधिकार सहायक इमारतों तथा मल-निकास-व्यवस्था का कार्य भी लगभग पूरा हो गया है । अन्य बहुत सी सेवाओं की व्यवस्था करने का कार्य भी चल रहा है ।

संयंत्र तथा उपकरण

मानक यांत्रिक उपकरणों का अधिकांश मदा को मर्यादित करने के बारे में सभरण तथा निपटान महानिदेशालय ने पहले ही मागपत्र भेज दिया है । उत्पादन खडो में विजली सबंधी कुल कार्यों में से लगभग 20 प्रतिशत कार्य पूरे हो गये हैं । स्ट्रेनरम स्टील तथा काच की परत बड़े 202 भांडों (Glass lined vessels) में से 47 भांडों (Vessels) का कार्य चल रहा है । और 4 भांडों के रकाबी नुमा किनारे (dished ends) को दबा दिया गया है । परन्तु भारत हैवी प्लेट एण्ड बेसम्ल विशाखा-पत्तनम को जो एक सरकारी क्षेत्र का उपक्रम है—उक्त परियोजना के लिये इमारती (structural) हस्तात प्राप्त करने में बड़ी कठिनाई हो रही है । उन्हें आशा है कि सितम्बर 1972 के अन्त तक इमारती स्थात प्राप्त हो जायेगा और उसके तुरन्त बाद उन स्थान पर स्टील के ढांचे तैयार करने उन्हें खड़ा करने का कार्य आरम्भ किया जायगा । भांडों को खड़ा करने और हस्तान के ढांचों के ऊपर उपकरणों की स्थापित करने का कार्य स्टील के ढांचों को खड़ा करने के बाद ही निश्चित रूप से किया जायगा ।

(ख) 1-10-71 को भेजी गई मंजूरी के अनुसार एलकालायड फैक्टरी पर कुल 164.09 लाख रुपये व्यय होने की सम्भावना है ।

(ग) गाजीपुर (उ० प्र०) में मात्र एक अन्य फैक्टरी है जिसमें देश में अफीम एलकालायड तैयार किये जाते हैं ।

इलाहाबाद के युद्धबन्दी शिविर में मुरग

836 बी फुलचान्द बर्मा : क्या रक्षा मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या इलाहाबाद के युद्धबन्दी शिविर में युद्धबन्दियों ने 18 मई, 1972 को 90 फुट लम्बी, 5 फुट चौड़ी और 9 फुट गहरी मुरग खादी थी,

(ख) क्या यह मुरग बैरको के उम भाग का मिनती है जो फैजाबाद रोड में पड़ता है और जहां पाकिस्तानी जूनियर कमीशंड अधिकारी रहते हैं, और

(ग) यदि हा, तो इस सबब में पूर्ण विवरण क्या है और इस बारे में क्या कार्यवाही की गई है या करने का विचार है ?

रक्षा मंत्री (श्री जगजीवन राम) : (क) इलाहाबाद के युद्धबन्दी शिविर में 17 मई 1972 को 90 फुट लम्बी, 2 फुट चौड़ी और 9 फुट ऊंची गहरी मुरग खोदी गई थी जो सीधे खुदी हुई थी ।

(ख) यह मुरग युद्धबन्दी जूनियर कमीशंड अफसरों द्वारा उनके रहने की बैरको के क्षेत्र में खोदी गई थी और यह फैजाबाद रोड के सामने की दिशा में थी ।

(ग) पूछ-ताछ की गई है और उनसे जो झूठे प्राप्त हुए हैं उनसे पर्याप्त उपबारी उपाय अपनाने में सहायता मिली है । शिविर के कर्मचारियों की ओर से कोई गलती नहीं पाई गई । ऐसी घटनाओं की पुनर्भावित को रोकने के लिए सुरक्षा को सज्ज कर दिया गया है ।



Shifting of head offices of birlas concerns out of West Bengal

837. SHRI K. MALLANNA : Will the Minister of COMPANY AFFAIRS be pleased to state :

(a) whether Government are aware that Birlas have shifted their Registered Head Offices or Oriental Paper Mill and Hindalco outside West Bengal;

(b) if so, the reasons therefor;

(c) whether prior permission for shifting their Head Offices was obtained by them; and

(d) if not, Government's reaction thereof?

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) : (a) to (c). The Registered Office of M/s. Orient Paper Mills Ltd. was transferred from Bengal to Orissa with the approval of the High Court in 1947. The company has reported that it had an office in Calcutta, the staff of which had to be transferred to the company's establishment outside Calcutta in 1970 due to agitation and coercive activities indulged in by the employees of several companies having their offices in the same premises where the company's Calcutta Office was situated. At present only a few senior executive along with their personal staff are stationed in Calcutta to attend to the management and other requirements of the company.

As regards M/s. Hindustan Aluminium Corporation Ltd., its Registered office was shifted to Century Bhavan, Dr. Annie Besant Road, Bombay-25 from Industry House, Church Gate Reclamation, Bombay -1 with effect from the 1st September,

1970. The company had a Head Office/Sales & Publicity Office at Industry House, Calcutta which was shifted sometime back to its Works at Renukool (UP) due to labour and other troubles in Calcutta. Shifting of Head Office or any other office of a Company does not require the approval of Government under the Companies Act.

(d) Does not arise.

*Applicability of Geneva convention to B.S.F. personnel*

838. SHRI B. V. NAIK : Will the Minister of DEFENCE be pleased to state :

(a) whether the officers and men working in the Border Security Force are covered by the provisions of Geneva Conventions in relation to Prisoners-of-War;

(b) whether the services of Border Security Force Officers and men are regulated on terms identical to that of Indian Army, in view of the fact that they undertook identical nature of tasks in the recent Indo-Pakistan War; and

(c) whether any protests have been received from the ranks in the Army regarding the Border Security Force and their functions and if so, the main points thereof and Government's reaction thereto?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) : (a) Yes, Sir.

(b) The B.S.F. is a para-military force and *ipso facto* the terms of service of personnel belonging to this Force are different from the terms of service of regular Army personnel. The tasks which were undertaken by the B.S.F. and by the Indian Army in the recent war were not identical in nature.

(c) No, Sir.

smuggling of hashish by son of Indian deputy high commissioner in Sydney

39 SHRI HARI SINGH :

SHRI ATAL BIHARI VAJPAYEE : Will the Minister of FINANCE be pleased to state

(a) whether a son of India's Deputy High Commissioner in Australia was detained by the Sydney Police on the charges of smuggling hashish,

(b) if so, a brief account of the incident and action taken in the matter,

(c) whether this man was going to Australia on diplomatic passport, and

(d) if so, what step Government propose to take to stop such incident?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) to (d) Shri Jawahar Barua son of India's Deputy High Commissioner in Sydney went to Australia to spend his holidays with his parents. He was holding diplomatic passport. On his arrival at Sydney Airport on the 23rd May 1972 the Australian Customs authorities found that Shri Barua's suitcase contained 2 kgs of hashish. The suitcase along with the contraband narcotics was seized by the Australian Customs authorities and it was decided to send back Shri Barua to India.

2. On his arrival at Bombay on the 25th May, 1972 Shri Barua was arrested by the Customs authorities and released on bail of Rs. 2,000/- On prosecution, the Chief Presidency Magistrate, Bombay bound him for a period of one year in the sum of Rs. 1,000/- without any disadvantages in future. Besides, personal penalty amounting to Rs. 200/- was also imposed on Shri Barua during the course of departmental adjudication of the case for exporting hashish illegally. This amount has since been paid by Shri Barua.

3. Persons holding diplomatic passports enjoy diplomatic privileges only in the countries to which they are accredited and, therefore, Indians accredited abroad as diplomats are liable to check by Indian Customs like other citizens. The present instance is a stray case of this type. Usual anti-smuggling measures are already in force to check smuggling out of narcotics.

भारत और पाकिस्तान में युद्ध-बन्दियों के साथ व्यवहार के बारे में अन्तर्राष्ट्रीय रैडक्लस समिति के विचार

840 डा० लक्ष्मीनारायण पाण्डेय क्या रक्षा मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या पाकिस्तानी युद्ध बन्दियों के साथ भारतीय सेना के व्यवहार की अन्तर्राष्ट्रीय रैडक्लस समिति ने प्रशंसा की है,

(ख) क्या इस समिति ने पाकिस्तान में भारतीय युद्ध बन्दियों के साथ पाकिस्तानी सेना द्वारा किए जा रहे दुर्व्यवहार एवं जुल्मों से निन्दा की है, और

(ग) यदि हाँ, तो सरकार द्वारा इस सम्बन्ध में क्या कदम उठाए गए हैं ?

रक्षा मंत्री (श्री जगजीवन राम) (क) जी हाँ। रैडक्लस की अन्तर्राष्ट्रीय समिति ने पाकिस्तानी बन्दियों के साथ हमारे व्यवहार पर अपनी मनुष्यता व्यक्त की है।

(ख) और (ग)। भारतीय सैनिकों के साथ पाकिस्तानियों के क्रूर व्यवहार की कुछ घटनाएँ अन्तर्राष्ट्रीय रैडक्लस का सूचित की गई थी। परन्तु हम पर उन की कोई रिपोर्ट नहीं आई है।

Complaints Regarding Non-Implementation of Memorandum of Settlement between Management and Workers of Contonment Board

841 SHRI SAT PAL KAPUR Will the Minister of DEFENCE be pleased to state :

(a) whether many complaints regarding non-implementation of Memorandum of

Settlement dated the 20th November, 1966 between the management and the workers of the Cantonment Board have been received; and

(b) if so, the action taken or proposed to be taken for settlement?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) : (a) and (b). Representations have been made by the All India Cantonment Board Employees Federation in regard to non-implementation of a settlement dated 20th November, 1966 in respect of Cantonment Board, Ambala about payment of certain alleged arrears of emoluments with retrospective effect to certain Cantonment Board employees. The Federation had agreed to drop the claim, but have since filed an application before the Industrial Tribunal, Haryana. The outcome thereof is awaited.

#### **Killing of Indian P. O. Ws. in Pakistan**

842. SHRI PILOO MODY : Will the Minister of DEFENCE be pleased to state :

(a) whether attention of Government has been invited to a report in the *Organizer Weekly* of the 10th June, 1972 stating that over one thousand Indian Prisoners of War in Pakistan custody have been killed; and

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

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) : (a) Yes; Sir.

(b) The author seems to have come to the conclusion on the basis of figures in regard to the armed forces personnel declared missing and the number killed, which have been given from time to time. The total figures are bound to vary because of the manner in which the Defence Services categorise persons as missing. Many per-

sonnel are declared missing in the first instance because no positive proof of death in action is forthcoming. There have also been cases where persons believed missing during a conflict have rejoined units or later on were picked up as wounded. Some persons originally reported missing may subsequently be traced to be in enemy custody as POWs. Similarly, the number of persons killed goes up because (i) some wounded personnel die, (ii) persons formerly declared missing are later found to have been killed and (iii) there have been casualties after the declaration of the cease-fire.

Having regard to the above, the Government are unable to subscribe to the thesis contained in the article.

#### **Arrest of Foreigners on Charges of Smuggling**

843. SHRI SHASHI BHUSHAN : Will the Minister of FINANCE be pleased to state :

(a) the total number of foreigners arrested in the country during the last three years on charges of smuggling, year-wise;

(b) the value of goods seized from their possession; and

(c) the action taken against these foreigners?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) to (c). Information in this regard is being collected and will be laid on the Table of the Sabha.

#### **Raids by Income-Tax Authorities in Delhi**

844. SHRI SARJOO PANDEY :  
SHRI B.K. DASCHOWDHURY :

Will the Minister of FINANCE be pleased to state :

(a) whether the Income-tax Department had recently swooped on the offices and

houses of 15 architects and building engineers to check irregularities in the accounts relating to the construction costs of posh buildings in Delhi;

(b) whether any incriminating evidence has been unearthed in these raids;

(c) if so, the main features thereof; and

(d) the action taken thereon?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) :** (a) Yes, Sir. Searches were carried out on 11-7-1972 at the business and residential premises of 10 architects and survey operations u/s 133A were carried out at the office premises of 5 architects.

(b) Yes, Sir.

(c) Preliminary enquiries have revealed that some certificates have been issued by the architects giving valuation of properties which is less than the actual cost of construction. In some other cases there is considerable difference between the cost of construction as shown in the books and that which was actually incurred.

(d) The seized documents are being examined. Further action as may be called for will be taken after the completion of the investigations.

**Malaviya Committee on the Working of Oil and Natural Gas Commission**

**845. SHRI SARJOO PANDEY :** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether the Malaviya Committee on the working of the Oil and Natural Gas Commission has recommended that India should secure oil concessions from abroad for explorations;

(b) whether Government have accepted the recommendations; and

(c) if so, the efforts made in this direction?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) :** (a) Yes.

(b) and (c). The report is presently under Government's consideration. However, it has been always Government's endeavour to seek oil exploration rights in geologically attractive parts of the countries in the Middle East and Far East, to supplement the domestic oil exploration efforts towards meeting the crude oil demand of the country to the maximum extent possible. Accordingly in 1965, ONGC acquired 1/6th share in a joint off shore exploration venture in Iran, called IMINOCO with National Iranian Oil Company, AGIP of Italy and Phillips Petroleum of USA. This venture has so far found two oilfields called Rostam and Raksh and further exploration is continuing.

Subsequently in 1968, ONGC investigated the possibilities of acquiring a participation in an on-land concession in South Iraq, but on detailed techno-economic consideration, the matter was not further pursued. Opportunities in Indonesia for exploration were also investigated with the assistance of our Embassy in Djakarta, but it appeared that good prospective areas were already leased out. An offer received from Burmah Oil Co. in 1971 to join the exploration venture in Somalia had to be rejected for geological and economic reasons.

An ONGC technical team was sent to Iraq in 1971, to find out the geological prospects of the areas opened for bidding by Iraq National Oil Company. Following the team's recommendations, no further efforts were made. However, ONGC has just put up a bid for oil exploration in Iraq

for the tender recently invited by Iraq for new areas. The bid was based on detailed geological and economic assessment of the oil prospects, of these areas by ONGC.

Government would continue to explore all avenues for oil exploration in nearby countries, on case by case basis.

#### **Import of Crude Oil from Iraq**

846. SHRI SARJOO PANDEY :  
SHRI P.M. MFHTA :

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

(a) whether the nationalisation of the Iraq Petroleum Company by Iraq Government has opened up the possibilities of India importing crude oil from Iraq at reduced prices; and

(b) if so, the steps taken to fully utilise these possibilities?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) : (a) and (b). Crude oil has not so far been imported from Iraq. However, in pursuance of the Trade Agreement with Iraq, the Indian Oil Corporation has negotiated an Agreement with the Iraq National Oil Company for the supply of upto 250,000 tonnes of Northern Rumaila Crude Oil by 31st December, 1972. This Agreement will come into effect after it has been ratified. It will not be in the public interest to disclose the price and other terms and conditions of the Agreement.

#### **Disparities in LIC's Investments**

847. SHRI SARJOO PANDEY : Will the Minister of FINANCE be pleased to state :

(a) whether wide regional disparities exist in the Life Insurance Corporation investments; and

(b) if so, whether steps are being taken to reduce the existing regional disparities in LIC's investments?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a). and (b). According to a recent study of the investments of the LIC, the regional disparities in LIC's investments are much less now than they were in 1957. Excepting Uttar Pradesh, all the so-called backward States have improved their position in respect of LIC's investments, as compared to the situation in 1957. Some degree of regional imbalance is inevitable in LIC's investments, so long as the availability of investment opportunities and the institutional capabilities to absorb the investments remain uneven as between different States. Even so, some further specific measures for mitigating the imbalance are presently under the consideration of Government.

#### **Crude Oil from Iraq for Refining**

848. SHRI BHOGENDRA JHA :  
SHRI E.V. VIKHE PATIL :

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

(a) whether Iraq has promised to sell to India one million tonnes of crude oil for refining and if so, the salient features of the deal; and

(b) whether this crude will be used at Barauni refinery?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) : (a) Yes, Sir. Indian Oil Corporation has negotiated an agreement with the Iraq National Oil Company for supply of upto 250,000 tonnes of North Rumaila crude oil by 31st December, 1972. It will not be in the public interest to disclose the price

and other terms and conditions of the agreement. A fresh contract will be negotiated for the balance quantity to be supplied beyond 31st December, 1972.

(b) Yes, Sir.

**Repatriation of POWs, between India and Pakistan**

849. SHRI BHOGENDRA JHA :  
SHRI P.M. MEHTA :

Will the Minister of DEFENCE be pleased to state the total number of Prisoners-of-War exchanged between India and Pakistan so far since the cease-fire in December, 1971?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) : Only seriously sick and wounded Prisoners of War have so far been repatriated. Their number is as under :

Pakistani POWs repatriated to Pakistan . . . . .	299
Indian POWs repatriated to India . . . . .	27

In addition, one Indian civilian has also been repatriated from Pakistan.

**Memorandum by Indian Oil Employees Union, Eastern Branch**

850. SHRI BHOGENDRA JHA : Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether the Indian Oil Employees' Union, Eastern Branch, 1, Shakespeare Sarani, Calcutta-16 has submitted a memorandum to the Minister and other authorities complaining about corruption particularly in the Marketing Division and has demanded institution of a Commission of Enquiry; and

(b) if so, Government's reaction thereon?

THE MINISTER OF LAW AND JUSTICE, AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) : (a) Yes, Sir. Two memoranda, one dated 28th May, 1971 and the other dated 14th May, 1972 have been received.

(b) On the memorandum dated 28th May, 1971, the Indian Oil Corporation was requested to get the matter investigated. The Indian Oil Corporation constituted a Committee to enquire into the allegations. As a result of the enquiry, a transport company which was found guilty has been black-listed for a period of one year. This penalty was imposed in addition to the recovery of certain amounts for carrying quantities in excess of the permitted quantity. Instructions have also been issued by the IOC to all its Branch Managers for safeguarding against irregularities by transport contractors. It was considered after enquiry that the concerned officers of the IOC could not be held responsible for any of the irregularities alleged in the memorandum.

Another memorandum dated 14th May, 1972 is being enquired into.

**काले घन को बाहर निकालने के लिये उपाय**

851. श्री मूल सचिव डाया :

श्री नाथूराम ग्रहिवार :

क्या बिजल मंत्री यह बताने की कृपा करेंगे कि :

(क) काले घन को बाहर निकालने के लिए सरकार क्या ठोस कदम उठाने जा रही है और इस की निरन्तर वृद्धि के क्या कारण हैं ; और

(ख) क्या सरकार ने निर्णय किया है कि काले घन को बाहर निकालने के लिए मुद्रा का विमुद्रीकरण सहायका नहीं होगा ?

बिजल मंत्रालय में उपमंत्री (भोक्ता सुवर्ण रीहसनी) : (क) सरकार ने काले घन को निकालने के लिए बिजल में कई उपाय प्रशासनिक तथा वैधानिक,

दोनों प्रकार के किए हैं। इस समस्या पर सरकार का निरन्तर ध्यान रहता है।

काले धन के लगातार बढ़ने के कारण, बाणु समिति की रिपोर्ट में दिए गए हैं। अब इस रिपोर्ट की तथा समिति की सिफारिशों की जाच की जा रही है। इन सिफारिशों में से कुछ को पहले ही वित्त अधिनियम, 1972 में शामिल कर दिया गया है।

सरकार ऐसा नहीं समझती कि करेसी नोटों का विमुद्रीकरण काले धन की समस्या का हल है।

**सवाई माधोपुर (राजस्थान) में तेल शोधक कारखाना खोलना**

852 श्री मूलचन्द डागा क्या पैट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या केन्द्रीय सरकार का राजस्थान में सवाई माधोपुर में एक शोधक कारखाना खोलने संबंधी प्रस्ताव या तथा उम पर निर्णय भी ले लिया गया था, और

(ख) यदि हाँ, तो उसे सवाई माधोपुर में न खोल कर मयुरा (उत्तर प्रदेश) में खोलने के क्या कारण हैं?

विधि तथा न्याय तथा पैट्रोलियम और रसायन मंत्री (श्री एच० द्वार० गोखले) (क) और (ख) देश के उत्तर-पश्चिम क्षेत्र में प्रतिवर्ष लगभग 6 मिलियन मीटरी टन की क्षमता का एक तेल-शोधक कारखाना स्थापित करने के प्रस्ताव के बारे में विभिन्न संभव स्थानों, जिन में राजस्थान का सवाई माधोपुर तथा उत्तर प्रदेश में मयुरा शामिल हैं, का मूल्यांकन किया गया था। तकनीकी-आर्थिक परिस्थितियाँ तथा अन्य सम्बद्ध तथ्यों को ध्यान में रखते हुए इस शोधक कारखाने के लिए मयुरा एक अति उपयुक्त स्थान समझा गया है।

**नौसेना के लिये बनाए जाने वाले कर-मुक्त सिग्रेट**

853 श्री मूलचन्द डागा क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नौसेना के लिये बनाये जाने वाले प्रत्येक सिग्रेट पर 'आई० एन० शिप्स प्रोनली' छपा है ;

(ख) क्या ये सिग्रेट कर-मुक्त होते हैं और नौसेना के कर्मचारियों को सस्ते दामों पर वितरित हैं और यदि हाँ, तो ये सिग्रेट बम्बई की दुकानों और होटलों में अधिक मूल्यों पर क्यों बेचे जाते हैं, और

(ग) क्या सरकार इसे रोकने के लिये कदम उठायेगी ?

रक्षा मंत्रालय (रक्षा उत्पादन) में राज्य मंत्री (श्री बिष्णु चरण शुक्ल) (क) जी हाँ, श्रीमान् 'आई० एन० शिप्स' पर मण्डार की जाने वाली दक्ष में बनी सिग्रेटों पर 'आई० एन० शिप्स प्रोनली' छपा होता है।

(ख) और (ग) जहाजों पर देश सेवा कर नौसेना कामिका को जा सिग्रेट दी जाती है वे कर-मुक्त सिग्रेट बेचने से पूर्व कर्पोरल, पैक्टा के सेलोपन कवर और माहुर उतार दिये जाते हैं इसलिए इन सिग्रेटों का और कहीं बेचा जाना सम्भव नहीं है। तथापि, इन सिग्रेटों को बम्बई की दुकानों और होटलों में तयामिन बिन्नी और उसको रोकने के लिये उठाये गये कदमों के बारे में सूचना एकल की जा रही है और इसे सभा के पटल पर रख दिया जायेगा।

**राष्ट्रीयकृत बैंकों की शाखाओं की स्थापना**

854 श्री शिवकुमार शास्त्री : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि (क) बैंकों के राष्ट्रीयकरण के बाद में अब तक राष्ट्रीयकृत बैंकों की कितनी शाखाएँ खोली गई हैं ;

(ख) बैंकों से साधारण व्यक्तियों को ऋण प्राप्त करने में जो बाधाएँ थी, उनको किस हद तक दूर किया गया है ; और

(ग) क्या देहाती क्षेत्रों में ऋण सम्बन्धी जानकारी देने के लिये प्रत्येक शाखा में कोई विभाग खोला गया है ?

वित्त मंत्रालय में उपसची (बीजली सुधीरा रोहतवी) (क) : राष्ट्रीयकृत बैंको ने 19 जुलाई, 1969 से 30 जून, 1972 के बीच में 3023 शाखाएँ खोली हैं ।

(ख) सरकारी क्षेत्र के बैंको के सम्बन्ध में, प्राथमिकता प्राप्त क्षेत्रों के ऋणकर्ताओं की सख्या, जो जून, 1969 को 2 82 लाख थी बढ़कर विसम्बर, 1971 के अन्त तक 13 05 लाख हो गई, इस असाधारण वृद्धि के पता चलेगा कि माध्याम्य व्यक्तियों का बैंको के ऋण प्राप्त करने में होने वाली कठिनाइयाँ किस सीमा तक कम हो गई हैं । बैंको की ऋण नीति में स्पष्ट परिवर्तन हुआ है, जिसके अनुसार, प्रतिभूति के स्वरूप और उसकी सीमा की अपेक्षा, प्रस्ताव की सक्षमता, ऋणकर्ता की ईमानदारी, धनभ्रम और क्षमता पर अधिक बल दिया जाता है । ऋणकर्ताओं के सामने कठिनाइयों के बारे में विनिष्ट शिकायतें प्राप्त होने पर सभी सम्बद्ध व्यक्तियों द्वारा मामल की ध्यानपूर्वक जाच की जाती है और उचित उप-चागतमक कदम उठाये जाते हैं ।

(ग) बैंक की शाखाओं के कमचारी स्थानीय भाषा को बताते हैं कि उन्हें किस किस्म की ऋण-सुविधाएँ मिल सकती हैं तथा वे बैंको द्वारा निर्धारित किये गये कामों को भरणे में उनकी सहायता करते हैं । बैंको ने प्रचार पुस्तिकाएँ भी प्रकाशित की हैं जिनमें किमानो तथा अन्य छोटे ऋणकर्ताओं का सरल भाषा में यह समझाया गया है कि किन्हीं उत्पादक उद्देश्यों के लिये किस प्रकार ऋण प्राप्त किये जा सकते हैं और इस प्रकार के ऋणों को प्राप्त करने के लिये ऋणकर्ता को क्या करना पड़ेगा ।

विश्व बैंक द्वारा संघ परिचयना को प्राथमिकता दिया जाता

855 श्री सिधु कुमार शास्त्री क्या बिल मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या विश्व बैंक ने संघ परियोजना को अपनी प्राथमिकता सूची में सम्मिलित किया है,

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(ख) यदि हा, तो परियोजना की मुख्य बातें क्या हैं, और

(ग) उक्त परियोजना को सम्पन्न होने में कितना समय लगेगा ?

वित्त मंत्री (श्री यशवन्तराव चव्हाण) (क) भारत सरकार ने गंगा बेसिन क्षेत्र के विकास के लिये विश्व बैंक की महायत्ना प्राप्त करने का कोई प्रस्ताव विश्व बैंक के समक्ष प्रस्तुत नहीं किया है ।

(ख) और (ग), ये प्रश्न उपस्थित नहीं होते ।

#### Increasing the Production of Kerosene Oil and Diesel

856 SHRI B. S. BHAURA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government are taking steps to maximise production of kerosene oil and Diesel oil, and

(b) if so, the broad outlines thereof?

THE MINISTER OF LAW AND JUSTICE, AND PETROLEUM AND CHEMICALS (SHRI H R GOKHALE) (a) and (b). It has been the endeavour of the Government to maximise the production of middle distillates which include both kerosene oil and diesel oil. The increase in the yield of middle distillates is achieved in the following manner —

(1) By suitable changes in the Refinery processing.

(2) By suitable adjustments in the specifications of the products to the extent possible without any detriment to the purpose for which these products are to be used

The improvements in the overall percentage yield of middle distillates so obtained during 1970 and 1971 and the estimated percentage yield during the current year



are indicated below :—

1970 . . . . .	46 3%
1971 . . . . .	47 6%
1972 (Estimated) . . . . .	47 9%

#### **Recruitment of S.C. and S.T. in Nationalised Banks**

857. SHRI B. S. BHAURA : Will the Minister of FINANCE be pleased to state:

(a) whether Government had issued directives to the nationalised banks that the rules regarding representation of Scheduled Castes and Scheduled Tribes in Government service should be strictly implemented in the recruitment of staff to these banks,

(b) whether none of the nationalised banks working in Punjab have cared to implement these directives; and

(c) if so, the steps Government propose to take to ensure strict implementation of the directives by these banks?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) Yes, Sir All the nationalised banks have been instructed by Government to observe the reservation quota for Scheduled Castes and Scheduled Tribes in the matter of recruitment.

(b) No, Sir.

(c) Does not arise

#### **Unearthing of Foreign Exchange**

858. SHRI R. K. SINHA : Will the Minister of FINANCE be pleased to state:

(a) whether Government's attention has been invited to the news item appearing in the 'Bhaskar' dated the 8th July, 1972 under the heading "Interpol and Rajkot Customs bust exchange racket"; and

(b) if so, the reaction of Government thereto and the action taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) Yes, Sir.

(b) The seizure of Rs. 2 lakhs of Indian currency notes was not done by Norwegian police but was done by anti-smuggling authorities in Delhi. It is also not a fact that Interpol are in the picture. Certain other details mentioned in the news report are also not correct. The seizure will be dealt with in accordance with the law on the subject.

#### **Acquisition of shares of Balmer Lawrie by Indo-Burma Petroleum Co.**

859 SHRI S. C. SAMANTA :

DR. RANEN SEN :

Will the Minister of COMPANY AFFAIRS be pleased to state.

(a) whether the Indian Oil Corporation and the Ministry of Petroleum and Chemicals had consulted his Ministry before the acquisition of Duncan holdings in Balmer Lawrie by Indo-Burma Petroleum Co. and

(b) if so, whether it was necessary to acquire more than 51 per cent equity shares of Balmer Lawrie to get majority for Government and Indo-Burma Petroleum Co. in this company?

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) : (a) and (b), Ministry of Petroleum & Chemicals consulted the Department of Company Affairs. Indo-Burma Petroleum Co., Ltd. filed an application under section 372(4) of the Companies Act, 1956 and the same was approved.

#### **Handing Over of captured Defence materials to Bangladesh**

860. SHRI S.C. SAMANTA : Will the Minister of DEFENCE be pleased to

state whether any portion of the arms and ammunition and defence materials captured in Bangladesh during the last December struggle have been or are being handed over to Bangladesh Government?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) :** It would not be in public interest to answer this question.

**Separation of Indo-Burma Petroleum Company from I.O.C.**

**861. SHRI S.C. SAMANTA :**  
**SHRI ARVIND NETAM :**

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

(a) the reasons for which the Indo-Burmah Petroleum Company which had been taken over by the Indian Oil Corporation has been separated from the Indian Oil Corporation and is now to operate as an independent unit;

(b) the implications of this arrangement and to what extent Indian Oil Corporation stands to lose or gain because of this;

(c) the sums of money paid to M/s. Steel Brothers from whom the Indo-Burmah Petroleum was bought over and what would happen to the investment ; and

(d) the constitution of the new arrangement of the India-Burmah Petroleum?

**THE MINISTER OF LAW AND JUSTICE, AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) :**

(a) With the acquisition by the Indo-Burmah Petroleum Company Ltd. (IBP) of controlling interest in Balmer Lawrie and Company Ltd. and thereby in the four subsidiaries of Balmer Lawrie, i.e. (i) Bridge & Roof Co. (India) Ltd; (ii) Steel Containers Ltd; (iii) Industrial Containers Ltd; and (iv) BIFCCO Lawrie Ltd,

the non-petroleum business of the IBP Group has vastly increased. On the other hand the task already in hand of IOC is very large; complex and growing. It has accordingly been decided that as a first step, pending further reorganisation, IBP, along with Balmer Lawrie and the latter's four subsidiaries, may function independently under the direct control of Government.

(b) The implications of this arrangement will be that the President of India will purchase IOC's share holding in IBP from IOC at the latter's cost price. The IOC will, therefore, not stand to lose or gain on its investment by transfer of these shares to the Government. As for the return on this investment, IOC has been getting from the IBP by way of dividend about 14% on the book value of these shares as against IOC's average return on capital employed of 19.5% in 1971-72.

(c) The sums of money paid by IOC to M/s. Steel Brothers for purchase of 5,79,400 shares in IBP in January, 1970 was Rs. 73,13,477. The IOC will be paid this amount in full during the current financial year itself whereafter the investment will vest in the Government.

(d) The reconstitution of the Board of Directors of the IBP will be made after the share holding is actually transferred to the Government.

**Offer to convert their Indian Companies into joint ventures by Esso and Burmah Shell**

**862. SHRI NIKHAR LASKAR :**  
**SHRI SHASHI BHUSHAN :**

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

(a) whether Esso and Burmah Shell are renewing their bid for a decision on their offer to convert their Indian Companies into joint ventures;

(b) whether the offer of these two companies meet the Government's objections to the present Refinery agreements; and

(c) if not, the steps being taken by Government in this direction?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE):**

(a) Yes, Sir.

(b) and (c). The proposals are under detailed examination.

**Violation of Provisions of Companies Act by Companies**

**863. SHRI NIHAR LASKAR :** Will the Minister of COMPANY AFFAIRS be pleased to state:

(a) whether there has been a large number of violations of Company Law Provisions by the Companies during the last three years;

(b) if so, the number of prosecutions launched during this period; and

(c) the names of the companies against which prosecutions have been launched during the year 1971-72?

**THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) :** (a) to (c). The information is being collected and will be laid on the Table of the House.

**Amendment to Companies Act**

**864. SHRI NIHAR LASKAR :**  
**SHRI SHRIKISHAN MODI :**

Will the Minister of COMPANY AFFAIRS be pleased to state :

(a) whether some changes are proposed to be made in the Companies Act;

(b) if so, the salient features of the proposed amendments; and

(c) when a Bill to this effect is expected to be introduced in Parliament ?

**THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) :** (a) Yes, Sir.

(b) and (c) . It is proposed to introduce the Companies (Amendment) Bill, 1972 very shortly in the current session of Parliament.

**Border Road Development Board Pioneers**

**865. SHRI R.V. BADE :** Will the Minister of DEFENCE be pleased to state :

(a) the number of Border Road Development Board pioneers whose services are likely to be dispensed with during the next six months;

(b) the number of casual labourers engaged daily by the said Board; and

(c) whether alternative jobs have been arranged for the pioneers whose services are dispensed with?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) :** (a) The services of about 1500 Pioneers of the Border Roads Organisation are likely to be dispensed with during the next 6 months.

(b) The average number of casual labourers engaged daily during the month of May 1972 is 57198.

(c) Efforts will be made to provide alternative jobs for the Pioneers whose services are dispensed with.

**Efforts to attract Indian Entrepreneurs  
by Department of Defence Supplies**

866. SHRI PAMPAN GOWDA : Will the Minister of DEFENCE be pleased to state whether Department of Defence Supplies have made efforts to attract Indian entrepreneurs to take up the manufacture of a wide range and variety of defence requirements?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) : A statement is attached.

*Statement*

1 The Department of Defence Supplies functions through a number of Technical Committees each of which deals with development and production of a particular type of defence store, like Armament items, Vehicle items, Electrical and Electronic items, Engineering items, Marine items etc. These Committees have prepared detailed compendiums of manufacturers of different types of stores. Before bringing the name of a manufacturer on a compendium, the Technical Committee through its Inspectorate, assesses the capability of the firm concerned to manufacture particular types of stores to the rigid and stringent Defence specifications. This list is updated from time to time both in respect of the technical capability of the manufacturers as well as for the items that they could take up for manufacture. The Inspectorates are in touch with the industry and there is a continuous feed back of the information in this regard. Some of the Inspectorates have also brought out compendiums showing the components which have been type approved for Defence purposes. Apart from this, whenever entrepreneurs approach the Department or the Technical Committees indicating their interest in taking up manufacture of items required for Defence, action is initiated

to assess their capability and, if they are found capable their name(s) is included in the compendium maintained by the Technical Committee.

2. The items required to be indigenised are projected to the Department by the Services and by Ordnance Factories. The Technical Committee concerned, after careful study of the problems likely to be encountered in developing and productionising the items, prepares the preliminary drawings and specifications, based on which tenders are invited from various entrepreneurs listed in the compendium and considered suitable for manufacture of the particular item. In some cases the drawings and specifications are furnished by Research and Development establishments. The quotations received are evaluated and orders are placed.

3. In a large number of cases, assistance is given to the entrepreneurs in respect of (i) import of raw material and components not available in the country, (ii) release of steel and other scarce materials, (iii) import of capital goods and (iv) purchase of raw materials and components by sanctioning 'on account' payment. Once the firm takes the order in hand, the Inspectorates give guidance to them at every stage viz. development, production off and bulk production. In the case of really complicated items, development projects are taken up by the selected firm under R&D guidance.

4. It would be observed that the Department is continuously making efforts to attract as large a number of entrepreneurs as possible for participation in the indigenisation programme of Defence items. The items required by Defence Services are also displayed in Sample Rooms functioning at Delhi, Calcutta, Bombay and Madras. The entrepreneurs are invited to these Sample Rooms where they can, not only

see the items required but also obtain drawings and specifications as well as on the spot-guidance from the officers specially stationed for this purpose. After an entrepreneur has selected an item of his interest, he makes his offer for its development and manufacture. Similar offers may be received from other parties also. All such offers are duly considered by the competent authority who places an order on the firm whose offer is considered the best.

5. Recently, the Department of Defence Supplies has published a list of imported items, required by Armed Forces. Copies of this list have been sent to Directors of Industries of the States, Chambers of Commerce and Industries, State Small Scale Industries Development Boards, National Small Scale Industries Corporation and other Industrial Organisations. It is expected that this list will become popular with the entrepreneurs and will assist them in selection of items in the indigenisation of which they wish to participate.

#### **Rate of Interest on Provident Fund Savings**

867. SHRI PAMPAN GOWDA : Will the Minister of FINANCE be pleased to state:

(a) whether there is any proposal under the consideration of Government to raise the rate interest on the Provident Fund Savings of the Central Government Servants; and

(b) if so, the broad outlines of the proposals?

THE MINISTER OF FINANCE (SHRI YESHWANT RAO CHAVAN) : (a) and (b). The matter is under consideration in consultation with the staff side of the National Council of joint Consultative Machinery.

#### **Death of a Child in an Air India Plane**

868. SHRI VAYALAR RAVI : Will the Minister of TOURISM AND

CIVIL AVIATION be pleased to state:

(a) whether attention of Government has been drawn to a report appearing in the *Blitz* dated the 10th June, 1972 under the caption "Murder in the skies";

(b) if so, whether any enquiry has been conducted in the incident; and

(c) if so, the findings thereof and the action taken thereon?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) and (b) Yes, Sir. A thorough enquiry was conducted into the matter by Air India.

(c) According to a doctor, who was travelling on the same flight and who immediately volunteered his services, the death of the baby was caused by a failure of his respiratory system and suffocation. On Air India's representation the *Blitz* subsequently published in its issue of the 1st July, 1972 a letter from three passengers, travelling on the same flight, which contradicted its earlier report. The editor also made a note after the letter fully endorsing the contents of the letter. The mother and her sister were given all possible assistance by Air India, and special instructions were given that their hotel bills and the cost of other requirements should be forwarded to Air India in Beirut for payment. The baby's parents have expressed their appreciation of the sympathy and cooperation given to them by Air India's cabin crew and staff in Beirut.

#### **Agreement between Air India and British Aircraft Corporation for the purchase of Supersonic Concorde Aircraft**

869. SHRI VAYALAR RAVI : SHRI VEKARIA :

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Air India has entered into an agreement with the British Aircraft

Corporation for the purchase of newly built Supersonic Concorde Aircraft;

(b) if so, the broad outlines of the agreement and the time by which this aircraft is expected to be in service under Air India; and

(c) whether Government and Air India were fully satisfied with the performance of this aircraft before entering into the agreement?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) :** (a) No, Sir. Air-India have reserved delivery positions for two aircraft by making an interest bearing deposit which can be withdrawn at any time without any penalty. No decision has yet been taken in the matter.

(b) and (c) Do not arise.

**Construction of an Aerodrome at Edakkattuvayal near Cochin (Kerala)**

**870. SHRI VAYALAR RAVI ·  
SHRI IBRAHIM SULAIMAN  
SAT**

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government have taken a decision regarding the construction of an aerodrome at Edakkattuvayal near Cochin, Kerala;

(b) whether any study team has visited the proposed site; and

(c) if so, the recommendations of the study team and the reaction of Government thereto?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) :** (a) to (c). A detailed survey is being undertaken to assess the suitability

of the site for the possible development of a civil aerodrome.

**Impact of Sterling Crisis on India's Economy**

**871. SHRI VAYALAR RAVI :**

**SHRI K. BALADHANDAYUTHAM :**

Will the Minister of FINANCE be pleased to state:

(a) how far the fall in the value of Pound Sterling has affected our economy, foreign exchange reserves and outstanding foreign debts;

(b) whether there is any proposal to revalue Rupee in terms of Pound Sterling and if so, the main features thereof; and

(c) what steps Government propose to take to offset the adverse effect of floatation of Pound Sterling on India's Economy?

**THE MINISTER OF FINANCE (SHRI YESHWANT RAO CHAVAN) :**

(a) The effect of the fall in the value of the Pound Sterling on our economy is so far of little significance.

Our foreign exchange reserves are kept in different international currencies and any difference in their value can only be in relation to other international currencies. The effect on their value is felt only when conversion takes place, and the extent of appreciation or depreciation depends on the currency to which conversion is effected.

The effect on our foreign debt depends on the currency in which it is to be serviced. In terms of repayments in Pound Sterling the outgo in rupees will be marginally less.

(b) There is no specific proposal at this stage to revalue the rupee. The buying and selling rates for the Pound Sterling have

been fixed by RBI; these are within margins accepted by IMF. These rates are marginally lower than the corresponding rates for the Pound before the float started.

(c) The adverse effects of floatation of the Pound Sterling have been mitigated by utilising the margins accepted by the IMF to keep the value of the rupee from fluctuating unduly. Arrangements have also been made by RBI to protect the interests of exporters by providing forward cover for purchase of Sterling upto 6 months.

#### **World Bank's report on India's Economy**

**872. SHRI PURSHOTTAM KAKODKAR :**  
**SHRI P.M. MEHTA :**

Will the Minister of FINANCE be pleased to state:

(a) whether the World Bank has suggested in its Report on the Indian Economy that India should strive for self-reliance and should not over-emphasise import substitution policy to the extent that growth might be affected;

(b) if so, other features of the Report and reaction of Government thereto, and

(c) whether the Report on the Indian economy was considered by the Aid India Consortium at its meeting in Paris on June 12th and 13th?

**THE MINISTER OF FINANCE (SHRI YESHWANT RAO CHAVAN) :**

(a) It has been indicated in the report that in achieving self-reliance greater export growth must play a more important role than import substitution.

(b) The Report commended the economic performance of India during particularly a difficult year. It noted the continuing satisfactory rate of growth in agricultural and the buoyancy of Indian exports. It noted the slow rate of growth in indus-

trial production and mentioned the problems besetting individual industries. The Report on the whole expressed satisfaction at the concern of the Government for combining economic growth with social justice which characterises Indian thinking on development.

The Government have been emphasizing both import substitution and export promotion for achieving self-reliance. Government are also taking steps for accelerated industrial growth and to foster the growth of exports.

(c) Yes, Sir.

**Adverse Effects of Pricing Policy for Petroleum Products on Madras Refinery**

**873. SHRI PURUSHOTTAM KAKODKAR :**

**SHRI R. R. SINGH DEO :**  
Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the pricing policy for Petroleum products is having an adverse effects on the Public Sector Refinery at Madras; and

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

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) :**

(a) The Government's policy regarding pricing of petroleum products applies equally to all companies and hence no discrimination has been made in respect of the refinery at Madras.

(b) Does not arise.

**Border Violation by Pakistani Forces**

**874. SHRI SHASHI BHUSHAN :**  
**SHRI ARJUN SETHI :**

Will the Minister of DEFENCE be pleased to state:

(a) the number of border violation committed by the Pakistani forces during the

last six months ending 30th June, 1972 and the number of posts recaptured by time as a result thereof;

(b) the total number of personnel of Indian Border Security Force and Army killed and injured in the encounters with Pakistani forces during the period; and

(c) whether some incidents of capture of some Indians by Pakistani forces have come to the knowledge of Government and if so, a brief account thereof and the steps taken to get them released?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) :** (a) During the six months period ending 30th June, 1972 Pakistan committed 1648 cease-fire violations. Two of our posts in the Tithwal sector in Jammu & Kashmir were re-captured by Pakistan.

(b) 10 Border Security Force personnel and 89 Army personnel lost their lives; 20 BSF personnel and 287 Army personnel were wounded in encounters with the Pakistani forces during this period.

(c) Yes, Sir. One Army Other Rank was captured in the Tithwal action on 4/5 May, 1972 and one BSF sepoy was captured during patrolling in the Punjab sector on 1-1-72 by the Pakistani forces. Steps have been taken through the good offices of the International Committee of the Red Cross to ascertain their whereabouts from the Pakistani authorities.

**Proposal to Renovate Duty Free Shops at Airports in the Country**

**875. SHRI V. MAYAVAN :**  
**SHRI C. T. DHANDAPANI :**

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government propose to renovate the duty free shops at airports in the country;

(b) if so, reasons therefor; and

(c) the expenditure likely to be incurred in renovating these shops airport-wise?

**THE MINISTER OF TOURISM AND CIVIL AVIATION : (DR. KARAN SINGH) :** (a) The India Tourism Development Corporation which runs Duty Free Shops at the international airports has already renovated the three shops at Delhi, Bombay and Madras; the shop at Calcutta was re-built in 1970 and therefore does not need any renovation.

(b) Renovation was considered necessary to make them more attractive and also to provide additional space for stocking more items of merchandise.

(c) The expenditure incurred on the renovation of the shops is as follows :

1. Delhi . . . .	Rs. 25,000/-
2. Bombay . . . .	Rs. 110,450/-
3. Madras . . . .	Rs. 26,000/-

**Rehabilitation of Goldsmiths**

**876. SHRI V MAYAVAN :** Will the Minister of FINANCE be pleased to state the State-wise break-up of Rs. 1478.56 lakh given to the states since the introduction of Gold Control in 1963 for financing schemes for rehabilitation of goldsmiths?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) :** Since the introduction of Gold Control in 1963 and upto 31-3-1972 an amount of Rs. 1482.86 lakhs has been advanced as loans to the State/Union territory Governments. The State/Union territory-wise break-up of this amount is given in the Statement attached.

**Statement**

*State-wise Break up of Loans Advanced by the Centre to the state/U.T. Governments*



for giving Rehabilitation Loans to eligible Goldsmiths/Small Dealers/Small Refiners since the Introduction of Gold Control in 1963 Upto 31-3-1972

S. No	Name of the State/U.T.	Amount of loans sanctioned since 1963 upto 31-3-1972 (in lakhs of rupees)
1.	Andhra Pradesh	161.19
2.	Assam	57.68
3.	Bihar	43.50
4.	Gujarat	150.12
5.	Jammu & Kashmir	44.00
6.	Kerala	14.50
7.	Madhya Pradesh	135.00
8.	Tamilnadu	251.53
9.	Maharashtra	64.00
10.	Mysore	87.50
11.	Orissa	62.00
12.	Punjab	32.19
13.	Haryana	3.00
14.	Rajasthan	118.50
15.	Uttar Pradesh	156.75
16.	West Bengal	56.00
17.	Himachal Pradesh	4.50
18.	Delhi	29.60
19.	Goa, Daman & Diu	—
20.	Manipur	3.00
21.	Tripura	5.60
		(1.46 drawn)
22.	Pondicherry	2.50
TOTAL:		1482.86
Say		1483 lakhs

#### LIC's Investment in Private Sector

877. SHRI V. MAYAVAN : Will the Minister of FINANCE be pleased to state:

(a) the state-wise break-up of L.I.C.'s investment in private sector as on 31st March, 1971;

(b) the state-wise break-up of L.I.C.'s investment in cooperative sector as on 31st March, 1971; and

(c) the names of private sector institutions which have received loans from L.I.C. during the past three years?

