

Monday, 5th May 1958

LOK SABHA DEBATES

Second Series

Volume XVI, 1958

(23rd April to 5th May, 1958)



FOURTH SESSION, 1958

(Vol. XVI Contains Nos. 51 to 60)

**LOK SABHA SECRETARIAT
NEW DELHI**

CONTENTS

[Second Series—Volume XVI—23rd April to 5th May 1958]	COLUMNS
—Wednesday, 23rd April, 1958—	
Answers to Questions—	
Starred Questions Nos. 1782 to 1791, 1793 to 1796 and 1798 to 1802.	10997—21033
Written Answers to Questions—	
Starred Questions Nos. 1792 and 1797	11033—35
Unstarred Questions Nos. 2622 to 2674, 2677 to 2686	11035—76
Joint Committee of Information	11076-77
Finance Committee—	
Eleventh and Nineteenth reports	11077-78
Drawing attention to matter of Urgent Public Importance—	
Suspension of work by the Himalaya Bank, Ltd., Kangra	11078—80
Finance Bill	11018—11214
Clauses 2 to 18 and 1	
Motions to Pass as amended	11160
Finance Tax Bill	11080—11147, 11155—60
Motion to refer to Select Committee	11147—11155, 11214—22
Daily Digest	11223—26
—Thursday, 24th April, 1958—	
Answers to Questions—	
Starred Questions Nos. 1803 to 1806, 1808, 1810, 1812 to 1814, 1816 to 1824 and 1809	11227—25
Written Answers to Questions—	
Starred Question No. 1807	11265-66
Unstarred Questions Nos. 2687 to 2698 and 2700 to 2747	11266—96
Motions for adjournment—	
Accident to school bus in New Delhi	11296—11301
Matters laid on the Table	11301-02
Message from Rajya Sabha	11302
Committee on Private Members' Bills and Resolutions—	
Twenty first Report	11303
Finance Committee—	
Thirteenth Report	11303
Public Accounts Committee—	
Fifth Report	11303
Finance Tax Bill—	
Motion to refer to Select Committee	11303—75
Excise Duty (Amendment) Bill—	
Motion to refer to select committee	11375—11416
Committee of Privileges—	
Second and Third Reports	11416
Daily Digest	11417—22

No. 53.—Friday, 25th April, 1958—

Oral Answers to Questions—

Starred Questions Nos. 1825 to 1827, 1829, 1830, 1832, 1833, 1835 to 1837,
1839, 1840, 1842 to 1848, 1850

Written Answers to Questions—

Starred Questions Nos. 1828, 1831, 1834, 1838, 1841, 1849

Unstarred Questions Nos. 2748 to 2786

Papers laid on the Table

Calling attention to Matter of Urgent Public Importance—

Promulgation of Regulation conferring special powers on officers of armed
forces

Hyderabad Securities Contracts Regulation (Repeal) Bill—Introduced

Bombay Calcutta and Madras Port Trust (Amendment) Bill—Introduced

Committee of Privileges—

Second Report

Committee of Privileges—

Third Report

Estate Duty (Amendment) Bill

Motion for reference to Select Committee adopted

Private Members Bills and Resolutions—

Twenty-first Report

Resolution re: reorientation of the system of examinations

Resolution re: Modification of service Rules

Resolution re: Creation of a National Library Fund

Business Advisory Committee—

Twenty-fourth Report

Half-an-hour discussion re: coir mats and matings

Daily Digest

No. 54.—Saturday, 26th April, 1958—

Oral Answers to Questions—

Starred Questions Nos. 1851, 1853, 1856, 1857, 1860 to 1866 and 1868 to
1871

Short Notice Question No. 16

Written Answers to Questions—

Starred Questions Nos. 1852, 1854, 1855, 1858, 1859, 1867 and 1872 to
1875

Unstarred Questions Nos. 2787 to 2867

Papers laid on the Table

Estimates Committee—

Sixteenth and Twenty-first Reports

Public Accounts Committee—

Fourth Report

Business of the House

**Central Sales Tax (Second Amendment) Bill, and Indian Stamp (Amend-
ment) Bill—Introduced**

Business Advisory Committee—

Twenty-fourth Report

Indian Oaths (Amendment) Bill—	
Motion to consider	
Motion to pass	11730
Probation of Offenders Bill—	
Motion to consider as reported by Joint Committee	11731—11839
Half-an-hour discussion <i>re.</i> Santa Cruz Air Port	11839—54
Daily Digest	11855—60
No. 55.—Monday, 28th April, 1958—	
Oral Answers to Questions—	
Starred Questions Nos. 1876, 1877, 1880 to 1882, 1884, 1885, 1887 to 1895 and 1886	11861—93
Written Answers to Questions—	
Starred Questions Nos. 1878, 1879 and 1883	11893—95
Unstarred Questions Nos. 2868 to 2904, 2906 to 2920	11895—11921
Motion for Adjournment—	
Situation in Orissa	11921—41
Papers laid on the Table	11945—46
Estimates Committee—	
Fifteenth report	11946—47
Election to bodies on which Lok Sabha is represented	11947—48
Probation of Offenders Bill (as reported by Joint Committee)—	
Motion to consider	11949—91
Clause 2 to 19	11958—99
Bombay Calcutta Madras Ports Trusts (Amendment) Bill—	
Motion to consider	12000—09
Annual Report of Hindustan Shipyard Private Ltd.	12009—66
Daily Digest	12067—70
No. 56.—Tuesday, 29th April, 1958—	
Oral Answers to Questions—	
Starred Questions Nos. 1896, 1898, 1901, 1904 to 1907 1910 to 1912 1914, 1915, 1918 to 1922	12071—12108
Short Notice Question No. 17	12108—14
Written Answers to Questions—	
Starred Questions Nos. 1897, 1900, 1902, 1903, 1908, 1909, 1913, 1916, 1917, 1923, 1924 and 1985	12115—21
Unstarred Questions Nos. 2921 to 2978	12121—57
Paper laid on the Table	12157
Message from Rajya Sabha	12157—58
Estimates Committee	
Eighteenth, Twentieth and Twenty-Second Reports	12158
Probation of Offenders Bill—	
Motion to consider as reported by Joint Committee	12158—12204
Clauses 18 and 1	12158—86
Motion to pass as amended	12204
Bombay Calcutta and Madras Port Trusts (Amendment) Bill—	
Motion to consider	12204—51
Clauses 1 to 4	12251

	COLUMNS
Hyderabad Securities Contracts Regulation (Repeal) Bill—	
Motion to consider	12251—54
Clauses 2 and 1	12253
Motion to pass	12253
Indian Stamp (Amendment) Bill—	
Motion to consider	22254—61
Motion <i>re</i> : Report of University Grants Commission, 1957	12261—12310
Release of a Member	12301
Half-an-hour discussion <i>re</i> : Slum Clearance Work in States	12311—26
Daily Digest	12327—
No. 57.—Wednesday, 30th April, 1958—	
Oral Answers to Questions—	
Starred Questions Nos. 1925, 1926, 1929, 1930, 1932, 1933, 1935 to 1941, 1943 to 1945	12353—68
Written Answers to Questions—	
Starred Questions Nos. 1927, 1928, 1931, 1934, 1942, 1946	12368—71
Unstarred Questions Nos. 2979 to 3044, 3046 to 3056	12371—12417
Motion for Adjournment—	
Deaths due to food-poisoning at Sasthamkottah	12417—18
Rules Committee	12419
Third Report	12419
Estimates Committee—	
Seventeenth and Twenty-fifth Reports	
Indian Stamp (Amendment) Bill—	
Motion to consider	12419—21, 12424—25 12452—53
Statement <i>re</i> : Deaths due to Food Poisoning at Sasthamkottah	12421—24
Central Sales Tax (Second Amendment) Bill—	
Motion to refer to Select Committee	12425—52
Demands for Excess Grants, 1954-55	12553—55
Mines and Minerals (Regulation and Development) Amendment Bill—	
Motion to consider	12465—12518
Clauses 2 and 1	12506—18
Motion to pass	12516
Rice Milling Industry (Regulation) Bill—	
Motion to consider	12518—20
Discussion <i>re</i> : Report of <i>ad hoc</i> Committee on compensation to be paid on nationalisation of Kolar Gold Field Mines	12520—86
Daily Digest	12587—92
No. 58.—Thursday, 1st May, 1958.—	
Oral Answers to Questions—	
Starred Questions Nos. 1947, 1948, 1950, 1952 to 1956, 1960, 1961 to 1964 and 1958	12593—12620
Short Notice Question No. 18	12620—23
Written Answers to Questions	
Starred Questions Nos. 1949, 1951, 1957, 1959 and 1965	12623—26
Unstarred Questions Nos. 3057 to 3118	12626—60