THE MINISTER OF FINANCE (SHRI YASHWANTRAO CHAVAN) : (a) and (b). The state-wise break-up of LIC's investments in private sector and cooperative sector on 31st March, 1971 is given below :

State	Private sector (book value/amount outstanding)	Co-operative Sector (book value/amount outstanding)
(Rupees in lakhs)		
Andhra Pradesh	4,66.85	13,86.00
Assam	76.30	..
Bihar	22,77.51	1,02.71
Delhi	4,95.96	1.83
Goa	74.70	30.00
Gujarat	17,85.58	46,94.83
Haryana	37.20	1,93.68
Himachal Pradesh	18.49	9.49
Jammu & Kashmir	..	19.10
Kerala	3,39.01	1,70.31
Madhya Pradesh	5,20.70	2,04.25
Maharashtra	75,15.58	49,70.42
Mysore	3,85.35	6,19.11
Orissa	2,92.29	2,53.28
Pondicherry	2.92	6.33
Punjab	30.10	4,50.90
Rajasthan	1,65.82	1,74.04
Tamil Nadu	18,45.63	16,46.43
Uttar Pradesh	10,37.25	8,01.08
West Bengal	65,79.30	1,98.73
		2,39,47.54 1,59,32.52

Note :—The classification is based on the actual location of the principal project

factory/works in the state. Where these are located in more than one state and none of these can be termed as the principal one, the investments are shown in the state where the registered office of the company is situated.

(c) Necessary information is being collected and will be laid on the Table of the House as soon as possible

**Suggestions by plan Finance Division  
regarding Public Sector Projects**

878. SHRI V. MAYAVAN Will the Minister of FINANCE be pleased to state :

(a) the directives of the Prime Minister in regard to the causes of delay in the execution of public sector projects,

(b) the procedural improvements in investment scrutiny suggested by the Plan Finance Division ;

(c) the modern techniques being suggested to improve the usefulness of the appraisal reports of industrial and other projects, and;

(d) when they are likely to be implemented ?

**THE MINISTER OF FINANCE  
(SHRI YESHWANTRAO CHAVAN):**

(a) The Prime Minister had desired that Plan schemes should be regularly reviewed and procedures should be modified and streamlined to remove bottlenecks in the execution of public sector projects.

(b) Ministry of Finance suggested the following improvements in investment scrutiny :

(i) The Expenditure Finance Committee system might be reviewed to improve the quality of scrutiny and cut down the time lag, if any, between the receipt of the proposal from

the administrative ministry and its clearance at the EFC meeting.

(ii) A fixed high level forum be called "Public Investment Board" should consider feasibility reports on public sector investments and take investment decisions. This Board should meet periodically and consider the most important and basic issues relating to an investment proposal.

(c) Social Cost Benefit Analysis is a modern technique in appraising public sector projects. This is under study and on experimental basis is being tried on a few public sector projects.

(d) Improvement in the Expenditure Finance Committee procedure will be brought about soon. Government have decided to constitute the Public investment Board Improved techniques in project appraisal would be brought into use in due course after their experimental application is studied thoroughly.

**Request from Bihar Government for writing  
off Loans**

879 SHRI SUKHDEO PRASAD VERMA : Will the Minister of FINANCE be pleased to state .

(a) whether Bihar Government have requested the Central Government to write off all loans to that State; and

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

**THE MINISTER OF FINANCE  
(SHRI YESHWANTRAO CHAVAN) :**

(a) The State Government had last year suggested the writing off of 'unproductive loans' and rescheduling of the remaining Central loans.

(b) The question of repayment of loans granted to various States by the Central

Government has since been referred to the Sixth Finance Commission. Pending receipt of the Report of the Commission, no action can be taken on the request of the State Government.

**Request of Rajasthan Government for Locating of an Oil Refinery in the State**

880. SHRI SUKHDEV PRASAD VERMA :

DR. H. P. SHARMA :

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

(a) whether Rajasthan Government have approached the Centre for the location of an Oil refinery in Rajasthan; and

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

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

(b) For setting up a refinery in the north-west region of the country, the merits of various locations including those in Rajasthan have been evaluated, taking into account techno-economic considerations and other relevant factors. As Mathura in U. P. was found to be the most suitable location, the Government has decided to set up the refinery there.

**India's contribution to United Nations Development Programme**

881. SHRI SUKHDEO PRASAD VERMA : Will the Minister of FINANCE be pleased to state :

(a) whether the United Nations Development Programme Administrator met him recently;

(b) if so, whether United Nations Development Programme has asked India for an increased contribution in terms of its

annual pledge of funds provision of experts and fellowships; and

(c) the reaction of Government in this regard ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) :

(a) Yes, Sir.

(b) Yes, Sir.

(c) The matter is under consideration.

**Disparities in Income**

882. SHRI D. K. PANDA :

SHRI B. V. NAIK :

Will the Minister of FINANCE be pleased to state : the present ratio between the lowest and highest incomes in the country?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : Data are not available to give the present ratio between the lowest and highest incomes in the country. Some rough idea of such a ratio is possible only in respect of those who pay Central income tax. According to the latest available data on income tax statistics, which relate to 1967-68, the average annual income of an assessee in the highest income range (i.e., over Rs. 5,00,000) worked out to Rs. 10,78,000 and was 262 times the average annual income of Rs. 4,118 for an assessee in the lowest income range (i.e., between Rs. 4,000 and Rs. 5,000). In terms of post-tax incomes (i.e., after paying income tax) the average income of an assessee in the highest income range worked out to 80 times the income of an assessee in the lowest income range.

**Enquiry into Tax evasion by Bajorias and Jalans Monopoly Houses**

883. SHRI D. K. PANDA : Will the Minister of FINANCE be pleased to state :

(a) whether any inquiries have been conducted into the tax evasion and monopolisation by the Bajorias and Jalans Group

of concerns in the light of revelations made in the Book entitled "Mystery of Bajorias and Jalan House", and

(b) if so, the results thereof ?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI)**

(a) and (b). The book entitled "Mystery of the Bajoria Jalan House" has been examined partly. In respect of 38 out of 99 companies of this group, the book does not contain any new information not already with the Income-tax Department. This group has been under constant investigation from the time of the Income tax Investigation Commission, 1947. A new cell is being created in the Directorate of Inspection (Investigation) for keeping a watch over big industrial houses including the house of Bajoria Jalans.

**Amount spent on renovation of rooms in Ashoka Hotel, New Delhi**

884. **SHRI D. K. PANDA** . Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the room on the sixth and seventh floors of Ashoka Hotel, New Delhi were renovated in the year 1970 and are again under renovation at present;

(b) if so, how much was spent in 1970 for renovation; and

(c) the reasons for renovating the same rooms again?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH)**

(a) and (c). 126 rooms on the sixth and seventh floors of the Ashoka Hotel, New Delhi, were renovated in 1969 and commissioned in January 1970. Further improvements and maintenance was undertaken during May-June, 1972.

(b) A sum of Rs. 17.26 lakhs was spent on renovation in 1969-70.

**Loan applications pending in West Bengal**

885. **SHRI D. K. PANDA** : Will the Minister of FINANCE be pleased to state:

(a) whether the Banks are taking long time in scrutinising and disposing the loan applications by Small Scale Industries; and

(b) the number of such applications now pending before the nationalised Banks in West Bengal ?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI)** : (a) Since nationalisation, banks have taken various steps to expeditiously disburse loans to Small Scale Industries. These are simplification of forms availability of forms in local languages, assistance in filling up the forms, periodical review of pending cases, delegation of discretionary powers to the dealing officials etc. In spite of these measures, delays do occur in some cases, mainly on account of difficulties on obtaining essential information from the applicants. Individual cases of undue delays are looked into by the Reserve Bank of India and the Headquarters of the concerned banks and appropriate remedial measures are taken.

(b) The information is not readily available and the same will be collected to the extent feasible and placed on the Table of the House.

तेल की खोज तथा उत्पादन के लिए पांच

वर्षों की योजना

886 श्री कलकत्ता दर्जा .

श्री पी० एन० मेहता

क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि : (क) क्या तेल तथा प्राकृतिक गैस प्रायोगिक तेल की खोज तथा उत्पादन के लिये एक पांच वर्षों की योजना बना रहा है, और

(ख) यदि हाँ, तो इस योजना के अन्तर्गत किन्ने टन तेल के उत्पादन का अनुमान है ?

बिधि और न्याय तथा पेट्रोलियम और रसायन मंत्री (जी एच० चार० गोखले) (क) जी हाँ, देश में तेल तथा गैस की सम्भाव्यताओं का तेल तथा प्राकृतिक गैस आयोग के एक दल तथा रूसी विशेषज्ञों द्वारा पिछले वर्ष किये गये विस्तृत तकनीकी-आर्थिक अध्ययन के आधार पर यह योजना बनाई गई थी।

(ख) 1973-74 से लेकर 1977-78 की योजना अवधि के दौरान, कुल मिलाकर लगभग 30-35 मिलियन मीटरी टन तेल उत्पादित किया जायेगा। हममें से लगभग 10 मिलियन मीटरी टन इस योजना के परिणामस्वरूप उत्पादित किया जायेगा।

#### Chinese arms to Pakistan

887 SHRI ARJUN SETHI  
SHRI SAMAR GUHA

Will the Minister of DEFENCE be pleased to state

(a) whether the attention of Government has been drawn to the news item appearing in the 'Times of India' dated the 4th June, 1972 that China has delivered to Pakistan substantial quantities of new military equipments, and

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

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) Yes, Sir

(b) The impact of such supplies on our security and our defence preparedness is reviewed from time to time

#### Control over advancement of Loans to Companies

888 SHRI ARJUN SETHI Will the Minister of FINANCE be pleased to state

(a) whether Government have any control over advancement of loans to the Company either directly by Government or by the Nationalised Banks when the amount of loans is more than its paid up or share capital, and

(b) if so, the nature of control exercised in such cases ?

THE MINISTER OF FINANCE (SHRI YKSHWANTRAO CHAVAN) (a) and (b) Government does not generally grant loans to companies in the private sector. In granting loans to any company, whether or not the loans exceed the aggregate of the paid up capital and free reserves, Government as well as nationalised banks examine the various diverse and relevant factors, including the ratio between "equity" and "debt" and the prospects of servicing the debt besides the viability of the project as a whole

In regard to the control exercised by Government on its own loans, it nominates its directors on the boards of the assisted companies

The banks stipulate suitable terms and conditions to ensure effective utilisation of funds and effect recoveries by proper follow up methods.

Further, before sanctioning larger loans viz aggregate credit limits of Rs 1 crore or more and term loans of Rs 25 lakhs or more, all the scheduled commercial banks including the nationalised banks are required by the Reserve Bank of India to obtain its prior authorization under the Credit Authorisation Scheme

#### Concentration of Audit Work

889 SHRI J M GOWDER Will the Minister of COMPANY AFFAIRS be pleased to state

(a) Whether the study undertaken by the Department of Company Affairs regarding

concentration of audit work in the hands of few firms of Chartered Accountants has been completed and if so, the outcome thereof; and

(b) the action proposed to be taken by Government in the light of the study to curb the growth of this unhealthy practice?

**THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY):** (a) The study undertaken by the Department is still in progress.

(b) Suitable action will be considered after the study is complete. However some amendments are already included in the bill to amend companies Act, proposed to be introduced in the current session of Parliament.

#### **Non-compliance of the Provisions of Companies Act by State Government Companies**

890. **SHRI J. M. GOWDER :** Will the Minister of COMPANY AFFAIRS be pleased to state :

(a) the names of State Government companies which did not comply with the provisions of the Companies Act, 1956 during 1971-72; and

(b) what action has been taken against them by the Department for not complying with the provisions of the Companies Act?

**THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY):** (a) and (b). The information is being collected and will be laid on the Table of the House.

#### **Writing off Arrears of Income-Tax**

891. **SHRI J. M. GOWDER :** Will the Minister of FINANCE be pleased to state :

(a) the quantum of hard core of tax arrears which are irrecoverable and have to

be written off at some stage out of the Income-tax arrears of Rs. 499 crores as on March 31, 1971;

(b) how Government have concluded that the bulk of the arrears outstanding are due to the hard core of tax arrears which are irrecoverable and have to be written off at some stage, and

(c) why the bulk of the arrears have not yet been written off?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI):** (a) The outstanding demand of Rs. 499.68 crores as on 31-3-1971 includes, apart from demands which are in progress of recovery in pursuance of Tax Recovery Certificates, demands remaining uncollected on account of one or more of the following reasons:—

- (i) Amount pending settlement of D.I.T. or other relief claims.
- (ii) Amounts pending consideration of write-off/scaling down petitions.
- (iii) Amount due from companies under liquidation.
- (iv) Amounts due from persons who have left India and/or not traceable and/or who have no known assets and/or assets vest with the Custodian of Evacuee Property and/or who are involved in insolvency proceedings.
- (v) Amounts disputed in appeals/references, but not stayed or covered by instalments.
- (vi) Absence of bidders for shares in private limited companies or for immovable properties.
- (vii) Disputes and litigation regarding the ownership of assets.

While it is not possible to quantify the hard core of arrears which are irrecoverable, the bulk of the arrears falling in the

above categories are likely to present considerable difficulties in recovery.

(b) It is not clear as to what statement the Hon'ble Member is referring. If further particulars are given, the position can be elucidated.

(c) Arrear demand is written off only after all possible avenues of recovery have been explored. The bulk of the demand has not been written off because it has not so far been found to be finally irrecoverable.

#### **Over-assessments and under-assessments by Income-Tax Officers**

892. SHRI J. M. GOWDER : Will the Minister of FINANCE be pleased to state:

(a) the action taken against the Income-tax Officers for doing under-assessment in 16,997 cases in the year 1969-70 involving Rs. 858.92 lakhs and for over-assessment of tax of Rs. 194.41 lakhs in 6004 cases; and

(b) the reasons for larger number of cases of under-assessment of tax, as compared to over-assessment?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) The Hon. Member has quoted the figures from the Report of the Comptroller & Auditor General of India, for the year 1969-70 on Revenue Receipts; the under/over assessments mentioned were detected during the audit of direct tax cases by the Comptroller & Auditor General. The Income-tax Department after scrutiny has not conceded the mistakes pointed out by the Audit in all the 16,997 and 6,004 cases involving under-assessment and over-assessment respectively. To the extent such mistakes have been conceded, according to the instructions issued by the Central Board of Direct Taxes, the Head of the Department is required to call for the explanation of the officers responsible and take appropriate action. Expe-

rience has shown that the mistakes committed by Income-tax Officers are mostly due to: (a) pressure of work, (b) inadvertence and (c) *bona fide* difference of opinion in interpretation of relevant legal provisions. For errors involving these circumstances the officers concerned are generally cautioned or issued formal warning (copy placed on Charter Roll).

(b) Main reasons are given below:

- (i) Mistakes involving over-assessments would normally arise due to wrong computation of income or calculation of tax; mistakes involving under-assessments could however arise also from other spheres of determination of tax/penal interest/penalty liability.
- (ii) In cases of over-assessments as soon as the assessee gets copies of the assessment orders, they move to get the relevant mistakes rectified by the Income-tax Officers, there is no such move for rectification in cases of under-assessments and thus more of these mistakes survive for detection but Audit.

#### **Overdrafts by States**

893 SHRI P. M. MEHTA :  
SHRI K. LAKKAPPA :

Will the Minister of FINANCE be pleased to state:

(a) whether the States are up in arms against the decision of the Central Government on the overdrafts issue;

(b) what are the States' complaint about the Centre's decision on overdrafts and how has it effected them; and

(c) what further steps Government have agreed to take to help those States?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI

SUSHILA ROHATGI) (a) to (c). The reference presumably is to the decision taken by Government that States will not be permitted to regard overdrafts on the Reserve Bank of India as a kind of budgetary resource. It may be mentioned in this connection that the State Plan outlays for the current year have been fixed after detailed consultations with the State Governments and on a fully financed basis. All future operations would, therefore, have to be on a self-financing basis and a balance would have to be maintained between the flow of resources and expenditure. Under the procedure which has been worked out in consultation with the Planning Commission and the Reserve Bank and which has come into effect from the 1st May 1972, in case any State Government has an overdraft continuously for seven days, the Reserve Bank would automatically suspend payments which will be resumed only when the overdraft disappears. The State Governments had throughout been kept informed of the views of the Government of India in this regard. There has been no complaint from any State against the decision to stop the uncurtailed use of overdrafts as a budgetary resource.

**Increased Aid for India's Economic Progress**

894 SHRI P. M. MEHTA  
SHRI SHRIKISHAN MODI

Will the Minister of FINANCE be pleased to state

(a) whether India needs substantial new aid support to increase the pace of economic progress; and

(b) whether the 'Aid India Consortium' has agreed to this?

THE MINISTER OF FINANCE (SHRI YASHWANTRAO CHAVAN). (a) and (b). At the meeting held in Paris in June, 1972, the members of the Aid India Con-

sortium agreed with the assessment of the World Bank that India needs substantial new commitments of aid in support of Government's effort to increase the pace of economic progress and to prevent a sharp decline in the transfer of resources to India.

**Loss suffered due to lock-out in Hindustan Antibiotics Limited**

895 SHRI JAGANNATH MISHRA:  
SHRI D. K. PANDA

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether consequent on the labour trouble in Hindustan Antibiotics Limited, the management declared lock-out in the Company in June, 1972,

(b) if so, the reasons therefor and the total loss suffered due to the lock-out, and

(c) the conditions on which the lock-out has been lifted?

THE MINISTER OF LAW & JUSTICE, AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) (a) to (c). There was no lockout in the Hindustan Antibiotics Ltd., Pimpri, but a lock-out had to be declared at the antibiotics plant of the Indian Drugs and Pharmaceuticals Ltd. at Rishikesh. On 19th June 1972, workers at Rishikesh went on a sudden lightning tool-down and stay-in strike, when process material to the tune of about Rs. 30 lakhs was in the fermenters and in the recovery and purification blocks. Since retrieval of this in-process material was becoming difficult due to continued presence of striking workers, the management were forced to declare a lock-out on 22nd June 1972, but for this action, the whole of the process material might have been irretrievably lost. The loss of production as a result of the lightning strike and the lock-out is estimated at Rs. 90 lakhs.



The lockout was lifted with effect from 8 A.M. on 29th June 1972 after the union signed an agreement with the management for maintaining harmonious industrial relationship. A copy of the terms of settlement signed by the management and the workers is attached.

#### TERMS OF SETTLEMENT

1. It has been agreed between the parties that the six workmen, who have been suspended, shall be taken back on work and their suspension orders shall be cancelled provided they give in writing an apology for their misbehaviour and agree not to resort to any such misbehaviour in future. The Management as a gesture of good-will agrees not to take any action against them.

2. Of the 40 demands contained in the Charter of Demands dated 10th April, 1972, the three demands referred to the Hon'ble Minister shall be decided by him. As indicated by the Union in its different letters, the Union President assured that these three demands will not form an issue of strike.

3. Of the balance 37 demands, those which have been agreed to through bilateral negotiations, will be implemented by the Management as soon as normalcy prevails and those not settled so far will be settled by mutual negotiations around the table.

4. The period of strike/lockout shall be adjusted towards the accumulated earned leave up-to-date of the workers. In those cases who have not earned any leave, it will be leave without pay.

5. On behalf of the striking workmen, the Union tenders an apology for going on strike and as a gesture of goodwill, the management accepts the apology and agrees to condone the disciplinary action against the delinquent workmen that it is entitled to take for the misconduct of going on strike. This forms the basis of lifting the lockout with effect from 8.00 a.m. on 29th June,

1972 and the workers including workcharged and muster roll shall peacefully carry on their work.

6. The workmen after the date of this Settlement will not resort to any form of illegal strike or slow-down which may directly or indirectly affect the administration of the company and its works in connection with the subject matters of dispute covered by this Settlement. The workers further undertake that they will not resort to any form of illegal strike or slow-down in connection with any other matters for a period of three years. In consideration of this undertaking on the part of the Union, the Management hereby agrees that except cases where the workmen have gone on an illegal strike, it will not lockout the plant and administration for a period of three years.

7. This fully and finally resolves the dispute in question and there will be no victimisation of workers.

#### Establishment of a Rice Production Training Institute at Durgapur by Fertiliser Corporation of India

896. SHRI JAGANNATH MISHRA : Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Fertiliser Corporation of India has decided to establish a Rice Production Training Institute at Durgapur; and

(b) if so, the aims and objects of this institute?

THE MINISTER OF LAW & JUSTICE AND PETROLEUM & CHEMICALS (SHRI H. R. GOKHALE) : (a) Yes, Sir.

(b) The Institute will impart in-service training to the fertilizer promotional (extension) workers of the Fertilizer Corporation of India engaged in promoting use of fertilizers in paddy, especially the high yielding

varieties. The trainees are required to do all the field operations themselves from sowing to harvesting. With this training it is expected that they would be adequately equipped to train the farmers in adopting the scientific methods of cultivation of the high yielding varieties of paddy with special reference to the correct choice and the most economic use of fertilizers.

#### **Ceiling on Urban and Rural Income**

897. SHRI JAGANNATH MISHRA :  
SHRI ARVIND NETAM :

Will the Minister of FINANCE be pleased to state :

(a) whether Government has a proposal to fix ceiling on the urban and rural income; and

(b) if so, the broad outlines thereof and the manner in which it will be implemented?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). The Government have no proposal to impose a ceiling on urban and rural incomes through legislation. However, the totality of various measures taken by the Government in recent years, such as the progressive increase in the rates of personal taxation, step-up in the rates of wealth tax and additional wealth tax on urban land and buildings, extension of wealth tax to agricultural property, and recent policy decisions to impose ceilings on urban properties and agricultural lands by the State Governments, would impose a virtual ceiling on incomes in rural and urban areas.

**Proposal to manufacture Prototype T.V. receiver by H.A.L.**

898. SHRI JAGANNATH MISHRA :  
SHRI ATAL BIHARI  
VAJPAYEE :

Will the Minister of DEFENCE be pleased to state :

(a) whether the Hindustan Aeronautics

Ltd. has approached Government for the issue of a licence to manufacture prototype T.V. receiver; and

(b) if so, Government's decision thereon ?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) : (a) Hindustan Aeronautics Ltd. has applied to Government for the grant of an industrial Licence to manufacture domestic television receivers.

(b) The matter is under consideration of the Government.

#### **Conversion of Loans advanced by Nationalised banks and LIC to big business houses into Equity Shares**

899. SHRI SAT PAL KAPUR : Will the Minister of FINANCE be pleased to state :

(a) whether there is any proposal under consideration of Government that the amount of loan advanced to the Big Business Houses in the country during the last three years by the Nationalised Banks and the Life Insurance Corporation should be converted into equity shares; and

(b) if so, the outlines thereof?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). Government announced its decision on the 18th February 1970 that term loans granted in future by the all-India long-term financial institutions should ordinarily include a clause vesting the option with the institutions to convert the whole or part of the loan into equity shares. A copy of the guidelines issued in this regard to the all-India long-term financial institutions, including the Life Insurance Corporation of India, was laid on the Table of the House in reply to Unstarred Question No. 3765 answered in the

Lok Sabha on the 2nd July 1971. In computing the financial assistance for the purpose of writing in the convertibility because assistance granted to the industrial concerns in the past would also be taken into consideration. The term financial institutions including the Life Insurance Corporation of India have commenced writing in the convertibility clauses in appropriate cases. The actual option to convert the loans, in whole or in part, into equity will be exercised by the institutions later at the appropriate time, in accordance with the terms of the convertibility clause written in the loan agreements.

According to the guidelines, the decision to convert loans into equity was not applied to the loans given by the nationalised banks

**रिजर्व बैंक आफ इण्डिया द्वारा सौ तथा पांच के नोट छापना**

900 की सन्तोहर बलिदार : क्या बिना मंत्री यह बताने की कृपा करेंगे कि (क) क्या रिजर्व बैंक आफ इण्डिया द्वारा छापे जा रहे सौ और पांच रुपये के नोट साबुन के पानी में धुलने के बाद रंग छोड़ देते हैं तथा बाद में रिजर्व बैंक उन्हें नहीं बदलता है ;

(ख) यदि हा, तो गत एक वर्ष में इस प्रकार के कितने मामले रिजर्व बैंक के ममस आये हैं और बैंक की उस पर क्या प्रतिक्रिया है, और

(ग) इस प्रकार के रंग उड़ने हुए नोट न बदलने के क्या कारण हैं ?

बिना मंत्रालय में उप-मंत्री (श्रीमती सुवीला होल्तगी) (क) . भारतीय रिजर्व बैंक के लिये बैंक नोट इण्डिया सिक्योरिटी प्रिंट, नासिक द्वारा छापे जाते हैं । साधारणतय, सौ रुपये और पांच रुपये के नोटों पर और अन्य मूल्यों के नोटों पर भी साबुन के पानी में धुलने का कोई असर नहीं पड़ता । केवल जब इन नोटों को काफी समय तक रंग काट (क्लीनिंग पाउडर) वाले पानी में

उबाला या पकाया जाये तब संभव है कि इनका रंग कट जाये । ऐसे धुले हुए नोट भी रिजर्व बैंक द्वारा बदल दिये जाते हैं यदि इन पर मूल छपाई के चिन्ह विद्यमान हों, जिनसे नोट के मूल्य, क्रम संख्या, हस्ताक्षर आदि का स्पष्ट रूप से पता चलना हो ।

(ख) और (ग) 1971-72 में भारतीय रिजर्व बैंक में 52,960 धुले/घर्से-धुले नोट प्राप्त हुए, जिनमें से अब तक 43,635 नोट बदले जा चुके हैं । 2,633 नोट रद्द कर दिये गये हैं क्योंकि उन पर छपाई के चिन्ह बिल्कुल दिखाई नहीं देते थे । अन्य मामलों की जाब की जा रही है ।

#### Resumption of U.S. aid to India

901. SHRI P.K. DIO :

SHRI PILOO MODY

Will the Minister of FINANCE be pleased to state—

(a) whether attention of Government has been drawn to a report in the "Hindustan Times" of the 21st June 1972 under the caption "Resumption of, U.S. Aid unlikely";

(b) whether Government have received any report in regard to U.S. economic aid from our Mission in Washington; and

(c) if so, the broad outlines thereof and the action taken or proposed to be taken to fill up the likely gap arising out the stoppage of U.S. economic aid for financing the Fourth Five Year Plan.

THE MINISTER OF FINANCE  
(SHRI YESHWANTRA CHAVAN : (a)  
Yes, Sir.

(b) and (c). Government of India have received from time to time reports from our Embassy in Washington in regard to U.S. economic aid to India. There has been no basic change so far in the U.S. position since it announced suspension of its aid to

India on 6th December, 1971 and the question is stated to be still "under review". No provision has been made in the U.S. budget for development assistance to India for the U.S. fiscal year 1972, for the U.S. fiscal year 1973, a provisional allocation of \$90 million has been made. The provisional allocation for FY 1973 is conditional upon Congressional appropriation and whatever policy decision is taken by the U.S. Government on aid to India.

As regards the gap to be filled up consequent on the stoppage of U.S. economic aid for financing the Fourth Plan, the Government of India are taking all necessary action to augment indigenous production, intensify import substitution and increase exports. In regard to imports alternative sources of supply, either under other available credits from other countries or from rupee payment areas or against free foreign exchange, are being arranged.

**Seminar by Western Indian Regional Council of Institute of Chartered Accountants in Bombay**

902 SHRI P. K. DLO Will the Minister of FINANCE be pleased to state

(a) whether a Seminar was recently organised by the Western Indian Regional Council of the Institute of Chartered Accountants of India in Bombay,

(b) a gist of the observations made at the Seminar, and

(c) the reaction of Government thereto?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI)** (a) Yes, sir, according to newspaper reports

(b) No communication has been received by the Government from the Western Indian Regional Council of Chartered Accountants regarding observations made at the seminar

(c) Does not arise.

**Bifurcation of Western Command**

903 SHRI P. K. DFO Will the Minister of DEFENCE be pleased to state

(a) whether the attention of Government has been drawn to a report in the 'Statesman' dated the 20th June, 1972 stating that the Western Command has been bifurcated into Western Command and Northern Command,

(b) if so, the reasons therefor, and

(c) how would it help the defence of our Northern and Western borders?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM)** (a) Yes, Sir

(b) To streamline and strengthen the Command structure

(c) This will help to improve command and control over our formations in these areas

**Manufacture of Missile-Boats**

904 SHRI VISHWANATH PRATAP SINGH Will the Minister of DEFENCE be pleased to state whether in view of the effectiveness of Russian built missile boats in the recent Indo-Pak conflict Government have any plan for indigenous manufacture of such boats?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM)** It will not be in public interest to disclose information on this subject

**Improvements made in the Engine of HS-748 Aircraft**

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

(a) the nature of improvements made in the engine of HS-748 aircraft

(b) the reasons why these modifications had to be made, and

(c) whether the improved engine is showing good performance now?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) (a) and (b). The only alteration made on the RDa 7 Dart Engine installed in the HS-748 Aircraft is to increase the water methanol check flow in order to ensure proper matching of the engine with the airframe

(c) The engines of all aircraft to Indian Airlines are thoroughly checked for their performance before delivery and their performance is also demonstrated to Indian Airlines during their production tests. The results of the adjustments made in the water methanol check flow are under study.

#### **Mining of Vishakhapatnam Port by Pakistan before War**

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

(a) whether Pakistan managed to mine Vishakhapatnam port before hostilities broke out on the 3rd December last year, and

(b) if so, the steps taken to plug the loop holes in our coastal defences in the light of the aforesaid facts?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) No, Sir

(b) Does not arise

#### **Efforts to acquire long range strike Aircrafts**

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

(a) whether Government intend to acquire long range strike air-crafts, and

(b) if so, the efforts being made in this direction?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) and (b) A preliminary assessment is currently under way

#### **Request of Gujarat Government for doubling the royalty of Crude Oil**

908 SHRI PRABHUDAS PATIL  
SHRI ARVIND NEJIAM

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Gujarat Government has approached the Centre for doubling the royalty paid to it by Oil and Natural Gas Commission for the crude oil produced in the State, and

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

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE)

(a) and (b) The Government of Gujarat has asked for a substantial increase in the rate of crude oil royalty. No final decision on this has yet been taken

#### **Deterioration in the Services of Banks**

909 SHRI PRABHUDAS PATIL. Will the Minister of FINANCE be pleased to state

(a) whether representatives of the member associations of the Gujarat Chamber of Commerce and Industry have criticised the deterioration in the services of the banks after their nationalisation,

(b) if so, whether they have complained that frequent strikes and go-slow tactics adopted by the employees cause considerable hardship to trade & industry, and

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

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) :** (a) and (b) Yes, Sir

(c) Government is aware that there is scope for improvement in the services rendered by nationalised banks and it is Government's constant endeavour to bring about this improvement by promoting industrial peace and better relations between employees and management of the nationalised banks.

**Credit to Kharadi Artisans by State Bank of India in Sankheda**

910 **SHRI PRABHUDAS PATEL** Will the Minister of FINANCE be pleased to state

(a) whether the State Bank of India has decided to give liberal credit and marketing guidance to Kharadi artisans of Sankheda town in Baroda, and

(b) if so, the total credit likely to be given to each artisan?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHIL A ROHATGI) :** (a) and (b). State Bank of India has drawn up special scheme to extend liberal credit facilities to Lacquer Ware manufacturers at Sankheda. Craftsmen having monthly turnover between Rs. 1000/- and Rs. 2000/- are being given loans for the purchase of electric motors to be repaid on easy instalments. Craftsmen having monthly turnover less Rs. 1000/- are being given credit facilities upto Rs. 500/- each to meet their working capital requirements. So far State Bank of India has assisted 15 units with limits aggregating Rs. 19,000/-. The amount outstanding against these loans at present, is Rs. 16,000/-.

**Drilling at Tripura and Kutch by Oil and Natural Gas Commission**

911. **SHRI PRABHU DAS PATEL .**  
**SHRI DASARATH DEB .**

Will the Minister of PETROLEUM AND

CHEMICALS be pleased to state:

(a) whether the Oil and Natural Gas Commission has started drilling of Oil at Tripura in the East and Kutch in the West, and

(b) if so, whether it is a part of operational plan of oil exploration and production drawn by the Commission?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H R GOKHALE) :** (a) Yes, Sir

(b) It is a part of the annual operational plan of Oil and Natural Gas Commission

**O.N.G.C.'s venture in Iran for oil exploration**

912 **SHRI PRABHUDAS PATEL**  
**SHRI BANAMALI PATNAIK**

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether any negotiations have been completed with Iran by the Oil and Natural Gas Commission to undertake oil exploration in that country, and

(b) if so, the salient features thereof and the progress made in this regard so far?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H R GOKHALE) :** (a) and (b). No negotiations have been going on with Iran by ONGC to undertake oil exploration in that country. However, ONGC has a 1/6th share in an offshore exploration venture called IMINOCO, in the Persian Gulf, jointly with National Iranian Oil Company, Phillips Petroleum of USA and AGIP of Italy. This venture was formed in 1965 and has already discovered two oilfields called Rostam and Rakhsh. The exploration is still continuing with a view to discover new oilfields in the concessions held by this joint venture. Out of about 63.5

million barrels of crude oil produced by this joint venture, upto June, 1972, ONGC has so far lifted and sold about 12.9 million barrels.

#### **Escape of Pakistani POWs**

913. **SHRI PRIYA RANJAN DAS MUNSI :**  
**SHRI SHYAM SUNDER MOHA-PATRA :**

Will the Minister of DEFENCE be pleased to state :

(a) the number of Pakistani POWs who tried to escape from the camps or otherwise, during the period January to July, 1972,

(b) the number of POWs arrested, shot dead and escaped and the action taken against those who tried to escape but were arrested; and

(c) the steps taken to prevent their escape in the future ?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) :** (a) 32.

(b) Arrested.....21

Killed when attempting to escape.....3

Not yet arrested . 8

Action has been taken in conformity with Geneva Convention against those who were arrested after attempt to escape

(c) Adequate security measures are in force at all camps.

#### **Tax on Income from Agriculture**

914. **SHRI PRIYA RANJAN DAS MUNSI :** Will the Minister of FINANCE be pleased to state.

(a) whether any decision has been taken about the farm Income-tax and considered the suggestion made by Shri Boothalingam, Director General of the National Council for Applied Economics Research on the 1st July, 1972, and

(b) if so, the salient features thereof and if not, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI**

**SUSHILA ROHATGI) :** (a) and (b) The Government of India have already constituted a Committee under the chairmanship of Dr. K. N. Raj to study all issues relating to the taxation on agricultural wealth and income. The Committee is expected to take into account various suggestions on the subject. The recommendations of the Committee are awaited.

#### **Mal-administration in Free Press Journal, Bombay**

915. **SHRI SHYAM SUNDER MOHA-PATRA :** Will the Minister of COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware about mal-administration in Free Press Journal, Bombay, and if so whether Government propose to intervene in the matter;

(b) whether there has been any illegal removal of the Director from the Free Press Journal; and

(c) if so, the action taken by Government in this regard?

**THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) :** (a) to (c) Consequent on certain representations against the management of the Indian National Press (Bombay) Ltd., Bombay, the Company Law Board in exercise of the powers conferred on it under the provisions of Section 408 of the Companies Act, 1956, appointed two Government Directors on the Board of Directors of the said company. The tenure of the Government Directors expired on the 14th July, 1972. It has come to the knowledge of the Government that the Director-in-charge of the Company was not re-elected as Director in the last Annual General Meeting of the Company held on the 5th February, 1972.

The company has filed a writ petition in the Bombay High Court challenging the order under Section 408 of the Company Law Board and for restraining the Company Law Board from extending the tenure of

the Government Directors. The matter is pending before the High Court, Bombay, which has ordered interim stay against any further action by the Company Law Board, and is subjudice.

**Fall in Tourist Traffic from United States since Indo-Pak War**

916. SHRI SHYAM SUNDER MOHAPATRA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether there has been a fall in tourist traffic from the United States since the Indo-Pak war; and

(b) if so, the extent thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b) Yes, Sir. There was a decline of 3,578 in tourist arrivals from the United States during December 1971 to June, 1972 as compared to the corresponding periods of the previous year.

**Recommendations of Wanchoo Committee regarding Black Money and Tax Evasion**

917. SHRI NAWAL KISHORE SHARMA :

SHRI RAMAVATAR SHASTRI :

Will the Minister of FINANCE be pleased to state:

(a) whether he had a discussion about Wanchoo Committee Report with a Group of Economists recently;

(b) if so, the main points of discussion, and

(c) the steps being taken by Government on the advice rendered as a result of discussion to unearth black money and deal with tax evasion in the country ?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) A seminar of prominent economists was held on 3rd and 4th June, 1972 at Delhi. The Finance Minister attended the seminar on one day and listened to the discussions.

(b) The main points of discussion in the group of economists were as under:—

(i) Problems of tax evasion and avoidance;

(ii) Tax policies and needs of economic & social justice; and

(iii) Incentives for savings, investment, employment and growth.

(c) The Government is keeping in mind the suggestions offered in the seminar while examining the recommendations of the Wanchoo Committee Report.

**Sixth Finance Commission**

918. SHRI NAWAL KISHORE SHARMA .

SHRIMATI SAVITRI SHYAM :

Will the Minister of FINANCE be pleased to state :

(a) whether Government have recently constituted the Sixth Finance Commission;

(b) if so, its terms of reference and the date by which it is likely to submit its report; and

(c) the names of the members of the Commission and the status offered to the Chairman of the Commission ?

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

(b) and (c) A copy of Notification dated the 28th June 1972 containing the required information is laid on the Table of the House [Placed in Library. See No. LT-3263/72]. The Chairman of the Commission will have the rank of a Cabinet Minister.

**Raids by Customs Department on Jaipur Metals, Jaipur**

919. SHRI NAWAL KISHORE SHARMA : Will the Minister of FINANCE be pleased to state:

(a) whether the Customs Department raided the Jaipur Metals, Jaipur and captured 20 thousand meters which had not



been accounted for in the books of that Company;

(b) if so, the estimated cost of these meters,

(c) whether an enquiry has been instituted against the company in the matter, and

(d) if so, the result thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) There was no raid as such on the factory of M/s Jaipur Metals & Electricals Ltd Jaipur. This factory has obtained a Central Excise licence to manufacture electric Meters. The Superintendent Central Excise, Jaipur Range I visited this factory on 7-6-72 to inspect for approval of the additional godown for storage of excisable goods. It was observed by the Superintendent during this visit that the company had already stored electricity supply Meters in this godown. Since such storage prior to approval is an offence under the Central Excise law and since the account of these Meters was not entered in the registers prescribed under the Excise rules the Superintendent, seized 21,275 electric supply Meters.

(b) The estimated cost of these meters is Rs. 12,49,550.

(c) Yes, Sir

(d) Further investigations were immediately taken up by the Assistant Collector, Jaipur Division to whom the Factory Management explained—

(i) that they had applied for additional godown space as early as 4-5-72 and had also reminded the Superintendent,

(ii) that the Meters stored in the unapproved godown had been duly entered in the production slips and other day to day accounts of the company;

(iii) the management further explained that they were under the impression

that the entries in the prescribed excise registers were to be made only after the godown was approved.

Holding that the lapse was of a Technical nature and that there was no attempt to evade Central Excise Revenue, the goods have been released by the department to the factory with directions to enter the particulars in the Excise Registers. The godown has also been since approved.

**Black Money Unearthed during raid on Film Stars In Bombay**

920 SHRI NAWAL KISHORE SHARMA.

SHRIMATI SAVITRI SHYAM

Will the Minister of FINANCE be pleased to state

(a) Whether the searches carried out against film stars in Bombay for black money have proved futile, as the black money recovered from the film stars is less than the amount paid by the Income-tax Department as TA/DA to its employees;

(b) if so, whether there is a proposal under the consideration of Government to set up an Enquiry Committee to go into the causes of failure on the part of Income-tax Department in digging out black money, and

(c) if so, when, and if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) No Sir. The TA/DA paid is only Rs. 1,633 whereas the value of unaccounted assets amounts to Rs. 24.9 lakhs. Besides, books of accounts and documents seized are likely to bring to light substantial concealment.

(b) and (c) Do not arise.

**Recommendations of AID India Consortium for Aid to India**

921. SHRI NAWAL KISHORE SHARMA :

SHRIMATI SAVITRI SHYAM :

Will the Minister of FINANCE be pleased to state.

(a) whether the Aid India Consortium has agreed with the World Bank to fulfil the aid target of \$1250 million to India,

(b) if so, whether a Group of World Bank officials has also visited capitals of various countries including New Delhi in this regard,

(c) the recommendations made by the World Bank Group for releasing necessary funds to India, and

(d) when the aid is expected to be received in India and in what shape?

**THE MINISTER OF FINANCE (SHRI YI SHWANTRAO CHAVAN)** (a) The Members of the Consortium had agreed with the World Bank's assessment that fresh aid commitments to the extent of \$1250 million (\$700 million of non-project assistance and \$550 million of project assistance) would be necessary to prevent a sharp decline in the transfer of resources to India. Members of the Consortium had generally lent support to the programme.

(b) In connection with the organisation of debt relief a Consultant appointed by the World Bank had visited the capitals of the various countries including New Delhi.

(c) and (b) Agreements have already been signed with France, Canada, Denmark, Netherlands, Sweden and IDA for about \$141 million as indicated below —

\$ Million				
		Non-Project	Total	
	Project	(incl. Debt Relief)		
1	2	3	4	5
1. Canada	..	46 25	46 25	
dt 10-6-72				
2. Denmark	..	5 70	5 70	
dt. 24-4-72				
3. Sweden	10.60	..	10.60	
dt. 14-6-72				

1	2	3	4	5
4. IDA	21 20	.	21 20	
dt 14-6-72				
5. Netherlands		20 92	20 92	
dt 19-7-72				
6. France	24 43	11 73	36 16	
dt 20-3-72				
TOTAL	56 23	84 60	140 83	

Agreements with the other Member Countries would be signed after bilateral negotiations. It is therefore premature to indicate the quantum of aid likely to be received and its distribution between project and non-project assistance.

#### Rise in the deposits of Scheduled Commercial Banks

**922 SHRI Y ISWARA REDDY** Will the Minister of FINANCE be pleased to state

(a) whether the deposits of the scheduled commercial banks had risen by 9.7 per cent during the first six months of the current year,

(b) whether bank credit in the first six months of the current year has not increased in proportion to the expansion in bank deposits, and

(c) if so, the reasons for the widening gap between the expansion of bank deposits and the increase in credit?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI)** (a) and (b) During the first six months of the calendar year 1972, the aggregate deposits of scheduled commercial banks increased from Rs 6,937 crores to Rs 7,524 crores, recording an increase of 8.5 per cent. Over the same period the outstanding bank advances increased from Rs 5,051 crores to Rs 5,377 crores, and an increase of 6.4 per cent.

(c) The higher rate of growth in deposits represents a shift in the currency-deposit ratio in favour of deposits as a result of more rapid spread of the banking habit. On the other hand, expansion in bank credit has not kept pace with the rise in deposits, which is attributable to a slight sluggishness in the demand for credit.

**Decision for Providing Debt Relief to India**

923. **SHRI JAGDISH BHATTACHARYA :**

**SHRI N. K. P. SALVE :**

Will the Minister of FINANCE be pleased to state:

(a) whether the "Aid India Consortium" at its meeting held recently took a decision regarding the amount of debt relief to India for the current and next financial year;

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

(c) the total amount of loans committed by various countries at the meeting?

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) :** (a) No, Sir.

(b) Does not arise.

(c) In the context of the report of the World Bank on the total commitments of nonproject and project assistance considered necessary to prevent a sharp decline in the transfer of resources to India, most members indicated the contribution they would be able to make, subject to necessary approval by their Governments, and other members expected to be able to do so later in the year.

**Recommendations of the study team on Drought conditions in West Bengal**

924. **SHRI JAGDISH BHATTACHARYA :** Will the Minister of FINANCE be pleased to state :

(a) the main features of the report submitted by the Central team deputed to study the drought condition in West Bengal; and

(b) the reaction of Government there to?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) :** (a) and (b) The Central team has recommended a ceiling of expenditure of Rs. 6.85 crores on the drought relief measures in the current financial year for purposes of Central assistance, including Rs. 2.15 crores as short-term loan for agricultural inputs. The ceiling recommended by the team has been accepted and communicated to the State Government. An amount of Rs. 1 crore has been sanctioned by Ministry of Finance to the State Government to meet their immediate requirement of funds. In addition, the Union Department of Agriculture have sanctioned Rs. 1 crore as short-term loan for agricultural inputs. Further assistance will be released on the basis of the progress of expenditure to be reported by the State Government.

**Writing of Books on Military Affairs by Retired Military Officers**

925 **SHRI DHARMARAO AFZALPURKAR :**

**SHRI DHANSHAH PRADHAN :**

Will the Minister of DEFENCE be pleased to state :

(a) whether the high Officers of the Defence Forces are at liberty to write books on military affairs after their retirement without taking prior permission of Government ; and

(b) if so, whether Government propose to frame any rules of conduct regarding the procedure to be followed in this regard to safeguard the interests of the country?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) :** (a) Subject of course to the provisions of the Official Secrets Act, the answer to the question is in the affirmative.

(b) No, Sir.

**Staff of Indian Airlines indulged in  
Go-slow or Work-to-rule Practices**

926. **SHRI DHARMARAO AFZAL-  
PURKAR :**

**SHRI RANABAHADUR SINGH:**

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the number of times the staff of Indian Airlines have gone on strike or indulged in go-slow or work-to-rule practices during last ten months;

(b) whether Government have found out a solution to this serious problem; and

(c) if so, the broad outlines thereof ?

**THE MINISTER OF TOURISM AND CIVIL AVIATION : (DR. KARAN SINGH) :** (a) While there has been no strike in Indian Airlines during the last ten months, some maintenance engineers did go-slow from about the beginning of March this year for a few weeks, to bring pressure on the management to concede their Association's charter of demands relating to wages and terms and conditions of service. The situation has since improved. There were also three incidents in which small groups of employees resorted to agitational activities like stoppage of work for short periods and refusal to work overtime.

(b) and (c) The management of Indian Airlines is making constant efforts to improve industrial relations and is having continuous dialogues with the unions. Attempts are being made to form a Joint Council comprising representatives of the unions and management. The following forums already exist :—

- (1) A Labour Relations Committee at the all India level comprising equal number of representatives of the management and workmen.
- (2) Works committees at regional level.
- (3) An Industrial Relations Committee consisting of officials at headquar-

ters and the regional headquarters. There are also Regional Industrial Relations Committees.

Increased emphasis is being laid on welfare activities such as canteens, housing, etc.

**Pension and other benefits given  
to Soldiers and their Families**

927. **SHRI DHARMARAO AFZAL-  
PURKAR :** Will the Minister of DEFENCE be pleased to state :

(a) the number of soldiers entitled to draw pension and other facilities according to the decision taken by Government and the names of the States which have financially helped them; and

(b) the number of families receiving pensions and other benefits and the number of widows who are yet to receive such pensions and benefits, State-wise ?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) :** (a) and (b) It is presumed that the information sought is in respect of the Scheme for liberalised pensionary awards and other benefits sanctioned for war widows and war disabled servicemen in February, 1972. The information is as under :—

- (i) Of the armed forces officers and personnel below officer rank who were injured in the recent Indo-Pakistan conflict, none has been invalided out of service so far. Therefore, none of them is at present entitled to war injury pay (disability pension) and the other facilities sanctioned under the Scheme. The Governments of Andhra Pradesh, Assam, Gujarat, Haryana, Jammu & Kashmir, Maharashtra, Mysore, Nagaland, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal have sanctioned *ex-gratia* awards ranging from Rs. 1,000/- to Rs. 10,000/- to those who were totally disabled as a result of

injury sustained during the recent Indo-Pakistan conflict.

- (ii) Till the 20th July, 1972, the families of 209 Officers and 3,038 men were in receipt of Special Family Pension or Dependent Pension. Claims in respect of 42 men killed in action have not been admitted because there are no eligible heirs; 4 cases of officers and 598 cases of men are still to be finalised. However, Pending Enquiry Awards (equivalent to Special Family Pension) have been sanctioned in such cases.

The families of all Naval and Air Force officers and men killed in action are receiving Special Family Pension or Dependent Pension. State-wise, their number is as follows :—

State	No. of families receiving pension	
	(officers)	(men)
1	2	3
Andhra Pradesh . . . . .	4	1
Assam . . . . .	1	Nil
Bihar . . . . .	Nil	8
Delhi . . . . .	6	11
Gujarat . . . . .	Nil	2
Haryana . . . . .	3	12
Himachal Pradesh . . . . .	Nil	22
Jammu & Kashmir . . . . .	Nil	2
Kerala . . . . .	2	33
Maharashtra . . . . .	9	8
Mysore . . . . .	1	5
Orissa . . . . .	1	1
Punjab . . . . .	4	21
Rajasthan . . . . .	2	12
Tamil Nadu . . . . .	1	12
U.P. . . . .	8	26
West Bengal . . . . .	5	11
	47	187

Similar information in respect of families of officers and men of the Army is, however not available.

#### Crash of a Japan Airliner near Delhi

928. SHRI DHARMARAO AFZAL-PURKAR :

SHRI ATAL BIHARI VAJPAYEE :

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether a Japan Airliner crashed recently near Delhi and if so, the number of persons killed as a result of the crash;

(b) whether a team of Japanese experts visited India to investigate the causes of accident and if so the assistance afforded by Government to them;

(c) whether the reports of enquiries conducted by Japanese and Indian experts have been received by Government of India and if so, the main findings thereof; and

(d) whether Government of India/Japan have given any financial help to Indian villagers who died as a result of the crash?

THE MINISTER OF TOURISM AND CIVIL AVIATION : (DR. KARAN SINGH) : (a) Yes, Sir. Of the 89 persons on board the aircraft, 75 passengers and 11 crew members were killed. In addition, 4 persons working near the crash site were also killed.

(b) Yes, Sir. The accredited representative of the Government of Japan, accompanied by technical experts, was given full facilities to associate himself with the inquiry initiated by the Civil Aviation Department.

(c) The accident is under investigation by a Court of Inquiry presided over by a High Court Judge. The data collected by the investigators of the Civil Aviation Department have been made over to the Court of Inquiry.

(d) No information in this regard has been received from the Government of Japan. However, according to certain press reports, the question of paying compensation to the families of the labourers who were killed while working near the crash site as well as the amount of compensation to be paid, was under consideration of the Japan Airline authorities.

**Training to Skiers in Gulmarg  
(Kashmir)**

929. SHRI RAJDEO SINGH : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether in order to attract tourists in winter season to Gulmarg (Kashmir), skiing arrangements have been provided there;

(b) whether skiers are given training there locally; and

(c) if so, the name of the Institute imparting this training and the period of training ?

THE MINISTER OF TOURISM AND CIVIL AVIATION : (DR. KARAN SINGH) :

(a) and (b). Yes, Sir.

(c) The Instructors have been trained at the Indian Institute of Skiing & Mountaineering which was established by the Central Department of Tourism at Gulmarg in January, 1969.

**Rise in Price of Fertilizers due to  
Idle Capacity and Power Cuts  
in Fertilizer Industries.**

930. SHRI RAJDEO SINGH : Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether idle capacity and power cuts in fertilizer industries are responsible for pushing up fertilizer prices in the country;

(b) if so, whether factors responsible for idle capacity and power cuts have been analysed; and

(c) whether Government propose to ensure that farmers are not penalised in the form of price-rise due to factors beyond their control ?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) :**

(a) to (c). Although the non-attainment of rated capacities in some cases and power constraints affect production costs, other factors like the high cost of machinery, raw materials, etc. also have an impact on our fertilizer prices. Factors which are found to affect the non-attainment of rated capacities have been identified and appropriate remedial measures have been taken or are being taken wherever necessary with a view to optimising production.

To ensure availability of fertilizers to the farmer at reasonable prices, Government have fixed the maximum selling price of the main nitrogenous fertilizers, viz., Urea, Ammonium Sulphate and Calcium Ammonium Nitrate, under the Fertilizer Control Order.

**By-products required to make  
Paraffin Wax discarded by Refineries  
in the Country**

931. SHRI RAJDEO SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether only Digboi Refinery in Assam produces Paraffin Wax including Match Wax;

(b) if so, whether other Refineries in the country used to discard the by-products from which Paraffin Wax is processed and produced; and

(c) if so, whether our planners of refineries or some other agency in Government are responsible for this neglect ?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE):**

(a) Yes, Sir. Digboi Refinery only is currently producing Paraffin Wax and Match wax.

(b) The raw material for the production of Paraffin Wax is slack wax which is produced as co-product in the manufacture of lube base oils. Slack wax is produced only in the Barauni and Madras Refineries and Lube India Ltd., lube plant (apart from Assam Oil Co. Digboi Refinery). Feasibility studies are under way for the manufacture of Paraffin Wax from slack wax in Barauni, Madras and Lube India's Refineries. These schemes would be considered for implementation in the Fifth Plan Period. In the meanwhile, slack wax is being sold by Barauni and Madras Refineries to meet the requirements of the actual consumers. Slack wax will also be made available to the extent it is available to the manufacturers of Paraffin Wax in the small scale sector, who are putting up plants for this purpose on the basis of the design developed by the Jorhat Laboratories.

(c) Does not arise.

#### **Rise in Price Index**

**932. SHRI K. BALADHANDAYUTHAM :**

**SHRI BIRENDER SINGH RAO :**

Will the Minister of FINANCE be pleased to state :

(a) whether the price index continues its steady and alarming march upwards and if so, the percentage of rise in prices in 1972 as compared to the last three years;

(b) the reasons for the steady rise in prices; and

(c) what steps Government have taken to control the rising prices?

**THE MINISTER OF FINANCE (SHRI YESHWANT RAO CHAVAN) :** (a) The

wholesale price index (1961-62-100) for the week ended July 15, 1972 shows an increase of 7.3 per cent, 11.4 per cent and 15.5 per cent respectively as compared to the weeks ended July 17, 1971, July 18, 1970 and July 19, 1969. Government do not feel that, all things considered, the rise of 15.5 per cent over three years is alarming.

(b) An important factor responsible for the price rise during the last three years has been fluctuations in the output of some agricultural commodities. For example, the output of oilseeds suffered declines in 1968-69 and 1969-70 as compared to 1967-68. There were sharp decreases in the indigenous output of raw jute in 1968-69 and of raw cotton in 1970-71. The production of pulses has been stagnant in the face of rising demand. In 1971-72 the output of coarse grains has received a significant set-back and there has been a fall in the output of sugarcane. In addition to shortages of these important commodities, the country had to shoulder the burden of a heavy influx of refugees from Bangla Desh, and another confrontation with Pakistan, last year which resulted in heavy Government expenditure. Industrial output has also been below the levels envisaged in the Fourth Plan.

(c) The Government has been taking a number of steps to prevent undue increase in prices. While the Government's fiscal policy has been directed towards the raising of resources for development in a non-inflationary manner, monetary policy has been geared to the task of preventing misuse of bank credit for speculative purposes. Recourse has also been taken from time to time to prices and distribution controls. To curb speculative activity, forward trading has been kept under strict regulation. Shortages of essential commodities such as oilseeds, edible oils, raw cotton, fertilizers, and iron and steel have been sought to be made up through larger imports. For ensuring adequate supplies of major food-

grains to the common man a public distribution system is being maintained, and steps are being taken to expand the coverage of the same

#### **Assessment of Wealth Tax of big Business Houses**

933 SHRI K BALADHANDAYU-THAM

SHRI BIRENDER SINGH RAO

Will the Minister of FINANCE be pleased to state

(a) whether none of the big businessmen controlling the large industrial houses, like Tatas and Birlas are included among the assesseees of Wealth-tax, and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI)

(a) No, Sir. It is not a fact that none of the big businessmen controlling large industrial houses like Tatas and Birlas are not assessed to Wealth Tax

(b) Does not arise

#### **Problems of Indian Navy**

934 SHRI H M PATIL: Will the Minister of DEFENCE be pleased to state

(a) whether the attention of Government has been drawn to a report appearing in the 'Hindustan Times' of the 15th May, 1972 under the caption 'many naval ships steaming on borrowed time', and

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

THE MINISTER OF DEFENCE (SHRI JAGJIWAN RAM)

(a) Yes, Sir. (b) The Government are fully conscious of the need for replacing old and ageing ships of our Navy. A programme has been drawn up to induct new ships by accelerating and expanding indigenous construction

of warships and supplementing this by new acquisitions where feasible. Every attempt is being made to develop and strengthen our Navy within the constraints of financial resources and indigenous capacity of warship construction.

#### **Recommendation of Vivian Bose Commission**

935 SHRI BIRINDER SINGH RAO  
SHRI MUKHTIAR SINGH MALIK

Will the Minister of COMPANY AFFAIRS be pleased to state

(a) whether the recommendations made in the Report of the Vivian Bose Commission have since been examined by Government, and

(b) if so, the out-come thereof and the follow-up action taken by Government so far?

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) (a) and (b) On the submission of the report by the Vivian Bose Commission Government considered the recommendations made by the Commission on the amendment to the Companies Act and requested Shri C K Daphtary the then Solicitor-General and the late Shri A V Vishwanath Sastri a retired Judge of the Madras High Court to consider the report from the legal point of view and also from the larger point of view of public interest. Most of the recommendations of the Commission and those of the Daphtary-Sastri Committee were given effect to by the amendments of the Companies Act, 1956 in 1963 and 1965.

2 With respect to the recommendations made by the Commission in regard to the disclosure of beneficial ownership a clause was inserted in the Companies (Second Amendment) Bill, 1964. The Joint Committee on the Companies (Second Amendment) Bill, 1964, however, omitted the relevant clause (42) as the Committee



felt that "it would be difficult for the companies to note beneficial holders of more than five percent of the equity share capital unless the concerned shareholders themselves intimate such holdings". Suitable provisions have been made in the Companies (Amendment) Bill, 1972. It will be introduced in Parliament during the current session.

3. Prior to the institution of the Commission of Inquiry, the Delhi Special Police Establishment had started investigations in the matter of Dalmia Jain Airways Limited which could not be continued as records relevant to the case were taken over by the Vivian Bose Commission for its inquiry. On the completion of the inquiry by the Commission investigation was resumed by the Special Police Establishment and charge sheet was filed in the Court of the District Magistrate Delhi under Sections 120B read with Sections 409-471 read with Section 467 & 477A of the Indian Penal Code against the accused persons, S/Shri Ramkrishnan Dalmia, Shanti Prasad Jain, Jai Dayal Dalmia, Vamanhari Dalmia and 20 other persons. Proceedings for committal of the case in the Court of Sessions were started in the Court of Additional District Magistrate Delhi to whom the case was transferred by the District Magistrate. Arguments on behalf of the prosecution had to be repeated twice on account of transfer of the Additional District Magistrate, and the same were eventually completed by the Additional Legal Adviser of the C.B.I. on the 25th October, 1967. After completion of the committal proceedings, 22 persons were committed to the Sessions Court to stand trial by the order passed by the Additional District Magistrate on 20th September, 1969. Two accused died while the committal proceedings were pending and another accused died after the committal order was passed. On passing of the committal order, several accused filed revisions petitions in the High Court of Delhi for quashing the committal order. There

are 7 revision petitions in all and they were rejected by the High Court by its order dated the 29th October, 1971. The trial is pending before the Court of Sessions.

#### **Submission of Report by Third Pay Commission**

936 SHRI BIRENDR SINGH  
RAO

SHRI RAMAVATAR SHASTRI

Will the Minister of FINANCE be pleased to state

(a) the reasons for delay in the submission of Report by the Third Pay Commission, and

(b) the date by which the Commission will submit its Report to Government?

THE MINISTER OF FINANCE  
(SHRI YESHWANT RAO CHAVAN)

(a) and (b) The progress of work of the Third Pay Commission was indicated to the House in reply to Unstarred Question No. 561 on 17th March, 1972. Since then the Commission have completed their examination of official witnesses by mid July 1972 and are currently having discussions with the Chief Ministers, Finance Ministers of State Governments. The terms of reference of the Third Pay Commission are much wider than those of the earlier Pay Commission. They are however making every effort to complete their work as quickly as practicable.

#### **Progress in the Construction of Calicut Aerodrome in Karipur**

937 SHRI K. MALIANNA

SHRI C. JANARDHANAN

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state

(a) the progress so far made in the construction of Calicut Aerodrome in Karipur,

(b) the time by which the aerodrome is likely to be completed and put into operation; and

(c) the financial expenditure involved thereon ?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH).** (a) The land has been acquired and fenced. A road linking the aerodrome site to the main road is being constructed by the State Government and is nearing completion.

(b) and (c) An estimate of expenditure amounting to Rs. 111 crores for the construction of the aerodrome is being processed. It is proposed to take up the work immediately; the estimate is sanctioned, and to complete it as quickly as possible.

#### Shortage of Small Coins

938 **SHRI K. MALLANNA .**  
**SHRI MUKHJIA SINGH**  
**MALIK**

Will the Minister of FINANCE be pleased to state

(a) whether there is still shortage of small coins in the country in spite of the newly minted coins having been put into circulation,

(b) if so, the reasons therefor, and

(c) the steps taken by Government to meet the shortage of small coins in the country ?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI).** (a) It is a fact that the problem has not been fully solved and shortages of small coins do occur from time to time in different areas, although the availability of coins has considerably improved with the increased production being turned out by the Mints.

(b) The supplies being made by the Mints have not yet been able to neutralise fully the effect of the diversion from circulation of small coins in some of the older

alloys for purposes of melting on account of their metal value having exceeded the face value. A subsidiary cause is hoarding engendered by the psychology of shortage.

(c) Government have already taken various steps to step up the production of small coins in the Mints including changing some of the coinage alloys so as to obtain a higher rate of production, as also to eliminate the risk of their being diverted for melting in the future. The Small Coins (Offences) Act, 1971 has also been enacted making melting of small coins and hoarding such coins with a view to melting, an offence in law. The scale of issues at the Reserve Bank's counters has also been tightened with a view to deterring the activities of persons who are observed to have collected coins for hoarding and trading at profit. On the other hand, the issues to institutions, such as banks, Government Departments, transport undertakings, mills, hotels, companies and other organisations, for bona fide business purposes have been liberalised considerably. As soon as complaints are received from any particular centre, the Reserve Bank is asked to investigate into the complaint and despatch additional quantity of small coins to the extent necessary and permissible, consistent with the Bank's stock position.

#### Fire in Central Board of Revenue Building, New Delhi

939 **SHRI K. MALLANNA.** Will the Minister of FINANCE be pleased to state

(a) whether the inquiry into the fire which broke out in the basement of the Central Board of Revenue Building, New Delhi recently has been completed

(b) if so, the findings of the inquiry, and

(c) the action taken by Government in the matter ?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI) :** (a) No, Sir. The matter is still being investigated by the police.

(b) Does not arise in view of reply to part (a) above.

(c) The matter is being investigated by the police authorities.

**Labour strike in Fertilizers and Chemicals Travancore Limited**

**940. SHRI K. MALLANNA :**

**SHRI C JANARDHANAN :**

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

(a) whether there was any labour strike in the Fertilizers and Chemicals Travancore Limited, Kerala, during May-June this year;

(b) if so, the reasons therefor;

(c) the number of days this Undertaking remained closed and the total loss caused due to the closure of the factory; and

(d) the steps taken to settle the issues and prevent such labour trouble in future.

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) :**

(a) and (b). Yes, Sir. The employees went on strike with a view mainly to enforcing their demands against the management in matters like production bonus, staffing of the IVth Stage plants, annual bonus, promotion and recruitment of dependents of employees, etc. The immediate cause for the strike was the inability of the management to accept the demands of the Workers' Unions that no action should be taken against the persons who had shut down the IVth Stage ammonia plant without authority.

(c) The Udyogmandal Division of the Fertilizers and Chemicals Travancore, Limited remained closed with effect from 9-5-72 to 2-7-72 i.e. for 55 days, resulting in an estimated production loss of Rs. 4.5 crores.

(d) The disputes have been referred to the Industrial Tribunal for adjudication. Simultaneously, tripartite discussions between the management, the Unions and the State Govt. are under way to negotiate a settlement and to evolve a method to avoid recurrence of such strikes.

#### **Rescheduling of Debt from Foreign Countries**

**941. SHRI SHRIKISHAN MODI :** Will the Minister of FINANCE be pleased to state.

(a) Whether India has been able to come to an equitable settlement in case of debt repayment burden arising from past loans from friendly countries,

(b) if so, what are the main hurdles that come in the way of repayment; and

(c) how the large payments had arisen?

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) :** (a) and (b). India had brought to the notice of the World Bank and the Member-countries of the Aid-India Consortium the burden of debt-service payments as a whole and the consequent diminution in the resources available for economic development. The question of debt relief for the years 1972-73 and 1973-74 continues to be under discussion by the Members of the Aid-India Consortium.

(c) The large debt-service payments have arisen as a result of the hard terms on which aid had been made available in the earlier years.

#### **Permanent Finance Commission**

**942. SHRI RAM PRAKASH :** Will the Minister of FINANCE be pleased to state:

(a) whether Government are contemplating to set up Finance Commission on permanent footing after the terms of sixth Finance Commission is completed; and

(b) if not, the reasons therefor?

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) :** (a) No, Sir.

(b) Government are not convinced of the need for a permanent Finance Commission.

**World Bank's Decision to Promote Industrial Development in Poorer Countries**

943. SHRI M. KATHAMUTHU: Will the Minister of FINANCE be pleased to state :

(a) whether the World Bank Group has decided to move into raw fields of activities, in its effort to promote industrial development in poorer countries;

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

(c) whether this new policy will help India and if so, how far?

THE MINISTER OF FINANCE (SHRI YESHWANTRA CHAVAN) : (a) and (b). The World Bank group has considered that in four major areas a much more organised promotional effort by the Bank group can make a real contribution to the industrial development of its members:

(a) Promotion of "Growth poles";

(b) Regional Development;

(c) Small-Scale Industries;

(d) Improving technology;

(e) India would take advantage of assistance in new field of activities suggested by the Bank group to the extent it is consistent with our own objectives of growth with distributive justice and self-reliance.

**Number of Scheduled Castes and Scheduled tribes Pilots in Indian Airlines**

944. SHRI VEKARIA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the present number of Scheduled Castes and Scheduled Tribes Pilots in the Indian Airlines; and

(b) whether Government propose to improve their quota?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) (a) Two.

(b) Endeavours are being made by Indian Airlines to increase the number of such pilots and the upper age limit for pilot recruitment has been raised by five years for Scheduled Caste and Scheduled Tribe

candidates.

**Number of Air Hostesses belonging to S.C. /S.T. in Indian Airlines**

945. SHRI VEKARIA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the number of Scheduled Castes/ Scheduled Tribes Air Hostesses in the Indian Airlines;

(b) whether some Scheduled Caste Air Hostesses, while undergoing training, got their services terminated; and

(c) if so, the reasons therefor?

THE MINISTER OF TOURISM AND CIVIL AVIATION : (DR. KARAN SINGH) : (a) Eleven.

(b) and (c). One candidate's services were terminated due to her consistently unsatisfactory performance during training.

**Loan to Gujarat State by I.T.D.C. for Construction of Tourist Hotels**

946 SHRI VEKARIA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the amount of loan given to Gujarat State for the construction of Tourist hotels during 1969-70, 1970-71 and 1971-72 by India Tourism Development Corporation; and

(b) the names of places where such hotels are being constructed?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) and (b). The India Tourism Development Corporation does not give any loans for the construction of tourist hotels. However, under the Hotel Development Loan Scheme, a loan of Rs. 10 lakhs has been approved for a hotel project in Baroda.

**Development Credit from Netherlands**

947. SHRI W.S. SANJEEVI RAO : Will the Minister of FINANCE be pleased to state :

(a) whether the Netherland Government informed the Government of India of their

proposals to increase development credits to India to a total of about Rs. 62 crores,

- (b) if so, a brief account thereof, and  
(c) the reaction of Government thereto?

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) :**

(a) The aid pledged by the Netherlands Government for 1972 is for an increased amount of Rs 15.25 crores (DG 68 million) as against the Rs 10.36 crores (DG 50 million) pledged for 1971

(b) The Netherlands Government's pledge for 1972 was formally intimated at the Aid-India Consortium meeting held in June, 1972. The new loan carries an interest rate of 2.5 percent per annum and is repayable over a period of 30 years, inclusive of a grace period of 8 years. The loan amount is available for financing of imports of both capital equipment and commodities needed for India's development plans, from the Netherlands

(c) The Government of India have accepted the offer of the Netherlands Government and an Agreement to this effect has since been signed on the 19th July, 1972

#### **Agreement for Loan from Canada**

948 **SHRI M S SANJEEVI RAO** Will the Minister of FINANCE be pleased to state

(a) whether an agreement for loan of Rs 36 crores has been signed in the month of June, 1972 with Canada, and

(b) if so, the main features thereof and industries for which this loan will be utilised?

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) :** (a) and (b). Yes, Sir. The loan agreement with Canada for an amount of Canadian dollars 50 million (Rs 35.7 crores) was signed on June 10, 1971. The loan is

intended to finance the import of industrial commodities, fertilizers and fertilizer materials over a period of 2 years (1972-74). It carries no interest, service or commitment charges and is repayable over a period of 50 years, including an initial grace period of 10 years. The loan will be utilised to finance import requirements of several industries using asbestos, copper, ferro-alloys, lead, zinc, newsprint, nickel, rubber, sulphur, woodpulp and fertilizer materials.

#### **Commitment made by Britain for Assistance to India**

949 **SHRI M S SANJEEVI RAO** Will the Minister of FINANCE be pleased to state

(a) whether British Government have given any commitment for giving assistance to India during the remaining two years of the Fourth Five Year Plan, and

(b) if so, the project and industries for which the committed amount will be spent?

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) :** (a) and (b). The British aid is announced and disbursed on year to year basis. At the Aid India Consortium Meeting held each year, the British Government announce their pledge. For the current year, Britain has pledged economic aid of £63 million. This is considerably higher than the amount of £44.5 million pledged at the Consortium meeting in 1971.

The British aid is broadly divided in three categories.

(a) Non-project aid for the maintenance requirements of both public and private sector industries.

(b) Project aid for meeting the foreign exchange requirements of large value projects as well as import of machinery and equipment, and

(c) Debt Refinancing assistance which, unlike the other two forms of assistance mentioned above, is a cash grant.

Some of the large projects which will be financed from the British aid during the current year include construction of two bulk carriers for M/s Shipping Corporation of India, one bulk carrier for M/s Scindia Steam Navigation Company Ltd., one tanker for M/s. Great Eastern Shipping Company and three fertilizer projects of M/s. Indian Farmers Fertiliser Co-operative Ltd., Southern Petro-chemicals Industries Corporation Ltd. and Mangalore Chemicals and Fertilizers Ltd. .

**Indo-Japanese Pact for supply of Fertilizer Plants to India**

950. SHRI M.S. SANJEEVI RAO : Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether the Indo-Japanese Pact for the supply of three Fertilizer Plants to India has been concluded;

(b) if so, what will be the estimated cost and capacity of these plants; and

(c) the location of each plant?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) :**

(a) No Indo-Japanese Pact has been concluded for supply of three fertilizer plants to India.

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

**West Bengal Government's Request For Realignment Of Haldia-Barauni Kanpur Pipeline**

951. SHRI HARI KISHORE SINGH : Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether Government of West Bengal has requested for a realignment of the Haldia-Barauni-Kanpur Pipeline to avoid the Raniganj Coalfields in West Bengal; and

(b) if so, the reasons therefor and the reaction of a Government thereto?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI. H. R. GOKHALE) :** (a) and (b). The Government of West Bengal had requested for realignment of Haldia-Barauni-Kanpur Pipelines on the grounds of various difficulties and dangers involved and anticipated loss due to locking up of large quantities of coal.

The pipelines experts on the one hand and the mining experts on the other, held divergent opinions on the matter of the alignment of the pipeline through the coalfields. The Committee on Public Undertakings in its 66th Report on the Indian Oil Corporation (Pipelines Division) had criticised that a third set of independent opinion had not been obtained. Shri N.S. Rau formerly Vigilance Commissioner, who had been asked to enquire into the matter of the alignment of the pipeline through the coalfields also observed that the technical aspects of the matter required separate consideration. In view of this, Government constituted a Working Group of experts to advise on the technical aspect involved and what realignment/rectification is required. The report of the Expert Group is awaited.

**Remittances Of Foreign Exchange On Account Of Head Office Expenditure By Foreign Oil Companies**

952. SHRI HARI KISHORE SINGH : Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether Government have directed the foreign oil companies operating in India not to remit foreign exchange on account of Head Office expenditure and a few other items, like technical services and fees; and

(b) if so, the reaction of these companies thereto?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) :** (a) and (b). The question of evolving a procedure by which the reasonableness or otherwise of claims for repatriation of funds for individual services etc. under the following heads, namely :

- (i) Engineering & Technical Services;
- (ii) Royalties;
- (iii) Licence fees;
- (iv) Home Office expenses; and
- (v) Sundries

is under discussion with the oil companies.

#### **Formation of National Oil Companies of the East**

**953. SHRI HARI KISHORE SINGH** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the State-owned Petroleum Corporation of Sri Lanka has approached the Government of India for the formation of an association of the Natural Oil Companies of the East;

(b) if so, the broad outlines of the proposals; and

(c) the response of Government thereto?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) :** (a) to (c) The Ceylon Petroleum Corporation has suggested to the Indian Oil Corporation, amongst others, that an organisation of national oil companies should be formed in the East and Middle-East with a view to strengthening the National Oil Companies engaged in various integrated phases of the oil industry and to enable them to assert complete control over home marketing operations in the national interest. Amongst other things, the organisation will also endeavour to provide mutual technical and financial assistance for eco-

nomic and technical development, promote research, and exchange knowledge on results of research between the member companies. The Indian Oil Corporation is in touch with the Ceylon Petroleum Corporation to clarify various issues relating to the formation of such an organisation and the scope of its functions. It will be possible for the Government of India to react to the move only when full details become available.

#### **International Airways Avoiding Calcutta Airport**

**954. DR. RANEN SEN :** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state.

(a) whether International Airways are trying to avoid Calcutta Airport resulting in lack of tourists in the Eastern India; and

(b) if so, the steps taken by Government to persuade foreign airlines to come back to Calcutta airport ?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) :** (a) and (b). During the last twelve months, three foreign international airlines have discontinued their scheduled services to Calcutta of their own accord. Government would, however, welcome resumption of services by foreign airlines who have the right to operate.

#### **Commissioning of Fertiliser Plant at Durgapur**

**955. DR. RANEN SEN :** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) the steps taken to expedite the commissioning of the Fertiliser Plant at Durgapur;

(b) the reasons for delay; and

(c) when the factory will start production?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE):** (a)

and (b). The commissioning of the fertiliser project at Durgapur has fallen behind schedule as a result mainly of factors like (a) delays in supply of indigenous equipment (b) failure of certain equipments during start-up and (c) departure, on the declaration of National Emergency, of foreign experts who were attending to certain commissioning operations. These experts have since returned to the project site.

To expedite the commissioning of the project, the Fertiliser Corporation of India have shifted from elsewhere certain machines/parts required at Durgapur and trial runs are currently in progress. Repairs/replacements of damaged equipment/parts are also being attended to by the Corporation on an urgent basis.

(c) According to present indications, production is expected to start by the end of 1972; commercial production is expected by April 1973.

#### **Drilling Operations in two Districts of West Bengal**

956. **DR. RANEN SEN :** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government propose to start the drilling operations in two Districts of West Bengal, 24-Parganas and Midnapore, which were stopped a few years ago; and

(b) if not, the reasons therefor?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) :**  
(a) Not yet.

(b) The seismic data collected and evaluated by Oil and Natural Gas Commission so far has not brought out the existence of favourable new traps which could be worth testing by drilling. When the existence of such favourable traps is established, resumption of drilling will be considered.

With a view to locate such favourable traps, ONGC have been deploying in the area seismic field parties with sophisticated digital seismic equipment.

#### **Firing by Pakistani Forces in Khalra Sector**

957. **SHRI K. LAKKAPPA :** Will the Minister of DEFENCE be pleased to state:

(a) whether on the 6th-7th June, 1972 Pakistani forces opened fire on Indian post of Dhali in the Khalra Sector; and

(b) if so, whether due to this firing many Indians and border security men were killed?

**THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) :** (a) No, Sir.

(b) Does not arise.

#### **Setting up of a Tourism Institute in the Country**

958. **SHRI NARENDRA SINGH :** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether an Institute of Tourism is being set up in the country with the help of United Nations Development Fund and the International Labour Organisation;

(b) if so, the salient features of the agreement; and

(c) the time by which the Institute will be set up?



**THE MINISTER OF TOURISM AND CIVIL AVIATION (DR KARAN SINGH).**

(a) and (b). It is proposed to set up a Tourism Training Institute and the services of an expert have been requested under the United Nations Development Programme for preparing a project proposal. Based on his report the Department will consider seeking assistance from the United Nations and the International Labour Office for the project.

(c) Within the next two years.

#### **Utilization of Profits of Foreign Oil Companies for Establishing New Business**

959 **SHRI AJIT KUMAR SAHA** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state whether Government propose to compel the Foreign Oil Companies to use the profits earned by them for establishing new business in India and to prevent them from taking the profit out of India?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H R GOKHALE)** Apart from putting restrictions on the drawal on reserves for the purpose of declaring high dividends, no other measures are proposed at present.

#### **Oil Combines Curbs on Subsidiaries**

960 **SHRI RAMKANWAR** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the attention of Government has been drawn to a report appearing in the *Statesman* dated the 10th June, 1972 under the caption "Oil Combines curbs on subsidiaries",

(b) if so, the extent to which subsidiaries in India are also affected by unwritten rules of international oil companies, and

(c) the reaction of Government in this regard?

**THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H R GOKHALE)** . (a) Government have seen the Press report.

(b) The subsidiaries of the foreign companies in India generally operate in a similar manner.

(c) Government have already canalised all the imports of oil products through the Indian Oil Corporation except for very small quantities of specialities and proprietary grades of lubricants required for specific purposes which these oil companies import through their principals and/or associates. As for the import of crude oil, under the Refinery Agreements, the three foreign oil companies have the freedom to import the same from their own sources at prevailing world prices.

#### **Utilisation of PL 480 Funds in India**

961 **SHRI RANABAHADUR SINGH**  
**SHRI PRABHUDAS PATEL**

Will the Minister of FINANCE be pleased to state

(a) whether Govt of India have totally stopped arrangements by which USA made transfers from the accumulated PL 480 rupee funds in India to finance their programmes in third countries,

(b) whether Govt have also decided to stop the use of PL 480 funds for meeting local costs of training programmes of persons from some countries in the Asian region, and

(c) if so, the broad outlines of the aforesaid decisions?

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN).** (a) PL 480

rupee funds are not transferable to other countries except to the extent that this may be specifically agreed to by the Govt. of India. The Govt. of India have been hitherto permitting the U.S. to use a small portion of their PL. 480 rupee funds (about Rs. 6 crores per annum) for financing development programmes in Nepal. Recently the U.S. Govt. have been informed that this facility will no longer be available to them in future and that they should use their dollars funds for aid to Nepal. The U.S. Govt. have taken note of our decision.

(b) and (c). It has also been decided to discontinue the facilities given to US AID for operating its Third Country Training Programme in India under which nationals of other countries were given training facilities in India under US AID aegis and the Programme was financed from PL. 480 rupees.

#### Seizure of Smuggled Goods

962. SHRI R. R. SINGH DEO : Will the Minister of FINANCE be pleased to state :

(a) whether attention of Government has been invited to a report in the 'Statesman' of 29th May, 1972 stating that smugglers in India have shifted their preference from gold to synthetic fabrics, yarn and watches;

(b) if so, the total quantity of smuggled gold, watches and other items seized by the Customs and Enforcement authorities during the last three months; and

(c) the action taken against the offenders?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) Government have seen a report in the 'Statesman' of 29th May, 1972 stating that smugglers in India have shifted their preference from gold to synthetic fabrics, yarn and watches.

(b) The quantity and value of gold, watches, synthetic fabrics and yarn and other goods seized by the Customs and Central Excise authorities during the last three months (April to June, 1972) while being smuggled into India were as indicated below:—

Commodity	Quantity	Value (Rs. lakhs) at Indian market rate
Gold	578 Kgs.	126.58
Watches	68694 Nos.	70.24
Synthetic fabrics & Yarn	—	225.00
Other goods	—	161.00

(c) Apart from adjudication proceedings under the Customs Act for confiscation of the smuggled gold and watches etc. and imposition of penalties on persons concerned, prosecutions in the court of law will be considered in these cases.

#### Revisions of Pricing Policy for Petroleum Products

963. SHRI R. R. SINGH DEO : Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether Government have revised their pricing policy regarding petroleum products; and

(b) if so, the main features of the revised policy?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) : (a) and (b). No, Sir. The Government has, however, recently prescribed ceiling selling prices for L.P. Gas on a rational basis.

### **Arrears of Taxes against Big Business Houses**

964 SHRI SHYAMNANDAN MISHRA  
Will the Minister of FINANCE be pleased to state

(a) the amount of tax arrears due from the 75 big business houses classified as Big Business and Monopoly Houses, and

(b) the names of the defaulters whose arrears were written off fully or partially, with the amount in each case since 1968?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) The 75 big business houses classified as Big Business and Monopoly Houses according to the report of the Monopolies Inquiry Commission, 1965 are not separate taxable units. Each one of these business houses comprises of large number of companies and individuals. The total number of companies under these business houses according to the 1965 report is 1536. The Income-tax Department do not have separate registers, where the facts about these 1536 companies are recorded. If however, the Hon'ble Member desires to have information about any particular company or companies belonging to these Business Houses, the same can be furnished.

(b) Since April, 1968 arrears of Rs. 1 lakh and above were written off in the case of 26 companies but none of these companies is included in the list of companies comprising the 75 big business houses in question.

### **Preferential treatment by Nationalised Banks to Industries**

965 SHRI SHYAMNANDAN MISHRA  
Will the Minister of FINANCE be pleased to state whether recently the nationalised bank have switched over to financing larger

industries in preference to priority sectors and weaker sections of the people?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) No Sir, Since nationalisation banks have accorded priority in their lending to agriculture and other hitherto neglected sectors. Advances of public sector banks to these sectors have increased from 14.54 per cent out of their total advances as on 30th June, 1969 to 23.00 per cent as on 31st December, 1971. Banks are also continuing to meet the genuine requirements for productive and distributive purposes of large scale industries.

### **Recovery of Loans Advanced by the Nationalised Banks**

966 SHRI SHYAMNANDAN MISHRA  
Will the Minister of FINANCE be pleased to state

(a) the percentage of recovery of loans advanced to the specific groups since the nationalisation of 14 Commercial banks, and

(b) the comparable figures before nationalisation?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) and (b) It is presumed that the term 'specific groups' refers to borrowers in the agriculture and hitherto neglected sectors.

Advances granted by commercial banks for meeting working capital and other short term needs are repayable on demand. These advances are usually granted in the form of cash credit/over-draft or bills limit and the balances in the relative accounts fluctuate depending upon the turnover of the business of the borrower routed through the accounts. The question of recovery of advances arises only in cases when the demand

on the borrower for the repayment of the outstanding balance is made due to unsatisfactory conduct of the account. As far as term loans are concerned, the terms and conditions of such loans are prescribed after generally assessing the viability of the projects. The recovery schedules are linked to the anticipated cash accruals on the implementation of the projects. Cases of default do crop up occasionally on account of natural calamities or other unforeseen circumstances affecting business.

It is estimated that the recovery of agricultural loans advanced by 14 nationalised banks in the first year after nationalisation i.e. the year ending on June 30, 1970, was about 64 per cent of the demand and that in the year ending June, 1971, about 58 per cent. Details of recovery performance prior to nationalisation are not available.

**World bank loan for development of Sidhi District in Madhya Pradesh**

967. SHRI ARVIND NETAM : Will the Minister of FINANCE be pleased to state :

(a) whether the World Bank has sanctioned a sum of Rs. 4 crore for the development schemes in Sidhi District of Madhya Pradesh; and

(b) if so, the main features of the schemes?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) No, Sir.

(b) Does not arise.

**Take over of properties in States**

968. SHRI ARVIND NETAM : Will the Minister of FINANCE be pleased to state :

(a) whether Government are considering of enacting legislation empowering the States to take over property on price mentioned in legal documents so as to check the growth of black money; and

(b) if so, the time by which it will be introduced?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI) : (a) and (b). The Direct Taxes Enquiry Committee (Wanchoo Committee) has made some recommendations on this subject in paragraph 2.198 of their final Report. The recommendations of the Committee, including those contained in the aforesaid paragraph, are currently under examination by the Government.

**Loan from International development association for development scheme in Maharashtra**

969. SHRI ARVIND NETAM : Will the Minister of FINANCE be pleased to state :

(a) whether Government expect to receive a loan of Rs. 22.56 crore from the International Development Association for development schemes in Maharashtra; and

(b) if so, a brief account of the development schemes in Maharashtra?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) Government of India signed an agreement with the International Development Association on 29th March 72, for a Credit of US Dollar 30 million (equivalent of about Rs. 21.84 crores) for Maharashtra Agricultural Credit Project.

(b) The Project includes a programme to finance loans for minor irrigation including installation of pumpsets on existing wells, land development, provision of land reclamation and well drilling equipment and Groundwater Surveys for detailed geological and hydrological analyses and the training of personnel. The investments in minor irrigation would include about 300 tubewells, 175 lift-irrigation schemes and dugwells, dugwell improvement and electrification of wells (equivalent of about 11,000 new energised dugwells). Investments in land development would involve levelling 11,000 hectares, grading of 24,000 hectares and construction of watercourses and field drains in 115,000 hectares on six major irrigation schemes.

#### Financial Assistance to Bangladesh

970. SHRI PILOO MODY : Will the Minister of FINANCE be pleased to state :

(a) whether the Planning and Finance Minister of Bangladesh recently visited New Delhi and had talks with the representatives of Government of India;

(b) whether the Bangladesh Government have sought additional financial aid from India for financing their plan; and

(c) the quantum of aid sought and reaction of Government of India thereto?

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

(b) and (c). The visit was in pursuance of the decision of the Prime Ministers of India and Bangladesh that the representatives of the Planning Commissions of the two countries should meet periodically to identify areas of mutual cooperation in the developmental processes of the two countries. The discussions that were held during the visit

of the Bangladesh Planning Minister were not concerned with the provision of additional financial aid from India for the financing of Annual Plan of Bangladesh, but with a review of the evolution of close economic cooperation between the two countries and ways and means to further strengthen this cooperation.

#### काले घन का पकड़ा जाना

971. श्री नाथू राम ग्रहिरवार : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि : (क) पिछले छह महीनों में सरकार द्वारा कितना काला घन पकड़ा गया है; और

(ख) काले घन के लिये छापा भारने पर किन-किन व्यक्तियों एवं कम्पनियों के पास कितना कितना काला घन पकड़ा गया ?

वित्त मंत्रालय में उप-मंत्री (श्रीमती सुशोभा रोहतगी) : (क) 1 जनवरी से 30 जून, 1972 की अवधि में आयकर विभाग द्वारा पकड़ी गई जिन परिसम्पत्तियों का लेखा बाह्य होने का संदेह है उनका मूल्य 1.11 करोड़ रु० है।

(ख) एक विवरण-पत्र सभा-घटन पर रखा गया है [दिनिये संख्या LT-3264/72]

#### जबलपुर के मोटर-गाड़ी कारखाने में प्राग सत्यता

972. श्री नाथू राम ग्रहिरवार : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जून में प्राग लग जाने के कारण जबलपुर का मोटर-गाड़ी कारखाना सम्पूर्ण रूप से नष्ट हो गया है ;

(ख) इस अवस्थात अग्नि दुर्घटना से कितनी हानि हुई; और

(ग) क्या सरकार ने इस की जांच की है और यदि हां, तो उसके क्या परिणाम निकले हैं ?

रक्षा मंत्रालय में राज्य मंत्री (श्री बिनाय कश्यप शुक्ल : (रक्षा उत्पादन) (क) जी नहीं, श्रीमान ;

(ख) और (ग) घटना की जांच करने के लिये एक जांच अदालत गठित की गई है, जांच अदालत की रिपोर्ट अभी नहीं मिली है। भाग के कारण हुई हानि का अनुमान रिपोर्ट प्राप्त होने के बाद ही लगाया जा सकेगा।

टारली क एक व्यापारी से सोने का जूत किया जाना

973 श्री माधुराम अहिरवार क्या बिल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या जन, 1972 में सीमाशुल्क विभाग द्वारा डटारमी, मध्य प्रदेश के एक व्यापारी के पाम में 20,000 रुपये के मूल्य का मोना जूत किया गया था,

(ख) क्या यह साना सीमाशुल्क विभाग में गायब हो गया है, और

(ग) यदि हा, तो इस बारे में सरकार न क्या कार्रवाई की है और इसके लिये जिम्मेदार व्यक्तियों के नाम क्या हैं ?

बिल मंत्रालय में उप मंत्री (औद्योगिक मंत्री) रोहतगी) (क) जी हा।

(ख) और (ग) उक्त मान का पर देने की औपचारिकताएँ जब पूरी की जा सकी थी, तब पाया गया कि पकड़े गये सोने का सीलबन्द पैकेट गायब है। सोने की चांगी की रपट मन्त्रालय म्यालीग पुलिस में की गयी। महायुक्त समाहर्ता, केन्द्रीय उत्पादनशुल्क, जबलपुर, ने तत्काल मामलों की प्रारम्भिक जांच की और उसकी रिपोर्ट प्राप्त होने पर, समाहर्ता, केन्द्रीय उत्पादनशुल्क, नागपुर ने यह मामला, जांच-पड़ताल के लिये पुलिस अधीक्षक, विशेष पुलिस सस्थापन, केन्द्रीय जांच ब्यूरो, जबलपुर को सौंप दिया है। अब इस संबंध में अगली कार्यवाही केन्द्रीय जांच ब्यूरो की रिपोर्ट प्राप्त होने पर की जायेगी।

मुरैना (मध्य प्रदेश) में तेल शोधक कारखाने की स्थापना

974 श्री माधुराम अहिरवार क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या भारतीय तेल निगम का एक दल उत्तर मध्य प्रदेश में तेल शोधक कारखाने की स्थापना के लिये मुरैना गया था,

(ख) क्या उक्त अध्ययन दल ने मुरैना जिले में तेल शोधक कारखाने की स्थापना के पक्ष में अपना प्रतिबद्धन प्रस्तुत किया है, और

(ग) यदि हा, तो इस संबंध में सरकार का क्या कार्यवाही करने का विचार है ?

बिधि और न्याय तथा पेट्रोलियम और रसायन मंत्री (श्री एच० झार० गोखले)

(क) गवानियर में अथवा उसके पाम प्रस्तावित उत्तर-पश्चिम शांतिशाला की स्थापना की स्थापना का अध्ययन करने के लिये भारतीय तेल निगम का एक दल ने मध्य प्रदेश का दौरा किया था।

(ख) जी नहीं।

(ग) मंत्री नवीनीकी आर्थिक एवं अन्य सम्बद्ध तथ्यों पर विचार करने का पञ्चात सरकार ने निर्णय लिया है कि उत्तर-पश्चिम शांतिशाला की स्थापना भव्यता में की जायेगी।

मिट्टी के तेल के मूल्य में वृद्धि

975 श्री माधुराम अहिरवार श्री डी० अट्टाचार्य

क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या गत तीन वर्षों में परलू उपभाग में घाटे वाले मिट्टी के तेल के मूल्य में वृद्धि अधिक हुई है,

(ख) उक्त अवधि में विभिन्न राज्यों में मिट्टी के तेल के क्या भाव रहे हैं, और

(ग) मिट्टी के तेल के बढ़ रहे मूल्यों को रोकने के लिये सरकार ने क्या कारगर उपाय किये हैं, और यदि नहीं, तो उसके क्या कारण हैं ?

विधि और व्याय तथा पेट्रोलियम और रसायन मंत्री (श्री एच० शार० गोखले) (ब) जी नहीं ।

(ख) मई जुलाई, 1972 के दौरान कुछ महत्वपूर्ण स्टेशनों पर अच्छे किस्म के मिट्टी के तेल के फुटकर मूल्यों से सम्बन्धित एक विवरण पत्र सलग्न है ।

(ग) प्रश्न नहीं उठता ।

4 अगस्त 1972 को नाक सभा में पूछे जाने वाले प्रश्न संख्या 975 के भाग (ख) से सम्बन्धित विवरण पत्र

स्टेशन	निम्नलिखित तारीखों का अच्छे किस्म के मिट्टी के तेल के प्रति लिटर फुटकर बिज्री मूल्य			
	1-5-72	1-6-72	1-7-72	
1	2	3	4	
बंगलौर	0 66	0 66	0 66	
भद्रमदाबाद	0 63	0 61	0 63	
दिल्ली	0 65	0 65	0 65	
बम्बई	0 61	0 61	0 61	
लखनऊ	0 77	0 77	0 77	
हैदराबाद	0 67	0 67	0 67	
कलकत्ता	0 65	0 65	0 65	
जमपुर	0 68	0 68	0 68	
मद्रास	0 65	0 65	0 65	
पड़ोसाड़	0 72	0 72	0 72	

टिप्पणी—केंद्रीय सरकार द्वारा प्राधिकृत प्रति-रिक्त कर के कारण मद्रास में मिट्टी के तेल में प्रति लिटर 2 पैसा वृद्धि हुई है ।

अतिप्रस्त हुए करेसी नोटों को बदलने सम्बंधी नियम

976 श्री अटल बिहारी वाजपेयी क्या बिल मंत्री यह बताने की कृपा करेंगे कि

(क) रिजर्व बैंक द्वारा अतिप्रस्त करेसी नोटों का रद्द करने, पाम करन और बदलने सबंधी नियम क्या है

(ख) गत तीन वर्षों में कमजियम बैंकों से प्राप्त अतिप्रस्त करेसी नोटों का बदलन के कितने मामलों में प्रमश नौ महीने और आठ महीने से अधिक का समय लगा और

(ग) इस सम्बन्ध में बिलम्ब का समाप्त करने के लिये क्या वागवाहों का गई है भयवा करने का विचार है ?