	COLUMNS
Re: Motion for Adjournment	12660—62
Papers laid on the Table	12662—63
Messages from Rajya Sabha	12663—65
Correction of statement by Minister of Finance re: advance of funds for Development of Singareni Collieries	12665
Gift Tax Bill and Estate Duty (Amendment) Bill—	
Extension of time for presentation of Report of Select Committee	12665—66
Appropriation (No. 3) Bill—Introduced	12666
Rice-Milling Industry (Regulation) Bill—	
Motion to consider	12667—12725
Motion re: Scientific Policy Resolution	12725—75
Half-an-hour discussion re: Suratgarh Mechanised Farm	12775—90
Daily Digest	12791—96
59.—Friday, the 2nd May, 1958—	
Oral Answers to Questions—	
Starred Questions Nos. 1967, to 1975, 1977 to 1979, 1981, 1983, to 1985	12797—12837
Written Answers to Questions—	
Starred Questions Nos. 1982, 1976, 1980, 1986 to 1990	12837—35
Un-starred Questions Nos. 3119 to 3144, 3146 to 3192	12835—75
Papers laid on the Table	12875—76
Demands for Excess Grants (Railways) 1954-55	12876
Committee on Subordinate Legislation	
Third Report	12876
Public Premises (Eviction of unauthorised occupants) Bill—	
Report of Joint Committee	12876
Correction of answer to Supplementary to Starred Question No. 1915	12877-79
Business of the House	12880-81
Indian Stamp (Amendment) Bill—Introduced	12881
Appropriation (No. 3) Bill—passed	12881-82
Motion to consider	12881-82
Clauses 1 to 3	12882
Motion to Pass	12882
Rice-Milling Industry (Regulation) Bill—	
Motion to Consider	12882—12949
Clause 2 to 4, 6 to 25, 5 and 1	12915—45
Motion to Pass	12945
Prevention of Corruption (Amendment) Bill—Introduced	12949
Code of Criminal Procedure (Amendment) Bill—Introduced	12949-50
Code of Criminal Procedure (Amendment) Bill—Introduced	12950
Hindu Succession (Amendment) Bill—Introduced	12950
Constitution (Amendment) Bill—Introduced	12950-51
Abolition of Employment of Casual Labour, Bill: Introduced	12951
Abolition of Supply of Labour through Contractors Bill: Introduced	12951
Industrial Disputes (Amendment) Bill—Introduced	12952
Indian Trusts (Amendment) Bill—Introduced	12952
Minimum Wages (Amendment) Bill—Introduced	12952
Hindu Succession (Amendment) Bill—Introduced	13014
Companies (Amendment) Bill—	
Motion to consider	12953—90
Code of Civil Procedure (Amendment) Bill—	
Motion to Consider	12991—13110

	Column
Prevention of Corruption (Amendment) Bill—	
Motion to consider	13010—13
Gift Tax Bill—	
Presentation of Report	13007
Daily Digest	13015—20
60.—Monday, 5th May, 1958—	
Oral Answers to Questions—	
Starred Questions Nos. 1991 to 1993, 1995 to 2005 and 2007 to 2012	13021—58
Written answers to Questions—	
Starred Questions Nos. 1994, 2013 and 2014	13058—59
Unstarred Questions Nos. 3193 to 3276	13060—13103
Point of Information	13103—04
Papers laid on the Table	13105—06
President's Assent to Bill—	
Finance Bills and Appropriation (No. 2) Bill	13106
Rules Committee	
Minutes of sitting	13106
Public Accounts Committee	
Eighth Report	13106
Motion to Appoint Members to Joint Committee	13106—07
Convention regarding vote on Account	13107—35
Situation in Orissa	13133—37
Employees' Provident Funds (Amendment) Bill—	
Motion to Consider	13140—95
Clause 1 to 3	13195
Motion to pass	13195
Trade and Merchandise Marks Bill—	
Motion to refer to Joint Committee	13196—215
Motion re: Annual Report of Industrial Finance Corporation	13215—60
Business Advisory Committee	
Twenty-fifth Report	13236
Daily Digest	13260—66
Consolidated contents (23rd April to 5th May, 1958)	(i—vi)

N.B.—The sign + marked above a name of a Member on Questions, which were orally answered indicates that the Question was actually asked on the floor of the House by that Member.

13021

13022

LOK SABHA

Monday, 5th May 1958

The Lok Sabha met at Eleven of the Clock.

[Mr. Deputy Speaker in the Chair.]

ORAL ANSWERS TO QUESTIONS

देहरादून में हवाई अड्डा

*१६६१. { श्री भक्त वंश :
श्री स० च० सामाज्य :

क्या परिवहन तथा संचार मंत्री १६ दिसम्बर, १९५७ के तारांकित प्रश्न संख्या १३७२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि देहरादून (उत्तर प्रदेश) में एक हवाई अड्डा बनाने की प्रस्थापना के बारे में इस बीच क्या प्रगति हुई है ?