बित्त मन्त्रालय में उप-मंत्री (श्रीमती सुशीला रोहतगी) (क) अतिप्रस्त और बटे-फटे नोटों के विनिमय मूल्य की मदायगी के दावों का फैसला भारतीय रिजर्व बैंक के करेसी अधिकारी द्वारा भारतीय रिजर्व बैंक (नाटा की वापसी) नियमावली 1915 में निर्धारित प्रक्रिया के अनुसार किया जाता है । मामलों में फटे-बट नाट त्रिनकी प्रगली नाटा व रूप में पहचान की जा सकती है भारतीय राज्य बैंक और उमक सहायक बैंकों की शाखाओं तथा करेसी-बन्ट वाले राजकोषों में भी, केन्द्रीय राजकोष नियमावली, खण्ड 1 के कार्यकारी अनुदेश भाग XIV के नियम 83 की टिप्पणी 1 में निर्धारित प्रक्रिया के अनुसार बदले जाते हैं ।

(ख) भारतीय रिजर्व बैंक की विभिन्न शाखाओं से सूचना इकट्ठी की जा रही है और प्राप्त सूचना होने पर सभा-पटल पर रख दी जायेगी ।

(ग) भारतीय रिजर्व बैंक की शाखा-शाखाओं के कार्य की स्थिति की बराबर समीक्षा की जाती रहती है और काम के निपटारे में तेजी लाने के लिये उपयुक्त कदम उठाये जाते हैं, जिनमें उन मामलों में, जहाँ जरूरी हो, अतिरिक्त कर्म-चारियों की मजूरी दी जानी भी शामिल है ।

दिल्ली के निकट दुर्घटना घटने वाले जापानी विमान के हाताहतों को भी गई सुविधाएँ

977 श्री कलम बिहारी बालाचंद्री क्या पर्यटन और वायव्य विमानन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या 14 जून 1972 को दिल्ली के निकट दुर्घटना घटने वाले जापानी विमान के यात्रियों और मृतकों और उनके मित्रों तथा रिश्तेदारों के लिये सभी उपयुक्त कार्यवाही की गई थी और उन्हें सभी सम्भव सुविधायें प्रदान की गई थी और

(ख) यदि हाँ तो उनकी मुख्य रूप से क्या है ?

पर्यटन और वायव्य विमानन मंत्री (डा० कलम सिंह) (क) और (ख) जी हाँ, दुर्घटनाग्रस्त व्यक्तियों के जो संबंधी दिल्ली आये उन्हें दुर्घटना स्थल पर जान की अनुमति दी गई और उन्हें मर्दावर (मायघारी) भी ले जाया गया जहाँ दुर्घटनाग्रस्त व्यक्तियों के मृत शरीरों के लिये रखे हुए थे। शनाख्त किये हुए मृतकों के निर्धारित क्रिया-विधि के अनुसार संबंधियों को सौंप दिया गया। दुर्घटना से मृत्यु में अब हुए व्यक्तियों का सब सम्भव सुविधायें भी प्रदान की गयी।

#### Operation of International Flights of Air India from to Calcutta

978 SHRI INDRAJIT GUPTA  
SHRI S C SAMANTA

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state

(a) whether Air India does not, at present operate a single international flight originating from or terminating at Calcutta Airport,

(b) whether Air India operates Chartered flights from other airports but not from Calcutta;

31 L55, 72—8

(c) whether Air India does not also operate a single Freighter Service through Calcutta, and

(d) if so, the reasons for allowing a national airline to contribute in this discriminatory manner to the dwindling fortunes of Calcutta Airport?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR KARAN SINGH) (a) Currently Air India operates 5 international flights per week through Calcutta Airport thrice-weekly to Tokyo, and twice-weekly into Calcutta from Tokyo. These flights are extended from/to Bombay and provide connections with Air India services to the West

(b) Air India Charters Ltd operate charter flights between India and Europe/U K. Since most of the traffic is destined to Delhi and Bombay the charter flights originate ex Bombay and are operated via Delhi. When Air India has a substantial load either originating from or destined to Calcutta on the charter flights, they are extended to Calcutta

(c) Air India does not operate any scheduled freighter services

(d) There is no question whatever of permitting any discrimination

#### Resumption of Oil Exploration work in West Bengal

979 SHRI INDRAJIT GUPTA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the Malaviva Committee as well as the ONGC's Technical Committee (1966), have recommended certain areas in the West Bengal basin for oil drilling

(b) if so the reasons for not starting the drilling after Bodra well No 1, and

(c) whether oil exploration work in West Bengal will now be resumed in the light of



the Soviet experts assessment of the promising prospects in this region?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H R GOKHALE) (a) The Malaviya Committee has recommended that the major task for West Bengal Region would be (a) more experimentation for getting better reflections, (b) Continued geophysical surveys by digital methods, (c) integration of the newly acquired geophysical data and a progressive review of the same (d) extensive photo-geomorphological studies and (e) a very detailed basic appraisal

The Committee has also recommended that efforts should be directed to obtain more geological data and to carry out integrated studies to pick up possibilities of subtle stratigraphic traps, in the Mio-Pliocene sections along zone of rapid subsidence and thickening of sediments as well as to decipher carbonate banks, if present and that at least a few exploratory wells should be drilled both in the platform zone and in the subsidence zone.

In 1966 ONGC's Technical Committee recommended the release of another location for drilling on the Bodra Structure on which one location had been released earlier. However, in the light of the results obtained on Bodra Well No 1 drilled at the first location, it was decided not to undertake drilling at the second location.

(b) and (c) Drilling operations in West Bengal suspended after the drilling of Bodra I Well, were not resumed, as the seismic surveys carried out in that area has not so far indicated the presence of a favourable trap for oil/gas accumulations in the region surveyed.

However, oil exploration work has not been stopped. Exploration has been

continuing in the form of seismic surveys in search of favourable traps which would be worth testing by drilling. Since last year, these surveys are being conducted using sophisticated digital seismic recording units.

The Soviet Experts have advised that there is no reason to drill another well adjacent to the Bodra Well No 1. They have also advised that before locating a second deep wildcat well in the region, detailed and intensive seismic surveys using sophisticated techniques should be conducted to locate favourable traps.

The exploration work now being carried out by ONGC in these regions is on the lines of the advice tendered by the Soviet experts.

**Closure of Division Offices of Alembic Chemical Works Limited, Baroda**

980 SHRI INDRAJIT GUPTA Will the Minister of COMPANY AFFAIRS be pleased to state,

(a) whether Government are aware of a move by M/s Alembic Chemical Works Ltd, Baroda to close down its present 28 Division Offices throughout the country and to float four new companies as its marketing agents, and

(b) if so whether Government have conducted necessary inquiries to ensure that the said re-organisation will not facilitate manipulation of Company's accounts and profits?

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY):

(a) It has been reported to the Department that the following four companies have been incorporated with a view to acting as

distributors of the products of the company in the respective zones :

	Date of incorporation
(i) M/s. Paraan Ltd., Bombay	15th April, 1972.
(ii) M/s. Darshak Ltd., Bangalore	6th May, 1972
(iii) M/s. Purak Vinimay Ltd. Calcutta	26th June, 1972
(iv) M/s. Ujjwal Ltd., Delhi	16th May, 1972.

It has also been reported that these four companies will take over all the branches all over the country together with the staff on the same terms and conditions

(b) An inspection of the books of account of the company has been ordered

बिहार की केन्द्रीय जांच चौकियों द्वारा पकड़ा गया चोरी छिपे लाया गया भाल

१९८ श्री एम० एम० पुरनी क्या बिस्स मज्जी यह बताने की कृपा करेंगे कि

(क) पिछले दो वर्षों में बिहार में केन्द्रीय जांच चौकियों पर किनसे मूल्य का चोरी छिपे लाया गया चरस, नाइमोन की माडी, धागे, जापानी खिलौने, चीनी लाइटर, स्विच जापानी घटिया, ट्रांसिस्टर, रूसी कैमरे तथा अन्य सामग्री पकड़ी गई,

(ख) इस अपराध में किनसे भारतीय तथा विदेशी व्यक्तियों को पकड़ा गया, और

(ग) इस गम्भीर समस्या को सुलझाने के लिये सरकार ने क्या कदम उठाये हैं ?

बिहार की जांच में उप-मंत्री (बीजती सुशीला रोहतासी) : (क) पिछले दो वर्षों में पकड़ी गई तस्करी की वस्तुओं का कुल मूल्य नीचे दिये अनुसार है। इन वस्तुओं में चरस, नाइमोन की

माडिया, धागा, जापानी खिलौने, चीनी लाइटर, स्विच और जापानी घड़ियां, ट्रांसिस्टर तथा रूसी कैमरे शामिल हैं —

		₹०
1970	.	35,16,295
1971	.	47,99,577

पकड़ी गई वस्तुओं में कुछ बड़ी बड़ी वस्तुओं की मात्रा और मूल्य का एक विवरणपत्र संलग्न है।

(ख) इस अपराध के गवध में पिछले दो वर्षों में गिरफ्तार किये गये भारतीयों एवं विदेशियों की संख्या नीचे दिये अनुसार है —

	भारतीय	विदेशी	जाड
1970	87	2	89
1971	78	12	90

(ग) इस समस्या को हल करने के लिये भारत सरकार ने निम्नलिखित उपाय लिये हैं —

(i) नेपाल में भारत को और भारत से नेपाल को मान के तस्करी निर्यात को रोकने के लिये भारत-नेपाल सीमा पर अनेक चमते-फिरते निवारक दल तैनात किये गये हैं।

(ii) बहुत मो जीपा की व्यवस्था की गई है ताकि कर्मचारी एक स्थान से दूसरे स्थान पर आसानी से पहुँच सकें और प्रभावी तौर पर कार्यवाही कर सकें।

(iii) नेपाल को पटन वा तस्करी-निर्यात रोकने के लिये पटना समालोच-क्षेत्र-विभाग के फोर्सेसयुक्त उप-प्रभाग में होम गार्ड की एक दम्पती की सेवाओं की मांग की जा रही है,

(iv) निवारक दलों में कर्मचारियों की संख्या बढ़ा दी गई है। भारत-नेपाल सीमा पर माध्यम सशस्त्र दलों का मुकाबला करने के लिये कर्मचारियों को प्रशिक्षण से लेम किया जा रहा है।

(v) नेपाल को माल का तस्कर-निर्बात रोकने के लिये भारत-नेपाल सीमा पर राज्य के अधिकारियों के साथ निकट सम्पर्क रखा जा रहा है ,

(vi) इस सम्बन्ध में नेपाल के महामहिम की सरकार से भी बारबार सहयोग की मांग की गयी है ।

#### विवरण

तस्कारी की गयी वस्तुओं के नाम	1970 में
	मात्रा
1	2
ट्रांजिस्टर	140
टेप रिकार्डर	33
बडिया और बीबाल बडिया	815
फाउण्टेनपेन, बाल प्वाइंट और रिफिल	4839
कैमरे	462
बमकीला धागा	11466
	रीले
नाइलोन का धागा	544
	रीले
नाइलोन के मांजे	185
	मांजे
नाइलोन के कपडे	32197
	मीटर या
	3039
	गज
मेकेनिकल लाइटर	1474
	नग
मेकेनिकल लाइटरो के अकमक पत्थर	133
	कि० घा०
बरस	103
	कि० घा०

पकड़ी गयी	1971 में पकड़ी गयी	
मूल्य	मात्रा	मूल्य
3	4	5
42,635	114	32,903
23,806	23	15,031
48,131	653	71,224
35,264	2122	13,157
20,468	958	37,008
229,749	2315	75,126
	रीले	

5,149 — —

1,088 88 688

जाड़े

589,176 56894 878,975

मीटर

7,359 4692 34,433

नग

23,8849 40 7,277

कि० घा०

3,000 36.8 10,238

कि० घा०

#### Setting up of a Tourist Hotel at Agartala (Tripura)

983. SHRI DASARATHA DEB : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether any amount was granted to Government of Tripura for setting up a Tourist Hotel at Agartala, Tripura; and

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

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) No, Sir.

(b) Does not arise.

**Proposal to Provide Toilet Facilities at Khowai Airport (Tripura)**

984. SHRI DASARATHA DEB : Will the Minister of TOURISM AND AVIATION be pleased to state :

(a) whether Government are aware that passengers have been experiencing difficulties at Khowai Airport (Tripura) owing to absence of toilet arrangements; and

(b) if so, whether Government propose to take immediate steps to provide toilet facilities at Khowai Airport?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) Yes, Sir. The toilets are a little distance away from the air traffic control place where passengers are accommodated at present.

(b) It is proposed to construct a new terminal building with suitable facilities during the current Plan period.

**Representation for Withdrawal of Additional Fare for Coach Service Between City Terminal and Agartala Airport**

985. SHRI DASARATHA DEB : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government have received any representation for the withdrawal of additional fare for Coach service charged by Indian Airlines from passengers making use of their coaches between city terminal and Agartala Airport; and

(b) whether Government propose to consider the request from Tripura as a special case?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) and (b). Yes, Sir. In view of the special considerations urged, Indian Airlines has decided to reduce the surface transportation charges at Agartala to Rs. 3.00 per person.

**Non-Utilization of International Terminal Building at Dum Dum Airport**

986. SHRI SAMAR MUKHERJEE : Will the Minister of TOURISM AND AVIATION be pleased to state :

(a) whether Government are aware that the International Terminal Building at Dum Dum Airport is not being used for a long time;

(b) the amount spent to build up the Terminal; and

(c) the reaction of Government in this regard?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) The international terminal building at Calcutta Airport has been in use since early 1970.

(b) About Rs. 2.00 crores. In addition, over Rs. 43 lakhs have been spent on the new control tower.

(c) Does not arise.

**Setting up of an Ordnance Factory in M.P.**

987. SHRI SAMAR MUKHERJEE : Will the Minister of DEFENCE be pleased to state :

(a) whether Government are setting up an ordnance factory in Madhya Pradesh; and

(b) if so, the cost of the project and the items to be manufactured therein?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) (a) Yes, Sir

(b) According to rough estimates, the cost of the project would be about Rs. 67 crores and the factory would produce propellants to meet the increased requirements of Defence

**Development of Dum Dum Air-Port as an International Air-Port**

988 SHRI SAMAR MUKHERJEE Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state

(a) whether Government are contemplating to develop Dum Dum Airport as an important international Airport, and

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

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) (a) and (b). Calcutta is already an important international airport. A new international terminal building has been built recently at a cost of nearly 2 crores and the airport is equipped with telecommunication and navigational facilities. A Category II Instrument Landing System has been installed and the Communication Centre is being provided with semi-automatic equipment for the expeditious handling of operational messages. A high-powered Air Route Surveillance Radar is being installed and the runway is being further extended and strengthened.

**रक्षा लेखा नियंत्रक पटना के कार्यालय में पदों का भरना**

989 श्री रामावतार शास्त्री क्या बित्त बजट यह बताने की कृपा करेंगे कि

(क) क्या रक्षा लेखा नियंत्रक, पटना के कार्यालय में पदों का पटना के बजाय उड़ीसा और आसाम में

भरनी करके भरा जाना है,

(ख) यदि हाँ, तो इसके क्या कारण हैं, और

(ग) यहाँ एक वृत्त में इस प्रकार कितने व्यक्ति भरनी दिये गए ?

बित्त मन्त्रालय में उप-मन्त्री (श्रीमती सुशोला रोह्तसी) (क) पटना में भरनी करने का प्रतिनिधिक कुछ हद तक भरनी उड़ीसा और असम में भी की जाती है।

(ख) पटना में मुख्य कार्यालय के अलावा रक्षा लेखा के पटना स्थित नियंत्रक के संगठन के उपकार्यालय पश्चिम बंगाल उड़ीसा, असम, मघाया नागालैंड, मेघा त्रिपुरा आदि राज्यों में था है। इसलिये वहाँ बहुत भरनी इन राज्यों में भी की जाती है। विभिन्न स्थानों में स्टाफ की तैनाती सेवा की आवश्यकताओं पर निर्भर करती है।

(ग) पिछले एक वर्ष में 6 व्यक्ति असम में तथा एक व्यक्ति उड़ीसा में भरनी किया गया और उनका पटना स्थित कार्यालय में तैनात किया गया। रक्षा लेखा के पटना स्थित नियंत्रक के संगठन में कुल वार्षिक-संख्या काई 2000 है जिन में लगभग 1500 बिहार के हैं।

**Shifting of the Office of Controller of Defence Accounts, Patna**

990 SHRI RAMAVATAR SHASTRI SHRI BHOLA MAJHI

Will the Minister of FINANCE be pleased to state

(a) whether the office of the Controller of Defence Accounts is proposed to be shifted from Patna to some other place outside Bihar,

(b) if so, the reasons therefor;

(c) whether the Patna Branch of All India Defence Accounts Employees Association has opposed this move, and

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

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) There is no proposal to shift the office of the Controller of Defence Accounts, Patna, as such, to any other place outside Bihar. There is, however, a sub-office at Shillong which is proposed to be strengthened.

(b) Lack of adequate communications has often resulted in delays in payments for supplies, services and to men. Strengthening the office at Shillong will avoid these delays.

(c) Yes.

(d) Government have given full consideration to the representation but have found it necessary to strengthen the office at Shillong.

#### Interim Report of Direct Taxes Enquiry Committee

991 SHRI JYOTIRMOY BOSU Will the Minister of FINANCE be pleased to state

(a) whether Direct Taxes Enquiry Committee (Wanchoo Committee) submitted an interim report to Government towards the end of 1970,

(b) if so, whether the Committee, in their interim report, recommended demonetization of currency notes of high denomination as one of the measures to curb black money and

(c) if so, the reasons why the said interim report has not been laid on the Table of this House?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) Yes, Sir.

(b) Yes, Sir.

(c) It is felt that, at present, it will not be in the public interest to do so.

#### Loan Advanced by Scheduled Commercial Banks to Ananda Bazar Patrika (Pvt.) Limited

992 SHRI JYOTIRMOY BOSU Will the Minister of FINANCE be pleased to state

(a) the amount of loan advanced to Ananda Bazar Patrika (Pvt.) Limited, Calcutta by the Scheduled Commercial Banks and when this loan was advanced,

(b) the amount of loan outstanding as on July 1, 1972,

(c) the terms and conditions of the loan advanced to this Company, and

(d) whether the Company has any overdraft with any commercial bank and if so, the amount thereof, and what steps if any, have been or are being taken to recover the dues?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) to (d) The information relates to the accounts of individual constituents of bank and in accordance with the practices and usages customary among bankers and also in conformity with the provisions of the State Bank of India Act, 1955, State Bank of India (Subsidiary Banks) Act, 1959 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 such information is not to be divulged.

#### Raids by Customs Authorities on Dealers in Bearings in Calcutta

994 SHRI JYOTIRMOY BOSU Will the Minister of FINANCE be pleased to state

(a) whether a raid was conducted by the Calcutta Customs Authorities on seven shops dealing in Bearings during June, 1972,

(b) if so, the outcome thereof, and

(c) whether Government are aware that a large quantity of smuggled Bearings have found their way into the markets of Bombay, Delhi and Madras market also?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) and (b) Yes, Sir. A raid was conducted by the Customs authorities at Calcutta on seven shops from 3rd to 5th June, 1972 and ball bearings of foreign origin the import of which is restricted and/or banned, valued at about Rs 2.4 lakhs (at Indian market rate) together with some documents were seized as a result thereof

(c) The Government have no information in this regard

**Presentation of petition by Audit Employees**

995. SHRI JYOTIRMOY BOSU Will the Minister of FINANCE be pleased to state

(a) whether a petition signed by about 30,000 Audit employees has been presented to the President, urging revocation of the dismissal of Shri Trivikrama Pillai, a leader of the NGO's Association in the office of the Accountant General, Kerala, Trivandrum, and

(b) whether Government propose to reconsider his dismissal under Article 311(2)(c) of the Constitution?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) and (b) An appeal purporting to bear the signatures of about 22,000 employees of the Audit Department addressed to the President has been received. A petition addressed to the President by Shri Pillai has also been received which is under consideration.

**Proposal to purchase 3 Douglas DC-10 medium range 250 Seater Planes**

996 SHRI E. V. VIKHE PATIL Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state

(a) whether there is a proposal under the consideration of Government to purchase 3 Douglas DC-10 medium range 250 seater planes, and

(b) if so, when a decision is likely to be taken in the matter?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) (a) No. Sir. Indian Airlines however, is studying its future fleet requirements

(b) Does not arise

**Drilling works undertaken and completed**

997 SHRI B. V. NAIK Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) the names of oil drilling works undertaken and completed during each of the past three years and expenditure incurred thereon, and

(b) the names of drilling works proposed to be undertaken this year and which of them have already been launched?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) (a) and (b) Drilling operations in years 1969-70 to 1971-72. During the last three years (1969-70 to 1971-72) the Oil and Natural Gas Commission had continued its drilling operations

in Gujarat, Assam, Cauvery Basin in Tamil Nadu, Pondicherry, Rajasthan and in Jammu and Kashmir. The drilling of 265 wells was completed during these three years. The State-wise and year-wise details are as under:

	1969-70	1970-71	1971-72
Gujarat	76	68	52
Assam	28	19	10
Cauvery Basin	2	1	2
Rajasthan	1	2	2
	109	90	66

These figures include both old and new structures taken up for drilling by ONGC.

During these three years, the Commission undertook drilling on 41 new structures, besides continuing drilling on the structures taken up for drilling in the earlier years. The new structures taken up for drilling during these three years were:

1969-70	1970-71	1971-72
<i>Gujarat</i>		
1 Walod	1 Dhinoj	1 Indrora
2 Dumas	2 Baad	2 North Balol
3 Thrad	3 Smjrwada	3 Linch
4 Waso East	4 Wataman	4 Devla
5 Mehsana City	5 Dabka	5 Thol
6 Kawa	6 Varvoda	6 Atali-West
7 Serau East	7 Santhol	
8. Mehmedabad	8 Kanwara	
9. Balol	9 Baola	
	10 Deodar	
	11 Ratanpur	

1969-70      1970-71      1971-72

*Gujarat (Contd.)*

12 Ambhala
13. Delvada
14 Daswara
15 Chaklasi
16 Kauka

*Assam*

1 Borhol- Ja	1 Amguu
2 Bagmara	2 Banamali
Cauvery Basin	

1 Sahyaman- galam	1 Pandanal- lur
2 Chidamba- ram	2 Kattunan- nar Kott

*I & K*

1 Surinsar
<i>Offshore</i>
1 Ahabet- west

Total 13	20	8
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The total expenditure incurred on the drilling operations during these three years amounted to R 94.68 crores.

*Drilling operations planned for 1972-73*

During the current year (1972-73), the Commission has planned to drill 92 wells—71 in Gujarat, 18 in Assam, 2 in the Cauvery Basin and one offshore well on Bombay-High structure. It is proposed to undertake drilling on the following 10 new structures—

*Gujarat*

1 Dungi
2 Balutri
3 Banni
4 Jhalora



5. Vithalpur
6. Wava
7. Sannao Khurd

#### *Tripura*

8. Baramura
- Cauvery Basin*
9. Mayavaram

#### *Offshore*

10. Bombay-High

The drilling operations have already commenced on four new structures, namely, Banni structure in Kutch, Dungri and Balutri structures in Gujarat and the Baramura structure in Tripura.

During the first three months of the current year, drilling of 20 wells—18 in Gujarat, 2 in Assam—has been completed.

केन्द्रीय सरकार के कर्मचारियों को अन्तरिम सहायता

998. श्री हरी सिंह :

श्री ईश्वर चौधरी :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार के कर्मचारियों को दो गई पिछली अन्तरिम सहायता के बाद मूल्य सूचनांक पांच अंक आगे बढ़ गया है ;

(ख) यदि हां, तो क्या सरकार और अन्तरिम सहायता देने की कोई घोषणा करेगी ; और

(ग) यदि हां, तो कब तक और यदि नहीं तो क्यों नहीं ?

वित्त मंत्रालय में उप-मंत्री (श्रीमती सुशीला रोहताग) : (क) जी हां । सूचनांक औसत पांच अंक से अधिक बढ़ गयी है ।

(ख) और (ग). जब अखिल भारतीय श्रमिक वर्ग उपभोक्ता मूल्य सूचनांक 228 के स्तर पर पहुंच गया था तब तृतीय वेतन आयोग की सिफारिशों पर अतिरिक्त अन्तरिम राहत मंजूर की

गई थी । आयोग की सिफारिशों के अनुसार अगली समीक्षा का प्रश्न तब तक पैदा हो सकता है जब सूचनांक की 12 महीने की औसत 238 के स्तर पर पहुंच जायेगी । सूचनांक अभी इस स्तर पर नहीं पहुंचा है ।

केरल में हवाई अड्डे का निर्माण

999. श्री हरी सिंह :

श्री ईश्वर चौधरी :

क्या पर्यटन और नागर विमान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार निकट भविष्य में केरल राज्य में एक हवाई अड्डा बनाने का है ;

(ख) यदि हां, तो इस बारे में सर्वेक्षण कार्य कब आरम्भ किया जायेगा ; और

(ग) हवाई अड्डा बनाने का कार्य कब तक आरम्भ होगा और यह कब तक बन कर तैयार हो जायेगा ?

पर्यटन और नागर विमानन मंत्री : (डा० कर्ण सिंह) : (क) त्रिवेंद्रम और कोचीन के हवाई अड्डों के अतिरिक्त जिन का इण्डियन एयरलाइंस पहले से ही उपयोग कर रहे हैं कालीकट में भी एक हवाई अड्डा बनाया जायेगा ।

(ख) कालीकट के उपयोग के लिये एक हवाई अड्डे के निर्माण के लिये करीमपुर में एक विमानक्षेत्र-स्थल का पहले से ही चयन किया जा चुका है ।

(ग) करीमपुर हवाई अड्डे के लिये 1.11 करोड़ रुपये के व्यय अनुमान पर कार्यवाही की जा रही है तथा स्वीकृति के प्राप्त होते ही निर्माण कार्य प्रारम्भ कर दिया जायेगा । उसके बाद यथासम्भव शीघ्रतम निर्माण का कार्य पूरा कर दिया जायेगा ।

**Investment of Funds in Equities by  
Unit Trust of India 12.00 hrs.**

**CALLING ATTENTION TO MATTER  
OF URGENT PUBLIC IMPORTANCE**

1000. SHRI P. M. MEHTA :

SHRI SHRIKISHAN MODI :

**Reported Discontent among Teachers  
Delhi University**

Will the Minister of FINANCE be pleased to state :

(a) whether Government are considering an immediate reorientation of the investment policies and over-hauling of the investment portfolio of the Unit Trust of India;

(b) whether more emphasis will now be laid by Unit Trust of India on investing its funds in growth equities, and

(c) if so, the reasons therefor and how far the reorientation and over-hauling will help non-yielding investments?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI MATI SUSHILA ROHATGI) : (a) The Unit Trust of India is an autonomous statutory corporation and its investment policies are decided by its own Board of Trustees.

(b) and (c). In making its investments the Unit Trust of India has to take into account the need for ensuring the safety and liquidity of its funds as well as the need for realising a good yield on them. In the initial years of its working, the Trust laid relatively more emphasis on the safety of the capital, and therefore a major portion of its funds got routed to fixed-income-bearing securities like preference shares and debentures, while the share of equities was comparatively smaller. Now that the investible funds of the Trust have exceeded Rs. 100 crores and in view of the need to give a satisfactory income distribution, the Trust propose to give more weightage to equity so that the income could be supplemented by discreet profit taking, whenever possible.

SHRI BAKSI NAYAK (Phulbani) : I call the attention of the Minister of Education, Social Welfare and Culture to the following matter of urgent public importance and I request that he may make a statement thereon :

"The reported discontent among teachers of Delhi University over the setting up of College Councils"

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN) : It has been reported that teachers of Delhi Colleges went on a token strike on August 2, 1972, in protest against the setting up of College Councils as provided in the Statutes framed by the Delhi University under the Delhi University Act, as recently amended by the Delhi University (Amendment) Ordinance. The apprehension among the teachers is that the setting up of the College Councils is a step towards delinking of the Colleges from Delhi University. The Vice-Chancellor, Delhi University has already given a categorical assurance in the meeting of the Academic Council held on July 4, 1972, that the Ordinance maintains the *status quo* in respect of the existing relationship between the Colleges and the University as also in regard to parity of service conditions and pay scales of the teachers of the Colleges and the teachers appointed by the University. The Vice-Chancellor also stated in the meeting that the idea of establishment of College Councils was to have better supervision and administration of Colleges, their closer relationship with the University and decentralisation of some of the administrative functions of the University authorities. In

his letter to me the Vice-Chancellor had explained his plan of College Councils in the following words —

"I suggest that we immediately create, well before the commencement of the new academic session in July 2-3 College Councils which might look after groups of Colleges. The plan is that in each cluster of Colleges, we pool our resources, arrange for the cooperative teaching of the Honours level, provide adequate library laboratory, sports and other facilities by involving teachers and students in direct and meaningful way. In solution of problems we try to improve the general tone of life in Colleges. The arrangements I am proposing have been endorsed by a Committee appointed by the University Grants Commission for looking into the problems of Delhi University. This Committee which was presided over by the Vice-Chancellor had made it clear that the participation of College teachers in post-Graduate teaching (both lectures and tutorials) should not only continue but increase in the coming years. In spite of this, some misunderstanding has been created in certain sections of the teaching community. I should like to take this opportunity to clarify that the Government of India do not have under their consideration any proposal to delink the Colleges from the University. In fact the Government would consider such a proposal to be a retrograde step.

According to the definition of "Teachers" incorporated in the Delhi University Act, "Teachers" includes Professors, Readers, Lecturers and other persons imparting instruction in the University or in any College or Hall. Further, "Teachers of the University" means persons appointed or recognised by the University for the purpose of imparting instruction in the University or in any College. I should like to state that the Government has no intention of changing these definitions.

**SHRI BAKSI NAYAK** The Delhi University Teachers' Association has been agitating against the constitution of the college councils for quite some time. There was a complete strike by the teachers on Wednesday. The study in the university is naturally being affected. The teachers, I understand, used some filthy expressions against the vice-chancellor when they demonstrated outside the office and building on Tuesday. These expressions were unbecoming of the teachers who themselves are responsible for maintaining discipline. Therefore, there was almost an ugly situation.

**SHRI ATAI BIHARI VAJPAYEE** (Gwalior) That is not correct.

**SHRI BAKSI NAYAK** May I know from the hon. Minister the objections of the teachers' associations against the college councils and whether those objections are considered as valid by the Government of India, and if those objections are not valid and the movement is either politically motivated or initiated by certain teachers who do not generally work what action, if any, is proposed to be taken against the teachers concerned and also for maintaining discipline in the university. Personally, I do not find any justifications in the movement of the teachers. The councils will mean better administrative control and would not mean delinking of the colleges from the university and their service conditions would not be affected in any way.

I would like to have the answer from the hon. Minister on the following points namely —

- (i) What is the representation of teachers in the proposed councils?
- (ii) Does the ordinance envisage negligible representation of teachers whose opinion can be easily outvoted by others?

[Shri Baksı Nayak]

(iii) Were the teachers consulted before the promulgation of the ordinance?

(iv) Was the Delhi University Teachers' Association consulted about it?

When the teachers wanted time within 48 hours to negotiate, the vice-chancellor refused. Why did he do so?

MR. SPEAKER : If all these questions are put in the form of one question, I would not mind, but let not the hon. Member ask the questions and number them one after the other because in that case it becomes very difficult to defend them under the rules. Let him put all of them as one question.

PROF. S. NURUL HASAN : I would first of all like to express my deep sense of pain at the unseemly demonstration made by members of my own profession.

SHRI ATAL BIHARI VAJPAYEE : What unseemly demonstration? Do they not have the right to demonstrate?

SHRI JYOTIRMOY BOSU (Diamond Harbour) : He disowns them now because he has become a Minister.

PROF. S. NURUL HASAN : The teachers know it. It is difficult to explain to people who are not intimately connected with universities what is expected from teachers by way of decorum and propriety. The teachers are supposed to set examples to their students....

AN HON. MEMBER : He is casting aspersions.

SHRI ATAL BIHARI VAJPAYEE : What about the behaviour of political leaders in the country? He cannot expect teachers to function in isolation?

PROF. S. NURUL HASAN : So far as that is concerned, the hon. Member knows better.

अध्यक्ष महोदय : आप जरा वेग से ...

SHRI ATAL BHIARI VAJPAYEE :

He said that it was very unseemly. I would like to know what type of unseemly behaviour it was...

अध्यक्ष महोदय : आप मे थोड़ी वेग से होनी चाहिये । बाहिर रोज सारे दिन तो काउन्सिल फेजेज नहीं देखे जा सकते ।

श्री अटल बिहारी वाजपेयी यह बिना बान के टीचर्स पर आक्षेप लगा रहे हैं ।

अध्यक्ष महोदय : लेकिन आप मुनिये उन की बान को । वेग से रहिये । कभी अपने मूखानिक श्री मुनना पड़ता है कभी अपने पक्ष मे श्री मुनना पड़ना है । तो मुनिये । मारे दिन इस तरह से तो नहीं ठीक है ।

श्री अटल बिहारी वाजपेयी . मुन तो रहे हैं ।

You are a seasoned parliamentarian, Sir, and you now that interruption is part of the debate.

अध्यक्ष महोदय : आप के चेहरे पर इतना तनाव था, मुझे आपकी सेहन का भी आनन्द रहना है ।

PROF. S. NURUL HASAN : I should like to make it clear that Government have full confidence in the vice-chancellor and in the policies that he is pursuing in order to improve the functioning of the University of Delhi. In the letter that he sent to the president of the Delhi University Teachers' Association, and again in another circular letter which he sent to the teachers in general, he explained his position.

In his letter to the Delhi University Teachers' Association, the Vice-Chancellor stated *inter alia* :

"I must confess I am greatly distressed at the misunderstanding that has been caused by the Ordinance issued by the Government, more particularly the clause with regard to the setting up of the College Councils. Frankly,

I am not able to see how such an Ordinance can initiate a historical process which may ultimately led to a complete segregation of undergraduate teaching from postgraduate teaching in the University. I do believe that university departments have got to be given a reasonable amount of autonomy to function effectively and to shape their future course of development, but at no stage have I felt that this was possible through what has come to be called decentralisation or delinking of colleges from the University. Such a step would tend to impoverish our academic life, both at the undergraduate and postgraduate levels and it should not be contemplated in the interest of postgraduate education itself. Our entire effort has been to strengthen the federal character of the University while decentralising power and responsibility and to maintain the link between undergraduate and postgraduate education. But since such fears have been expressed, it is essential that these fears are dispelled through a frank and free discussion".

Furthermore, a question was asked about the action. I think the main action is to explain the significance and meaning of the Ordinance as well as of the statute framed by the University thereunder the teachers so that the misapprehensions which have been caused may be removed.

In regard to the question of the composition of the College Councils, I would like to read out the relevant statute which has been made.

**SHRI ATAL BIHARI VAJPAYEE :**  
All nominated.

**PROF. S. NURUL HASAN :** "Each College Council shall consist of the follow-

ing members, namely: Chairman of the Council *ex-officio*; 5 members Principals of colleges by rotation according to seniority from among the Principals of the colleges within the purview of the Council; 2 university professors be nominated by the Academic Council; 4 educationists not being employees of the University or of college of whom 2 shall be nominated by the Visitor and 2 by the Executive Council; 5 teachers by rotation according to seniority from among teachers in the colleges within the purview of Council provided that there shall not be more than one teacher from any one college at a time".

What has been happening was that all matters regarding the control of the University over the colleges used to be referred to the Executive Council. Now on the Executive Council, the association of the college teachers is not very much. I do not exactly have the details at the moment, but I can find them out.

You will see that in the College Council, there are 5 Principals and 5 teachers of colleges, themselves who will be acting as watchdogs over the interests of the teaching that will be going on in the colleges. Therefore, whatever misapprehensions there might be, should in my opinion, be removed.

So far as consultation with the teachers is concerned, before writing his letter, the Vice-Chancellor consulted the Deans and a very large number of other senior professors who were available to him. It was after consulting them that he wrote this letter to me on 9th June.

श्री सरजू वाष्डे (वाजीपुर) श्री माननीय मंत्री जी ने अध्यापकों की हड़ताल के बारे में कहा कि उन्हें अध्यापकों की हड़ताल के बारे में कुछ है, अध्यापकों ने जो इस तरह से हड़ताल की, यह अच्छा नहीं किया। लेकिन जब माननीय मंत्री जी उस जगह पर थे, तब वह श्री मंत्री का

करते थे जो आज अध्यापक कर रहे हैं। वह तो उन का हक है, अगर कोई मिसप्रण्डरस्टेंडिंग हो या कोई बुरा काम हो रहा हो तो वे भी विरोध या प्रदर्शन कर सकते हैं।

मैं मंत्री महोदय से पृथ्ना चाहता हूँ कि हम कान्सिल के बनाने की क्या आवश्यकता थी, पुरान तरीकों को क्यों नहीं चलने दिया गया ? उन की स्टुडेंट्स के बाद क्या मंत्री जी ने अध्यापकों को बुला कर उन की मिसप्रण्डरस्टेंडिंग का दूर करने का प्रयास किया, उन से बातचीत की ? पड़ली बार कन्सलेशन वाइम-बाम्पनर के साथ हुआ, उस के बाद उन्होंने अध्यापकों को बुला कर बातचीत कर के मामले को हल करने का प्रयास क्यों नहीं किया ?

श्री० एस० नृपल हसन : जनाबवाला, मैं इस बात को पूरी तरह से जानता हूँ कि हर शक्ति की, खास तौर पर यूनिवर्सिटी और कानिज के टीचर्स को अपनी राय जाहिर करने और गवर्नमेंट की किसी भी पालिसी को चिन्ताइज करने और किसी भी नेशनल या इंटरनेशनल ईशू पर अपनी राय जाहिर करने का पूरा हक है। आप को याद होगा कि एजुकेशन के बारे में जो नेशनल पालिसी रेजोल्यूशन पार्लियामेंट ने मूजर किया था, उस में इस बात का जिक्र किया गया है कि टीचर्स को अपनी राय जाहिर करने का पूरा हक होना चाहिये — खास तौर से नेशनल और इंटरनेशनल मुद्दामयता में। जहां तक यूनिवर्सिटी के मुद्दामयता हैं, उनमें भी राय जाहिर करने का पूरा हक है और होना चाहिये और मैं हमेशा इस बात का पूरी तरह से बायम रहा हूँ। मैं जिस चीज को तरफ इशारा कर रहा था, उस का अगर स्पष्टीकरण न कराया जाय तो बेहतर है, वह एक तरीका है जो कुछ टीचर्स ने प्रदर्शन के दौरान अपनाया। मेरे ज्वाल में अगर वह न होता तो अगवा बेहतर था।

जहां तक टीचर्स एसोसिएशन के नुमाइन्दा से बातचीत करने का सवाल है, जैसे ही दिल्ली यूनिवर्सिटी टीचर्स एसोसिएशन के अध्यक्ष ने मुझे चिट्ठी भेजी कि वह मुझ से मिलना चाहते हैं,

मैंने फौज उन को वक्त दिया। इतिहास से उस वक्त उन लोगों ने यह फैसला कर लिया था कि वह प्रदर्शन करेंगे। मैंने अब उन को फिर इतिहास दी है और जल्द से जल्द मैं उन से मिल कर उन के जा हाउट्स हैं, जो उन के मन में शिकायतें हैं, खजूक हैं, उन को दूर करने की पूरी कोशिश करूंगा और मैं उन का यह यकीन दिलाना चाहता हूँ कि वाइम वास्तर यूनिवर्सिटी के टीचर्स के इंटरैक्ट के बार में पूरी तरह से खुद विजिलेंट एक्म-साइज कर रहा है। उन का दिल्ली यूनिवर्सिटी टीचर्स एसोसिएशन से बहुत करीब का सम्बन्ध रहा है और किसी भी स्ट्रेज पर उन्होंने यह नहीं वादा कि कोई ऐसी बात यूनिवर्सिटी में की जाये जिस से यूनिवर्सिटी या कानिज के टीचर्स का किसी तरह का नुकसान पहुँचे। मैं यह भी ध्यान करना चाहता हूँ कि कन्स सरकार किसी तरह से कोई ऐसी बात नहीं करना चाहती है कि जिस से टीचर्स को नुकसान हो या टीचर्स का जो को-प्रापरेशन यूनिवर्सिटी के वाइम-वास्तर हासिल करना चाह रहे हैं उसमें किसी तरह का कोई गलतफैमी पैदा हो।

श्री मूलचन्द ढागा (वासी) : दिल्ली विश्व-विद्यालय के इतिहास में ता० 2 को 3500 शिक्षकों ने हड़ताल की, 44 कानिज बन्द रहे। मैं आप की इस बात की तारीफ करना हूँ कि आप वाइम वास्तर को बड़ी तारीफ कर रहे हैं — लेकिन प्रसन्नियत यह है कि आप कैम्पस-कानिज और नान-कैम्पस कानिज के अध्यापकों में फर्क डालना चाहते हैं। जो टीचर कानिज में पढ़ता है उस का आप 700 रु० से 1200 रु० देते हैं, उस को यूनिवर्सिटी कैम्पस से रीडर कहा जाता है, लेकिन बाहर के कानिज में टीचर कहा जाता है—आप उन को एक नहीं करना चाहते हैं।

वर्क-लोड को ले लीजिये — जो बाहर के कानिज है उन में सैक्वरार को कितने घंटे काम करना पड़ता है और जो आप की यूनिवर्सिटी कैम्पस में पढ़ाते हैं उन को कितने घंटे काम करना पड़ता है। आप ऐसा क्यों नहीं करते हैं कि दिल्ली यूनिवर्सिटी की सस्थाओं और बाहर की सरकाओं

[श्री मूलचन्द शर्मा]

जिसा के मामले में सब का साक्षा प्रतिनिधित्व हो और उस के द्वारा सब का सवाल हो, लेकिन आप ऐसा करना नहीं चाहते, आप तो चाहते हैं कि दोनों में भेद हो जाये, क्योंकि वर्क-लोड के मामले में तनक्वाह के मामले में अन्तर है। लेकिन आप बड़े डग से कहते हैं कि हम जिसको से भेद करना नहीं चाहते लेकिन आपके दिमाग में भय है। जो कैम्पस में कालेजेज है उन में पोस्ट ग्रेजुएट ट्रेनिंग होगी लेकिन जो नान-कैम्पस में है उन में नहीं होगी, इस से आप की बात में फर्क आया है। जो 35 सी शिक्षक थे वे बड़ी शिक्षक हैं जिनसे कि देश बना है। उन शिक्षकों ने आपके प्रॉपोजेस को जलाया है। आप कहते हैं कि हमने उन से बातचीत की है लेकिन बाइस चारमर कहना है कि जो कदम मैं ने उठाया है वह पीछे नहीं होगा। डिमोक्रेसी में ऐसी बात नहीं होगी है। जो बाइस चारमर हैं उनको हम डिमोक्रेसी में दूसरी की बात भी सुनी होगी। आखिर आप कैम्पस और नान-कैम्पस कालिजेज में क्या फर्क करना चाहते हैं? आप काम करने के घंटों में क्या फर्क करना चाहते हैं? आप कहते हैं कि मुबारक रूप से शासन चलेगा, हम कहते हैं कि विश्वविद्यालय में उन शिक्षकों का भी प्रतिनिधित्व दे दीजिये जोकि बाहर हैं तब शासन ठीक चलेगा। आप कहते हैं पाम्ट ग्रेजुएट ट्रेनिंग के लिये दूसरे कालेज में नहीं रखेंगे जिस का मतलब होगा मारे लोगों का दिल्ली के कैम्पस में जाना होगा। आप कहते हैं 3500 शिक्षकों ने हड़ताल कर ली। आप शिक्षक हैं। यह मामला इनका आसान नहीं है। शिक्षक क्या मांगने हैं, आप बनलायें। शिक्षकों ने क्या कहा, जिस बात के लिये झगड़ा हुआ, वह बात आप पार्लियामेंट के सामने रखिये। आप क्या उत्तर देना चाहते हैं वह बतायें।

श्री० एस० नृपचन्द्र हसन मैं एक बात प्रार्थ करना चाहता हूँ कि जबसे मैंने होश सम्भाला है, मैंने समाजवाद समझने की कोशिश की है लेकिन जिस समाजवाद का इस जगह जिक्र हो रहा है वह मेरे धर्म नहीं पड़ता।

दूसरी बात जो डागा जी ने करवाई है कि कैम्पस कालेजेज और नान-कैम्पस कालेजेज में भेद करना चाहते हैं तो जो भी रिप्रेजेंटेशन टीबर्स ने दिया है उसमें इसका जिक्र नहीं किया है। जहातक तनक्वाहों का सवाल है, जो तनक्वाहों कैम्पस कालेजेज से हैं वही तनक्वाहों नान-कैम्पस कालेजेज में है। नान-कैम्पस कालेजेज में सीनियर लेक्चरर मुकुरर होते हैं 25 फीसदी उम्मी तरह से कैम्पस कालेजेज में मुकुरर होते हैं इसमें मुझे तो किसी तरह का अन्तर दिखाई नहीं देता। (अपवाधान) मुझ में

इतनी हिम्मत नहीं है बताने की कि आइन्दा क्या होन वाला है, मैं सिर्फ यही बता सकता हूँ कि सरकार की नीति क्या है। मैं आप से यह भी प्रार्थ कर सकता हूँ कि बाइस चारमर की नीति क्या है क्योंकि मेरी बहुत तकलीफें मुफ्तगु उन में इस मामले पर हो चुकी है। यह जो 25 परसेंट सीनियर लेक्चरर कालेजेज में हाथ हैं उम्मी तरह से यनिवर्सिटी में जा मुकुरर होते हैं डाइरेक्टली उनका रीडर करत हैं हावाकि तनक्वाहों दोनों को 700-1250 के ग्रेड में हाती है। उसमें कोई अन्तर नहीं है। जहा तक जिम्मेदारी का सवाल है, मैं सिर्फ ममस सकता हूँ इसलिए कि यह कैमला यनिवर्सिटी का अपना कैमला है, इसको गवर्नमेंट ने नहीं किया है। लेकिन जहा तक मैं ममस सकता हूँ कि वह यह है कि जो स्टैट्यूट्स रीडर का मुकुरर करने के लिये हुए थे उन स्टैट्यूट्स के तहत बाकया सेलेक्शन कमेटी जिसमें एकसटर्नल एकसपर्ट्स होना जरूरी था। वह थाल इडिया सेलेक्शन की बोर्स पर तर्की हाती रही है। जहा तक सीनियर लेक्चरर्स का मामला था पार्लियामेंट इसी बजह से यनिवर्सिटी ने तय किया कि एक का एक डेविनेशन देवे और और दूसरे का दूसरा डेविनेशन देवे।

जहा तक और इसके अलावा मुझे इन्क है यनिवर्सिटी का, जैसा मैंने अभी अपने वक्तव्य में कहा है कि इस समय पार्लियामेंट सब की यह है कि ज्यादा से ज्यादा टीबर्स को इन्क्लूड किया जाये पोस्ट ग्रेजुएट टीबिंग में। इसके अलावा मेरी अपनी जाती राय यह है कि इनको ज्यादा से ज्यादा प्रोफेसरशिप का मिमना चाहिये। रिस्च की

कैसिसिटीज मीजुब है लेकिन मेरी राय मे इनको और ज्यादा बढ़ाने की जरूरत है । मैं उम्मीद करता हूँ जैसे-जैसे फइस एक्सेलिव होगा रिमर्च की कैसिसिटीज और ज्यादा दी जायेंगी । लेकिन जहा तक टीचर्स को पोस्ट ग्रेजुएट टीचिंग मे, नेक्चरर्स को ट्यूटोरियल्स मे इन्वाल्व करने का मवाल है उसमें जो भी शिक्षक इसके योग्य पाये जायेंगे उन सबको, चाहे कैम्पस कानेजेज के और चाहे कैम्पस के बाहर के, इन्वाल्व करने की नीति पूरी तरह से है ।

श्री कपल विष मधुकर (केनरिया): यह जो दिल्ली यूनिवर्सिटी के शिक्षकों ने हड़ताल की है यह मवाल केवल दिल्ली का ही नहीं है बल्कि पूरे देश मे प्राज शिक्षक समुदाय मे गहरा असंतोष है । वे चाहते है कि ऐसी शासन ब्यबस्था हो जिससे उनमे असंतोष दूर हो सके तथा उनमे ऐसी चेतना पैदा हो जाये कि वे अपने दायित्व को समझे और सतुष्ट रहे । प्राज इस बात की सबसे बड़ी आवश्यकता है । वे एक माइन्ड बनाने वाली फैक्टरी है । यह समुदाय नीजवानों के माइन्ड का बनाता है । अगर उन्ही मे असंतोष रहेगा ता फिर जो प्रापके लक्ष्य है वे पूरे नहीं होंगे और देश का भविष्य भी धक्का नहीं रहेगा । लेकिन बर्दकिस्मती यह है कि प्रापकी मैं यहा पर तुलना करू तो प्राप एक ऐसे भले भादमी की तरह हैं जिसकी नीयत अच्छी हो लेकिन जो परिणाम प्राये वह नीयत के अनुसार न हो । इतिहास मे ऐसे एक बर्दकिस्मत भादमी हुमायुं का नाम है । वह बहुत अच्छा था लेकिन कुछ कार्यवाहिया हुई जिससे उसकी नेकनीयती का फल अच्छा नहीं हुआ । अलीगढ़ विश्वविद्यालय विस पर जो एजिटेशन चला, वहां पर मैं भी गया था और मैंने बहुत से प्रगति-शील शिक्षकों से बातचीत की थी लेकिन मुझे वह बतलाने का मौका नहीं मिला । उसमें प्रापने जो कुछ किया है, कुछ अच्छा काम भी किया है जिसकी मैं तारीफ करता हूँ लेकिन साथ ही वहां भी जो शिक्षकों का समुदाय है, जो प्रशासन है उसका अनवादीकरण करने के बजाये प्रापने ओकेसी को ही बढ़ावा है वही हालत इस विश्वी विश्वविद्यालय में करने जा रहे हैं । इस सिहाव

से प्राप उसको चाहे कोई भी रूप दे लेकिन प्राप तीर पर शिक्षकों की धारणा बन गई है कि प्राप के जरिये जो बिल लाया जा रहा है उस मे शिक्षकों का असंतोष और बढ़ेगा, ब्यूरोक्रेसी का जोर बढ़ेगा, और जो उनकी बुनियादी समस्यायें हैं वे हल नहीं हो पायेंगी ।

जैसा माननीय डागा जी न बहा है, मैं उसको दोहराना नहीं चाहता, लेकिन एक बात कहना चाहता हूँ कि दिल्ली हाई कोर्ट के जजमेंट के अनुसार शिक्षक लोगों की सर्वम कांटेन्चुयल बेसिम पर है । तो क्या प्राप इस बिज के द्वारा उन की स्थायी सेवा की सुरक्षा देने जा रहे हैं कि नहीं? क्या प्राप उन को गारन्टी दे रहे हैं कि उन्हे रनिंग ग्रेड मे रखा जायेगा और उनके प्रमोशन की सुविधायें सुनिश्चित करन जा रहे हैं या नहीं ?