असैनिक उड्डयन उपमन्त्री (श्री मुहीउद्दीन) :
इस जगह का सरसरी रुख करने के बाद यह मालूम हुआ कि वहां ऊंची-नीची जमीन होने के कारण हवाई अड्डे के बनाने में लागत बहुत पड़ेगी। फिर भी यह मालूम करने के लिये कि क्या रनवे को किसी दूसरे ढंग से बना कर लागत में कमी की जा सकती है जगह का फिर से मुआयना किया जायगा।

An Hon. Member: In English.

Mr. Deputy-Speaker: The hon. Minister may read the answer in English also.

Shri Mohiuddin: The preliminary survey of the site has indicated that

the cost of construction of an aerodrome there will be heavy in view of the uneven terrain. The site will be re-inspected shortly to investigate whether it is possible to re-orientate the runway in order to reduce the cost of construction.

श्री भक्त वंश : क्या मैं जान सकता हूं कि क्या कुछ खर्च का अन्दाजा लगाया गया है कि पूरा एअरोड्रोम बनाने में कुल कितना खर्चा लगेगा ?

श्री मुहीउद्दीन : अभी यह अन्दाजा नहीं लगाया गया है।

श्री भक्त वंश : जब अभी अन्दाजा ही नहीं लगाया गया है तो यह कैसे कहा जा सकता है कि यह एअरोड्रोम नहीं बन सकता ?

श्री मुहीउद्दीन : अभी पूरे तौर से सर्वे करके यह अन्दाजा नहीं लगाया गया है कि मुस्तलिफ हैडिंग्स में कितना खर्चा आयेगा। यानी अभी तकमीली सर्वे नहीं हुआ है। लेकिन जो अन्दाजा सरसरी सर्वे में किया गया है उससे यह खयाल हुआ है कि लागत बहुत ज्यादा होगी।

श्री त्यागी : मैं यह दरखास्त करना चाहता हूं कि देहरादून से कितनी दूर तक की जमीन का अन्दाजा हो चुका है क्योंकि मिनिस्टर साहब ने फरमाया कि जमीन ऊंची नीची है। मैं जानना चाहता हूं कि कितने मील दूर तक की जमीन का अन्दाजा लगाया गया है ?

श्री मुहीउद्दीन : कई मील का अन्दाजा तो नहीं किया गया है लेकिन खयाल था कि क्योंकि वह ऊंचे नीचे इलाके के था

उपाध्यक्ष महोदय : मेम्बर साहब के पूछने का मतलब यह है कि क्या दस मील के रेडियस में जमीन हमवार नहीं है ।

श्री त्यागी : देहरादून शहर में तो बनाने का मंशा नहीं है । मंशा तो शहर से बाहर ही बनाने का है ।

श्री मुहोदयीन : एक मुकाम था जो कि देहरादून से १२ या १३ मील के फासले पर था । इतनी दूरी की वजह से उसको मुनासिब नहीं समझा गया ।

श्री त्यागी : क्या जितना यहां पर पालम दूर है उसमें भी वह मुकाम ज्यादा दूर था ?

श्री मुहोदयीन : देहरादून के लिए गालिबन यह फासला मुनासिब नहीं है ।

Shri Joachim Alva: There is a very great need for modernising our airports at Madras, Bombay, Delhi and Calcutta....

Mr. Deputy-Speaker: The hon. Member might ask for the information that he wants.

Shri Joachim Alva: I am asking, Sir. What are Government's plans? Are you shifting all the money into making aerodromes at smaller centres?

Shri Mohiuddin: No, Sir.

Shri Tyagi: Dehra Dun is a big centre.

Shri Jaipal Singh: With regard to the proposal of the Government to construct an aerodrome at Dehra Dun, may I know whether the proposal is for modern aircraft or for the old fashioned Dakotas only?

Shri Mohiuddin: The proposal is for ordinary Dakota aircraft for Dehra Dun.

श्री भक्त वार्धन : देहरादून का केवल मसूरी के ही कारण महत्व नहीं है बल्कि वहां हिन्दुस्तान के बहुत से बड़े बड़े दफ्तर भी हैं, इस लिए उसकी ग्रहमियत ज्यादा है ।

क्या मैं जान सकता हूँ कि देर से देर कब तक इस बारे में फैसला हो सकेगा ।?

श्री मुहोदयीन : इसके मुतालिक तो मैं कोई खास बात नहीं बता सकता । लेकिन दूसरी योजना में एअरोड्रॉम बनाने के लिए रकम खुद इतनी कम है कि इसका बहुत जल्द बनना मुश्किल मालूम होता है ।

Water-logging in Punjab

+

*1992. { **Shri D. C. Sharma:**
Shri Naushir Bharucha:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Government of Punjab have asked the Government of India for financial help to check the growth of water-logging in that State;

(b) if so, the amount asked for the purpose; and

(c) the amount sanctioned?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (c). A statement containing the requisite information is laid on the Table of the Lok Sabha. [See Appendix VIII, annexure No. 107.]

Shri D. C. Sharma: I find from the statement that a grant has been given for two things, that is, for flood protection works along rivers and the improvement of land surface drainages. May I know if any allocation of the grant has been made between these two things or the grant has been given in a lump sum?

Shri Hathi: No allocation as between these two divisions has been made, but loans are given for each particular scheme. They may be one of these schemes.

Shri D. C. Sharma: May I know if any scheme for the district of Gurdaspur has come to the Ministry and it has been sanctioned?

Shri Hathi: I have not got the list of new schemes with me, but on notice I can find out.

Shri Naushir Bharucha: May I know what is the estimate of the total acreage flooded?

Shri Hathi: That is about 32 lakhs acres.

Dr. Ram Subhag Singh: Is it correct that if canals are on proper lines and if proper drainage is provided there, there would not be any scope for water-logging?

Shri Hathi: The lining of canals is one of the remedies which would lessen the water-logging, but in addition to that there are several other factors which are also responsible for water-logging; and the main things are heavy rainfall, heavy floods and the absence of seepage drainage.

Shri Tangamani: Out of the Rs. 4 crores which has been allotted for flood control for the entire Plan period, may I know how much has been allotted for the current year 1958-59?

Shri Hathi: The Central Flood Control Board is meeting on the 12th of this month, and allocations for the current year will finally be made at that meeting.

Shri Naushir Bharucha: May I know whether water-logging is due in part or largely to ill-designed irrigation projects?

Shri Hathi: No, Sir. It is not a fact that this is due to ill-designed irrigation projects. In fact, this water-logging problem has not been a new problem in Punjab. In 1870 the problem arose and steps were then taken. But really the steps that had to be taken were providing seepage drainage and lining the canals. It is not the faulty alignment of canals or anything that is responsible for this.

Shri D. C. Sharma: May I know if there is a separate Division in the Ministry to deal with problems of flood protection and water-logging and, if so, what is its relationship with similar Departments in the States?

Shri Hathi: As the House is aware, in the Central Water Power Commission there is a Central Flood Control Wing which looks into the schemes that are proposed by the State Governments in respect of flood control. On technical questions the Central Water Power Commission also advises the State Governments on such matters as the States require or the Central Water Power Commission feel it necessary that the technical advice should be given.

Agricultural Loans

***1993. Shrimati Renu Chakravartty:** Will the Minister of Food and Agriculture be pleased to state:

(a) the steps Government proposed to take to implement the recommendations of the Balwantrai Mehta Committee Report that not land proprietorship but agricultural production should be the criteria of advancing agricultural loans to the peasants; and

(b) whether in future the share-croppers will be made eligible individually to receive agricultural loans?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) (1) State Governments have been advised to impress on the co-operative institutions the need for admitting small and medium cultivators as members of co-operative societies and to grant loans on the basis of anticipated crops and production programmes.

(2) To facilitate this work, Government participates in the share capital of co-operative credit institutions.

(b) Yes.

Shrimati Renu Chakravartty: In answer to part (a) of the question the hon. Minister stated that suggestions have been made to the State Governments that medium and small peasants should be given loans against their yield. Am I to understand that share-croppers also will be eligible individually for loans and will not be asked to go in for group loans?

Dr. P. S. Deshmukh: The share-croppers are entitled to loans under this scheme and they are being given the same.

Mr. Deputy-Speaker: Individually?

Dr. P. S. Deshmukh: Yes, individually.

Second Shipyard

+

*1995. { **Shri Ram Krishan:**
Shri Subbliah Ambalam:
Shri Kumaran:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 449 on the 25th February, 1958 and state:

(a) whether Government have since received the report of the British Technical Mission regarding the establishment of a Second Shipyard; and

(b) if so, whether a copy of the report and the decision taken thereon would be laid on the Table?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Not yet, Sir.

(b) Does not arise.

Shri Ram Krishan: By what time is it expected to receive this report?

Shri Raj Bahadur: We expect it any day. I think in the course of the next fortnight, we should get it.

Shri Panigrahi: May I know whether this Technical Mission visited some ports in the State of Orissa and whether they have suggested Paradip for the second shipyard?