जहा तक शिक्षकों, स्टाफ, और विद्यार्थियों के प्रतिनिधित्व का मवाल है, मैं जानना चाहता हूँ कि जो निर्णय करने वाले प्रशासकीय निकाय हैं क्या उन मे उनका समुचित स्थान होगा? नाथ ही प्राप ने बिल मे बताया है कि शिक्षकों प्रतिनिधित्व हाने जा रहा है । जब कि वास्तव मे यह बात नहीं है क्योंकि उम मे प्रिन्सिपल भी रहेंगे प्रिन्सिपल लागो की जो इबल भूमिका होती है वह हम सब जानते हैं । एक तरह तो वह उच्च अधिकारियों को खुश करना चाहते हैं और दूसरी तरह शिक्षकों और विद्यार्थियों का सड़ाना चाहते हैं । नतीजा यह होता है कि शिक्षकों, विद्यार्थियों और प्रिन्सिपल के ट्रायनिंग के बीच मे समस्यायें बराबर बनी हो रहती हैं और किसी समस्या का निधान नहीं हो पाता है । इसलिये मे जानना चाहता हूँ कि प्राप ने कौन से ऐसे कदम उठाये हैं जिन से यह कहा जा सके कि इस मामले मे प्राप जनवाधिकरण की ओर बढ़े हैं और शिक्षकों और विद्यार्थियों का उसमें सहयोग मिलेगा तथा जिन असंतोषों की चर्चा माननीय सदस्यों की हैं उन को दूर करने की बिधा मैं इस बिल द्वारा प्राप ने कोई काम किया है ?



[श्री कमल मिश्र बधुकर]

इसी प्रकार एक पैट्रिक गिल साहब रीकटैलर भवनान के अधीन दिल्ली विश्वविद्यालय के काम कर रहे थे, उन्होंने यह योजना बनायी थी कि कैम्पस और दूसरी बालियों को भ्रम कर दिया जाये और ऐसे ग्रेड बना दिये जाये जिनके जरिये हमेशा शिक्षकों और विद्यार्थियों में लड़ाई चलती रहे। वह सी० आई० ए० के आदमी थे। बना नहीं उन का यह आईडिया किस ढंग से आप के दिमाग में ला दिया गया है, जो गिल साहब ने सुझाव दिया वह ही चीज इस बिल में आ रही है। यह सुझाव आप के दिमाग में कैसे आ गया ?

साथ ही मैं यह भी जानना चाहता हू कि अमेरिकन एड से बहुत सी रिसर्चें दिल्ली यूनिवर्सिटी में चलती हैं क्या आप ने अभी देखा है कि उन रिसर्च का क्या अन्जाम हो रहा है देश के लिये ?

अन्त में मेरा निवेदन है कि ये जो कमियाँ हैं, जिनकी ओर माननीय सदस्यों ने आप का ध्यान दिलाया है, उन का दूर करने की दिशा में आप कदम उठाइये और इन मुद्दों पर आप कौटेगारिकल जवाब दीजिये ताकि शिक्षकों और विद्यार्थियों का भ्रमोत्थन खत्म हो, साथ ही शिक्षा का जनबादीकरण हो।

प्रो० एस० नुरुल हसन : जनाबवाला, कुछ बिस्कर्तें पेश आ गयी माननीय सदस्यों की तक्रारों से। जिन कन्सेप्ट्स का जिक्र किया गया है उन पर मैं बाद में कहूंगा। पहली चीज यह कहना चाहता हू कि टीचर्स की सेल्फोरिटी आफ सविस् को एम्बोर्सर करने के लिये हर मुमकिन कोशिश को गवर्नमेन्ट के हाथ में है, वह की जायगी। और इस के लिये कामप्रीहेन्सिव बिल बाद में मैं इस सदन में लाया चाहता हू, उन में जहाँ तक कानून की हदों में मुमकिन है वहाँ तक हम टीचर्स की सेल्फोरिटी आफ सविस् को पूरी तरह से एम्बोर्सर करेंगे।

दूसरी चीज है प्रोमोशन के बारे में। जो प्रोमोशन के मामले में, जैसा कि मैं पहले सवाल के जवाब में नुजार्ज कर चुका हू कि यू०जी०सी०

ने जो कमेटी बनायी थी गवर्नंस आफ यूनिवर्सिटीज के सिलसिले में, उसमें एक हिस्सा था गवर्नंस आफ यूनिवर्सिटी का, दूसरा हिस्सा था कालेजों के और यूनिवर्सिटी के सम्बन्ध का और तीसरा हिस्सा था टीचर्स की कडीशनस आफ सविस् का। तो पहला हिस्सा रिपोर्ट का था चुका है, वह इस सदन में पेश किया जा चुका है। जहाँ तक स्टाफ की और टीचर्स की कडीशनस आफ सविस् और उन के प्रोमोशन की फेसिलिटीज का सवाल है, हम उस रिपोर्ट का इन्जार्ज कर रहे हैं। जैसे ही वह रिपोर्ट आयेगी, उस का इस सदन के सामने भी पेश किया जायेगा और जो सरकार का निर्णय उस मिलामिले में होगा वह भी इस सदन के सामने इस की स्वीकृति के लिये पेश किया जायेगा जल्द। जहाँ तक स्टाफ और स्टूडेंट्स रिप्रजेन्टेशन का सवाल है तो इस के सिलसिले में जो कामप्रीहेन्सिव बिल लाया जाने वाला है

श्री कमल मिश्र बधुकर स्टाफ और स्टूडेंट्स के रिप्रजेन्टेशन के बारे में जरा तफसील में बताइये।

PROF S NURUL HASAN : What I am saying is, so far as the question of representation of staff and students is concerned, the recommendations of the Gajendra-gadkar Committee have been placed before the House. They have been accepted by the Government and, broadly speaking the comprehensive Bill which will be brought for the consideration of this House will take full note of these recommendations.

A reference was made to Mr. Gill. I do not know who Mr. Gill is. I wish the hon. Member would tell me privately. If there is anything which is going wrong, I will certainly look into the matter or draw the attention of the authorities which are competent to deal with the matter to take it up.

So far as the question of associating the teachers with the administration of colleges is concerned, probably, the hon. Member

is aware of the fact that by an Ordinance, the Delhi University has created an institution of Councils. Therefore, all the basic and major decisions in any college are taken in consultation with the Council of the College, broadly, with all the teachers.

A word has been said about democracy. My difficulty is that of a teacher. I had heard till now and understood that democracy means the rule of the people. In this country, the people have chosen to rule themselves through their elected representatives who are sitting here and the other House. Parliament collectively represents the principle of democracy. Now, I cannot understand what is the reference to democracy insofar as the administration of the university or a college is concerned.

**SHRI ATAL BIHARI VAJPAYEE :** Democratisation.

**PROF. S. NURUL HASAN :** That is what I am trying to understand. Democratisation means greater control and vigilance being exercised by the elected representatives of the people. If the hon. Member would bear with me, I want to show him the respect which is due to him not only as the hon. Member of this House but as a leader of a party. All that I was trying to submit is that we are trying to involve the entire teaching community with the process of decision-making at as many levels as possible. For example, there is the question of framing of syllabus, who is to teach that syllabus, how are examiners to be appointed, how are research subjects to be allotted and things like that. In the processing of running a college or a university department our whole attempt is that as many people as possible should be involved. That is the principle which has been explained at some length by the Gajendragadkar Committee and which has been accepted by the Government.

**श्री राम कंबर (टोक) :** अध्यक्ष महोदय, यह जो दिल्ली विश्वविद्यालय में कानूनों की काउन्सिल बनायी गयी है इस के लिये अध्यापकों में बड़ा भारी डर बैठा हुआ है और वह डर इसलिये है कि उन को इस बान का खतरा है कि हमारा नाता यूनिवर्सिटी से हटा दिया जायेगा। इसलिये मैं प्रश्नना चाहता हूँ कि उनका नाता क्या हमेशा के लिये यूनिवर्सिटी से जुड़ा रहेगा और वह टूटनेगा नहीं ?

**प्रो० एस० नूरुल हसन :** जनाबबाना, मैंने जो अपने बक्तव्य में यह कह दिया था और इसको बिल्कुल स्पष्ट कर दिया था कि न सिर्फ गवर्नमेंट की राय में और यहां के अधिकाधिक्यों की राय में यह नाता टूटना नहीं चाहिये बल्कि वह और मजबूत होना चाहिये। अगर कोई कोशिश की जायेगी इस नाते को तोड़ने की तो कम से कम यूनिवर्सिटी की एक्जिक्यूटिव यह नहीं चाहती है कि नाता तोड़ें और गवर्नमेंट भी इस को एक रेट्रोग्रेड स्टेप समझती है।

**SHRI ATAL BIHARI VAJPAYEE :** Is it a step in delinking colleges from the University ?

**PROF. S. NURUL HASAN :** An assurance by a Minister in the House is binding.

**SHRI ATAL BIHARI VAJPAYEE :** What about the Statute ? I have brought so many papers. But, I am sorry, the ballot did not favour me.

12.41 hrs.

**RE. PROCEEDINGS OF THE HOUSE**

**SHRI N. K. P. SALVE (Betul) :** On a point of submission regarding Press reports connected with certain proceedings of the House—some disquieting feature. It does not add to the dignity of the House or to the esteem of the House. Certain unfortunate things were said or reported to have been said here. I am not sure

[Sh. N. K. P. Salve]

whether they are part of the proceedings or not, and yet they have appeared in the Press. This does not add to the dignity of the House or to the esteem of the House.

MR. SPEAKER : I did not hear, but I read in the papers.

SHRI N. K. P. SALVE : My submission is this. Sometimes proceedings do take a turn which is a little unfortunate. In rash moments we say many things which we should not like to say in our cooler moments and for which we may even extend our apologies. (*Interruption*) Whatever it is, every one needs to be responsible when it comes to the dignity of the House. It is my respectful submission that, under such circumstances, whenever there is a scuffle like this, the proceedings might be properly scanned and anything which you find in the proceedings to be objectionable—the report of which to the Press is likely to derogate the esteem of the House—might be removed from the proceedings. This is my respectful submission, Sir.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : I did not find anything objectionable. Whatever we propose to do, whatever is said by the hon. Member of that side, it should be done in accordance with the Rules of Procedure and Conduct of Business in the House.

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : There is no question of censoring the proceeding afterwards if something has turned objectionable. Then and there it should be rectified.

SHRI JYOTIRMOY BOSU : There is an editorial in the *Indian Express* which quotes from May's *Parliamentary Practice*....

MR. SPEAKER : First let me answer him.

SHRI R. D. BHANDARE (Bombay Central) : The word used by him was 'scuffle'...

SHRI N. K. P. SALVE : When I referred to some 'scuffle' I did not mean physical scuffle, I referred to verbal scuffle.

SHRI R. D. BHANDARE : If you want to qualify it with 'verbal', it is alright. This should not be part of the record, otherwise, future generation will say that in this House there was a scuffle. (*Interruption*)

MR. SPEAKER : In the heat of the moment sometimes many things are said and many things are done also. Whatever it is, it will remain there. I appreciate what you said. But so many things are said ; some people may like it or not ; even Speaker may like it or not ; let it remain—how they think about it. So far as newspapers are concerned, that is a very brief report. Sometimes the Pressmen cannot help it. Even while reporting me, when I said to Mr. Mishra that there is a convention not to raise points of order during the Question Hour, that was deleted. Only one thing has come. But I don't mind it.

SHRI N. K. P. SALVE : That is the prerogative of the Press.

MR. SPEAKER : Unless something very unparliamentary comes—of course, we don't feel happy at many things, after all we have our liberty and the Press has its own liberty—so unless they go out of certain procedures . . . .

SHRI P. K. DEO (Kajhundi) : Sir, if there is anything unparliamentary spoken, then only it should be expunged. Otherwise, there should be verbatim recording...

MR. SPEAKER : That was not my observation.

SHRI P. K. DEO : . . . and it is for the future to judge how this House behaved. That is why, in the British House of Commons . . .

MR. SPEAKER : Don't compare us with the British House of Commons.

There I don't agree. They do many things which we do not do.

SHRI P. K. DEO : . . . the British Hansard is being recorded not by the House of Commons Secretariat but by somebody else, by a third party.

SHRI H. N. MUKERJEE (Calcutta-North-East) : I submit that whatever be our regrets or any other kind of feelings in regard to things said in this House, the record, as you have said very clearly, should remain a faithful record of whatever has happened. In the House of Commons a Member was hauled up before the Committee of Privileges for having said that he had not been paid by the country in order to function in an idiotic circus. That was the description which he made of the House of Commons. That expression was not deleted, not expunged by the person concerned was made to appear before the Committee of Privileges. There was nothing very drastic done about it.

So, even in the House of Commons, the House is described by some people as an idiotic circus and in this country if a member as well as the people outside in the country come to think of it that way and if this is the state of things, we should have no compunction about it. But the record should be a faithful record.

SHRI N. K. P. SALVE : I have made myself very clear on the point. We say so many things in the heat of the moment which we would not have liked to say if we

we were cool and composed and we would like to express our regrets for the same; and should ever a Member like to do it he should be allowed to do it. Because, in the interests of the dignity of the House, if such things go to the Press, it is very unfortunate, it creates an impression which does not add to the esteem of the House.

SHRI JYOTIRMOY BOSU : The glory of the House will remain in its complete freedom of speech. That is what I would say To-day the Press has very faithfully reported. It has given a new idea to the people that the Lok Sabha is at least functioning. What is wrong in that? The Press has done a good job.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : Sir, there is no intention whatsoever to detract from the tenor of the speeches made in the House. But what I want to say is, and I would like to go on record expressing this, that some Member or a certain Member spoke about you, that you were acting or behaving like a policeman . . . (Interruptions) It has come in the Press also . . . (Interruptions) We would like to say that it does not leave a good taste in your mouth. It does not leave a good impression also among the public . . . (Interruptions)

SHRI INDRAJIT GUPTA (Alipore) : He did not say that. He said, 'you are the Speaker of the House. You are not a policeman.'

SHRI RAJ BAHADUR : This is also a reflection on the Chair . . . (Interruptions) on the honour of the Chair at least . . . (Interruptions)

SHRI H. M. PATEL (Dhandhuka) : Whatever has been said must go on record. If it is improper, steps may be taken against the member.

MR. SPEAKER : May I request you that whatever was done yesterday and has come on the record, unless it was declared unparliamentary, it should remain. I would also tell the Minister that if he objected to the word 'policeman', the proper stage was yesterday from your Party.....

SEVERAL HON. MEMBERS : Yes.

SHRI P.K. Deo : It is an after-thought.

MR. SPEAKER : I myself do not like that there is an after-thought in you and then you come today and say I want to let this remain on record that the party who elected me were so silent over it. Then, I must be a policeman, after all.

SHRI INDRAJIT GUPTA : You are quite right, not a single Member from that side raised any objection.

SHRI S.M. BANERJEE (Kanpur) : He was wrongly quoted Sir. I was sitting here and listening.

MR. SPEAKER : I have been Speaker for three consecutive terms of the Punjab Assembly. I have been the Speaker in the worst period of this Lok Sabha in the last Parliament. But if I have acquired a new title, I welcome it.

SHRI JYOTIRMOY BOSU : When you retire, you will miss all of us.

MR. SPEAKER : If that is what you think about me. I will have to think about myself, whether I should continue as Speaker of this House or not.

SHRI S.M. BANERJEE : You should continue. You are not at their mercy. You are unanimously elected Speaker by us all.

MR. SPEAKER : It is for this party also to tell me if they really, tacitly agree to it, then, I have no place to remain here as Speaker in this House.

SHRI H.N. MUKERJEE : What happens is things are said at the heat of the moment which are possibly regretted later, and that sort of thing. The Leader of the House acts *in absentia*; the Minister of Parliamentary Affairs is also a cypher and the big party never puts up one representative to say anything worthwhile in regard to the conduct of business in this House with dignity and grace and you are not assisted by the majority party, by the Leader of the House and particularly the Minister of Parliamentary Affairs.

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMAR-MANGALAM) : I think it is not very charitable on the part of the hon Members on the opposite side to take advantage of certain unfortunate remarks which fell yesterday. Repeatedly I did try to get up and say something in order to clear the position. Hon members may examine the record. Mr. Speaker, Sir, certainly we on this side felt resentful, but then, there was a certain tone in the House at that moment, certain bitterness, that was going on, and we did not want to intensify the bitterness and to intensify the conflict. We thought, and I personally thought, that it was a 'storm in a tea cup'. It was a small matter which unfortunately led to what happened yesterday and at the end of the matter, I tried to explain it to show how not a matter of any magnitude.

I would only request that hon Members need not feel too partisan in matters like this. It would be much better if we look upon the Speaker as the possession, and the proud possession, of the House as whole. Once the Speaker has been elevated to the Chair, he occupies a unique position. I think we all look upon him as 'Our Speaker', not the Speaker of this party or that party. Therefore, the defence of the Speaker is the duty of all of us.

**SHRI ATAL BIHARI VAJPAYEE :**  
That sermon is not needed.

**MR. SPEAKER :** I am only happy that we are not following the British practice of hanging the Speaker which they did. They hanged nine Speakers. Well, I should be very lucky if you do not hang me. Two of them were hanged on one day, on the same day. We are in happy times when we confine ourselves to words and not resorting to hanging.

**DR. KAILAS (Bombay South) :**  
Sir, I stood several times to object to such behaviour but I was not heard.

**SHRI B.S. MURTHY (Amalapuram) :**  
I am afraid Shri H.N. Mukerjee has said something which was not relevant . . .

**MR. SPEAKER :** The Deputy Leader of the Congress Party is too late now.

**SHRI P.K. DEO :** Why was the Deputy Leader of the Congress Party sleeping yesterday?

**SHRI AMRIT NAHATA (Barmer) :**  
We did not want to participate the matter.

अव्यक्त महोदय : जहाँ सब की पगड़ी उतरती हो, घर घर स्पीकर की पगड़ी उतारी जाती है ना क्या बात है ?

**SHRI R.D. BHANDARE :** I would make one humble request to you that before we offer an explanation as to why and to what extent we did not join the chorus or noise created in the House, we shall explain it to you in your Chamber, but before that could be done, when the Members of the Opposition speak so loudly and also pass irrelevant and undignified remarks . . . . . (Interruptions)

**SHRI ATAL BIHARI VAJPAYEE :** I strongly protest against this.

**SHRI BHAGWAT JHA AZAD (Bhagalpur)** They had passed the remarks and now they are giving a lecture to us.

**SHRI ATAL BIHARI VAJPAYEE :**  
He is casting aspersions on the entire Opposition.

**SHRI R.D. BHANDARE :** At that juncture, we do not want to join or we do not want to say anything which will create more confusion. Therefore, we keep quiet. You allow the Members opposite to speak, and whenever we would like to get up, you in fact, always tell us to sit down. Therefore, we shall be coming to your Chamber and explaining our position. . . .

**MR. SPEAKER :** May I request that this chapter should be closed now? I may honestly tell you that it just came as a matter of surprise to me when Shri N.K.P. Salve raised this point. I had no knowledge about it when he raised that point of order . .

**SHRI RAJ BAHADUR :** On that, may I just say one word?

**SHRI BHAGWAT JHA AZAD :** We must explain our position also.

**MR. SPEAKER :** I am going to close this matter. But there is one thing that I must tell you that honestly I never felt that I should snub somebody or that I should tell somebody that he could not speak. But there is one thing which I do not like also, namely Shri Samar Guha's waving his hands to and fro while speaking, a number of times; and hon. Members know may difficulty also, and sometimes they sympathise with me in my Chamber. But here, due to their own exigencies—I do not mind it—they may be doing it. But I am very confident that all hon. Members are good people, except during the zero hour, and I hope that even in the zero hour, we can say bitter things but in a better way. I appeal to hon. Members that we can and we should tolerate bitter things. . . .

**SHRI S.M. BANERJEE** Kindly make these observations when he is here; otherwise, he will again raise it

**MR. SPEAKER** He was actually moving his hands to and fro like this, and honestly, without any aspersion, I was myself thinking and I was asking him not to do so and was asking him to explain his question more clearly. But before I could do it, Shri S. Mohan Kumaramangalam got up. We have sometimes to tolerate humour, wit, sarcasm and all that. But since yesterday, I have felt that I shall think ten times before acting in the same manner. Our temper runs unnecessarily high sometimes. Bitter things can be said, and bitter things can be replied to in a better and calmer way. This is Parliament where we are sitting, and if we lose our tempers, what about the younger generation? So, all of us, including myself, should try to cool down.

If anyone feels angry, I would request him to just leave for an hour, there are number of glasses of water kept there in the lobby and let him just have a sip and then come here.

For me, if you allow me, I will keep a glass of water here because I cannot go out.

We now pass on to the next time.

**DR. KAILAS** I was standing on behalf of my party. But I could not get a chance to speak.

13.00 hrs.

RE RULE 377

**SHRI JYOTIRMOY BOSU** (Diamond Harbour) . On 31 July 1972 I had given a notice under rule 377. I was told to wait for two days; I have waited for four days. It is a very brief matter.

**MR. SPEAKER** : I am sorry. In regard to rule 377, we committed a mistake. In the beginning, this rule was meant to accommodate matters not falling within questions, short notice questions, adjournment motions, calling attention motions or any other substantive motion. There is a thin line between a point of order and other matters. Therefore, the Speaker was authorised to accommodate it under this rule.

Now Shri Banerjee in his very persuasive manner sometimes persuades me saying 'This is a simple thing. I just want to say to say a word'.

**SHRI DINEN BHATTACHARYYA** (Serampore) You have a weakness for him.

**MR. SPEAKER** Yes. By and by like calling attention motions, this has developed. I have read the history of calling attention motions. I was associated with it. It was allowed because sometimes adjournment motion was not allowed. The member was permitted to ask one question for clarification. Then the clarification got prolonged, became a speech. Also the question became elongated into (a), (b), (c) and so on. This is what the calling attention motion has become now.

As I said, this poor 377 was just a thin line between a point of order and other motions. I am not going to disclose the names, but quite a number of members have come to me representing that is not meant for that. It should be used by a member once a week. If the matter is very urgent, he can write. There is a lot of other procedures available. The member can table a motion, a short notice question, other question, he can make use of the calling attention procedure, he can send it in any other form. Or the no-day-yet named motion procedure may be availed of. But let not this poor innocent 377 be exploited.

**SHRI JYOTIRMOY BOSU :** You have said 'Do not get up during zero hour without writing to me in advance'. I have done so.

**MR. SPEAKER :** Let him send a motion or question

**SHRI JYOTIRMOY BOSU :** We do not just get up without giving prior notice. We take recourse to this civilised method of writing to you, trying to draw attention to an important matter. Today this is a very important matter. I just want a minute to place it before you for invoking your good offices.

**MR. SPEAKER :** He will be speaking without my permission.

**SHRI JYOTIRMOY BOSU :** As I have said, I sent a letter on 31st July and have waited for four days.

**MR. SPEAKER :** I do not remember when he sought my permission. He has 101 matters on his fingers.

**SHRI JYOTIRMOY BOSU :** That is true. That is why I have been sent here.

**MR. SPEAKER :** Are others also not sent here on the same consideration?

**SHRI JYOTIRMOY BOSU :** I will not take more than a minute.

**MR. SPEAKER :** He can send a motion. I will put it before the Committee. Or he may send any other notice. But do not exploit 377.

**SHRI JYOTIRMOY BOSU :** How do we raise an issue during zero hour?

**MR. SPEAKER :** This matter was discussed in the last session also. We had allotted 3 hours, but then it took 8 hours. Now he is coming again with it. Why not do like that, as he came earlier?

**SHRI S. M. BANERJEE :** Sir, I have no desire to oppose your ruling. But one

difficulty is this. Previously Call Attention Notices were given Apart from Call Attention Notices, Short Notice Questions were given for acceptance by the Ministry. Now, the total number of Starred Questions have been reduced from 50 or 60 to 20. The Unstarred Questions have not been taken seriously, knowing fully well that the half-an-hour discussions may sometimes be there. I am only submitting that, knowingly or unknowingly—I do not know—these are within our rights, but our rights are being curtailed.

**MR. SPEAKER :** You may raise it in the Rules Committee and invite my attention to it.

**श्री अटल बिहारी वाजपेयी (वासियर) :** 377 के अन्तर्गत एक घाघ मसला कभी कभी उठान की आज्ञा दे दिया करें। दिल्ली में पंद्रह दिन से राशन की दुकानों पर चीनी नहीं मिल रही है। दुकानों पर चीनी नहीं है। जा मिले दिल्ली को चीनी देती थी उन्होंने चीनी देना बन्द कर दिया है। कानिग एटेशन मैंने कहा था कि इस पर मेने दीजिये लेकिन आपने इजाजत नहीं दी। फिर भी मैंने उठा लिया इस मामले को, आपकी मेहरबानी। इस पर आप कानिग एटेशन मजूर कर लें। पंद्रह दिन से चीनी की दुकानों पर चीनी नहीं मिल रही है।

**SHRI JYOTIRMOY BOSU :** The sugar price is Rs. 4 per kilo today.

**अध्यक्ष महोदय :** दिल्ली के बारे में मुझे कोई एतराज नहीं है और अगर कोई योजना था जायें। लेकिन जिस बात को हाउस बार बार डिस्कस कर चुका है, उसको तो 377 के अन्तर्गत खाना ठीक नहीं है। बनर्जी माहब कभी कभी जब कहते हैं कि दो हजार बर्कर प्रपम्पसायड हो गये हैं, कैन्ट्री बन्द हो गई है तो मैं भी सोचता हूँ कि स्पेशल का जवाब आते देर हो जायेगी और मैं हमेशा एनाउंस कर देता हूँ। लेकिन जो चीज खली था रही है इसी देर से और हमको पाब साल रहना है, उसके लिये 377 का सहारा लेना तो ठीक नहीं है।



**SHRI JYOTIRMOY BOSU** . Sir, I will take only one minute. This is an important matter. The Government has taken over Balmer Lawrie—

**MR SPEAKER** You are speaking without my permission. You can send a motion.

**SHRI JYOTIRMOY BOSU** I have given notice.

**MR SPEAKER** I am allowing it under Rule 377.

**SHRI JYOTIRMOY BOSU** I was told you will allow me to raise it after two or three days. Five days have gone.

**MR SPEAKER** The news appeared yesterday in *Hindustan Times*. You are basing it on that.

**SHRI JYOTIRMOY BOSU** This is a different issue.

**MR SPEAKER** I can allow half-hour discussion on it, if you give notice to me.

**SHRI JYOTIRMOY BOSU** Thank you. I have already given notice.

— — —

13.08 hrs.

#### PAPERS LAID ON THE TABLE

##### NOTIFICATIONS UNDER FINANCE ACT etc

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI)** On behalf of Shri K. R. Ganesh, I beg to lay on the Table—

- (1) A copy of Notification No G S R 273 (E) (Hindi and English versions) published in Gazette of India dated the 4th May, 1972 under Section 51 the Finance (No 2) Act, 1971. [Placed in library See No LT-3247/72]

- (2) A copy of Notification No G S R 294(E) (Hindi and English versions) published in Gazette of India dated the 28th May, 1972, under sub-section (5) of section 62 of the Finance Act, 1972 [Placed in library See No LT-3248/72]

- (3) A copy of Notification No G S R 290(E) (Hindi and English versions) published in Gazette of India dated the 28th May, 1972 under sub-section (5) of section 65 of the Finance Act, 1972 [Placed in library See No LT 3249/72]

- (4) A copy of the Securities Contracts (Regulation) Amendment Rules, 1972 (Hindi and English versions) published in Notification No G S R 685 in Gazette of India dated the 10th June, 1972, under sub-section (3) of section 30 of the Securities Contracts (Regulation) Act, 1956 [Placed in library See No. LT-3250/72]

- (5) A copy each of the following Notification (Hindi and English versions) under sub-section (3) of section 15 of the Government Savings Banks Act, 1873 —

- (i) The Post Office Savings Banks (Fifth Amendment) Rules, 1972, published in Notification No. G S R 566 in Gazette of India dated the 20th May, 1972.

- (ii) The Mysore Government Savings Banks (Amendment) Rules, 1972, published in Notification No G S R 750 in Gazette of India dated the 17th June, 1972 [Placed in library See No LT-3251/72]

- (6) A copy of the Emergency Riaks (Goods) Insurance (Second Amend-

[Shrimati Sushila Rohatgi]

- ment) Scheme, 1972 (Hindi and English versions) published in Notification No. S.O. 422 in Gazette of India dated the 13th June, 1972, under sub-section (6) of section 5 of the Emergency Risks (Goods) Insurance Act, 1971. [Placed in library See No. LT-3252/72].
- (7) A copy of the Emergency Risks (Undertakings) Insurance (Second Amendment) Scheme, 1972 (Hindi and English versions) published in Notification No. S.O. 423 in Gazette of India dated the 13th June, 1972, under sub-section (7) of section 3 of the Emergency Risks (Undertakings) Insurance Act, 1971. [Placed in library. See No. LT-3253/72].
- (8) A copy of Notification No. G.S.R. 272(E) (Hindi and English versions) published in Gazette of India dated the 4th May, 1972 issued under section 5 of the Inland Air Travel Tax Act, 1971. [Placed in library. See No. LT-3254/72].
- (9) A copy of the Customs and Central Excise Duties Drawback (Amendment) Rules, 1972 (Hindi and English versions) published in Notification No. G.S.R. 694 in Gazette of India dated the 10th June, 1972, under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944. [Placed in library. See No. LT-3255/72].
- (10) A copy each of the following Notifications (Hindi and English versions, under section 159 of the Customs Act, 1972 :—
- (i) G.S.R. 283 (E) published in Gazette of India dated the 22nd May, 1962 together with an explanatory memorandum.
  - (ii) G.S.R. 284(E) published in Gazette of India dated the 24th May, 1972 together with an explanatory memorandum.
  - (iii) G.S.R. 295(E) to 298(E) published in Gazette of India dated the 28th May, 1972 together with an explanatory memorandum.
  - (iv) G.S.R. 303 (E) published in Gazette of India dated the 1st June, 1972 together with an explanatory memorandum.
  - (v) G.S.R. 643 published in Gazette of India dated the 3rd June, 1972 together with an explanatory memorandum.
  - (vi) G.S.R. 661 published in Gazette of India dated the 3rd June, 1972 together with an explanatory memorandum.
  - (vii) G.S.R. 686 and G.S.R. 687 published in Gazette of India dated the 10th June, 1972 together with an explanatory memorandum.
  - (viii) G.S.R. 688 and G.S.R. 689 published in Gazette of India dated the 10th June, 1972 together with an explanatory memorandum.
  - (ix) G.S.R. 690 published in Gazette of India dated the 10th June, 1972 together with an explanatory memorandum.
  - (x) G.S.R. 691 published in Gazette of India dated the 10th June, 1972 together with an explanatory memorandum. [Placed in library. See No. LT-3256/72].

(11) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944 —

- (i) G.S.R. 291(E) to G.S.R. 293(E) published in Gazette of India dated the 28th May, 1972 together with an explanatory memorandum.
- (ii) G.S.R. 306(E) published in Gazette of India dated the 8th June, 1972 together with an explanatory memorandum.
- (iii) G.S.R. 308(E) published in Gazette of India dated the 15th June, 1972 together with an explanatory memorandum.
- (iv) G.S.R. 328(E) published in Gazette of India dated the 4th July, 1972 together with an explanatory memorandum.
- (v) G.S.R. 339(E) published in Gazette of India dated the 13th July, 1972 together with an explanatory memorandum.
- (vi) G.S.R. 613 published in Gazette of India dated the 20th May, 1972 together with an explanatory memorandum.
- (vii) G.S.R. 625 published in Gazette of India dated the 27th May, 1972 together with an explanatory memorandum.
- (viii) G.S.R. 644 published in Gazette of India dated the 3rd June, 1972 together with an explanatory memorandum.
- (ix) G.S.R. 645 published in Gazette of India dated the 3rd June, 1972 together with an explanatory memorandum.
- (x) G.S.R. 646 published in Gazette of India dated the 3rd June, 1972 together

with an explanatory memorandum.

- (xi) G.S.R. 693 published in Gazette of India dated the 10th June, 1972 together with an explanatory memorandum.
- (xii) G.S.R. 751 published in Gazette of India dated the 17th June, 1972 together with an explanatory memorandum.
- (xiii) G.S.R. 752 published in Gazette of India dated the 17th June, 1972 together with an explanatory memorandum.
- (xiv) G.S.R. 753 published in Gazette of India dated the 17th June, 1972 together with an explanatory memorandum.
- (xv) G.S.R. 807 published in Gazette of India dated the 1st July, 1972 together with an explanatory memorandum.
- (xvi) G.S.R. 808 published in Gazette of India dated the 1st July, 1972 together with an explanatory memorandum.
- (xvii) G.S.R. 809 published in Gazette of India dated the 1st July, 1972 together with an explanatory memorandum.

[Placed in library See. No. LT-3257/72]

I beg to lay on the Table :—

- (1) A copy of the Central Excise (Eighth Amendment) Rules, 1972 (Hindi and English versions) published in Notification No. G.S.R. 836 in Gazette of India dated the 15th July, 1972, under section 38 of the Central Excises and Salt Act, 1944. [Placed in library. See No. LT-3258/72].

- (2) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1972 :—

(i) G.S.R. 325(E) published in Gazette of India dated the 26th June, 1972 together with an explanatory memorandum.

(ii) G.S.R. 784 published in Gazette of India dated the 24th June, 1972.

[Placed in library. See No. LT-3259/72].

#### NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT

THE DEPUTY MINISTER IN THE  
MINISTRY OF PETROLEUM AND  
CHEMICALS (SHRI DALBIR SINGH) :  
I beg to lay on the Table a copy each of the  
following Notifications (Hindi and English  
versions) under sub-section (6) of section  
3 of the Essential Commodities Act, 1955:—

- (1) The Kerosene (Fixation of Ceiling Prices) Fourth Amendment Order, 1972, published in Notification No. G.S.R. 30(E) in Gazette of India dated the 6th July, 1972.
- (2) The Kerosene (Fixation of Ceiling Prices) Fifth Amendment Order, 1972, published in Notification No. G.S.R. 331(E) in Gazette of India dated the 6th July, 1972.
- (3) The Petroleum Products [Supply and Distribution] Order, 1972, published in Notification No. G.S.R. 825 in Gazette of India dated the 8th July, 1972.

[Placed in library. See No. LT-3260/72].

13.09 hrs.

#### BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMEN-  
TARY AFFAIRS AND SHIPPING AND  
TRANSPORT (SHRI RAJ BAHADUR) :  
With your permission, Sir, I rise to announce

that Government Business in this House during the week commencing 7th August, 1972, will consist of :—

- (1) Consideration and passing of the Taxation Laws (Amendment) Bill, 1971, as reported by the Select Committee.
- (2) Consideration of any item of Government Business carried over from today's Order Paper.
- (3) Consideration and passing of the Indian Telegraph (Amendment) Bill, 1972, as passed by Rajya Sabha.
- (4) Consideration and passing of :—  
The Income-tax (Amendment) Bill, 1972.  
The Public Debt (Amendment) Bill, 1972.
- (5) Consideration and passing of the following Bills as passed by Rajya Sabha :—  
The Rice-Milling Industry (Regulation) Amendment Bill, 1972.  
The Dentists (Amendment) Bill, 1972.
- (6) Discussion on the Annual Report of the University Grants Commission for the year 1970-71 on a motion to be moved by the Minister of Education, Social Welfare and Culture.
- (7) Discussion on the Resolution seeking disapproval of the Delhi University (Amendment) Ordinance, 1972 and consideration and passing of the Delhi University (Amendment) Bill, 1972, as passed by Rajya Sabha.

SHRI DINEN BHATTACHARYYA  
(Serampore) : At the last meeting of the Business Advisory Committee, it was decided that every week we will get an opportunity to discuss under rule 193 at least two motions. This week, we have had only one, and for the next week there is none.

SEVERAL HON. MEMBERS rose.—

MR. SPEAKER : I think that many a time, whatever time we fixed in the Business Advisory Committee, we have exceeded that time.

Yesterday, last night what happened? I am sorry. In the Committee you said one hour was not enough; so we agreed on two hours. Last night it went up to 9 O'clock. More than five or six hours had been taken on one motion.

SHRI DINEN BHATTACHARYYA : The issues are so important.

MR. SPEAKER : If on such issues, you clearly say in the Business Advisory Committee, we can decide accordingly.

SHRI INDRAJIT GUPTA (Alipore) : The House is willing to sit late; how does it interfere with them?

MR. SPEAKER : It is not a question of willingness to sit. The staff, overtime and so many other things have to be taken care of by me. For you it is just sitting; it is not a question for us alone; it is a question for the Parliament's staff also. Anyway we should try to stick to the time.

SHRI RAJ BAHADUR : I only want to clarify that in the Business Advisory Committee we did not fix any number; we said that we shall try according to the importance of the motion.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : At least two; that was the decision.

SHRI DINEN BHATTACHARYYA : All the factories in West Bengal are closed; it is because of power failure. When will that discussion come up here?

MR. SPEAKER : In the Business Advisory Committee we said that normally, as a matter of procedure we had seen having one. As the session was short, I said that

we should have another two or three; that comes to having almost two a week. We did not like to by pass the convention. I said that in one week we may have extra; it is a question of putting it.

SHRI S. M. BANERJEE (Kanpur) : It is difficult for you to allow call attention notice or discussion. But I should like you to ask the Minister to make a statement on this subject. You are aware that it was admitted by the Finance Minister that the cost of living index has gone up to 239 and according to the promise made to the Central Government employees the dearness allowance will have to be revised. I want him to make a statement when he is going to implement it.

MR. SPEAKER : You can write to me about this rather than raise it under 377. I shall send it to him.

SHRI S. M. BANERJEE : I have already written to you but the paper has been returned to me.

MR. SPEAKER : This statement is already there. We shall adjourn now for lunch. We should try to stick to the schedule, and so we meet again at 2 O'clock.  
13.15 hrs

*The Lok Sabha adjourned for Lunch  
till Fourteen of the Clock*

*The Lok Sabha re-assembled at Five Minutes past Fourteen of the Clock.*

[MR. DEPUTY SPEAKER in the Chair]

COKING COAL MINES (NATIONALISATION) BILL—Contd.)

Clause 17—(Employment to certain employees to continue)

[MR. DEPUTY SPEAKER : We resume discussion on amendments to clause 17 of

the Coking Coal Mines (Nationalisation) Bill.

SHRI SOMNATH CHATTERJEE (Burdwan): I had yesterday moved two amendments which read as follows:

Page 8, lines 31 and 32, —

after "Central Government" insert —  
"which will not be less favourable than the remuneration, terms and conditions of employment as prevailing on the appointed day"

Page 9, lines 13 and 14, —

omit "against the owner of the coking coal mine or coke oven plant, as the case may be, but not"

So far as clause 17 is concerned, I feel that the Minister ought to accept my amendments because if the intention is taken over all the workmen in the nationalised undertakings there is not reason why this assurance should not be given, a statutory assurance, if I may use that expression, that even if their terms and conditions are altered, they will not be altered in a manner which will be less favourable or less advantageous to them. The provision is that the terms and conditions of employment may be altered. We only want this should be made clear that this alteration should not be to the detriment of the employees.

Then I come to my amendment No. 20. Clause 17(5) says:

"Where, under the terms of any contract of service or otherwise, any person whose service becomes terminated, or whose service becomes transferred to the Central Government or a Government company by reason of the provisions of this Act, is entitled to any payment by way of gratuity or retirement benefit or for any leave not availed of, or any other benefits, such person

may enforce his claim against the owner of the coking coal mine or coke oven plant, as the case may be, but not against the Central Government or the Government company."

My amendment says that it will be enforceable against the Central Government but not against the previous owner. Government can later take steps against the previous owner. Suppose after six months or one year government brings into operation clause 17(2) and says to an employee "your services are no longer required; you may go". By that time the amount of compensation may have been paid under clauses 23 and 24. What will those employees then do? Because, the money will not be in the hands of the government or the Commissioner thereafter. They will have to run after somebody whose existence they do not know and to whom they have no access whatsoever. So, the net result is that these officers will lose their jobs and they will have no chance of recovery of the gratuity or retirement benefit. By this amendment we are suggesting that government should pay these employees. Let the government afterwards recover the amount from the previous owners, if they can. When the choice is between government taking steps for recovery of this amount and the employees taking steps for the recovery of the amount, our submission is that the government should take up the responsibility and not the employees.

What has been provided in clause 23 is that wages etc. will be paid after the secured creditors are paid off. A time-limit is also specified under clause 23. Sub-clauses (2) and (3) of clause 17 may come into operation much later. By the time the employees try to recover the gratuity or retirement benefit from the previous owners there will

[SHRI SOMNATH CHATTERJEE]

be nothing left. That is why we are suggesting that these amendments could be favourably considered and accepted by the Minister.

DR. RANEN SEN (Barasat) In the speech of the hon. Minister the other day he said that the secured creditors will be first in the queue.

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARAMANGALAM) Sir, I would request the hon. Member to speak on clause 23 when it is taken up. Then I will deal with the point about secured creditors. Now, let him speak on the two amendments which have been moved.

DR. RANEN SEN These are inter-related.

SHRI S. MOHAN KUMARAMANGALAM I am not burking the question. I will deal with that point when we take up clause 23. Now we are dealing with different problems.

You have moved amendment Nos. 19 and 20 and I am dealing with them now. So far as Amendment No. 19 is concerned we are not in favour of accepting it. The reason is that under the comprehensive clause like this, it is extremely difficult to actually operate. We have to standardise conditions of service in all these concerns. In one particular concern, the medical leave may be a little more, in another concern, the casual leave may be more. It may vary from concern to concern. If you take the terms of service conditions, the best of all, you may get a very unbalanced position indeed. Therefore, we want to standardise them and we want to have reasonable service conditions. If somebody loses on one hand, he will gain on the other. Now, suppose, 30 days leave is the total leave—20 days privilege leave, 5 days casual leave and 5 days medical leave. In another place, it is 15 days privilege leave, 15 days medical leave and 5 days casual leave which will make

35 days leave. If you have a statutory guarantee, the matter will go to a court and what a decision of the court in a case like this will be is any body's guess. Therefore, we do not want to have it. We have not done it in the past. No matters have been taken to court even in the case of L. I. C. and companies like that. That is because what has been fixed has been broadly favourable to the employees. Any statutory guarantee like this will lead to litigation by individual workers or staff or officers belonging to different companies.