Shri Raj Bahadur: They did visit Paradip in Orissa. Their suggestions will be contained in the report.

Shri Subbliah Ambalam: What is the estimated cost of this project and what is the amount of foreign exchange involved in this project?

Shri Raj Bahadur: The Commission came here in order to advise the Government of India in regard to the location of the site of the shipyard as also in regard to the lay-out and the equipment needed. I think the question will be premature in this context.

Shri Narayanankutty Menon: The other day the hon. Minister of Transport and Communications announced here that the second shipyard is going to be on the west coast. May I know whether the Government has considered this question and the announcement of the hon. Minister was the decision of the Government of India upon this matter?

Shri Raj Bahadur: I should think that the remark that was made by the hon. Minister was just an expression of opinion in a particular context. It has nothing to do so far as the report is concerned which will be considered on its merits as and when it is received.

Shri Basappa: In view of the fact that the two States of Orissa and Mysore are without any major port, may I know whether the question of Karwar being developed into a major port and establishing a shipyard is being considered?

Shri Raj Bahadur: We may have to depend on the advice of the Mission, which shall be considered on its merits. Whether it would be in Karwar or any other place is yet to be decided.

Shri Ranga: Are we to understand that while the Technical Mission was still considering this particular matter, the hon. Minister can go on expressing opinions or this opinion is going to be considered by the Technical Mission.

Shri Raj Bahadur: I should say that certain suggestions and observations were made by some Members in this House on this particular question. In reply, he actually made a casual observation which will not, I am sure, prejudice the consideration of the report in regard to the location of the shipyard.

Shri Yajalk: May I know what places were visited by the Mission on the west coast and also on the east coast?

Shri Raj Bahadur: The following six places were visited: Diamond Harbour and Geonkali in West Bengal, Paradip in Orissa, Tuticorin in Madras, Cochin in Kerala, Mangalore, Karwar and Bhatkal in Mysore and Trombay and Kandla in Bombay.

Shri Ranga: I would like to rise on a point of procedure; I do not want you to give a ruling; I would like it to be considered for whatever it is worth—whether it is right for an hon. Minister to make casual observations when we ask for information or for their decision?

Mr. Deputy-Speaker: The hon. Member has said that I should not give a ruling. Therefore I would not give a ruling.

Improvement of Gardens in Delhi

*1996. **Shri Rameshwar Tantia:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the services of a Japanese expert have been obtained to design and improve gardens in Delhi; and

(b) if so, which are the gardens selected for the purpose?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) The services of a Japanese expert on landscape gardening have been obtained to carry out a survey of suitable sites in the country for laying out gardens on the Japanese style.

(b) His advice is being obtained for converting a corner in the Zoological Park at New Delhi into a Japanese-style garden and for laying out a Japanese landscape garden around the Budha Jayanti Memorial on the Ridge in Delhi. A few other sites will also be selected by the expert in other parts of the country.

Shri Rameshwar Tantia: May I know what would be the cost of this project, whether this scheme is part of a scheme to improve the gardens

of Delhi or whether it is a special one?

Dr. P. S. Deshmukh: This is a specific idea, so far as the Japanese gardens are concerned. It is not intended to improve the existing gardens in any way. This will be an additional thing. The cost has not been worked out. It will have to be worked out in detail. So far as any particular proposal is concerned, for the time being we have got this gentleman from Japan under the Colombo Plan. He is busy working out specific plans.

Shri S. M. Banerjee: May I know the difference between an Indian garden and a Japanese garden?

Dr. P. S. Deshmukh: Yes. It is a special kind of technique. The particular difference is the use of small lakes and ponds, and a particular pattern of houses, lamps and so on.

Shrimati Renu Chakravartty: Before going in for Japanese gardens, has the Government tried to find out or take steps to improve the existing gardens which we have, which are going worse and worse every day?

The Minister of Food and Agriculture (Shri A. P. Jain): We are not going in a large way. The international agency has lent us an expert. We thought we may put up a few gardens in India here and there to please the sight of the people.

Shri Goray: May I know what will be the expenditure involved?

Shri A. P. Jain: We have not worked out the expenditure.

श्री बजराल सिंह : क्या और दूसरे देशों जैसे गार्डन बनाने की योजना भी विचाराधीन है ?

श्री अ० प्र० जैन : देखा जायगा, जैसा मौका होगा ।

Dr. Ram Subhag Singh: May I know whether there is dearth of capable persons in India for preparing any design for setting out gardens here in Delhi? If so, why did not the Government instruct its officers and experts to visit Japan—or even the Ministers—and learn the method of gardening there?

How long will it take for this Ministry to prepare a capable gardener in India?