So far as the question of probation which my hon. friend Shri Indrajit Gupta raised is concerned there is no such intention. A correction will be made if that has been read that way to make everybody subject to a period of probation. All those who are permanent employees will automatically become permanent employees of the new organisation. Only those who are temporary or were on probation earlier will be on probation. If the circular—I have also got a copy of it—is likely to be misunderstood though that is not the intention, certainly the matter will be cleared. I would like to assure the hon. Member that there is no intention of subjecting 1,20,854 employees to the whole process of probation all over again. Those who are permanent employees will be permanent employees and those who are not permanent employees will have to take their chance in the manner in which the service conditions provide for it.

So far as the second amendment to sub-clause (5) of clause 17 is concerned, I am afraid, I am not in a position to accept that also. We cannot guarantee all the liabilities of the previous owner to the staff. We can only say, "You go against the previous owner." We cannot take over all the liabilities. So far as clause 17(1) is concerned, you can take my assurance that nobody's services are going to

be terminated at all. It is only in clause 17(2) that it may arise and it will arise only in relation to very highly paid staff earning Rs. 40.00, Rs. 50.00, Rs. 80.00 or Rs. 10,000 or even more with whom were likely to have some difficulty in reaching an understanding about their future. We do not want to take on ourselves the liability for every contract, probably, very onerous contracts, which had been entered into by a Manager who has served say, for 10 years and has earned Rs. 10,000 or Rs. 15,000 a month plus so many perquisites, this and that and on termination, was entitled to two months gratuity for every year of service rendered and all that. We are not prepared to take over such a liability.

I think, the hon. Member should appreciate the assurance given by the Government not because we are giving it but because this is not the first occasion we are nationalising and we have nationalised quite a number of concerns in the past, that we have had no complaints that the employees have been maltreated by not being given gratuity and other benefits. If you introduce a comprehensive clause like that, you will compel the Government to pay out to highly-paid persons who refuse to work for the new companies and then make us dole out even lakhs of rupees.

That is why we cannot accept your amendment.

**SHRI SOMNATH CHATTERJEE** : Is it the Minister's view that claim under sub-clause (5) will come under Clause 23?

**SHRI S. MOHAN KUMARAMANGALAM** : It is very likely in relation to the highly paid people because the point whether they will continue in service or not will be settled quickly, in many cases it has already been settled as to whether they are continuing or not. In relation to

workmen, I think, you and I are interested in 17(1) and 17(2). We are also interested in 17(2) because we are interested in justice. But we are more interested in 17(1). In relation to 17(1) I would ask you to accept the Government's assurance that we do not intend to do, and will not do, harm by cheating them of their gratuity or whatever retirement benefits they may be entitled to. I ask you to accept the assurance on the basis of the record of the Government in relation to these matters.

**MR. DEPUTY SPEAKER** : I shall now put all the amendments—19, 20 and 21—together to the vote of the House.

*Amendments Nos. 19 to 21 were put and negatived.*

**MR. DEPUTY SPEAKER** : The question is

“That Clause 17 stand part of the Bill”.

*The motion was adopted.*

*Clause 17 was added to the Bill.*

**MR. DEPUTY SPEAKER** : Clause 18. Mr. Kartik Oraon. He is not here. I shall put the Clause to the vote of the House.

The question is

“That Clause 18 stand part of the Bill”.

*The motion was adopted.*

*Clause 18 was added to the Bill.*

*Clauses 19 to 21 were also added to the Bill.*

**Clause 22**—(Statement of accounts in relation to the period of management by the Central Government etc.)



THE MINISTER OF STATE IN THE  
MINISTRY OF STEEL AND MINES  
(SHRI SHAHNAWAZ KHAN) : I beg to

move:

Page 10, line 25,—

after "vested in it" insert—

"under the Coking Coal Mines (Emergency Provisions) Act, 1971"(7)

SHRI S. MOHAN KUMARAMANGA-  
LAM : This is regarding certain procedural  
matters. We want to safeguard ourselves.  
I do not think the House will have any objec-  
tion.

MR. DEPUTY-SPEAKER : The ques-  
tion is :

Page 10, line 25,—

after "vested in it" insert—

"under the Coking Coal Mines  
(Emergency Provisions) Act, 1971"  
(7)

*The motion was adopted.*

MR. DEPUTY SPEAKER : The ques-  
tion is:

"That Clause 22, as amended, stand part  
of the Bill."

*The motion was adopted.*

*Clause 22, as amended, was added to the Bill.*

*Clause 23—(Claims to be made to the  
Commissioner).*

SHRI SOMNATH CHATTERJEE : I  
beg to move:

Page 12, Line 11,—

for "they shall abate in equal propor- 5 of  
tions and be paid accordingly" 1908  
substitute—

"the Central Government shall pay  
the amount of short-fall" (22)

Page 12,—

for lines 12 to 14,  
substitute—

"(4) The Commissioner shall decide  
upon the claim within a period of  
three months from the date the  
claim is preferred" (23)

Page 12, line 21,—

for "prove" substitute "prefer" (24)

Page 12, line 22,—

for "by the Commissioner" substitute—

"in sub-section (1)" (25)

SHRI K. BALADHANDAYUTHAM  
(Coimbatore) : I beg to move :

Page 11, lines 33 to 36,—

for "unsecured debts, not being the  
amounts advanced by the Central  
Government or the Custodian ap-  
pointed under the Coking Coal Mines  
(Emergency Provisions) Act, 1971,  
for the management of the coking  
coal mine or coke oven plant, as  
the case may be"

Substitute "liabilities" (27)

SHRI SHAHNAWAZ KHAN : I beg to  
move:

Page 12,—

after line 28, insert—

"(7A) The Commissioner shall have  
the power to regulate his own pro-  
cedure in all matters arising out of  
the discharge of his functions in-  
cluding the place or places at which  
he will hold his sittings and shall, for  
the purpose of making any investi-  
gation under this Act, have the same  
powers as are vested in a civil court  
under the Code of Civil Procedure,  
1908, while trying a suit, in respect of  
the following matters, namely:—

- (a) the summoning and enforcing  
the attendance of any witness and  
examining him on oath;
- (b) the discovery and production of  
any document or other material  
object producible as evidence;
- (c) the reception of evidence on  
affidavits;
- (d) the issuing of any commission  
for the examination of witnesses.

(7B) Any investigation before the Commissioner shall be deemed to be a judicial proceeding within the 45 of meaning of sections 193 and 228 of 1860, the Indian Penal Code and the Commissioner shall be deemed to be a civil court for the purposes of section 195 and Chapter XXXV of 5 of the Code of Criminal Procedure, 1898, 1898." (28)

**SHRI SOMNATH CHATTERJEE :** Amendment No. 22 is with regard to sub-clause (3) of Clause 23, at page 12. Clause 23 says that after the claims of the secured creditors are paid, the claims of other unsecured creditors will come. No doubt, the employees' entitlements to the extent mentioned there will be paid. But sub-clause (3) says:

"The debts specified in sub-section (2) shall rank equally among themselves and be paid in full, unless the assets are insufficient to meet them in which case they shall abate in equal proportions and be paid accordingly."

Let us see the nature of the dues mentioned. The first is all wages or salary, including compensation payable for retrenchment, etc. Then:

"all amounts due in respect of contributions payable during the twelve months next before the appointed day, under the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948..."

"all amounts due in respect of any compensation or liability for compensation under the Workmen's Compensation Act, 1923 in respect of death or disablement of any employee" and then "all sums due to any employee from a provident fund, a pension fund or gratuity fund" and "all sums due to the State Government as royalty, rent or dead rent, as the case may be," apart from the dues of the workmen. Kindly see that most of them are statutory entitlements

like statutory compensation under the Coal Mines Compensation Act, Bonus Schemes Act and then Workmen Compensation Act and the Provident Fund Act. Our submission is and we very strongly suggest this for his acceptance. So far as the statutory entitlements of the labourers are concerned, why should they be put in the position that if the amount which has been determined by the Government is not sufficient to pay off the secured creditors and then the unsecured creditors including the State Government coming and participating, they may not get anything. Kindly see. The amount of royalty to the State Government—that also has to be treated on an equal footing with the labourer's entitlements. You all know that there are huge sums outstanding on account of rent and royalty to the Government. If it is clubbed together with this amount, there is hardly anything left. I had occasions to talk to one or two persons. Yesterday, I incidentally met some employees. They say that the liabilities are such that there will hardly be left anything to pay even the secured creditors, not to speak of unsecured creditors. I am not asking for any increase. What I am submitting is that now that they have become Government employees—what mistake have they done?—they ought not to be made to suffer. They should not be made to lose their statutory entitlements. There is no question about the legitimacy of this demand, about the genuineness of the demand. If there is any shortfall, let the Government, as an ideal employer, pay them. Why should the employees lose? I don't know whether any debts have been detected by the Government in respect of any particular colliery. In that case, we should have known as to what is the position. If any debts have been detected, what are the debts? What is the amount of compensation? What is the extent of the loss that they will suffer? The hon. Minister would kindly consider

[SHRI SOMNATH CHATTERJEE]

favourably this amendment amendment No 22

So far as the other three amendments are concerned they are more of the nature of dialting suggestions. I have given an amendment for substituting lines 12 to 14. Here it is provided

The Commissioner shall fix a certain date on or before which every claimant shall prove his claim or be excluded from the benefit of the disbursements made by the Commissioner

The suggestion we are making is that it should be substituted by

The Commissioner shall decide upon the claim within a period of three months from the date the claim is preferred

There I may be administrative difficulties. If as proposed in sub-clause (4) the employee is required to prove his claim by a certain date it may create hardship to the employee. Proving the claim does not always depend upon him. He prefers the claim, he may adduce the proof but that has to be gone into by the Commissioner. He may present the proof but whether it is accepted or not that will depend on the Commissioner. Therefore why should a time limit be mentioned here?

Similarly sub-clause (6) for which we have given an amendment says that every claimant who fails to prove his claim within the time specified by the Commissioner shall be excluded. We are suggesting that instead of proving, it would be that "every claimant who fails to prefer his claim within the time specified". He may be excluded from the disbursements made by the Commissioner.

Amendment No 25 is a consequential one. It is

Page 12 line 22 -

for 'by the Commissioner' substitute

"in sub section (1) "

These are consequential amendments. I request the hon. Minister to consider favourably amendment No 22.

SHRI K. BAIADHANDAYUTHAM: I hope the hon. Minister will accept the spirit of what he spoke that he would give priority to the wages and other entitlements of the employees. So I think he will give top priority and see that they get the payments. Compensation is not paid to him, the dues of the workers are not paid. You say first charge will be on royalties, secured debts and so on. The workers will have to go without their dues being realised. This is the position. Therefore I request the Minister to give first priority and stipulate that the company has to make this payment to the Commissioner. I insist upon my amendment and I request him to consider and make suitable changes.

DR. RANJAN SIN: The hon. Minister explained that the secured creditors will have the first charge. He said they are not responsible for any mismanagement that are quite innocent people and all that. May I ask him what workers have done? Were they responsible for any mismanagement for the slaughtering of the mines? If the secured creditors get first priority why should workers be denied? This I am not able to understand. I hope the Minister may be aware of the fact that there are many secured creditors who are *benami* creditors belonging to the same group of organisations. This has been the situation in the coalmines and other industries. They cheat both the Government and the workers by subscribing in such a manner. If anybody should get the first priority it should be the workers. It is so on grounds of natural justice also. Production is due to the workers and the participation of the workers. What we find is that their wages, their arrears, their provident fund, etc. remain unpaid to

them. We have been told that the first priority will not be that of the workers. The hon. Minister said that they will be having priority, but that they will be second in the queue. I do not understand the position. Section 23(2) (c) says about 'all sums due to the State Government as royalty, rent or dead rent, as the case may be'. In regard to that, the hon. Minister knows that the West Bengal Government has put in a claim of Rs. 30 crores.

AN HON. MEMBER: So has the Bihar Government.

DR. RANJEN SEN: It will be more coking coal mines in Bengal are only 4 or 5. Most of the coking coal mines are in Bihar. In West Bengal Government puts claim of Rs. 2 crores or Rs. 3 crores out of this Rs. 30 crores, then, the Bihar Government will claim Rs. 30 crores or Rs. 40 crores. Sub-clause (3) says:

The debts specified in sub-section (2) shall rank equally among themselves and be paid in full, unless the assets are insufficient to meet them, in which case they shall abate in equal proportions and be paid accordingly.

It is a very unfair attitude to the workers. If assets are not there, what happens to the workers? One of my friends here said, the money-lenders are placed first in the queue and the workers who have built up that mine come only second in the queue. So, with regard to the amendments moved by Mr. Chatterjee and Mr. Baladhandayutham, I would appeal to the Minister to see that proper justice is done to the workers.

SHRI VASANT SATHI (Akola): I am speaking in support of the spirit of the amendment. I want a clarification and if that satisfies hon. Members, then the purpose will be served.

Under section 317 of the Companies Act, chapter 5-A claims are included as priority

claims to the extent of Rs. 1000 per worker. If that is done, then even with the secured creditors, it becomes a priority claim along with the Government creditors. Why should the wages of the coal mines workers also not be included if necessary by amending section 317 of the Companies Act and adding this to that section so that they will be put on a par and no hardship may be caused to them? If that suggestion is accepted then all this hardship due to the employees being put below the secured creditors would be overcome. If this is done then it will serve the purpose and meet the requirements.

SHRI S. MOHAN KUMARAMANGALAM: The difficulty about acceptance of these amendments really arises out of the position that we have in the law of our country. Section 73 of the Transfer of Property Act gives certain rights to any person who lends money on the basis of security. If the concern had just closed down, what would have been the position in relation to the workers or any creditors? The workers would have stood in the same place as all unsecured creditors and would have come after the secured creditors. That would have been the position.

Therefore, what we have done is while we have not, as it were, amended by implication section 73 of the Transfer of Property Act, which we think will not be good from the point of view of the business relationships that exist in the country under the law as it exists in our country today, we have put all the workers' claims above the claims of all other unsecured creditors, apart from the State claims of royalty. It is always a difficult thing to decide as to whether we should put the State behind. For, after all, what is the State claim except the claim of all the rest of the people over whatever comes into the hands of the State? We have to decide then that the workers' claims under this section should be above

[Shri. Mohan Kumara mangalam]

the claims of the people as a whole who are supposed to own the mines and the minerals under the mines and in respect of which they are paid royalty. But the State is not something different from the people or the country. The State is also entitled to certain payments in respect of the exploitation of the minerals which exist and that is called royalty. Therefore, we think that it would in principle be wrong that what is owed to the State as a whole should also be pushed out along with the other unsecured creditors and they should all be treated on the same plane. This is the main point that I wish to make.

Now, I go on to the next point namely that where the debts are not being met fully, or in other words, the assets are insufficient to meet them, they shall abate in equal proportions and be paid accordingly. My hon. friend, Mr. Chatterjee, has moved an amendment in this regard and said that Government should pay. The point is simply this. Are Government to take over the responsibility of paying the workmen in any case where there is a shortfall? Supposing any industry closes down tomorrow, would there be any responsibility on the part of Government to take it over and pay? There would be none, and I think we are all agreed there. They would manage as best as they can and from whatever are the assets that the concerns has. In fact, they would not have got the benefits which they are getting under this Bill, because they would rank lower down and they would not be able to get all that they should get. It is a different matter if it goes into liquidation under the Companies Act, because that will be covered by a different law. But there, if it is the ordinary enactment, then it will be governed by section 73 of the Transfer of Property Act, and we do not think that it is right to load the Government which means loading the general revenues with the payment of whatever balance is due.

I would submit that we are not making the workers worse off. There seems to be a general feeling because some of the Members who have spoken that way, that this would put the workers in a more disadvantageous position than they would otherwise have been in. I would submit that that is not correct. On the contrary, we are in a sense making them better off, because whereas they would have been ordinary unsecured creditors just somewhere in the queue, possibly at the back of the queue, as it were, we have brought them right up to the stage behind the secured creditors.

What we have not done is to go against section 73 of the Transfer of Property Act. We do not think that under the law as it stands in our country today it will be proper to do so because that will lead to a general state of uncertainty.

My hon. friend Dr. Ranen Sen has talked about possible benami transactions. That is a part of the life which we have to lead and which we have to tolerate. We have to get rid of it in the best way we can, but we cannot because of a possible misuse of the law say that the law itself must be set aside.

Then there should not be any secured creditors; there should not be Sec. 73 of the Transfer of Property Act. By all means let it be if we come to such a position. But so long as the law stands as it does in this respect, what we have done under this Act is not—I repeat is not—to put the workers in a worse position than what they were before nationalisation, but to put them actually in a better position. That is my difficulty in accepting these amendments.

As for sub-cl. (6), I think the hon. member has a point. 'Every claimant who fails to prove his claim within the time specified by the Commissioner...'—really with all respect to myself and the draftsmen, this

makes little sense. It should read—this is a suggestion—

“Every claimant who fails to file the proof of his claim within the time specified”.

If he is prepared to accept this or reframe his amendment in this way, with the permission of the House—I am sure the House will permit it—I am prepared to go along with him. Mr. Deputy-Speaker, the hon. member has moved an amendment to cl. 23(6), using the word ‘prefer’. It does not really bring out the meaning because that is covered by 23(1), that is, the filing of the claim, the preferring of the claim. This is really the filing of the proof. So I would be prepared to accept an amendment which reads: ‘Every claimant who fails to file the proof of his claim within the time specified’.

SHRI SOMNATH CHATTERJEE : Agreed.

SHRI S. MOHAN KUMARAMANGA-LAM : If he moves it in that way, I am prepared to accept it.

SHRI SOMNATH CHATTERJEE : May I move it likewise?

MR. DEPUTY-SPEAKER : Let him submit it to me first.

SHRI S. MOHAN KUMARAMANGA-LAM : The others do not arise.

DR. RANEN SEN : What about the amendment regarding extension of the timelimit—Instead of one month, three months. moved.

SHRI S. MOHAN KUMARAMANGA-LAM : To my knowledge, there is no such amendment. Instead of his amendment, let him put it as I have suggested. Then I am prepared to accept it because that is really what we want. I think this covers the discussion on cl. 23.

I have got my amendments (7A) and (7B)—amendment No. 28.

SHRI DINEN BHATTACHARYYA (Serampore) : Please see amendment No. 23. It is an amendment for extension of time.

SHRI S. MOHAN KUMARAMANGA-LAM : For deciding the claim? I am afraid it is impossible to put down a mandatory clause like that because after all there must be some reality attached to any provision that we insert into a Bill. It is not realistic to insist that the Commissioner should decide it in three months, when first of all you give one month for the filing of claims; then there will be quite an amount of clerical work to sort out the claims and then to examine and pronounce on them. With all the speed we shall try to ensure, I do not think it is possible for him to do it.

SHRI SOMNATH CHATTERJEE : How long does he think it should take? There should be some indication.

SHRI S. MOHAN KUMARAMANGA-LAM : We are trying to ensure that the person who is appointed Commissioner will have no interest in prolonging the proceedings, as some persons appointed Commissioners do. Being a member of the bar, he knows it. If you appoint somebody who has no other occupation except this, it may go on for even a decade. We would appoint somebody who by virtue of the office he occupies would like to finish it quickly, and we shall try to finish it as quickly as possible.

MR. DEPUTY-SPEAKER : There are a number of amendments. There is one which is moved by the Government, which I will put separately. There is another amendment which the Minister has indicated that he would accept. I think I will have to put them separately.

SHRI S MOHAN KUMARAMANGA-IAM : No 24 is the amendment which I am accepting

MR DEPUTY-SPEAKER He has given another which has been re-numbered as amendment No 30 I will now first put amendment Nos 22, 23, 24 25 and 27 to clause 23

*Amendments Nos 22 to 25 and 27 were put and negatived*

MR DEPUTY-SPEAKER I will now put amendment No 28 by Shri Shahnawaz Khan The question is

'Page 12,

*after line 28, insert*

'(7A) The Commissioner shall have the power to regulate his own procedure in all matters arising out of the discharge of his functions including the place or places at which he will hold his sittings and shall for the purpose of making any investigation under this Act have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) while trying a suit, in respect of the following matters, namely

- (a) the summoning and enforcing the attendance of any witness and examining him on oath,
- (b) the discovery and production of any document or other material object producible as evidence,
- (c) the reception of evidence on affidavits,
- (d) the issuing of any commission for the examination of witnesses

(7B) Any investigation before the Commissioner shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 (45 of 1860) of the Indian Penal Code and

the Commissioner shall be deemed to be a civil court for the purposes of section 195 (5 of 1898) and Chapter XXXV of the Code of Criminal Procedure, 1898", (28)

*The motion was adopted*

MR DEPUTY-SPEAKER Now I am putting the new amendment

SHRI S MOHAN KUMARAMANGA-IAM I am sorry to trouble you again, because, when we make this amendment, I think we have to be cautious. If we are amending clause 23(6) in the manner I have suggested, clause 23(4) will also have to be consequentially amended which will then read

'The Commissioner shall fix a certain date on or before which every claimant shall file the proof of his claim'

SHRI SOMNATH CHATTERJEE . There is a similar amendment from me

MR DEPUTY-SPEAKER You will have to reword it

These are the new amendments

SHRI SOMNATH CHATTERJEE I move

Page 12 line 13, for 'prove' substitute "file the proof of" (30)

Page 12, line 21, for "prove" substitute "file the proof of" (31)

MR DEPUTY-SPEAKER The question is

'Page 12, line 13, for "prove" substitute "file the proof of" (30)

*The motion was adopted*

MR DEPUTY-SPEAKER The question is

'Page 12, line 21, for "prove" substitute "file the proof of" (31)

*The motion was adopted*

MR. DEPUTY-SPEAKER : The question is :

"That clause 23, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 23, as amended, was added to the Bill.*

Clause 24—(Disbursement of money by the Commissioner)

MR. DEPUTY-SPEAKER : Now, we take up Clause 24.

SHRI SOMNATH CHATTERJEE : I move :

Page 12, lines 38 and 39,—

for "every such claim shall abate in equal proportions and be paid accordingly"

substitute—

"the Central Government shall provide funds to the Commissioner to the extent of the amount of short-fall" (26)

I am pressing it. But I need not speak on it.

MR. DEPUTY-SPEAKER : I shall put amendment No. 26 to the House.

*Amendment No. 26 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 24 stand part of the Bill."

*The motion was adopted*

*Clause 24 was added to the Bill.*

*Clauses 25 to 29 were added to the Bill.*

Clause 30—(Penalties)

MR. DEPUTY-SPEAKER : Now, there is clause 30; there are two amendments, 8 and 29.

SHRI SHAHNAWAZ KHAN : I move :

Page 14, line 7, after "Central Government" insert "or Government company" (8)

Page 14, line 23, omit "he" (29)

MR. DEPUTY-SPEAKER : The question is :

"Page 14, line 7, after "Central Government" insert "or Government company", (8)

*The motion was adopted.*

MR. DEPUTY-SPEAKER : The question is :

"Page 14, line 23, omit "he", (29)

*The motion was adopted.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 30, as amended, stand part of the Bill.

*The motion was adopted.*

*Clause 30, as amended, was added to the Bill.*

*Clauses 31 to 36 were added to the Bill.*

MR. DEPUTY-SPEAKER : The question is :

"That the First Schedule, Second Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*The First Schedule, the Second Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI SHAHNAWAZ KHAN : Sir, I move :

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill as amended, be passed."

SHRI DINEN BHATTACHARYYA : Sir, I want to say at this stage, even though



[Shri Dinan Bhattacharyya]  
everything to be said has already been said, that the mine-owners who have the mines will benefit by this Bill. Shri Mohan Kumaramangalam has by this Bill butchered the workers. He has tried to explain his position as if he was pleading for the cause of the mortgagees, the mine-owners....

MR. DEPUTY-SPEAKER : You are going into details; we are at the third-reading stage.

SHRI DINEN BHATTACHARYYA : This is a very important thing. You should also realise that the workers work in the mines under the ground. Government speaks about socialism and *garibi hatao*. They can change the Constitution when they want. In this case they have fully protected the rights of the mine-owners. Land reforms have been scuttled and there is no longer any hope. Of their socialism, only the ism remains; there is nothing social in it.

Therefore, My humble request to Mr. Mohan Kumaramangalam is that he should at least not forget his past. He should be honest enough to admit that he had left no scope and no opportunity for the workers who work hard to get a due share. He is now helpless because he has joined a Party whose policy he has to follow, namely, to save the interest of the propertied classes. Here is the example. The poor workers will not get their provident fund or other dues. It is a clear and blatant example that this Government is not to safeguard the interest of the down-trodden people.

MR. DEPUTY-SPEAKER : What should be done to Bill?

SHRI DINEN BHATTACHARYYA : He should be bold enough to come with suitable amendments to the Bill.

SHRI H. M. PATEL (Dhandhuka) : I think Mr. Bhattacharyya said that the Hon. Minister had butchered the workers.

It seems to me that the hon. Minister had butchered the owners.

DR. RANEN SEN : The owners have butchered the mines.

SHRI H. M. PATEL : Perhaps the hon. Minister could derive some satisfaction from the fact that the he has been butchering all round. When he said in his very persuasive manner that the assets were evaluated by experts, and this is how the amount was arrived at, he did not indicate what principles were followed by those experts who valued the assest, nor did he make it clear what were the assests which were taken into account. When one studies the detailed figures it does seem that in many cases the owners would not even get one third value of their assets. In certain cases even the value of the coal stocks are not being offered to the owners. It is not clear what norms, what criteria were adopted in arriving at the amount. Article 31 as it stand amended by the 25th amendment certainly suggested that an amount only should be mentioned. But the right of the property has not yet been embodied and there it was accepted even when the 25th Amendment was discussed and debated in the House. you said that it will be dealt with and the amount will be arrived at fairly and that fair and reasonable compensation will be given, the word compensation need not be mentioned nevertheless, what the amount is supposed to be is not clear. For instance, one of the most important thing in valuing all these assets would be that in the coal mine what is the potential, how much coal still remains in the mine? If it is already exhausted, naturally its value would be nil. But has that aspect been taken into account? What are the other assests that have been taken into account? You can clearly see from the Bill that the liabilities have not been deducted from the assets in arriving at the amount, and if that is

so, then the position of the owners is even worse. But there is no harm in not deducting the liabilities from the valuation of the assets in arriving at the amount so long as the valuation of the amount has been done in a fair manner. This is what I would request the hon. Minister to indicate, what are the norms that he has adopted in evaluating the assets. What are the items that he has taken as assets or his experts have taken as assets in particular. I would like to know whether the potential in a colliery, whatever has been left in reserve that has been fully taken into account or not? This is all what I have to say because at this stage I do not wish to take more time, but I put this particular point that the amount has to be arrived at so that the owner does get a fair and reasonable value for whatever he is surrendering or what ever he is being deprived of.

**श्री कमल मिश्र मधुकर (केसरिया) :** उपाध्यक्ष महोदय, अगर कोई यह समझता है कि इस बिल को पास कर देने में समाजवाद आ जायेगा तो यह भ्रम में है। हमसे समाजवाद नहीं आने वाला है। मैं समझता हूँ कि वर्कर्स के इंटरेस्ट के इस गैर-ग्रुप में देना जाना चाहिये और उनके इंटरेस्ट्स की हफाजत की जानी चाहिये। अगर यह भी बर दिया जाये तो भी इसके स्वागत योग्य कहा जायेगा। इसके साथ दो मबल जुड़े हुए हैं। एक तो कम्पेंसेशन का है और दूसरा वर्कर्स का तथा उनका जो बकाया है, उसके भुगतान का है। उनका जो बकाया है उसका भुगतान तो किया ही जाना चाहिये। इस सवाल पर कोई मतभेद नहीं होना चाहिये। सब पार्टियों के लोगों ने, जिन्होंने इस बहस में भाग लिया है, एक मत में यह कहा है, उनकी यह नर्वसमन्त राय रही है कि मंत्री महोदय कामपनी परम्पराओं से बंधे हुए होने के कारण क्या वजह है कि उन्होंने उन को भुना कर जिन लोगों ने माइज को लूटा है, उनको कम्पेंसेशन देने की बात की गई है। क्या कम्पेंसेशन हम उनको वैसे जिन्होंने लूट की है, जिन्होंने देश छोड़ दिया है, जिन्होंने माइज

की तबाह और बरबाद किया है। जब आपने एलान किया था राष्ट्रीयकरण करने का और पहले जो बिल आप लाये थे उसके बाद भी उन्होंने सम्पत्ति की चोरी की है, जब आप कोकिंग कोल माइज को टेक ओवर करने का बिल लाये थे, उसके बाद भी उन्होंने सम्पत्ति की चोरी की है। क्या यह कम्पेंसेशन देना लूट, बरबादी और देश-द्रोह को बढ़ावा देना नहीं है। मैं नहीं समझता कि कम्पेंसेशन देने से कोई लाभ हो सकता है। यह तर्क दिया जाता है कि संविधान में हम बंधे हुए हैं। इस बान्धन हम ऐसा करना चाहते हैं। मैं नहीं समझता हूँ कि कि इस तरह से संविधान की दुहाई कोई सोशलिस्ट कहें जाने वाला दे सकता है।

अब स्थिति क्या है? कोकिंग कोल माइज को टेक ओवर करने के बाद भी हालत यह है कि वर्कर्स को कलकत्ता में धनवाद और धनवाद से कलकत्ता बदला जा रहा है और उनके तबादलों का यह मिनमिना निरन्तर जारी है। मैं चाहता हूँ कि गारंट दी जाये कि उनका यह हैगसमेट बन्द कर दिया जायेगा और जहाँ वे काम कर रहे हैं, जब तक कोई काम हो फिटनाई न हो, उनको बदला नहीं जायेगा।

मुझे खुशी होती है कि अगर तमाम बाकी जो प्राइवेट कॉलियरीज हैं इस बिल में उनको अपने हाथ में लेने की आपने व्यवस्था कर दी होती। प्राइवेट कॉलियरीज में कमेन्टेशन कैम्पस बने हुए हैं जिन को गोरखपुरी कैम्पस के नाम से जाना जाता है। 90 फुट लम्बे 14 फुट चौड़े टोन के शेर के नीचे और टिन भी एम्बेस्टर शीट्स के नहीं 125-125 घाईमियों की बिहार तथा पश्चिम बंगाल में रखा जाता है। लेबर लाज के खिलाफ जा कर कई और कार्यवाहियों की जाती है। बेजिद में कटौती कर दी जाती है और तरह-तरह की फिटनाइयाँ उनके सामने में पैदा कर दी जाती हैं। आप सोच सकते हैं मजदूरों की कौसी स्थिति होती होगी। मैं चाहता हूँ कि आप गारंट दें कि आप लेबर लाज जो बने हुए हैं, उनका पालन करवायेंगे और साथ ही प्राइवेट कॉलियरीज में

[श्री कमल मिश्र मधुकर]

जो उनका शोषण होता है, उसको बन्द करवायें। जो लोग प्राइवेट माइंस को हानि पहुंचाते हैं, कोयला जला देते हैं और जला कर जो इन्श्योरेंस का पैसा है वे ले लेते हैं और इस तरह से राष्ट्रीय शक्ति बे कर रहे हैं, उसको भी रोका जाना चाहिये। कानून की जो अवहेलना करते हैं, उनको भी रोका जाना चाहिये। आप आजादी की पच्चीसवीं सालगिरह मनाने जा रहे हैं। मैं जानना चाहता हूं कि इन कंमेंटेशन कैम्पस में जो रह रहे हैं— उनके लिये आप किस तरह से यह सालगिरह मनायेंगे।

बड एण्ड कम्पनी देश के 75 हजारदारों में से एक हैं। उसने हिन्दुस्तान तथा बिहार की सरकार को भी धोखा दिया है। आज वहां मजदूर डेढ़ महीने से हड़ताल पर हैं। मालिक मुनने को तैयार नहीं है। वहां पांच मजदूर गोली से मारे गये और चार सौ जेलों में बन्द हैं। फिर भी मालिक मुनने को तैयार नहीं है। हड़ताल समाप्त नहीं हो रही है। यह राष्ट्रीय शक्ति है: ऐसी स्थिति में उत्पादन चूँकि बन्द है ये जो प्राइवेट कार्मिलरीज हैं इनका राष्ट्रीयकरण बहुत आवश्यक है।

मैं यह भी कहना चाहता हूं कि व्यूरोक्रेसी से भी आप को बचना होगा। व्यूरोक्रेसी का काम करने का अपना लाजिक होता है और वह अपनी इच्छाओं के अनुसार चलती है। आपको उसको अपनी इच्छाओं के अनुसार चलाने का प्रयत्न करना चाहिये। मैं समझता हूं कि ये सब चीजें हैं इन पर ध्यान दिया जाना तो अच्छा होता। फिर भी यह जो बिल आया है यह स्वागत के योग्य है।

SHRI S. MOHAN KUMARAMAN-GALAM : Sir, I have nothing very much more to say because I have answered most of the points earlier. When I was listening to Mr. Bhattacharyya using expressions like "Butchering the workers", I was wondering what language he will use when the workers are really butchered. He would have exhausted all the adjectives. If this Bill is butchering the workers, what

happens if 100 workers are really shot? So, let us leave all these extravagant expressions aside. I believe very sincerely that this Bill does some justice to the workers, because for the first time 120,000 workers in the coal-mining belt are being dealt with justly. For the first time, they are getting their wages according to the wage board award. For the first time, the labour laws regarding the provident fund, gratuity etc., due to them, are being enforced in their favour. I have already given the assurance that so far as the conditions of workers are concerned, they will not suffer under this Bill. The passing of this Bill should enable us to develop the coking coal mines both from the point of view of national reconstruction and from the point of view of improving the conditions of workers. Even hon. members who have spoken critically just now about this Bill have themselves acknowledged that NCDC and Bharat Coking Coal have been paying full respect to wage board awards, etc. I think we should recognise the basic transformation taking place in the lives of the workers as a result of this Bill. The uncertainties and difficulties which they faced earlier are being put an end to. Will this end for all industrial conflict? No. We do think we will have misunderstandings and so on but I think we are all agreed that nationalisation does improve the conditions of workers, as it improved it earlier, and will certainly improve it, so far as these workers are concerned.

15.00 hrs.

I find myself in a peculiar position. I am shot at from the left, I am shot at from the right and I am where I am.

So far as Shri H.M. Patel is concerned, he is naturally worried about what exactly were the principles we adopted in arriving him at the amount. But with all the respect that I have for him I am not going

to oblige him by giving him the facts he has asked for. Under the Constitution we are entitled to come to an amount. I explained in very broad terms the process by which we arrived at this amount when I introduced the Bill. The process we followed was that we valued the physical assets of the mines. It took us nine months to value the physical assets of 214 coking coal mines, because the accounts of many of these mines are in as bad a state as the mines themselves were. The machinery was in varying stages; sometimes good and sometimes bad, and it took quite some time to be able to arrive at a reasonably correct evaluation of these machines. Having come to a particular figure, which was the value of these assets, we then took into consideration the entire past of the coking coal mining industry, the manner in which these gentlemen contributed, or failed to contribute, towards the national development, and then arrived at a figure which we thought to be just and reasonable. I think that is all the illumination that I would request the House to permit me to give Shri Patel on this question.

I do not think there are many people who are going to shed tears over the end of the era of private ownership of the coking coal mines. There are other areas in industry where perhaps some contribution may have been made by industrial entrepreneurs to the development of the Indian economy. So far as the coking coal mine owners are concerned, I think that their contribution has been negative from the beginning to end. If ever there has been exploitation of workers in this country, it has been in the coking coal mines; the coal mines generally, one can say, but more than the coal mines generally, in the coking coal mines particularly. If ever there has been chicanery and corruption on a large scale by capitalists in our country, it has been by the capitalists who live in Jharia district. They

purchased everybody of every political party which they found purchasable, they purchased everybody of every trade union which they found purchasable. In fact people from every walk of life whom they found purchasable.

SHRI PILOO MODY (Godhra) : It could not have been done without the collusion of the government.

SHRI S. MOHAN KUMARAMANGALAM : I did not know that Shri Pilo Mody was interested in this. Otherwise, I would have been soft.

SHRI PILOO MODY : I am putting you in company along with them. I am saying that it could not have been done without the collusion of the government.

SHRI S. MOHAN KUMARAMANGALAM : The sympathisers of the coking coal mine owners who, we complain, are amongst us should really be sitting on that side and not here.

SHRI PILOO MODY : I am referring to those who are on that side now.

SHRI S. MOHAN KUMARAMANGALAM : It is very difficult for him to get up and so he interrupts sitting.

So far as Shri Madhukar's point about guarantee that the workers will not be harassed by the management is concerned, the answer is that it is a nationalised organisation. There are bound to be some conflicts, there are bound to be some misunderstandings, but I think all of us are agreed that nationalisation does tend to improve the industrial relations. All of us must do our best to see that things are better in the public sector than they have been in the past.

**DR. RANEN SEN :** Quite a large number of employees are being transferred from Calcutta to Dhanbad.

**SHRI S. MOHAN KUMARAMAN-  
GALAM :** I will deal with that point. The total number of workers that are now employed in the Bharat Coking Coal Company is 1,20,000. The total number of workers employed by the different headquarters in Calcutta was 210. Out of these 210, about 100 persons are being retained in Calcutta. 110 employees have been asked to shift to Dhanbad.

The hon. Members will appreciate the dilemma with which the coking coal organisation was faced when we took over management of these mines. Out of these 214 coking coal mines, 211 mines are situated in Jharia. So, naturally, the proper place where the headquarters of the coking coal organisation should be in Bihar, in Jharia and in Dhanbad. Therefore, necessarily we have to place the headquarters there. However, we do need a Sale and Purchase Organisation in Calcutta. The maximum number of employees whom we can employ in that organisation have been employed in Calcutta and the only balance have been shifted to Dhanbad. Not only that. If you investigate the facts, the Bharat Coking Coal Co. have been fair to the employees, giving them free accommodation until they could find proper accommodation, helping them and giving transfer allowance and so on and so forth. But you will understand that we do not want to make it a Bengali-Bihari issue. I know, you will agree with me that it should not be made such an issue. You will appreciate that we have to do this because, otherwise, we will have 200 persons doing 100 persons work and engage 100 persons more in Dhanbad. I think, we have been quite fair.

**MR. DEPUTY-SPEAKER :** The

question is :

"That the Bill, as amended be passed".  
*The motion was adopted.*

1.57 hrs.

# **DIPLMATIC RELATIONS (VIENNA CONVENTION) BILL**

**DEPUTY MINISTER IN THE  
MINISTRY OF EXTERNAL AFFAIRS  
(SHRI SURENDRA PAI SINGH) :** Mr.  
Deputy-Speaker, Sir, I beg to move:\*

"That the Bill to give effect to the Vienna Convention on Diplomatic Relations (1961) and to provide for matters connected therewith, as reported by the Select Committee, be taken into consideration."

The Bill was introduced in the Lok Sabha on the 25th November, 1971. It was referred to a Select Committee of the Lok Sabha in December, 1971. On that occasion, I made a detailed statement indicating the need for enacting this legislation and I also explained the broad features of the Bill. I need not, therefore, take the time of the House in going over the subject-matter of the Bill in detail.

All I wish to emphasize is that the Bill will give effect to the Vienna Convention on Diplomatic Relations 1961, to which India is a party. Certain provisions of the Convention which require to be given the force of law will be given that force under the provisions of the Bill. These relate to the privileges, immunities, exemptions and facilities which a Diplomatic Mission and its members will enjoy from the local criminal and civil jurisdiction. Until now these matters were governed by international custom and practices and in India by legislative provisions and administrative

\* Moved with the recommendation of the President.

regulations. These will hereafter be consolidated in a single Bill

The Select Committee held 10 sittings in all. The Bill as amended by the Select Committee was laid on the Table of the House on the 24th May, 1972.

As the hon. Members would have noticed, the Select Committee has made five changes in the Bill as originally introduced. The changes made in the preamble and in clause 1 are of a technical nature and are consequential upon the lapse of time in the consideration of the Bill. The change in clause 8 is of a drafting nature. The change in clause 11 is also of a drafting nature and has been made in order to conform to the model clause of Subordinate Legislation of both Houses of Parliament.

The material change made in the Bill relates to clause 4. In the original Bill, clause 4 related to restrictions on privileges and immunities of diplomatic missions or members thereof which the Government of India may impose by way of reciprocity or retaliation against another country because that country had imposed similar restrictions on Indian Missions abroad and their members. As it was then drafted, it appeared that the clause did not include cases where there were breaches of the Vienna Convention by the other country. In order to cover that lacuna, another sentence has been added in clause 4 to include not only restrictive application of the Vienna Convention but also breaches of the Convention so that the Government of India can take appropriate action in either case.

Since the Select Committee has intensively examined all aspects of the Bill, I have the honour to move that the Bill as reported by the Select Committee may now be taken into consideration.

MR. DEPUTY-SPEAKER: Motion moved.

"That the Bill to give effect to the Vienna Convention on Diplomatic Relations (1961) and to provide for matters connected therewith, as reported by the Select Committee, be taken into consideration."

SHRI SOMNATH CHATTERJEE (Burdwan): This Bill has been introduced to give effect and statutory recognition to some of the provisions of the Vienna Convention of 1961 which was held under the auspices of the United Nations and to which this country acceded on 15th October, 1965. This Bill seeks to put on the Statute Book the privileges and immunities that are enjoyed by the diplomats and which have been recognised in the Vienna Convention.

Diplomacy has been defined in some quarters as providing the machinery and personnel for carrying out the foreign policy of the Government. A diplomat has also been described as the eyes and ears of the Government, and his chief functions are to execute the policies of his own Government in those countries so far as diplomatic relations are concerned and to look after the interests of the country which he represents. In one of the well known books on international law, it has been observed that the main functions of a diplomat can be classified into four basic phases: one is representation; he is the normal agent of communication of the country which he represents; the second is negotiation; diplomats are by definition negotiators, and negotiation is the pursuit of agreement by compromise and direct personal contact; the third is reporting; reports from diplomats form the basis on which the foreign policy of the country is drawn up, and as it is said, a good diplomat must also be a good reporter; the fourth is that he has to look after the interests of

[Shri Som Nath Chatterjee]  
his own country in the foreign land and has also to look after the interests of his nationals, including business.

Before the Vienna Convention was held and drew up the provisions, these diplomatic privileges and immunities were based primarily on some unwritten codes of conduct and informal conventions. After this Convention has been held and it drew up the provisions it is necessary that it should form part of the municipal law of the country. If I may quote, with your permission from one of the most well known and leading authorities on international law that is Oppenheim

"All the privileges which are possessed by diplomatic envoys are not rights given to them by international law but rights given by the municipal law of the receiving States in compliance with an international right belonging to their home States. For international law gives a right to every State to demand for its diplomatic envoys certain privileges from the municipal law of a foreign State.

For proper discharge of their duties and functions, diplomatic privileges are taken to be inseparable attributes of the very existence of the diplomatic envoys. A diplomat's position is derived from international rights and duties belonging to his State and not from international rights of his own."

This shows that the claims for privileges and immunities really go along with the status of the diplomat. For discharging his proper functions and duties, it is essential that he should be outside the control of the receiving State, his activity should not be under the jurisdiction of what is called the 'receiving State' in international law, and he should be independent of the jurisdiction and control of the receiving State. Therefore, in a sense, it was somewhat overdue that the provisions of the

Vienna Convention which was held in 1961 and to which we became a party in 1965 were made part of the municipal law of this country because, after all, the sanction is obtained from the municipal law of the country and not from international law.

So far as the clauses of the Bill are concerned, Clause 3 contains a very proper provision in the sense that in the expanding sphere of international activities and relations it is necessary that those countries which have not been parties as such to the Vienna Convention but which are following the ordinary norms of diplomatic relations and are allowing diplomatic privileges and immunities to all envoys should also be put on the same footing although they have not been strictly parties to the Vienna Convention.

So far as clause 4 is concerned this also, I feel is a welcome provision which has been made namely that the principle of reciprocity has been recognised in clause 4 and it is a desirable and necessary provision that in appropriate cases, whether we want it or not a reciprocal attitude has to be adopted. Therefore we support this Bill in so far as it gives statutory recognition to an international agreement, if I may use that expression, which has been arrived at under the auspices of the United Nations and to which this country acceded as early as 1965.

So far as the discharge of the duties and functions is concerned, it is essential that this country should honour these privileges and immunities. Not only they would honour it, I take it, always but they would expect other countries also to honour that and give proper facilities to our envoys in their countries and if there is any infraction, then we should adopt a reciprocal attitude.

With these observations, I support this Bill.

**SHRI MOHANRAJ KALINGARAYAR** (Pollachi) : While supporting this Diplomatic Relations (Vienna Convention) Bill, I would like to make two remarks on behalf of my Party.

The Vienna Convention was adopted in the year 1961 April and only after four years we joined the Convention in 1965 and after seven years from 1965, the Government has brought this Bill here for giving legal effect to it. Initially we have wasted four years in becoming a Member. Secondly we wasted another seven years to give it a legal clothing. I am not able to appreciate the Government in dealing so lightly with these international Conventions.

I would also like to know the attitude of our Government towards those countries who have not become a member of this Convention. Due to these delays, our foreign policy has not become strong. These international conventions should be recognised at the proper time.

So, there is not much to say, as my friend has dealt with all the important points. I would just make one request to the hon. Minister for External Affairs, to kindly tell us why there was this inordinate delay in giving legal effect to this Vienna Convention and, secondly, how our Government was dealing with those countries who have not become members of this Convention.

Thank you, Sir.

**SHRI H. N. MUKERJEE** (Calcutta—North-East) : Mr. Deputy-Speaker, Sir, it is perhaps appropriate that our ratification of the Vienna Convention and diplomatic relations is followed up as it has been by legislation; but in spite of what the hon. friend who just sat down said a little while ago, I think that in the condition of things as they are in the international set-up, there is no very special obligation on countries concerned to incorporate in their statutes provisions for a treaty which they had

ratified earlier. As a matter of fact, out of 130 countries which have adhered to the Vienna Convention, some 43, up till now, according to the figures supplied by the Government, have incorporated the Vienna Convention in their own respective statutes and I say, it is because international law is in such a posture that perhaps it is sometimes better even to have an elastic position. Perhaps even without incorporation in our own municipal law, we will be observing those conventions to which this country is a party, in pursuance of its own norms of international conduct.

I say this because even in the USA, we do not find that the acceptance of the Vienna Convention has led to the acceptance of these provisions in their own statutes. The word as it is conditioned, behaves badly, but we in this country seem to have the special predilection for behaving like a very good boy, almost turning the other cheek in so far as international incidents are concerned, and trying to behave in the most virtuous manner possible, but, at the same time, getting a reputation in the world, that we are not as virtuous as we ought to be. That is to say, in international relations things are determined not merely by what we profess to do or what we even do under some kind of a duress, but things are determined by the real role we are playing in world affairs.

Sir, I do not object, but, on the contrary, I welcome this idea that we have put into our statute, our adherence to the Vienna Convention. I have been a Member of the Select Committee and we have examined the provisions of the Vienna Convention which we have appended to the statute. I would not object to it but I wish to point out at the same time that this picture of reciprocity which is mentioned in this legislation is something which we can only get the other countries to abide by if our foreign policy is conducted in the right manner.



[Shri H N Mukerjee]

I say all this because we have always tried to behave decently in regard to international relations. Certain other countries have not done so. I am not proposing that we should have a belligerent attitude or posture. I am not suggesting that we should behave in a manner that Pakistan behaved, for example, in 1965 or even in 1971. I am not suggesting for a moment that we follow that kind of an example. I am not suggesting for example that what was done by China to many diplomatic personnel at a particular point of time should be done on our side also. I believe on the contrary that if international life is to be conducted with any decency, the conventions which have gone over the last 400 years should be properly implemented and given effect to. The world is not what we wish it to be and on occasions we have to show that this country has a point of view and this country is not going to be taken for granted, that this country's representatives are not to be treated shabbily.

In 1956 for example, in Pakistan, the Indian High Commission was treated utterly shabbily. The premises of the High Commission were searched in conditions which were extremely derogatory. They were utterly against every single convention and norm of international conduct.

During last year, when the Bangla Desh struggle was going on, one of the diplomats who had fled the Pakistan High Commission to join the High Commission of Bangla Desh, Shri Humayun Rashid Choudhary, divulged certain correspondence which had passed in Pakistan which showed that in Pakistan the officers concerned—I need not mention their names, because we are now entering again a period of friendship between our two countries and that is what we welcome—wanted to search the Indian High Commission in an even more egregious condition than actually was the case. I do not say therefore that we should have

done something very terrible in regard to Pakistan, because we have always wanted between India and Pakistan a state of friendship to subsist in spite of provocation. But I have found our Government behaving in a rather meek and mild fashion at a point of time when meekness and mildness was not called for. I have not yet known of one single instance when the Government of our country in relation to the Government of another country which has behaved in a dastardly fashion, has chosen to declare any person belonging to the Embassy of the High Commission of that hostile country as *persona non grata*. It never happened. Last year, a military attache of the Pakistan High Commission whose name was mentioned in this House, was accused of having tortured Shekh Mujibur Rehman in the Agartala conspiracy case, and nothing was done in regard to that man, even though a demand was made that that person should be declared *persona non grata*. We did not do it. There are other ways and means open to every country in order to give effect to its international rights, in so far as diplomatic immunities are concerned.

For instance, there is the provision in international life that when egregious violation of international norms takes place, then the doyen of the diplomatic corps in the country where these violations are taking place should be moved and something should be done. I have never yet heard from any quarter that in 1965 or in 1971, in Pakistan, for example, the doyen of the diplomatic corps in Islamabad or wherever the capital might be took any step in order to assert that India's right as a sovereign country was being violated in a manner which went against the grains of international decency. It never happened.

I have personally heard from our High Commissioner in Pakistan at that point of time, the story of humiliations to which he had been subjected in 1971 when the flag

of this country was dishonoured and all kinds of humiliations were inflicted upon the diplomatic personnel of this country. But I have never heard one syllable about what the Government of India or the Ministry of External Affairs did in so far as international conventions about diplomatic immunities and privileges and the honour due to one country from another country were concerned.

I am, therefore, deeply disturbed about this aspect of our foreign policy. Do we always propose to play the role of the good boy in politics, who behaves very well while the whole world disregards all those adjurations on our part and treats us shabbily? I do not say that let us behave badly. On the contrary, let us abide by all these international conventions in order to bring about a decent international life. But at the same time, let us pull our weight properly and let us assert the self-respect of this country.

MR. DEPUTY-SPEAKER : Does the hon. Member want to continue with his speech?

SHRI H. N. MUKERJEE : I would like to take a few more minutes.

MR. DEPUTY-SPEAKER : He may continue on the next day.

15.30 hrs.

#### MOTION RE. FIFTEENTH REPORT OF THE COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

PROF. NARAIN CHAND PARASHAR (Hamirpur) : I beg to move:

"That this House do agree with the Fifteenth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 2nd August, 1972".

MR. DEPUTY-SPEAKER : The question is :

"That this House do agree with the Fifteenth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 2nd August, 1972".

*The motion was adopted.*

15.31 hrs.

#### BIHAR ATOMIC AUTHORITY BILL

SHRI S. M. BANERJEE (Kanpur) : On behalf of Shri Ramavatar Shastri, I beg to move for leave to introduce a Bill to provide for the formation of an Authority for the purpose of setting up an atomic power plant in Bihar and for matters connected therewith.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for the formation of an Authority for the purpose of setting up an atomic power plant in Bihar and for matters connected therewith".

*The motion was adopted.*

SHRI S. M. BANERJEE : I introduce \*the Bill.

#### CASTE SYSTEM (ABOLITION) BILL

श्री यमुना प्रसाद मण्डल (समस्तीपुर) : मैं प्रस्ताव करता हूँ कि जाति पद्धति का उन्नाशन करने का तथा नाम के पश्चात् जाति अभिव्यक्त करने पर रोक लगाने का उपबन्ध करने वाले विधेयक को पुरःस्थापित करने की प्रवृत्ति हो जाये।

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for the abolition of caste

\* Publish in gazette of India Extraordinary Part II, section 2, dated 4-8-72

[Mr. Deputy Speaker]

system and to put a ban on expression of caste after the name"

*The motion was adopted*

बी वसुधा प्रसाद लब्धस्य न विवेक पुरस्वापित करता हूँ ।

15.32 hrs

# CONSTITUTION (AMENDMENT) BILL

*(Amendment of Ninth Schedule)*

SHRI C K CHANDRAPPAN (Telli-cherry) I beg to move for leave to introduce a Bill further to amend the Constitution of India

MR DEPUTY-SPEAKER The question is

"That leave be granted to introduce a Bill further to amend the Constitution of India"

*The motion was adopted*

SHRI C K CHANDRAPPAN I introduce \*the Bill

15.33 hrs.

# CONSTITUTION (AMENDMENT) BILL

*(Amendment of Ninth Schedule)*

SHRI C K CHANDRAPPAN (Telli-cherry) I beg to move for leave to introduce a Bill further to amend the Constitution of India

MR DEPUTY-SPEAKER Motion moved.

"That leave be granted to introduce a Bill further to amend the Constitution of India".

SHRI VARKEY GEORGE (Kottayam) . I oppose the motion mainly on three grounds I am sorry to say that the statement of objects and reasons attached to the Bill by my hon. friend is false, baseless and misleading (*Interruptions*)

SHRI N SREEKANTAN NAIR (Quilon) He must withdraw the word 'false'

SHRI DINEN BHATTACHARYYA (Serampore) He may say 'inaccurate'.

MR DEPUTY-SPEAKER I do not think the word 'false' is unparliamentary

SHRI DINEN BHATTACHARYYA It is not proper

MR DEPUTY-SPEAKER That has gone on record That should be enough

SHRI N SREEKANTAN NAIR He is going to make all false statements

SHRI VARKEY GEORGE The real purpose of this Bill is to infringe the fundamental rights of the minorities granted to them by the Constitution under art 30 I shall quote

AN HON MEMBER No, no

MR DEPUTY-SPEAKER His submission is that the Bill cannot be taken up for consideration At the moment, we are confined to the very limited question whether the Bill can be introduced or not, whether there is any bar under the Constitution to that The merits cannot be gone into at this stage

SHRI VARKEY GEORGE I am trying to say that it cannot be introduced because it is against the Constitution

SHRI H N MUKERJEE (Calcutta—North-East) : On a point of order. This matter regarding admissibility from the point of view of the Constitution of a private members' Bill has conceivably been gone into by the Committee we have got here to consider private Bills and Resolutions, who surely examine the question on the face of the constitutionality of a particular measure If the measure is to be attacked on the ground, that should take place, as you said at the state of consideration of the measure

\* Published in gazette of India Extraordinary Part II section 2 dated 4-8-72

At this point, no objection can be taken on ground of constitutionality.

**MR. DEPUTY-SPEAKER :** What Prof. Mukerjee has said is correct. In the first place, the Private Members' Bills Committee has gone into the question and has seen it fit to allow the member to introduce the Bill. He could have opposed the Report of the Committee at the time the motion for its adoption was moved. Now the House has agreed to the decision of the Committee that the Bill may be introduced. Therefore, the question does not arise now. You cannot oppose it now. (*Interruption*)

**SHRI K. NARAYANA RAO (Bobbili) :** I think that what you said cannot be taken as the correct proposition. Because, if it is not opposed at the Committee level, it does not preclude us from opposing it here. The fundamental point is you cannot oppose a Constitution (Amendment) Bill on the basis of the Constitution. The object of the Constitution (Amendment) Bill is to modify the Constitution itself. Therefore, no Constitution (Amendment) Bill can be opposed on the ground that it opposes the Constitution, because the very purpose is to modify the Constitution.

**SHRI S. M. BANERJEE (Kanpur) :** Sir, I have several times opposed such Bills, and everytime I was told by the Chair that the question was one on which the merits of the case could not be entered into and the Chair always has said that "I am not the proper persons to give a ruling on this and it is for the Attorney-General and others to give an opinion." Now, the Committee has found no objection to this Bill coming up. So, the hon. Member has missed the bus; he cannot object to it now.

**SHRI SOMNATH CHATTERJEE (Burdwan) :** The question of legislative competence is not relevant at the stage of introduction of the Constitution (Amendment) Bill, because if this Bill is passed the

Constitution itself is amended. So, there is no question of legislative competence.

Regarding his other objection, I may point out that everybody is not represented on the Committee on Private Members' Bills and Resolutions. Therefore, if the Member is not present there to oppose it, when the consideration of the Bill comes up, that is the appropriate stage, not only in respect of the Constitution (Amendment) Bills but in respect of other Bills also, when objections can be raised.

**SHRI DINESH CHANDRA GOSWAMI (Gauhati) :** Sir, I do not agree with the point made by the hon. Member that the Bill cannot be opposed on the basis of legislative competence. I feel that that stand will not be correct, because if Parliament has no legislative competence to enact a law amending the Constitution, there is no other body to do it. (*Interruption*)

**MR. DEPUTY-SPEAKER :** Order please. If it is a subject under the purview of the State legislature, obviously we do not have that power. But the report of the Committee on Private Members' Bills and Resolutions was presented to the House on Wednesday. It is in the know of all the Members. A motion was moved just now that it be adopted by the House, and it has been adopted. Therefore, I do not think the question arises at this stage. Mr George, unless you have anything new to say, I will put the motion to the House.

**SHRI VARKEY GEORGE :** I could not oppose it in the Committee of Private Members' Bills and Resolutions, because I was not a Member of that Committee.

**MR. DEPUTY-SPEAKER :** This question does not arise. The report of the Committee was presented to the House on Wednesday last. You have got a copy of that. If you had a special interest, you should have looked into that. And now, the motion to adopt the report was put to

[Mr. Deputy Speaker]  
the House and the House has accepted it. Therefore, you cannot raise that question. If you have any new ground, I am prepared to allow you.

**SHRI VARKEY GEORGE :** Yes; I oppose the motion on the ground that this Parliament has no competence to discuss it.

**MR. DEPUTY SPEAKER :** Then I will put that proposition of yours to the vote.

**AN. HON. MEMBER :** Let somebody move it.

**SHRI VARKEY GEORGE :** It is purely a State subject. It is about education in Kerala. It is about the Kerala University Act. It is a State subject.

**MR. DEPUTY SPEAKER :** Because it is a State subject and therefore this Bill cannot be brought here, that question does not arise. If you have read article 31B, any piece of legislation which a State legislature has passed can be included in the Ninth Schedule according to that article. That is all that is sought to be done. I do not think you have any new reason. I will put the motion to the vote of the House.

The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

**SHRI C. K. CHANDRAPPA :** I introduce\* the Bill.

15.40 hrs.

CONSTITUTION (AMENDMENT) BILL  
—Contd.

[Amendment of article 74]

by Dr. Karni Singh

**MR. DEPUTY SPEAKER :** We shall take up further consideration of the Bill

to amend the Constitution of India moved by Dr. Karni Singh on 26th May, 1971. He has authorised Mrs. Godfrey to pilot the Bill on his behalf. Two hours were allotted for this Bill; 35 minutes were taken and one hour and 25 minutes remain. Shri Bhandare has taken five minutes on the last occasion; he may continue.

**SHRI R. D. BHANDARE (Bombay Central) :** Mr. Deputy Speaker, when the Bill was introduced even then I raised the question as to what was the ground on which the learned Dr. Karni Singh wanted to introduce this Bill. In his introductory speech, he says he is afraid that the High Courts and the Supreme Court would be packed by judges who would always give decisions favourable to the Executive or government. He was afraid that this was likely to take place during the course of years to come. At that time I asked whether Dr. Karni Singh would like to change the polity that we have under the Constitution. Under the Constitution, we have the Parliamentary form of Government even though we have a Federal polity. By this Bill he wants to add an explanation to article 74 of our Constitution; if this Bill is accepted, it would change the very polity that has been existing in our country. I do not know if Dr. Karni Singh would like to introduce the Presidential Form of Government or whether he would be satisfied with the Parliamentary Form of Government which exists under our Constitution. I do not know what is in his mind. Unwittingly in order to forewarn against future dangers or to safeguard against future dangers, he himself has landed in a serious danger; he would like the country to run into a serious danger of the introduction of the Presidential form of government.

15.42 hrs.

[SHRI K. N. TIWARY in the Chair].

The Founding Fathers of our Constitution in their wisdom accepted the Parlia-

\*Published in Gazette of India Extraordinary, Part II, Section 2, dated 4.3.72.

mentary form of government; the powers and functions of each organ of the State are well defined under the Constitution. As I said a Parliamentary form of Government envisages that an institution of Parliament must be created. Parliament is defined as the body constituting the three organs : the President, the Lok Sabha and the Rajya Sabha. These three together constitute the Parliament. In England, under the British Constitution, the King, the House of Commons and the House of Lords constitute the British Parliament. Similarly, the President, the Lok Sabha and the Rajya Sabha constitute the Indian Parliament.

The powers and functions of these three organs are well defined. Their functions are well defined. If we accept Dr. Karni Singh's Bill which seeks that there ought to be an amendment to Article 74, the power to appoint the judges will be vested or given exclusively to the President alone. Now our scheme of the Constitution is that the President will be the Head of the State and the President shall have under Article 74 the Council of Ministers who will tender or give advice to the President. This is what Article 74 says :

"There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions."

If we accept the explanation or if we add the explanation as Dr. Karni Singh would like us to accept in the matter of appointment of judges, the advice of the Council of Ministers need not be taken and should not be taken, and that power should exclusively vest in the President. That is the sum and substance of Dr. Karni Singh's amendment.

By adding the small explanation we are thereby amending Articles 53, Article 124, then part XIV of the Constitution dealing

with Services. Therefore, if we accept the small amendment as he sought to mention to the House, in the matter of appointment of the judges to the High Courts and the Supreme Court the power should be given exclusively to the President. He has forgotten all about the other Articles of the Constitution which deal with the power of appointment. Now the power of appointment is vested under the Constitution in the President. But that power cannot be exercise by him without the aid and advice of the Council of Ministers. That is the position under the Constitution. Therefore, I suggested to him that it would be far more wise and befitting for Constitutional property to withdraw the Bill.

He also went to the extent of saying, and he has also incorporated his fear in the aims and objects of this Bill, that if we do not accept the explanation as he has suggested to Article 74, then we would be giving go-by to the principle of Rule of law. That is his second fear which he has mentioned.

In fact he tried—he must have, I do not say he might not have—but I may very politely ask whether he has understood the implications and connotations of the acceptance of the principle of rule of law. The Rule of Law has three elements. One is that there can be no arbitrary exercise of powers by the executive. Secondly, no person can be above the law. All persons must be put in the matter of trial on the same base and between the same parallels. We have amended the Constitution and also the C.P.C. and Cr. P.C. taking away the special rights and privileges given to the rulers of former Indian States. So, I have no hesitation in concluding that we have now implemented the principle of equality of all persons before the law. I am not talking of article 14 but of the second element of the principle of the rule of law.

Shri R. D. Bhandare]

The third element is that everybody must submit to the municipal law and that they stand on the same base between the same parallel lines

Therefore, Dr. Karni Singh's fears are not based on factual, statistical, rational or legal basis at all. The fear haunting the mind of Dr. Karni Singh that the judges would be packed and we will have a committed judiciary and also the fear that rule of law would be given the go-by have no basis and that fear complex must be given up in understanding the proper constitutional position, the federal polity and the parliamentary democracy which we have accepted

With these words, I would request Mrs. Godfrey to withdraw the Bill. After withdrawing the Bill, she can persuade and satisfy Dr. Karni Singh on the political, constitutional and basic principles of rule of law

\*SHRI MADHURYYA HALDAR (Mathurapur). The Bill introduced by Dr. Karni Singh can be supported if the hopes that have been expressed in the Bill are fulfilled. But no one can say that this stage that these hopes will actually be fulfilled. From our every day experience we have seen how the Judges of the Supreme Court and the High Court are appointed. We have also seen how they are made to work. The ruling class offers them new jobs in lieu of their work as rewards. A Judge of the High Court after his retirement was given a job of Governor and after that he was given a post in the Law Commission. These Judges are often made members of some Committees and Commissions and also appointed Chairmen of also some Inquiry Commission, and after their retirement they are brought to Lok Sabha or Rajya Sabha. The Ruling class is utilising the Judges in a way that their judgment may help them though in an indirect way. If we are really

interested to curb the indirect help given to the ruling class then I would say the present bill is only a step in that direction but it cannot fully meet this objective. It is so because it has been provided in the Constitution that the President will act on the advice of the Prime Minister and his Council of Ministers. This advice, which is given to the President is confidential. It cannot be divulged nor it can be challenged in the Court of law. That is to say that the advice given will not be known to any one. In the light of the constitutional position, I feel quite doubtful that the explanation that is sought to be added to Article 74 would be able to achieve its objective

16.00 hrs.

A little while ago Shri Bhandare posed a question and inquired if we are heading towards a Presidential form of Government or not. It can be said that the Constitution has given our President the apex position in all State matters but in reality he is a titular head. Therefore if the powers of the Prime Minister or the Council of Ministers are sought to be limited then it cannot be argued that there is an effort to increase the power of President. Therefore, I would say that even though the present legislation may seek to give more powers to the President but merely by that his real powers may not actually increase. Under the Constitution the President is the Supreme Commander of the Defence Service of country, he is the head of the Judiciary, he is the head of the Executive and even he is at the head of Lok Sabha and Rajya Sabha. But in reality as I have already stated despite all these constitutional provisions, the President is only a titular head. Therefore, the apprehension of Shri Bhandare that we are marching towards a Presidential form of Government may not be true and I hope it will not come to be true. Here, even if

\*The Original speech was delivered in Bengali.

the powers of the President will be increased slightly, the powers of the Council of Ministers will remain the same only the Executive and the Council of Ministers would not be able to interfere in the matter of appointment of judges. That is the only restriction imposed through this Bill. We have seen the consequences of the interference by the Executive in such matters. We have seen how Members of Lok Sabha and Rajya Sabha, old and infirm people who are unable to step out from their houses are arrested under false pretext and they are not given bails for release by the High Court nor they get any justice because these Judges are appointed on political basis, and they give judgment for political considerations and after retirement they are offered new jobs. (Interruptions).

MR. CHAIRMAN : Is it proper to condemn the whole of judiciary like this? What he said just now is that the judiciary gives judgment on political considerations. It is not proper for him to condemn the entire judiciary like this. He has got protection here but he has also got a responsibility not to make such a wild charge.

SHRI MADHURYYA HALDAR : I am not condemning the whole judiciary system. But there are cases like that. There was one Minister in Dr. B. C. Roy's Cabinet in West Bengal. Immediately after his defeat, he was appointed a Judge of the High Court.

MR. CHAIRMAN : He is no more now. Please don't bring his name like that. That is not proper.

SHRI MADHURYYA HALDAR : Whatever it be, we feel that if the powers of the executive are curbed to maintain the independence of the judiciary then we feel that personal liberty of the individuals will be safe and from this point of view we support Dr Karni Singh's Bill.

SHRI B. R. SHUKLA (Bahraich) : Mr. Chairman, Sir, I strongly opposed the Constitution Amendment Bill brought forward by Dr. Karni Singh.

The amendment is based on a fear that judges will not act impartially if they are appointed on the advice of the Prime Minister. My submission is that such fears can be voiced not only in respect of the appointment of judges but also in respect of other matters. The success of the Constitution does not depend so much on the safeguards or on the letters or the various provisions of the Constitution but on the spirit in which it is worked out.

In this connection, I would recall the examples of two great democracies of the world. One is the democracy of England which is known all over the world as the mother of democracy. There, the judges are known as King's judges or Queen's judges and they are appointed on the advice tendered by the Cabinet. There is complete separation of judiciary obtaining in the United Kingdom. There, Lord Chancellor who is a Member of the House of Lords also happens to be the presiding officer of the court which is constituted by a Committee of the House of Lords.

So, there is complete separation. If it is analysed in all its logical bearings, you would find that it exists in none of the countries howsoever ideally democratic they may appear to be. (Interruption).

The second is the case of the United States of America. There you find that the judges are appointed by the President. The President is the Head of the State, he is the Head of the Executive and he is directly elected by the vast electorate of that country. There you would find that, when certain political and economic controversies arise and the President finds that judges have different inclinations and different attitudes and are not going to support the measure passed



[Shri B. R. Shukla]

by the legislature there, the number of judges is increased by the President. Such is the condition prevailing in one of the most ideal type of democracies by which Dr Karni Singh may swear and which he may adopt as the model democracy.

These are the two countries which I wanted to quote. In our country we have adopted a Constitution which is neither purely Parliamentary nor Presidential, but shares the characteristics of both. But, essentially speaking, the democracy in India is not of the federal type because ultimately it is the Parliament that controls every wing, be it executive or judiciary, it controls even, in one way or the other, the functions of the President because if the President acts in a way which the parliament feels is not in accordance with the Constitution and wishes of the Parliament, it has the power to impeach him. If any of the States does not function in accordance with the Constitutional provisions and there is failure or breakdown of the Constitutional machinery, the President would act on the advice of the Central Cabinet and there would be President's rule. How does Parliament control all the three wings? It controls through the Cabinet, and the Cabinet is responsible to the House.

Therefore, my submission is that it is the Prime Minister who is responsible and answerable for everything that happens in this country, whether in the sphere of judiciary or in the sphere of executive or within Parliament, and the Prime Minister is responsible to the people because the party that comes to form the government is elected by adult franchise in this country. Therefore, these unfounded fears which have been expressed through this Bill should disappear. The judiciary has been functioning in this country from the British time. Even when there was autocratic rule in this country, the judges of the federal court had invalidated

measures—when the Second World War was in progress, I would recall the instance when certain rule of DIR was declared *ultra vires* when Mr Maurice Gwyer was the chief Justice.

My submission is that, because certain judges are appointed on the advice of the executive, *i.e.* on the advice of the Prime Minister that shall not go to detract their independence impartiality or quality therefore, I would request the hon Member to withdraw his Bill. We have developed certain very good conventions about the functioning of the judiciary in this country. We have inherited those conventions from the Britishers. There may have been many bad things in the time of British India. But at least the Parliamentary Democracy, the system of judiciary have functioned very well and we have adopted that system after independence and barring a few erratic cases here and there, the judiciary has functioned effectively impartially and also with ability. Therefore my submission is that Dr Karni Singh should withdraw this Bill.

\*SHRI J M GOWDER (Nilgiris) Mr Chairman Sir, I stand to oppose Dr Karni Singh's Constitution (Amendment) Bill, seeking to amend Article 74 of the Constitution.

During the past 25 years, the Judges of the Supreme Court have all along been appointed by the President on the advice of the Prime Minister. All these years, our judiciary has proved to be the unassailable custodian and protector of our democracy. The Judges of the Supreme Court have been acting independently and impartially. They have so far not belied the principles of equity and good conscience. Their judgments have never been influenced by the policies of the Prime Minister on whose advice they might have been appointed. They have sustained the health of democracy in this country.

\*The Original speech was delivered in Tamil

I will give you one or two classic examples of the independence of our Judiciary. After the Privy Purses (Abolition) Bill fell through in Rajya Sabha, the Presidential Order abolishing the privy purses was proclaimed. When this Order was contested in the Supreme Court, it was declared *ultra vires* of the constitution. The Judges of the Supreme Court did exercise their good conscience, though they might have been appointed by the President on the advice of the Prime Minister. The Prime Minister also did not bring any pressure on the Judges of the Supreme Court for getting the judgment in favour of Government. The Judges knew that the Order had been proclaimed by the President who appointed them. This factor did not at all influence them in saying that the Order was *ultra vires* of the Constitution. I am sure, Sir, that Dr. Karni Singh will definitely have nothing against this judgment of the Supreme Court. This judgment is a classic example of the independence of Judiciary.

I will refer also to the oft-repeated Golak Nath case, which did not favour the Government. This Golak Nath case is the stick which everyone takes to attack the socialist policies of the Government. If the Prime Minister had wanted, she or he could bring to bear some influence on the Judges for getting a judgment favouring the Government. This kind of undue interference in the judiciary has never happened in our country. I am sure it will never happen.

These two classic examples of the independence of our Judges should prove to the hilt that the fears of Dr. Karni Singh are unfounded.

Take also the appointment of the Chairman of the Union Public Service Commission who is appointed on the advice of the Prime Minister. The Union Public Service Commission has been functioning

as an independent body. The Commission has been discharging its functions without fear or favour. Who appoints the Chief of Staff of the Army, Navy and Air Force? They are all appointed on the advice of the Prime Minister. They are all independent in their field of activities and they don't obey the dictates of the Prime Minister in the matter of defence strategy. They have been defending the freedom of the country according to their own plan of activities. There is no question of the Prime Minister influencing them in their strategy for the defence of the country.

In the democratic traditions we have adopted, it is the prerogative of the Prime Minister to aid and advise the President who is the head of the Executive, Judiciary and Legislature. The Judges of the Supreme Court have not been detracted from their independence and impartiality just because they are appointed by the President on the advice of the Prime Minister.

In conclusion, I would request Dr. Karni Singh to withdraw this Bill as he has based his surmises on unfounded fears.

**SHRI DINESH CHANDRA GOSWAMI (Gauhati) :** I oppose this Bill on three grounds. Firstly, it goes against the basic spirit of the Constitution. Secondly, there are various safeguards to ensure the independence of the judiciary in the provisions of the Constitution itself. This provision, sought to be incorporated will not lead to improvement, but it will open up dangerous possibilities and thirdly, the Bill is the result of unwarranted and misleading apprehensions about the policy of the Government.

Coming to the second point first, we can see from a cursory glance at the provisions of the Constitution that there are various provisions in the Constitution which have enshrined an independent

[Shri Dinesh Singh Goswami]

judiciary in this country. Nobody can have two opinion that courts must be independent, and immune from outside influences. The Constitution-makers have drafted the Constitution very carefully to achieve this objective. It is incorporated under the provisions of our Constitution that the tenure of a judge will not be dependent upon the mere pleasure of a Government, as in the case of Government servants, subject to Art. 310, but then, is made subject to what is called, good behaviour. Art. 124 (4) in the case of Supreme Court judges and Art. 217 in the case of High Court judges, lays down the procedure of removal, of judges a very elaborate procedure indeed. Judges are free from interference by Parliament because the Constitution has laid down the conditions of service, salaries and allowances, etc. and the amount of salary etc is not subject to the vote in the Parliament. Also it has been laid down under Art. 121 that the conduct of a judge cannot be criticised in Parliament.

We find from the form of the Oath which the judge has to make in Form IV and form VIII that they will discharge the duties freely and independent of any outside interference. There are sufficient provisions in the Constitution which makes the judiciary independent and the provision which is sought to be introduced in the Article is not necessary. The practice, Sir, is this. My learned friend knows the practice. Three of the most sensitive Bills of this House on whom the prestige of the Government was dependent, were struck down by the Supreme Court. The Supreme Court is completely free from interference by the Government. Judges are free from interference by anybody or anything. The provision it incorporated in the Constitution, will not make the judiciary more independent but will lead to dangerous precedents.

Under the provisions of our Constitution judges are appointed by the President in consultation with the Chief Justice. Of course, the President has to act on the advice of the Council of Ministers. This is different from the practice in England where the appointments of judges are absolutely dependent upon the Executive. The departure from the English practice is this; it was thought that judges' appointment should not be left to politicians, because political interference may be there. Also it was thought that appointment of judges should not be left to any individual, the Chief Justice of the Supreme Court or anybody else, as however eminent that person may be, one cannot exclude the possibility of any individual having his own feelings and attitudes, his own failings and prejudices.

Therefore, it was thought desirable that appointment of judges should be made by the President in consultation with the Chief Justice of the Supreme Court. One may say, there is not binding on the part of the President to accept the consultation rendered or recommendation given by the Chief Justice of the Supreme Court. But if that argument is accepted and if the entire power of appointment is given to the President, then, the entire power of appointment of members of the judiciary will go to a single individual and even though he may occupy and eminent position, he may have his own failings and prejudices and therefore that may lead to dangerous possibilities.

That is why I strongly object to the principle which is sought to be incorporated by this Bill.

My hon. friend has raised the question why we are talking of commitment. We have not talked of commitment, in the sense in which Dr Karni Singh says it. He has said that the judiciary should not be committed to the ephemeral Prime Minister or the

**Ruling Ruling Party.** We have never advocated it. What we have said is that the judiciary should be committed to the basic objectives for which the State stands. What we have said is that the judiciary, while interpreting the Constitution should not interpret the Constitution as a closed document but as a living document. In fact, if we look to the different rules of interpretation of a constitution, we find that the Supreme Court of this country as well as of the different countries has held that there is an essential distinction between the interpretation of an ordinary legislative enactment and the interpretation of a Constitution, because the Constitution must always be interpreted liberally. After all, what is the Constitution? The Constitution reflects or gives expression to the hopes and aspirations and the ideologies of the people. These hopes and aspirations and ideologies and basic factors for which people stand will change from time to time, and the concepts will also change. Therefore, when we interpret the Constitution in 1970, on the basis of the ideologies prevalent in 1950, it will not be a proper interpretation of the Constitution, because in that case, the interpretation will not be an interpretation of a living document but the interpretation of a closed document.

Therefore, what we are saying is this. While interpreting the Constitution, interpret it as a living document, keep in before the eye the basic objectives for which the country stands, and keeping before the eye the ideologies for which the people stand. We are not speaking of a committed judiciary in the sense in which my hon. friend has tried to interpret it.

Therefore, my submission is that there being enough safeguard for the independence of the judiciary, this provision is most dangerous and should be withdrawn.

My hon. friend has raised the question that retired judges have been appointed in

executive posts or different Government or semi-Government posts in order to exercise influence upon the judiciary. I submit that that is an absolutely wrong approach. Undoubtedly, retired judges sometimes have been appointed. That is because we feel that these judges with their varied experience and with their legal knowledge have many parts to play in the progress and development of the country.

Undoubtedly, judges who have not retired or precisely who have resigned have been made Ministers, because we feel that in this House we should have the help of their advice and we should have the help of those who know how to interpret the Constitution and the subtleties of the law and the niceties of law, and, therefore, if somebody is brought in here to help the Government in this respect, I do not know what wrong Government have committed.

In fact, as I said, Dr. Karni Singh had probably been prompted to move this Bill because he had a completely unwarranted and misleading appreciation of the policies of Government. After listening to the speeches, I hope he will come to the conclusion that this Bill will not serve the purpose for which it has been introduced.

With these words, I oppose the Bill.

**श्री अटल बिहारी वाजपेयी (म्यालिबर) :** उपस्थित महोदय, इस बात विवाद में बाग सेने की मेरी इच्छा नहीं थी। किन्तु जो वाक्य हुए हैं उन्होंने मुझे दो मध्य कहने के लिये उत्तेजित किया है। इससे इनकार नहीं किया जा सकता कि डा० कर्ण सिंह का वर्तमान विधेयक प्राज जो कुछ हो रहा है, उसके प्रति प्रार्थना की भावना से प्रेरित है। उन्हें यह डर है कि धीरे-धीरे न्यायपालिका की स्वाधीनता या तो समाप्त कर दी जायेगी या नियमित कर दी जायेगी और यह डर केवल डा० कर्ण सिंह को नहीं है, इस सदन के भीतर की ओर बाहर भी यह डर व्यापक पैमाने पर छाया हुआ है। इस डर का साधारण

[श्री जटन बिहारी दाबरेबी]

सत्ताकूट दल में चलने वाला यह विचार है कि क्यूटिबारी की कमिटेड होना चाहिये। अभी हमारे मिन ने कमिटेड की जो व्याख्या की है उससे किसी का विरोध नहीं हो सकता। न्याय-पालिका लोकतांत्रिक भावनों के लिये प्रतिबद्ध हो, हमारे जज संविधान में निहित सिद्धांतों के लिये प्रतिबद्ध हो, यह निनात स्वाभाविक है, आवश्यक है। हम सब संविधान की शपथ लेते हैं और संविधान में निहित भावनों को हमें कायान्वित करना है। लेकिन संविधान बना 1950 में। गणतंत्र की घोषणा हुई 1950 में। लेकिन "कमिटेड" की चर्चा 1950 से नहीं चल रही है। "कमिटेड" एक नया शब्द है। और फिर केवल कमिटेड तक ही बात नहीं रहती है। कहा जाता है कि जजिफ का क्लास कैरेक्टर क्या है। क्या यह देखा जायेगा कि जज किस कुल में पैदा हुआ है। क्या यह देखा जायेगा कि उसकी कुल-परम्परा क्या है? और अगर वह मध्यम वर्ग का है, तो वह बूढ़ा जज है। फिर वह मजदूरों के साथ न्याय नहीं कर सकता?

यह सारी विचारधारा हमारे जीवन की परम्परा और हमारे चिन्तन के सर्वथा प्रतिकूल है। हमने इस देश में एक ऐसे चिन्तन का विकास किया कि न्यायाधीश की पीठ पर जो भी व्यक्ति बैठ गया, वह तराजू के दोनों पलकों को बराबर रखने की कोशिश करेगा, वह किसी स्वार्थ के साथ अपने को नहीं बांधेगा। इसी लिये जब सरकाराचार्य और मदन मिश्र ने शास्त्रार्थ हुआ, तो उस शास्त्रार्थ का निर्णय करने के लिये मदन मिश्र की पत्नी को न्यायाधीश बनाया गया। सरकाराचार्य ने यह आपत्ति नहीं की कि यह तो मदन मिश्र की पत्नी है, वह मदन मिश्र के पक्ष में निर्णय देगी। पंच-वरनेश्वर की कल्पना जहाँ से प्रसूत हुई, उसी की परिणति जा कर न्यायपालिका की विभक्तता में हुई।

आज न्यायपालिका की विभक्तता पर आलोच हो रहे हैं। आप ना कमीशन की रिपोर्ट पढ़ लीजिये। न्यायाधीशों की नियुक्ति का केवल मुन्नी के आचार पर नहीं होती है, उनके विचारों के

आधार पर भी होती है, वे किस जाति के हैं, किस मजहब की मानने वाले हैं, इस आधार पर भी होती है। मुख्य मंत्री जब इस बारे में सलाह देते हैं, तो उन के सामने कई बातें रहती हैं। मैं नहीं समझता कि मुख्य मंत्री या प्रधान मंत्री को तस्वीर में लाने की आवश्यकता है। यह उन के प्रति किसी अविश्वास की भावना से प्रेरित हो कर नहीं कहा जा रहा है। लेकिन व्यवस्था ऐसी होनी चाहिये कि किसी प्रकार के दुष्प्रयोग की सम्भावना न रहे।

कमिटेड की बात कर के सत्ताकूट दल के कुछ सदस्य केवल इस भय की भावना को बढ़ा रहे हैं कि इस देश में हर एक व्यक्ति को सत्ताकूट दल के प्रति प्रतिबद्ध होना पड़ेगा, फिर चाहे वह जज या समा-चारपत्र हों और चाहे सिविल सर्वेंट हों। आखिर लोकतंत्र में सत्ताकूट दल बढेगा। जनता किसी दूसरे दल को चुनाव में बिजयी कर के ला सकती है। हा, लोकतांत्रिक भावनों में हमारी निष्ठा घटूट और घटिग रहनी चाहिये। उनके प्रति प्रतिबद्ध आवश्यक है और समझ में आने वाली बात है।

जिस भय की भावना से प्रेरित हो कर यह विधेयक धारा है, उस का निराकरण करने की आवश्यकता है और मैं धात्ता करता हू कि मंत्री महोदय इस बहुत का ऐसा उत्तर देवे कि इस तरह के भय की भावना न रहे और वह अपने दल के सदस्यों को भी सलाह दें कि जब उन का भारी भरकम बहुमत हो गया है, जब कमिटेड की चर्चा करने से फायदा नहीं है, जिन के लिये कमिटेड है, वह कुछ कर के दिखायेंगे।

अगर सुप्रीम कोर्ट बैंक नैशनलाइजेशन के विषय में सरकार के विनाश निर्णय दे देती है तो, वह रीएक्शनरी हो जाती है और वही सुप्रीम कोर्ट अगर राष्ट्रपति गिरि के चुनाव को रोक ठहरा देती है, तो वह अशुद्ध हो जाती है। सुप्रीम कोर्ट वही है, लेकिन अगर वह सरकार का मनचाहा निर्णय दे दे, तो वह अशुद्ध, आश्लेष, क्लब-क्लबिंग है, कमिटेड है और अगर वह सरकार के विनाश फैसला दे दे, तो वह बूढ़ा है, उनका क्लास

कैरेक्टर देखना होगा, यह देखना होगा कि उन्होंने किस कुल में जन्म लिया है। क्या यह कसौटी है सुप्रीम कोर्ट के फैसलों को कसने की? क्या यह कसौटी है न्यायपालिका के निर्णयों पर विचार करने की? यह विचार-प्रणाली दूषित और विकृत है, वह लोकतंत्र के लिये घातक है और उसका परित्याग करना होगा। न्यायपालिका सर्वथा स्वतंत्र और निष्पक्ष रहनी चाहिये और जब मैं कहता हूँ “रहनी चाहिये”, तो केवल रहनी ही नहीं चाहिये, बिबाई भी देनी चाहिये और ऐसी चर्चा नहीं होनी चाहिये, जिस से यह धाशका पैदा हो कि जजों को प्रभावित करने की कोशिश की जाती है।

यह भी बड़ा महत्वपूर्ण प्रश्न है कि धक्काज लेने के बाद जजों को किसी कमीशन में नियुक्त किया जाये या नहीं। यह मैं मानता हूँ कि बहुत से रिटायर्ड हो जाते हैं, लेकिन टायर्ड नहीं होते हैं। वह कुछ सेवा करने के लिए बाकी रहते हैं। उन्हें किसी कमीशन में नियुक्त किया जा सकता है। उनकी विद्वत्ता का और उनके गुणों का लाभ उठाया जा सकता है। लेकिन इसमें मनमानी होती है। जो जज सरकार को पसंद है वह कमीशन पर कमीशन पाता है और जो उतना पसंद नहीं है वह जानबूझ कर और सन्यास की ओर प्रयाण करता हुआ बिबाई पढ़ता है। इस बात का एक तरीका यह है हाई कोर्ट और सुप्रीम कोर्ट के रिटायर्ड जजों का एक पैनल बनना चाहिये और उस पैनल के हिसाब से कमीशन में उन की नियुक्ति होनी चाहिये। उसमें से किसी को छोड़ने की आवश्यकता नहीं है। जिस का नम्बर भा जायेगा वह कमीशन में चला जायेगा। तब उन्हें बरोसा रहेगा कि हम कमीशन में सरकार की कृपा से नहीं लिये जायेंगे, सरकार के पक्ष में निर्णय देने इसलिये हमारी पूछ कमीशन में नहीं होगी। लेकिन अगर आवश्यकता पड़ेगी तो हमारी सेवाओं की जायेंगी। इसलिये पैनल बना कर जजों को नियुक्त करना बहुत आवश्यक है और सरकार इस के लिये तैयार नहीं है तो रिटायर्ड जजों को नियुक्त करता छोड़ दे, उन्हें इतना बताना दे इसकी योजना दे कि रिटायर होने के बाद उन को किसी भीकरी याकरी की आवश्यकता

न पड़े। तभी वह अपनी स्वतंत्रता और निष्पक्षता को रखा कर सकते हैं।

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI NITIRAJ SINGH CHAUDHARY): Mr. Chairman, Sir, I am sorry that the hon. Mover is not present in the House today. While moving the Bill, he had said—

AN HON. MEMBER : He has authorised another hon. Member.

SHRI NITIRAJ SINGH CHAUDHARY: Yes; that authorisation does not mean the presence of the hon. Member concerned. While moving he had said that he found some ambiguity between the provisions of the Constitution, and he referred to article 124 and 74. He said that there is ambiguity between the provisions of these two articles, and therefore he has moved this Bill.

Sir, with your permission, I shall refer to article 74. Article 74 says :

“There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions.”

By his amendment, the Mover wants an explanation to be added to this article, and by the explanation, the power of the Prime Minister to aid and advise the President in the appointment of judges is sought to be taken away. Suppose it is accepted, what could happen. The appointment would be as provided by articles 124 and 217; that is, with the advice of the Chief Justice and judges of the Supreme Court and of the high courts. I do not understand if the hon. Mover wants that the rights of representatives who have been elected by the people of this country and who form the Government of the day should be taken away and should be vested on a limited number of people. If that be

[Shri Nitiraj Singh Chaudhary]

the intention of the Mover, I have only to thank him and his intelligence

I submit that throughout the world, in all the democracies, it is the executive which advises the head of the Government and the executive has to advise according to the times. If the executive does not do it, such an executive and the parties and the Governments are thrown out. That has happened throughout the world and shall continue to happen hereafter also. Therefore, to have any doubt in the Government of the day and the executive is I most respectfully submit, not correct.

Two hon. Members of this House Shri Baren Dutta and Shri Halder, while speaking on this Bill, said that they supported this Bill. Shri Vajpayee also spoke, but I have not been able to make out whether he has supported the Bill or opposed it.

SHRI ATAL BIHARI VAJPAYEE : I did not support the Bill.

SHRI NITIRAJ SINGH CHAUDHARY : I am glad to hear that he has not supported the Bill. But he has made some suggestions. I will come to them later. The other point that was tried to be made by the Mover was in regard to democracy. He said "It is not only my belief but the belief of all of us who believe in democracy that the President should be advised by the Chief Justice of the Supreme Court..." If he had said that 'it was my belief', it would have been all right but to say that it is the belief of all the Members of the House is wrong and it has been proved to be wrong by various hon. Members who had spoken and opposed the Bill. If he were here he would have seen for himself that what he said was entirely wrong.

In this country during these long years a procedure has been followed for the appointment of judges of the Supreme Court and

of the High Court. In the case of the Supreme Court, the Chief Justice and in the case of the High Courts, the concerned Chief Justice of the High Court makes suggestions. They come through the State Governments with their comments in the case of High Courts. In the case of the Supreme Court, the Chief Justice in consultation with his colleagues in the Supreme Court sends his recommendation to the Government and then the Government acts on it. This procedure has been followed and the Government does not intend to change that procedure. Therefore to say that in the appointment of judges politics comes in and people of a particular way of thinking are brought in, is entirely wrong.

SHRI ATAL BIHARI VAJPAYEE : Now the Chief Ministers do not count.

SHRI NITIRAJ SINGH CHAUDHARY : They count, they do not count for you, we know what we receive from them and how we act on them. This point was very well replied to by Shri Bhandare. As Shri Bhandare said, "if we accepted his suggestion, we shall be ending democracy and parliamentary system and we shall be reverting to the presidential type of rule."

Then the hon. Member said "For the last few years we have been seeing intolerance both in Government and our supreme Parliament." If he means to say that the majority view of Parliament is not acceptable to him and he is allergic to that, I think he has to thank himself for that. In a democracy it is the majority view that is accepted and the Government has to act accordingly. He knows that in parliamentary democracy it is the decision of Parliament on which the executive has to act. I have already said that we are a parliamentary democracy and would continue to be so and it is the will of the people of this country that will guide us and not

the thinking or will of some people who think otherwise.

The hon. Mover also referred to Gandhiji and Nehru and said that he believed in democracy and in the preachings of Nehru and Gandhiji. If he were here I would have asked him whether he was working with them or siding with bureaucracy when Ghandi and Nehru were fighting for the freedom of this country.

**SHRI ATAL BIHARI VAJPAYEE :**  
That is a cheap jibe.

**SHRI NITIRAJ SINGH CHAUDHARY:**  
It is not a cheap jibe. One can refer to the preachings of someone if one had faith in them. If one does not have faith then to refer to them, I submit, would be a cheap claim to make.

Then, he said. I would read that portion :

"By sheer majority of laymen democracy should not function". I submit, by using these words he has insulted the people of this country. It is the people of this country who have elected these representatives and and if the people want that they shall be guided and their policies are determined by laymen, he cannot come and blame. He has to put up with that.

Other points that were made by him have been replied to by my friends who have taken part in the debate and have opposed the Bill.

For these reasons I oppose the Bill. Dr. Karni Singh is not here. His representative, Mrs. Godfrey, is here. I would request her to withdraw it.

**MR. CHAIRMAN :** Shrimati M. Godfrey.

**SHRIMATI M. GODFREY** (Nominated Anglo-Indians) : I am sorry that Dr. Karni Singh is not here and according to Rule 109, I am not permitted to withdraw the  
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Bill. I could only ask the Chairman for adjournment of the Bill till the mover comes back.

I would like to say that I do not think that Dr. Karni Singh had any idea behind his mind to insult the people of India by saying that this power of appointment of judges should be, perhaps, vested with the President. I would also suggest, as one of our earlier hon. speakers has said that the Ruling Party had been elected by the people of India, I would like to say that the opposition also had been elected by the people of India and they also do form a large part of the people of our country. So, I think that the opposition members also should have a say in the election of the judges, which really forms the very vital part, and a very vital role in determining the conditions of life of our people. If the view of some of the leaders of the opposition is taken when they are deciding the appointment of judges, I think that can solve our problem.

I do not deny that the Council of Ministers is the supreme body for selecting judges, who naturally should be selected by the supreme body in the country; I would also request that the leaders of the opposition who also hold sway over a large number of people in India should also be given a chance to give their point of view in the selection of the judges.

**MR. CHAIRMAN :** We see that according to Rule 109 she is not entitled to withdraw it. That is why she wants adjournment of the debate. I am putting it to the House.

**SHRI B. SHANKARANAND** (Chikodi) : When the Mover is not here and it cannot be withdrawn, whether the Bill could be adopted or not, there cannot be adjournment.