Shri A. P. Jain: There is no limit to exquisiteness and fineness. We want to take advantage of exquisiteness and fineness wherever available.

Shri Jaipal Singh: On a point of order, Sir, since the hon. Member from Tenali intervened and made a request that you should not give your ruling...

Shri Ranga: I did not say he should not.

Mr. Deputy-Speaker: That is long past now.

Shri Jaipal Singh: I want to know whether it is open to any hon. Member to ask the Chair not to give a ruling.

Mr. Deputy-Speaker: I do not think I would have bound myself by that observation if I had not myself felt inclined that I should not give it. Next question.

Cochin Port

+

*1997. { **Shri Narayanankutty Menon:**
 Shri Warior:

Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the boilers of the dredger "S.D. Lord Willingdon" of the port of Cochin have gone out of commission recently;

(b) if so, what were the causes for the damage; and

(c) what would be the approximate cost for replacing the boilers?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes, Sir. The boilers went out of commission on the 28th February 1958 on account of the damage caused to two furnaces.

(b) The exact causes are not known. The matter is under investigation by the Engineer and Ship Surveyor, Mercantile Marine Department.

(c) The cost of a new boiler is £13,400. It is, however, proposed to replace only the two damaged furnaces at a cost of £900.

Shri Narayanankutty Menon: May I know whether the Government has sought the services of Boiler Inspectors to get a technical report on this damage?

Shri Raj Bahadur: Perhaps I have indicated in my reply that we have got our Engineer and Ship Surveyor, Mercantile Marine Department who is investigating into this particular matter. Meanwhile, we have placed orders for three furnaces, two for replacement and one as spare.

Shri Narayanankutty Menon: May I know whether this particular Engineer and Ship Surveyor who is investigating into this are independent of the Cochin port administration or they are there itself?

Shri Raj Bahadur: The Mercantile Marine Department is independent of the Cochin port authorities.

Cooperative Sugar Factory in Orissa

*1998. **Shri Sanganna:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that a sugar factory sanctioned on co-operative basis in Orissa could not be started due to foreign exchange difficulties;

(b) if so, for which part of the State the Factory has been sanctioned;

(c) whether the sanction will stand over until the foreign exchange position eases; and

(d) whether the machinery of the plant will be obtained under the deferred credits?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) Yes, Sir.

(b) District Ganjam.

(c) The Society has been granted extension of time upto the commencement of the 1959-60 crushing season for setting up the factory.

(d) The matter is under consideration.

Shri Sanganna: May I know what is the amount of foreign exchange required for this sugar factory?

Dr. P. S. Deshmukh: I do not know the exact figure. I want notice.

The Minister of Food and Agriculture (Shri A. P. Jain): I must say that a plant of 1,000 tons requires between Rs. 60 or 70 lakhs of foreign exchange.

Shri Thirumala Rao: In this connection, may I know how many sugar factories have been initially sanctioned by the Government and are held over on account of foreign exchange difficulties?

Shri A. P. Jain: Eleven co-operative sugar factories and 1 private sugar factory.

Shri Mahanty: How many sugar factories under private aegis have been postponed to 1959-60?

Shri A. P. Jain: I said: 11 co-operative sugar factories and one private sugar factory.

Shri Mahanty: My question was: how many applications were there for setting up of sugar factories under private initiative, and how many from co-operative agencies? In view of the fact that sugar factories on a co-operative basis are going to be encouraged, may I know what was the number of applications under private initiative and how many have been postponed?

Shri A. P. Jain: In issuing licences, we give preference to the co-operative sugar factories, and 23 sugar factories were licensed in the Second Five Year Plan. There was provision for setting up 35 co-operative sugar factories, and licences have so far been issued for 12 sugar factories. I am doubtful whether during the Second Five Year Plan, in view of the foreign exchange difficulties, we shall be in a position to issue licences for any more sugar factories. Altogether during the First and Second Five Year Plans 55 licences have been issued—it may be one more

or one less, I am speaking from memory—out of which I believe 37 or 38 were co-operative sugar factories.

Shri Mahanty: On a point of order, Sir. Is it open to a Minister not to give a specific answer to a specific question? I asked the specific question: how many applications were there for setting up sugar factories under private initiative and how many have been held over? That reply has not yet been furnished.

Shri A. P. Jain: I will require notice of that larger question.

Shri Panigrahi: What was the allotment of sugar factories for Orissa? Was it one or more than one for the Second Plan period for the co-operative sector, and what is the foreign exchange required for this particular sugar factory which is going to start in the co-operative sector?