**MR. CHAIRMAN :** When she has requested, I am putting it to the House and



[Mr. Chairman]

think I according to the rule she is justified in asking for adjournment.

**SHRI ATAL BIHARI VAJPAYEE :** Why not agree to adjournment?

**SHRI K. NARAYANA RAO (Bobbili) :** The Bill has been discussed and a reply given on the understanding that she has the capacity to reply and she has been authorised to reply. She is now saying that she is not entitled to withdraw. We are not urging her to withdraw. That is not the only option. Let it be put to vote.

**MR. CHAIRMAN :** The Minister has requested her to withdraw. She is prepared to withdraw but according to the rules, she is not entitled to withdraw. That is why she has requested that the debate be adjourned. Now it is the pleasure of the House to grant the adjournment or not.

The question is :

"That the debate on the Bill moved by Dr. Karni Singh be adjourned."

*The motion was negatived.*

**MR. CHAIRMAN :** Now, before I put the motion for consideration to the vote of the House, this being a Constitution Amendment Bill, voting has to be by division. So, let the lobbies be cleared.

The question is :

"That the Bill further to amend the Constitution of India, be taken into consideration."

*The Lok Sabha divided.*

Division No. 1]

[16.36 hrs.

**AYES**

**Nil**

**NOES**

Ahirwar, Shri Nathu Ram  
Amtesh, Shri  
Ankinesudu, Shri Maganti

Barman, Shri R. N.  
Barua, Shri Bedabrata  
Bhagirath Bhanwar, Shri  
Bhandare, Shri R. D.  
Bhargava, Shri Basheswar Nath  
Bist, Shri Narendra Singh  
Chakleshwar Singh, Shri  
Chandrashekharaappa Veerabappa,  
Shri T.V.  
Chandrika Prasad, Shri  
Chaudhary, Shri Nitiraj Singh  
Chellachari, Shri A. M.  
Chhotey Lal, Shri  
Choudhary, Shri B. E.  
Daga, Shri M. C.  
Dandavate, Prof Madhu  
Darbara Singh, Shri  
Das, Shri Anadi Charan  
Dasappa, Shri Tulsidas  
Dhamankar, Shri  
Dixit, Shri Jagdish Chandra  
Doda, Shri Hiralal  
Dumada, Shri L. K.  
Gandhi, Shrimati Indira  
Gautam, Shri C. D.  
Gill, Shri Mohinder Singh  
Gomango, Shri Giridhar  
Gopal, Shri K.  
Goswami, Shri Dinesh Chandra  
Gowder, Shri J. M.  
Hanumanthaya, Shri K.  
Jadeja, Shri D. P.  
Jaffer Sharief, Shri C. K.  
Jitendra Prasad, Shri  
Kader, Shri S. A.  
Kailas, Dr.  
Kalingarayar, Shri Mohanraj  
Karnja Kumari, Kumari  
Kapur, Shri Sat Pal  
Kedar Nath Singh, Shri  
Kotrashetti, Shri A. K.  
Lakshminarayanan, Shri M. R.  
Lutfal Haque, Shri  
Mehta, Dr. Jivraj  
Mishra, Shri Jagannath  
Modi, Shri Shrikrishnan  
Mohapatra, Shri Shyam Sunder

Mohsin, Shri F. H.  
 Negi, Shri Pratap Singh  
 Orson, Shri Tuna  
 Pabadia, Shri Jagannath  
 Pandit, Shri S. T.  
 Panigrahi, Shri Chintamani  
 Partap Singh, Shri  
 Patel, Shri Natwarlal  
 Patil, Shri S. B.  
 Patnaik, Shri Banamali  
 Peje, Shri S. L.  
 Pradhani, Shri K.  
 Raj Bahadur, Shri  
 Ramkanwar, Shri  
 Rana, Shri M. B.  
 Rao, Shrimati B. Radhabai A.  
 Rao, Shri Jagannath  
 Rao, Shri K. Narayana  
 Rao, Shri M. Satyanarayan  
 Rao, Shri Nageshwara  
 Reddy, Shri M. Ram Gopal  
 Reddy, Shri P. Narasimha  
 Richharia, Dr. Govind Das  
 Roy, Shri Bishwanath  
 Sadhu Ram, Shri  
 Salve, Shri N. K. P.  
 Samanta, Shri S. C.  
 Sarkar, Shri Sakti Kumar  
 Satpathy, Shri Devendra  
 Savant, Shri Shankarrao  
 Savitri Shyam, Shrimati  
 Shankar Dayal Singh, Shri  
 Shankaranand, Shri B.  
 Sharma, Shri Nawal Kishore  
 Sharma, Shri R. N.  
 Siva Chandika, Shri  
 Shivnath Singh, Shri  
 Shukla Shri B. R.  
 Siddheshwar Prasad, Shri  
 Sohan Lal, Shri T.  
 Sokhi Shri Swaran Singh  
 Suryanarayana, Shri K.  
 Swaminathan, Shri R. V.  
 Tarodekar, Shri V. B.  
 Tiwary, Shri D. N.

Venkatwamy, Shri G.  
 Verma, Shri Balgovind  
 Vikal, Shri Ram Chandra  
 Yadav, Shri R. P.  
 Yadav, Shri D. P.

MR. CHAIRMAN : The result\* of the division is :

Ayes : Nil

Noes : 99

The minimum number of votes required for taking this Bill into consideration is 263.

The motion is not carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

So the motion is lost.

*The motion was negatived.*

16.54 hrs.

#### FACTORIES (AMENDMENT) BILL

SHRI S.C. SAMANTA (Tamluk): Mr. Chairman, Sir, before I move my Bill for Consideration and passing, I would like to remind the hon. Minister that on the 11th May 1972 the same Bill was discussed in this House threadbare. So, first I would like to know from the hon. Minister whether there is any reaction in the mind of the Government about my proposal. It had already been discussed threadbare.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA : We know the hon. Member introduced Bill some years back and at that time some assurance was given on the floor of the House. Again, some delay has taken place. The Government have nearly completed the consideration of it and, verysoon, we are going to bring forward the Bill before the House.

\*The following members also recorded their Votes for Notes :—

Satvashri Umed Singh Rathia and Nimbalkar.

**SHRI S.C. SAMANTA:** This Bill we brought forward by me and discussed in 1962. Now, after ten years, the Government has considered the matter and is bringing forward a similar Bill before the House. With this assurance, I ask the leave of the House to withdraw the Bill.

**MR. CHAIRMAN:** The question is "That leave be granted to Shri S. C. Samanta to withdraw his Bill further to amend the Factories Act, 1948."

*The Motion was adopted*

**SHRI S.C. SAMANTA:** Sir I withdraw the Bill.

16.56 hrs.

# CONSTITUTION (AMENDMENT) BILL

(Insertion of new articles 23A, 23B and 23C)

**PROF. MADHU DANDAVATE (Rajapur):** Mr. Chairman, Sir, I beg to move\*:

"That the Bill further to amend the Constitution of India be taken into consideration."

I am placing before the House for consideration the Constitution Amendment Bill which seeks to amend the Constitution by suggesting insertion of new articles 23A, 23B and 23C. The objection of this Bill is to see that certain basic provisions which are missing from the fundamental rights are incorporated there. I would like to see that our Constitution ensures work and adequate means of livelihood for all citizens; secondly, failing such a provision of work and adequate means of livelihood, there should be some sort of unemployment allowance to be given to the unemployed; thirdly, there should be a monetary assistance to those who have completed the age of 60 years or who

are chronically sick or disabled and, lastly there should be free and compulsory education for all children upto the age of 14 years.

I may call the attention of the Honed that when the famous Twenty-fourth Amendment of the Constitution was being accepted by the House, those of us who supported it pointed out that this was only an enabling Bill and that a test of the enabling Bill would be to utilise the powers given to Parliament by the Bill, to introduce certain measures through which more radical means of transformation could be brought about.

There are certain principles which are already enunciated in the Directive Principles of State Policy. Let me point out to you that when certain principles are enunciated only in the Directive Principles of the State Policy, these principles are not justiciable and, therefore, they merely remain vague generalisations and platitudes and they cannot be implemented. If these principles are not implemented in practice, the common man can not go to the court and seek justice. Therefore, through this Constitution Amendment Bill, all that I am proposing is that just as the fundamental right to property is accepted by the Constitution, a more fundamental right, the right to work and adequate means of livelihood, should be accepted by the House.

We in this House have debated time and again that we want to move in the direction of an egalitarian society and slogans have been given that we want to eradicate poverty. But the very test of an egalitarian society will be that, on one side the property-owners, these people, have the right to property and it is being treated as a fundamental right, on the other side every citizen must be able to have and enjoy the right to work and right to

\*Moved with the recommendation of the President.

adequate means of livelihood. And if these become the part and parcel of Fundamental Rights, then those who remain unemployed will be able to go to the court of law and demand justice, demand employment, and if employment is refused.....

17.00 hrs.

SHRI R. D. BHANDARE (Bombay Central) : On a point of order. So far as the objects and aims of the Bill are concerned, I have no quarrel with him; but it is a question of the scheme of the Constitution; the article and the Chapter under which the hon. Member has moved his Bill cannot be fitted in. Unless he suggests a separate Chapter for it or suggests an amendment in juxtaposition to article 41, it will not be in the fitness of things because the Bill moved by Prof. Madhu Dandavate will not fit in under this Chapter. The heading of this Chapter is 'Right against Exploitation'- article 23; prohibition of traffic in human-beings and forced labour. How can making provision for the unemployed fit in under 'Right against Exploitation'? Therefore, he may consult a draftsman and incorporate a separate chapter or bring the amendment to article 41.

SHRI N. K. P. SALVE (Betul): The question raised by Shri Bhandare is a question of drafting. The only objection he raises is to the heading of this particular Chapter, namely, that the particular provision which the hon. Member seeks to introduce by way of amendment to the Constitution cannot be brought about because, according to him, the heading is not wide enough to cover that. It is a well accepted canon of construction that once a provision is otherwise legally valid, simply because it does not fit in under a particular heading does not go outside the purview of legality. I do not think, my learned friend finds anything else other than this drafting difficulty. This is purely

a drafting matter. If it is just this little difficulty as to what the heading should be, then the real amendment should be to the heading itself and not that it should be put as a separate chapter. (Interruptions)

SHRI K. NARAYANA RAO (Bobilli) The basic objective of the mover of this bill is to see that the right which is in Chapter IV under Directive Principles of State Policy which are non-justiciable, is made justiciable by bringing it under Chapter III. There is no point in Mr. Bhandare's suggestion that he should bring it under article 41. So, that point is out.

So far as my friend Mr. Salve's point is concerned, it is not so much the title that matters. Head-notes cannot be taken into consideration. That was a point that was discussed in the Golak Nath case where the question applied was the procedure in the marginal note. Therefore, even therewith also, if we are to bring it under the concept of exploitation, it can easily be stated that all the people who are unemployed can be called people exploited by the society. Therefore, this point of order has no substance.

PROF. MADHU DANDAVATE: I hope you have given the ruling that is perfectly in order.

MR. CHAIRMAN : I allow the discussion on the Bill to go on and whatever points the hon. Members wish to make, they can make.

PROF. MADHU DANDAVATE : As I was pointing out to the House, when we consider the 24th Constitution Amendment Bill, it was made explicitly clear by all the supporters of the 24th Constitution Amendment Bill that since this is an enabling Bill, once the Parliament becomes supreme and sovereign and if necessary, even by changing the Fundamental Rights, it should be possible for us at some stage

[Prof Madhu Dandavate]  
to introduce a new Fundamental Rights into our Constitution which are in keeping with the spirit of the new age

The spirit of the new age demands that not only property becomes the right but we feel that right to have adequate means of livelihood must also become a fundamental right and that right, if denied to any citizen, in that case, that right should be enforceable by having to the court and on the basis of this background, I have moved this Bill

Take up the problem of unemployment The problem to-day is assuming grave proportions and we find that even on the basis of whatever statistics that are available, to-day the dimensions of the problem of unemployment are simply stupendous Even the cursory statistics that are available can be classified into three categories. Very often we are told that this is the backlog of unemployment or this is the extent of unemployment But the basis of the statistics of unemployment is very often the registers/registrations that are made at the employment exchanges This does not take into account the concealed unemployment of those who never take care to go to the employment exchange cynically because they have no faith in the employment exchanges They do not register themselves as unemployed.

Again, on the basis of the statistics that are available from the Government, the backlog of unemployment at the end of every five year plan has also been mentioned but that does not take into account the under-employment and also does not take into account especially the concealed unemployment at the rural level But, even if you take these statistics into account, you will find that the problem is simply stupendous

What is the problem as revealed by the registration at the employment exchanges? Even if you take these registrations into

account, in 1968, it was 30,11,642. In 1969 it was 34,23,385 and 1970—40,68,554 and 1971—50,99,999 As I said earlier, this excludes the under employment and also those who do not care to go to the employment exchanges

Again, what is the backlog of unemployment as revealed by the statistics given by the planners? These figures are still staggering At the end of the First Plan, the unemployment mentioned is 5.3 million At the end of the Second Plan, it was 9 million At the end of the Third Plan it was 12 million and at the end of the Fourth Plan, it will be 14 million Sir, again let me repeat that this backlog of unemployment in which the concealed unemployment in the rural areas has been taken into account, but even if we neglect that I think the figures are still staggering and they reveal the depth of the unemployment problem

The budget amounts for creating employment opportunities have, by and large, due to lack of proper orientation and necessary machinery of implementation remained unutilised Among the educated and the uneducated the problem of unemployment is becoming more and more acute

In almost all Welfare States there is a provision for old age allowance, to those who are either sick or disabled, who are not able to undertake any job at all To those who are 60 years old some sort of guarantee of that type must be made. I admit it is not possible for the Government to provide such relief to all cases. But I would like to stress that if job could not be made available, some form of unemployment relief must be made available. Some people may ridicule it as a form of dole I do not think in a Welfare State employment allowance is to be described as a form of dole All the Welfare States have accepted this idea. I don't think ours is a Socialist State. It is far from that But it is in the form of a Welfare State.

**SHRI S. M. BANERJEE (Kanpur) :** It is a Farewell State. school register, constituting 83 per cent of the total population in this age group. I quite concede that in the age group from 6 to 11, the progress is quite considerable.

**PROF. MADHU DANDAVATE :** It is only Farewell to Socialism. It is in the form of a Welfare State. I do concede on that. In a Welfare State, if large number of citizens remain unemployed, some unemployment compensation or allowance must be made available to them.

It is stated in the Directive Principles of State Policy that upto the age of 14, there will be free, compulsory education. I will quote from the Statistics made available by the Govt. itself. In respect of free and compulsory primary education, whatever has been stated in the Directive Principles of State Policy has remained only vague platitude. So far as concrete realities are concerned, we find that this aspect of the Directive Principles of State Policy has not been realised at all. You will find that upto the age of 6 to 11, there is some considerable progress made and to that extent the Government deserves congratulations. But if you take the age group of 11 to 14, you will find that adequate progress is not there. The figures are very revealing. Let me take few minutes to quote the figures.

1. 1946-47 the total number of students on the rolls of schools in the age group, 6 to 11 years, was 14 million. The total number of persons from this age group constituted 25 per cent. That is, out of every 100 school going children, those who attended the school were only 35. In 1950-51, the total number of students on the rolls were 19.15 million, constituting 42.6 per cent of those students from that age group. In 1960-61 the figure was 34.99 millions which comes to 62 per cent of the total number of population in this age group. That is the position. In 1965-66 the figure was 49.72 million, constituting 75.6 per cent of the population. Fortunately the percentage is going up. In 1968-69 the figure was 55.49 million, coming to 77.3 per cent of the total population in this age group. In 1970-71 the figure was 60.11 million, amounting to 79.6 per cent. In 1971-72, the figure was 68 million on the

What has happened in the next age-group, 11 to 14 years? In 1950-51 the number of students on school registers were 3.12 million only. This is 12.7 per cent of the total population of children in this particular age group. This came to 6.7 million in 1960-61, constituting 22.5 per cent. This again came to 10.34 million in 1965-66, constituting 30.3 per cent. The figures for 1968-69 are 12.27 million and you get a percentage of 32.3 per cent. In 1969-70, the figures are 13.36 millions and 34 per cent.

In 1970-71, it was 13.82 million and that comes to only 34 per cent. And the latest figures available are for 1971-72 and they show that the number is 15 million and this constitutes only 37 per cent of the entire population in this particular age group 11-14.

These statistics very clearly reveal quite in contradiction to the earlier statistics, that right from 1950-51 to 1971-72, the total number of students on the lists of the schools ranges from 12.7 to 37 per cent. This means that the majority of the population in this particular age-group which ought to go to the schools is still out of the schools. This means that our ideal of free and compulsory education has merely remained on paper, especially as far as this group is concerned. Therefore, it is very necessary that we try to devise new schemes and we try to have elaborate programmes to reorient our entire educational system and thereby see to it that this particular principal of free and compulsory education up to the age-limit of 11-14 which has remained only on the anvil of the Directive Principles of State Policy comes into reality. If that is not done, in that case, if we put it in Part III of the Constitution, it would be possible for those guardians to whose children education has been denied, to go to a court of law and bring about the enforceability of this particular principle which so far has remained only in the Directive Principles of State Policy.

[Prof Madhu Dandavate]

In this connection, a very significant aspect and a very significant point develops. A lot of controversy is going on about that point among the educationists. You know, Sir, that education at present is only a State subject. If you look at the immensity and the great dimensions of the problem, it is absolutely clear that if we entrust education only to the States as a State subject, it will be beyond the means of the State Government to tackle the problem. But as one who belongs to the field of education, I would also not like that education should become merely a Central subject. Especially in the field of education, overcentralisation will be highly dangerous, and, therefore as a *via media* I would suggest that education should be in the concurrent list so that both the Centre and the State would be able to apply their mind not only in terms of reorienting the schemes of education but also in generating and mobilising the necessary resources. Therefore, I would suggest that education should become a concurrent subject.

As far as these problems which I have placed before the House are concerned, whether it be the problem of unemployment or the problem of the right to work or the problem of compensation or allowances to those who are unemployed or the right of the children to get free and compulsory education, from all the elaborate statistics that I have placed before the House, it will be very clear that though these provisions have remained in the chapter on Directive Principles of State Policy, they have not been implemented in great measure. Therefore, only if we incorporate them in Part III of the Constitution, there is a possibility of enforcing rights by going to a court of law and there will be some sort of pressure on the Government also at the Central as well as the State levels. But if they are not able to implement these provi-

sions, in that case, the citizen has the right to go to court, and, there Government are likely to come into difficulty. It is only when there is a threat and there is some authority which is going to supervise the implementation of these provisions that every machinery, whether it be at the Centre or in the States, will try to prop up these provisions and implement the provisions that are already there and thereby it will be possible for us to see that all these provisions which are today existing in the chapter on Directive Principles of State Policy are actually implemented in greater measure.

In conclusion, I would make one reference. As far as traditions are concerned specially in our feudal Indian society, as far as vague generalisations are concerned, I think we in this country are the tallest among the tall. As far as propounding spiritual concepts and ideas are concerned, we are second to none in the world. But when it comes to material implementation of the schemes, I think we lag. There is always a gulf between vague generalisations and concrete implementation. If this gulf between vague platitudes and concrete reality is to be completely removed, it is very necessary that the Bill I have moved should be accepted.

Once in this House I had said just with a sense of humour that someone coming to Delhi asked what is the latitude and longitude of Delhi, just to understand the geographical location of Delhi, and he was immediately told that Delhi recognised no latitude or longitude, it recognised only platitudes. That seems to be the guiding principle of Delhi. I would like that principle to be discarded and that can be done only when there is the sanction of enforceability of these principles in the court of law. With this background, I have placed my Bill before the House.

The background for this has already been prepared in various debates that have taken place. Right from the 24th Constitution Amendment Bill, I think almost the entire House, with a few exceptions who are not prepared to move with the times and act in unison with the new social changes in society, has already welcomed that Constitution Amendment Bill. This Bill is in furtherance of the objective of that Bill. All that I am seeking is that the powers which we have taken unto ourselves in that Constitution Amendment Bill be used through the medium of my Bill. The proof of the pudding is in the eating. We are going to see whether the powers we have taken under the 24th Amendment Bill are going to be used for radical transformation for the good of the people. Only in that context, I have placed this Bill before the House.

I will make only one more reference before I sit down. This is directed to the Minister in charge. Generally when a non-official Bill is moved and debate takes place, everyone says that as 'far as the spirit of the Bill is concerned, we are in full agreement'. But then they say there are difficulties. This is just like the fate of an application made to Government. Government reply saying 'we have received your application; it has been kept in the file. Sympathetic consideration is being given to it and it will be implemented in due course in the proper manner, if possible'. I hope my Bill will not be cynically treated in that spirit. If amendments are necessary to my Bill and if they are consistent with the spirit of the Bill, I am prepared to accept them. Not only that; certain radical amendments to it may enrich my Bill. I will be too glad to radicalise the Bill still further because my attitude has never been that an amendment is something which has always to be defeated.

Therefore, I request the House and the Minister to take proper cognisance of the Bill. At the conclusion of the debate, let the Minister not request me 'While agreeing with the Bill, I request the Mover to withdraw the Bill'. I do not want that ritual to be repeated. I commend the Bill to the House.

MR. CHAIRMAN : Motion moved :

"That the Bill further to amend the Constitution of India, be taken into consideration".

SHRI DINEN BHATTACHARYYA (Serampore) : I fully agree not only with the spirit but with the contents of the Bill. First, the Mover has dealt with the problem. He has dealt with the problem of unemployment which is agitating minds throughout the country.

The other day, in reply to a question, the same Minister, Shri Varma, placed a statement in the House. It was revealed that in Delhi alone more than 85,000 young educated people were unemployed. It is not only the case of Delhi. In all States, particularly the State I come from, the position is the same. In Bengal the unemployment issue has become so serious that the figure of unemployment has risen by 41 per cent in one year. As Prof. Dandavate has very ably described, the vast majority of the unemployed do not care to go to the employment exchanges to register their names.

Nobody cares for it. So, the actual figure of unemployment is not available anywhere to assess it from the situation. You talk about socialism and planned economy and many things, but at this age more than 70,000 engineers are unemployed. This is the situation. I know in West Bengal, the same Congress party is ruling there. They have come to power by other means. I do not mention it. But that is not a fair way of coming to



[Shri Dinen Bhattacharya]

power. However, what are they trying to do? They are trying to confuse the whole issue and to bring a sort of communal atmosphere so far as the problem of unemployment is concerned. Provincialism and narrow parochialism are being introduced by them. You will be astonished at this. I know how these issues are provoked. The other day, the Ministry from Bihar went to West Bengal and announced—I do not know what was the necessity that in Bihar, if any factory comes up, the Biharis must be taken as workers there. Nowadays, the West Bengal Ministers say that preference should be given to the Bengalis. In reality, neither the Biharis nor the Bengalis are getting any employment. But what are the Congress rulers, the ruling party doing? Tactfully, they are trying to instigate one against the other, and to instigate the unemployed youth against the working people. They are approaching the factories and asking the managers to give them employment. The manager asks, 'Where is the vacancy? When there is a vacancy arising, we will take you.' But they say, 'No, no. Just now we want employment.' The manager asks, 'How can I give you employment?' Then they reply, 'Drive out the persons who are working, let them go away and we will come in and work.' This way, they are creating a bad situation.

Yesterday, there was a demonstration by a large number of factory workers there in Greater Calcutta area. The same slogan was given, namely, the persons who are working and who come from other States should be removed, and the persons who belong to the locality must be given chance. This is the way in which they are trying to deal with unemployment. This is a big hoax and bluff which is being practised by the ruling party. But I say that the younger generation, the youth will understand the issue, and in the mean-

time a sense is growing among the young people that so long as the Congress rulers are there, so long as they are pursuing the same policy of building up capitalism in the country, and so long as they are speaking of socialism only in words but in reality they are only building up capitalism, if this policy is continuing they have no future. They know that the unemployment question will never be solved and it will become more serious. The youth of the country have understood it. Some amount was set apart in the budget the year before last for a crash programme in respect of unemployment. I think that programme has virtually crashed.

I have got personal knowledge of what is happening in West Bengal. You, Sir, come from the neighbouring State and you can visit Calcutta. You will be astonished that boys of 18-20 years are recruited by the Congress Party at the rate of Rs 105 to carry on anti-social work and do all sorts of things. I do not know what is happening in other States. Government must be frank to tell the country that they have no intention of solving the unemployment problem. If they had any intention, they would have adopted some concrete policy.

So Prof Dundavate says, if you can not provide them employment at least give them some unemployment allowance. In Europe they do. You talk of socialism. In the socialist countries in China or the Soviet Union the right to work is a fundamental right, the State takes the responsibility to provide work, or feed the unemployed. It is not a dole, it is the responsibility of the ruling party and of the State to see that a person is employed and if he is not employed, he should be saved from starvation. His suggestion is simple and must be accepted by the Minister.

The next point is about primary education. The ruling party must hang its head

in shame that when you are going to celebrate the silver jubilee of independence, when you are decorating the Parliament House and the Rashtrapati Bhavan even after spending crores of rupees in the course of four plans, literacy has not reached 29 per cent. He has said that if the Centre takes the responsibility everything will be all right. There are many subjects directly under the Centre.

PROF. MADHU DANDAVATE : I have said it should be concurrent.

SHRI DINEN BHATTACHARYYA : Education is a concurrent subject; primary education is of course a State subject. You go to the States; they will say it is the duty of the municipalities and panchayats to do these things. Here, the Education Minister will say that the State should look after this.

So, I do not think, I do not believe if the Centre takes charge, it will be all right. My point is this—if the entire House is seized of the situation that is prevailing both in the sphere of unemployment and in the sphere of the primary education and force upon the Government whether in the State or in the Centre to take some concrete steps and adopt some concrete proposals the ways are there but the intention should be there and the implementation machinery should be there, otherwise it will be nothing. Then there will be no change in the matter.

The last point is regarding the provision at the time of old age and the persons who are not fit. I fully agree with it that the State must take the responsibility. In the European and other socialist countries the States take the responsibility of persons in old age. If the old people have nobody to look after them, the States look after them. So, here in India that provision should be there and it should be a constitutional provision in such a way, and not

a Directive Principle. Whenever you will raise it, the Government will say it is a Directive Principle, not obligatory, not justiciable by the court. So, the way he has brought I should congratulate Shri Dandavate on bringing this amendment to the Constitution and I hope the House will accept it.

श्री एम० रामगोपाल रेड्डी (निजामाबाद) .  
समापति महोदय, मुझे भी ताज्जुब होता है कि आजादी के पच्चीस साल के बाद भी हमारे मूलक में सब लोगों की शिक्षा का इतना नुकसान नहीं हुआ है। यह भी ठीक है कि ग्रामपंचायतें बढ रही हैं। लेकिन अगर इस गहरी नजर से देखें, तो मालूम होगा कि इसकी ज़िम्मेदारी उस पार्टी पर नहीं है, जो पिछले पच्चीस साल में हुकूमत कर रही है, बल्कि आपोजीशन पर है। (व्यवधान) अगर किसी जगह पर अंग्रेजी में नाम बरकरार लिखे जाते हैं, तो एक दल उनको मिटाने लग जाता है। अगर कहीं नाम हिन्दी में लिखे हों, तो एक दूसरी पार्टी उनको मिटाने लग जाती है। हुकूमत को अपनी सारी एनर्जी उन लोगों की रोकथाम के लिये सिर्फ़ कर्नी पड़ती है।

अटल बिहारी वाजपेयी (खालियर) . इसी लिये वह लोगों को रोजगार नहीं दे पा रही है।

श्री एम० रामगोपाल रेड्डी अगर किसी बात पर थोड़ी सी नाराजगी हो गई, तो रेलों पर हमला करके करोड़ों रुपये का नुकसान कर दिया जाता है। अगर हमसे लोगों का पैसा नहीं भरता है, तो वे दुकानों को धाव लगा देते हैं और अगर हमसे भी तयस्वी नहीं हुई, तो वे मजदूरों से हड़ताल करा देते हैं और कई किस्म के झगड़े खड़े कर देते हैं।

SHRI S. B. GIRI (Warangal) : I raise a point of order. The Bill is for a particular purpose and my friend talks about the burning of the railways. It is not concerned with the Bill.

MR. CHAIRMAN : I think he is making a point, from where to get funds.

श्री एच० रामगोपाल रेड्डी सभापति महोदय माननीय सदस्य मेरे सीनियर हैं। मैं उन की बहुत इज्जत करता हूँ। मैं बताना चाहता हूँ कि इस बात का क्या सम्बन्ध है। गवर्नमेंट का पूरा पैसा इन बातों पर खर्च हो रहा है, जिस के लिये आपोजीशन पार्टीज बाने जिम्मेदार हैं। खसूसन पहले की कम्युनिस्ट पार्टी और अब सी०पी० (एम०), ये दोनों मुल्क का बहुत पैसा बर्बाद कराते रहे हैं, इस लिये गवर्नमेंट शिक्षा का काम नहीं कर पाई है।

यह बेग आर्गुमेंट है। जब भारत आजाद हुआ तब हमने अपने देश में

श्री एस० एम० बनर्जी एक चीज मैं कहना चाहता हूँ जिससे गलत गलतफहमी दूर हो जायेगी। यह बिल पास होने के बाद भी एजुकेशन मिनिस्त्री और तब सावण भी ठीक होगा।

श्री एच० रामगोपाल रेड्डी गवर्नमेंट का पैसा कैसे खर्च होता जा रहा है, यह मैं कह रहा हूँ। हर रोज़ थोड़ी महगाई बढ़ने के बाद में जा कर पुकार करने हैं कि हड़ताल करो और हड़ताल कराते हैं। इसलिये गवर्नमेंट का पैसा मारा अपोजीशन वालों के मुकाबले में इन चीजों का राकने में खर्च हो रहा है।

दूसरी बात यह है कि हम लोग पैमिली प्लानिंग करना चाहते हैं। मैं मजदूर लीडरों में पूछना चाहता हूँ कि उन में उनका भी कुछ हिस्सा है या नहीं।

सभापति महोदय : इस बिल का अर्थ यह है कि जो पापुनेशन है उस समय उसके लिये रोजगार और एजुकेशन हो। जो पैदा हाने उनकी बात को धर्मी छोड़िये।

श्री एच० रामगोपाल रेड्डी ऐसा है कि जिनने वेलफेयर मिशन है उनके लिये पैसा चाहिये। गवर्नमेंट का जो खजाना है उस में तीन बार हजार करोड़ खपता जो खर्च होता है उसकी वर्षा यहाँ

होती है। कहां पर कितना पैसा खर्च होना चाहिये यह सब पार्लियामेंट के सामने और स्टेट लैजिस्लेचर्ज के सामने आता है। उसके बावजूद भी यह कहना कि यह सब भी कर दो, एजुकेशन भी और कम्युनलरी कर दो, मोल्ड एज पेंशन दो, ग्रनएमप्लायमेंट पेंशन दो, मैं—अपोजीशन लीडर्स से और खास करके श्री दहवते जी से पूछना चाहता हूँ कि कितना पैसा इस में खर्च होगा। अगर तीन हजार करोड़ खपता इस में खर्च होता है तो डिफेंस में एक पैसा भी खर्च किये बिना इसको रॉजिये। अस्पताल बन्द कर दीजिये और सारे काम बन्द कर दीजिये। तबाल यह है कि मुल्क हमारा गरीब है, आमदनी कम है हमको बढ़ाने का तरीका हाना चाहिये।

सभापति महोदय : तबाल यह है कि जो ग्रन-एम्प्लायमेंट है और इन्डिया है, इसका रिमूव करने के लिये जो प्लांट्स उन्कान गये हैं उनके साथ आप सहमत हैं या नहीं हैं? उनमें अगर कोई डिफिकल्टी है तो उसका प्लांट आउट करने के लिये तो मिनिस्टर है।

श्री एच० रामगोपाल रेड्डी यहाँ मैं कह रहा हूँ कि ग्रनएम्प्लायमेंट का खर्च करने के लिये, फ़ैक्ट्रीज बननी चाहिये और जो फ़ैक्ट्रीज हैं उन में लबर को बराबर काम करना चाहिये, उनमें होना चाहिये मेचिन ये लोग या बर फ़ुटाल कराते हैं। अभी बल ही मैंने कहा था कि हमारी स्टील फ़ैक्ट्रीज मैशनलाइज्ड फ़ैक्ट्रीज हैं। गठकेला में ये लोग फ़ुटाल कराते हैं। 2। बराबर खपते का स्ट्राइक भी दजह से नुकसान हो गया है। गवर्नमेंट जिनने काम करना चाहती है उन में ये रोड़ा घटकाते हैं। बिनी फ़ैक्ट्री को या इन्टीट्यूशन को मैशनलाइज्ड करे तो अगले दिन बहा स्ट्राइक करवा देन हैं। बैंकों का हमने राष्ट्रीयकरण किया तो स्ट्राइक करवा दी। जनरल इनश्योरेंस को नैशनलाइज किया तो स्ट्राइक हो गई। अपोजीशन की हिस्ट्री देखिये। ये लोग हमेशा गवर्नमेंट के काम में रोड़े धटकाते हैं। होना यह चाहिये कि इलेक्शन के वक़्त धूब मजबूती लड़ना चाहिये। लेकिन इलेक्शन हो जाने के

बाद जो पार्टी पावर में आए उसको अपनी पालिसी चलाने का पूरा प्रबलपार होना चाहिये। लेकिन ये लोग जिस दिन इलैकशन खत्म होता है उसके दूसरे दिन से मूवमेंट चलाने लग जाते हैं गवर्नमेंट के खिलाफ। प्रमल में होना यह चाहिये कि छ महीने पहले आप अपना प्रचार शुरू कर दें और पाच छ महीने तक जब तक इलैकशन पूरा नहीं हो जाता है, प्रचार आप जारी रखें लेकिन उसके बाद जो गवर्नमेंट की पालिसी है, उसको आप चलने दें। अगर उस वक़्त गवर्नमेंट कुछ काम नहीं कर रही है तो आप बताइये लेकिन अब तो गवर्नमेंट का काम यह हो गया है कि उसको धागे चलना भी पड़ेगा और माघ 2 बीच में जाँ ये रोड़े धटकायें, लकड़ी लगायें, उसको भी दूर करने हए चलना पड़ेगा। एक मिर्क - अपने देश में ही-ये दानो काम करने पड़ते हैं। दूसरे मूमातिक में ऐसा नहीं है वे मिर्क धागे बढ़ते जाते हैं। लेकिन हमारे यहाँ ये लोग जो रोड़े बीच में रखते हैं उन को हटाने हए धागे बढ़ना पड़ रहा है। कई तरह की मूवमेंट चलती हैं - कभी शिव सेना कभी तैलंगना प्राजा समिति कभी बगाल का बायलस . .

**SHRI S. B. GIRI :** Sir, I take strong objection to these remarks. Why should we not have the Telengana Praja Samiti? Government is responsible for the Telengana Praja Samiti.

**MR. CHAIRMAN :** I Would request Shri Reddy to speak on the Bill and not on extraneous matters.

**श्री एच० रामनोबाल रेड्डी :** सभापति की मेरे कहने का मतलब यही है कि गवर्नमेंट को ठीक तरह से फक्कन करने का मौका ये लोग नहीं दे रहे हैं, जिस की वजह से हमारा रिजर्व बेस्ट हो रहा है, धानेवाला पैसा नहीं आ रहा है, क्योंकि ये लोग एजीटेसन एग्जेंस से काम करते हैं।

आज हमारे इस पालियामेंट में साठे तीन या चार साल बाकी रह गये हैं। अगर हम अपना काम करते हुए यहाँ आ कर देश के हित में बहल करते तो उस में कोई एतराज नहीं है, लेकिन पब्लिक में जा कर गवर्नमेंट के खिलाफ बात करें, लोगों को उकसायें, धाग लगवायें, रैलवे के डिब्बे गिराने का काम करें तो तरक्की नहीं

सकती। सही तरीके से काम करने में तरक्की हो सकती है, उस में हर धादमी को कपड़ा मिलेगा, नौकरी मिलेगी, पढ़ने लिखने का मौका मिलेगा।

**श्री एस० एम० बनर्जी :** सभापति महोदय, मैं अपने परम मित्र श्री दण्डवत जी को बधाई देना चाहता कि उन्होंने ऐसा विधेयक आज मदन सामने पेश किया है। वाकई यह बात सही है - अगर आप सविधान की धाराओं का देखें, जिसकी भी तरफ उन्होंने इशारा किया है और जिस का ये समोधन करना चाहते हैं, उस में "राइट प्राफ बर्क है" लेकिन आज काम कहा मिलना है। आजादी के बाद हिन्दुस्तान में दो तरह की तस्वीरे हमारी आँखों के सामने आती हैं। पहली तस्वीर तो यह है कि जो लखपति था, वह करोड़पति हो गया है, जो करोड़पति था, वह अरबपति बन गया है, जो एक कारखाने का मालिक था - जैसे रेड्डी माहब की एक लुहर फैक्टरी थी या बार्ड और हा - वह दस कारखानों का मालिक हो गया है। दूसरी तरफ जिस की 100 रुपये आमदनी थी, बढ़ती हुई महंगाई ने उस की कमर तोड़ दी . . .

**श्री मूलचन्द डागा (पाली) :** रेड्डी साहब को बदनाम कर रहे हैं।

**श्री एस० एम० बनर्जी :** 100 रुपये की कीमत आज 50 रुपये रह गई है। आ आदमी एक मामूली-से छोटे मकान में रहता था, वह महंगाई की वजह से, फाका-कमी की वजह से, फटपाच पर लेटने लगा है और फुट-पाथवाला बिना कफन के मरघट की तरफ जाने लगा है। दो तरह की तस्वीरे हैं - एक तरफ एक्जुगेंट सोसायटी है और दूसरी तरफ स्टारबैशन है।

यदि बेकारों को मदद करना चाहते हैं और गरीबी हटाने के नारे को सही तरीके से प्रमसी जामा पहनाना चाहते हैं तो मैं समझता हूँ कि इस बिल को मानने में बर्मा साहब को कोई आपत्ति नहीं होनी चाहिये। दिक्कत यह है कि आखिर अनएम्प्लायमेंट एलाउंस कहा से देंगे, इतना पैसा कैसे दिया जायेगा, इतना पैसा कहा से आयेगा। लेकिन आप किसी भी देश में जाइयें, मैं समाजवादी देशों की बात नहीं कर रहा हूँ, मैं उन देशों की बात कर रहा हूँ जहाँ एजीवादी निजाम आज भी

[श्री एस० एम० बनर्जी]

कायम है, वहाँ पर भी अनएम्प्लायमेंट डोल के नाम से, कम्पेंसेशन के नाम से इस तरह का एलाउंस दिया जाता है। जब तक वे लोग बेकार रहते हैं, चाहे इजीनियर हो, डाक्टर हो, साइंटिस्ट हो, या आर्टिजन हो, वह जब तक बेकार है उसका इतना पैसा प्रबन्ध दे दिया जाता है कि वह अपने परिवार का तथा अपना गुजारा कर सके और फाकाकशी की नीबत न धाये।

हमारे यहाँ बेकारों की सख्या के बारे में अभी प्रोफेसर साहब ने काफी बातें बताई हैं। मैं उन आंकड़ों के जाल में नहीं फसना चाहता हूँ लेकिन एक बात जरूर कहना चाहता हूँ—दूसरी पंचवर्षीय योजना में घोषणा की गई थी कि आठ मिलियन न्यू जाब्स—अस्सी लाख नौकरों का नौकरी मिलेगी। इससे बेकारों के दिमा में खुशी की लहर दौड़ गई थी, जो एम्प्लायमेंट एक्सचेंज के चक्कर लगा कर वापिस आ जाते थे, वे सोचने लगे थे कि अब उनको नौकरी मिल जायेगी। लेकिन क्या हुआ? अस्सी लाख नौकरियों का एलान किया गया और तीसरी पंचवर्षीय योजना की शुरुआत में एक लाख बीस हजार मांग बेकार थे। मैं उनकी बात कह रहा हूँ जो एम्प्लायमेंट एक्सचेंज में रजिस्टर्ड थे।

जितने भी सारे देश में रिक्सा-गुलर्स हैं मैं समझता हूँ वे भी बेकार हैं क्योंकि साइकिल रिक्सा चलाना सेहत के लिये कोई अच्छी बात नहीं है। (व्यावधान) वे भी अनएम्प्लायड हैं लेकिन अनरजिस्टर्ड अनएम्प्लायड हैं रजिस्टर्ड अनएम्प्लायड नहीं हैं। मैं निवेदन करना चाहता हूँ माननीय मंत्री जी से और जो माननीय सदस्य यहाँ पर बैठे हैं उनसे कि इसमें कोई कानूनी बड़बान हो या न हो लेकिन मैं समझता हूँ एन-सामनियत के नाते हम इन चीजों को मानें जोकि इसमें रखी गई हैं

“Failing to procure such means as referred to in clause (1), every citizen shall be entitled to an unemployment allowance to be paid by the State.”

आप देखें कि आज जो साइटिस्स है या इजी नियर्स है उनका पूरा बनवाया जा रहा है। श्री सुब्रह्मण्यम साहब जब यहाँ पर योजना मन्त्री थे तो उन्होंने घोषणा की थी कि दो साल में जो यहाँ पर डिप्लोमा होल्डर्स हैं इजीनियर्स हैं उनको नौकरी मिल जायेगी। योजना मन्त्री जी को तो दूसरी नौकरी मिल गई और अब जो नये मन्त्री धाये हैं उनकी घोषणा अभी बाकी है। प्रसन्न मे हमें दिक्कत यह है कि तीन मलिया को छोड़कर बाकी मालियों के लिये हमें मालूम नहीं है कि कौन सही रहेंगे कौन नहीं रहेंगे। इससे बड़ी दिक्कत पड़ती है। जिससे बातचीत कीजिये वह कहता है गिफ्टलिग होने वाली है।

समापति जो, यह नान आफिशियल बिल जरूर हैं लेकिन इसकी काफी बड़ी ग्रहणियत है। इस मदन में जब हम पर चर्चा शुरू हुई तो मैं चाहता था कि प्लानिंग मिनिस्टर यहाँ मौजूद रहते और अगर प्रधान मंत्री जी का पुरत मिल जाती तो वे भी यहाँ आ जाती। बेकारी घटाओ का जो नारा चलाया गया था उसका हमने समर्थन किया था। आज तो हम पर बहस समाप्त होने वाली है लेकिन भगसी द्वार जब यह धायेगा उस वक्त मैं चाहता हूँ योजना मन्त्री यहाँ पर घोषणा कर कि आखिर इस के बारे में शार्ट टर्म और सांग टर्म पालिसी क्या है। इस प्रकार तो जितनी ही बेकारी की चर्चा होती है उसनी ही बेकारी बढ़ती चली जाती है। यह बेकारी नहीं होपथी का चीर है कि जितना ही खीचो उसना ही बढ़ता चला जायेगा। आप देखें कि आज एक्सेटर्ड अनएम्प्लायमेंट की क्या हालत है? बिहार, बंगाल और दूसरी जगहों पर नक्सलाइट के नाम पर सबको को गोली मार दी जाती है। आप सोचें कि एक लड़का क्या करे? बी०एससी० एम०एससी० और इजीनियर होने के बाद एम्प्लायमेंट में वह अपना नाम लिखाता है लेकिन उसको नौकरी नहीं मिलती है। वह उस जब अपने घर वापिस आता है तो अपनी बूढ़ी माँ, साँस फलते पिता जी को देखते हैं और अपनी बहन की बेवता है जिसके हाथ पैर भी बबह से पीने नहीं हो सकते। उस वक्त उसके सामने

रेल की पटरी का नक्का धाता है। या तो वह रेल की पटरी पर जाकर मेट जाये या फिर इस समाज की पटरी को उखाड़ कर फेंक दे चाहे फिर उसको अपने हाथ में पिस्तौल या छुरा ही क्यों न लेना पड़े। यही कारण है कि हमारे युवक उग्रवादी बनते जा रहे हैं। मैं समझता हूँ ऐसी कोई चीज नहीं है जो हो नहीं सकती। मैं चाहता हूँ कि सरकार इस बिल को अच्छी तरह से सोचे और समझे और अगर इसमें कोई संशोधन करना चाहती है तो वह भी करे। बरना इस बिल का रोज़ेक्शन ग्लेक्शन मेनिफेस्टो का रोज़ेक्शन ही होगा।

हमारे दोस्त रेड्डी माहब न कहा है कि बोट में हम बहुमत से जीत कर आये हैं। यह बात सही है। आप देखें कि जनता कर्नाल पार्टी के पीछे लाठी लें कर दौड़ती है, जैम किसी साप के पीछे दौड़ती है, चार साल 11 महीने 29 दिन तक दौड़ती है, लेकिन जब पाचवा साल इलेक्शन का धाता है, चुनाव के नारे धाये तो वही साप नाथ पचमी का देवता बन कर खड़ा हो जाता है और मारा दूध जनत, उसी का गिला देती है। हमें कोई इस बात की शिकायत नहीं है। लेकिन मैं कहना चाहता हूँ कि जो नारा धापने दिया है उस को पूरा करे अपने लहको के भविष्य के लिये, सारे देश के नीजवानों के भविष्य के लिये। हमारी और धाप की जिन्दगी तो पूरी हो चुकी है। क्वार्टरेट्रेड चीजे खाने के बाद भी हम ज़िन्दा हैं यह भगवान की देन है, बरना हम हम तो ऐक्स-टेन्शन में चले रहे हैं : समाजवाद का जो नारा धाप ने दिया है उस के मुताबिक तमाम चीजों को धाप अपने हाथ में लीजिये। अब तक धाप पूजीवादी निज़ाम के पीछे रहेंगे

तब तक बेकारी खत्म नहीं होगी, और टाट बिठ्ठा पैदा होते जायेंगे। चाहे बेदर्री के साथ या हमदर्दी के साथ, धाप इस पूजीवाद को खत्म कीजिये तभी बेकारी दूर होगी। पूजीवादी समाज में बेकारी खत्म नहीं हुई है कही भी। लोग कहते हैं कि कम में बेकार लोग थे। मैं जानता हूँ कि थे, लेकिन जब से सरकार ने धापने हाथ में सारे कामों को लिया तब से वहाँ कोई भी बेकार नहीं है।

इसलिये इन चीजों को देख कर सङ्कलित के साथ इस बिल पर चर्चा करे, और जिस दिन इस का जवाब दना हो, मैं चाहता हूँ प्रधान मंत्री धाये या योजना मंत्री धाये ताकि लोगों को विश्वास हो सके कि सरकार इस समस्या को सीरीयमनी ले रही है।

इन शब्दों के साथ मैं इस का समर्थन करता हूँ।

DR G.S. MELKOTE (Hyderabad):  
I congratulate Prof. Mahu Dandavate on bringing forward this Bill....

MR CHAIRMAN : The hon. Member may please continue on the next occasion when it comes before the House.

The House stands adjourned till 11 00 a.m. on Monday, 7th August, 1972

18 00hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, August 7, 1972/Sravana 16 1894 (Saka)