Shri A. P. Jain: There were applications for two co-operative sugar factories. One of them satisfied the conditions and licence was issued, but now the question of importing foreign machinery is there. The other sugar factory did not satisfy the conditions, and no licence was issued.

So far as the foreign exchange element is concerned, generally these co-operative sugar factories are of 1,000 to 1,200 tons, and the foreign exchange involved is between Rs. 60 and Rs. 70 lakhs.

Shri Ranga: May I know how many sugar factories were actually issued the necessary foreign exchange in order to enable them to get the necessary machinery?

Shri A. P. Jain: I can give the figure for the co-operative sugar factories. Out of the 37 or 38 licences that have been issued, all the sugar factories have been either allowed to import machinery, or they have been given import licences, except the eleven sugar factories whose cases are now pending.

Shri Supakar: May I know if the proposal to start a sugar factory in

the Hirakud irrigated area has been postponed, and may I know what conditions were not fulfilled in that case so that no licence was issued?

Shri A. P. Jain: The condition in the case of a sugar factory is that an application for grant of a licence will be considered only after the farmers have raised Rs. 8 lakhs of share capital. In this particular case that amount was not raised.

Railway Advisory Committees

*1999. **Shri Naushir Bharucha:** Will the Minister of Railways be pleased to state:

(a) whether any representation was received from the All India Federation of Transport Users Association, Bombay, for direct representation of the Passengers Associations on the Zonal Railway Users' Consultative Committee and the National Railway Users' Consultative Council; and

(b) if so, what action has been taken thereon?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes.

(b) The suggestion made in the representation was duly considered, but it was not accepted.

Shri Naushir Bharucha: May I know whether any principles or rules are prescribed by the Government governing representation on zonal consultative committees?

Shri S. V. Ramaswami: Yes, Sir. There are three different committees, the district committee, the zonal committee and the national council. There are certain rules with regard to these, as to their composition and their functions.

Shri Naushir Bharucha: I am asking whether, to enable the Government to decide which particular body shall be represented on zonal committees, the Government have laid down any principles governing representation on these committees?

Shri S. V. Ramaswami: Certain regulations have been prescribed about the nature of representation. Certain categories have been prescribed. Who comes under those categories will be duly considered by the Ministry, and it will be found out whether they are truly representative and whether they can function properly. On this basis they will be elected properly.

Shri Naushir Bharucha: Why is it that representation was denied to the All-India Federation of Transport Users' Association, Bombay?

Shri S. V. Ramaswami: The point is this. So far as the divisional committees are concerned, there is provision made for two seats for passengers' associations. The difficulty about these passengers' associations is that they are localised. They have got interests only in the suburban railways. They are not broad-based, and often-times it has been found that these passengers' associations represent the views of only a handful. Therefore, the passengers' associations are represented only on the divisional committees directly. So far as the zonal and the national committees are concerned, they can always be elected by the regional committees, and they can come by indirect election.

Shri P. C. Borooah: May I know if any regional railway users' committee has been formed for the newly created North-Eastern Frontier Railway Zone?

Shri S. V. Ramaswami: Not that I am aware of. I will require notice.

Shri Thirumala Rao: Are Government aware that certain private individuals who cultivate railway officials in the Southern Railway manage to get nominations to the zonal committee, though they do not represent any representative association or group of persons interested in railway conditions?

Shri S. V. Ramaswami: I am not prepared to accept the allegations, but I believe all these are done on merit.

Shri Assar: May I know whether it is a fact that representation is not

given to the Hubli-Hyderabad, Sholapur Pradesh passenger associations on the divisional railway users' consultative committee as reconstructed this year, and if so may I know the reasons?

Shri S. V. Ramaswami: I am sorry I have not got the information. If the hon. Member puts a separate question, I shall answer.

Shri Tangamani: May I know whether the zonal committee for the Southern Railway has been formed; if so, how many names are common in the previous and the new lists?

Shri S. V. Ramaswami: We have not analysed it. I require notice.

Shri Tangamani: Has that new committee been formed?

Shri S. V. Ramaswami: Yes.

Mr. Deputy-Speaker: He wants notice.

Shri Tangamani: The question is whether the council has been formed.

Mr. Deputy-Speaker: If he had known a part of it, he must have answered that part of it at least.

Sleepers for Railways

*2000. **Shri Yajnik:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a large number of sleepers were being procured from Kashmir State to meet the requirements of the Railways;

(b) whether there has been any reduction in the supply of timber sleepers from Kashmir during the last two years;

(c) if so, the reasons therefor; and

(d) the action Government propose to take in the matter?

The Deputy Minister of Railways (Shri S. V. Ramaswami): (a) Yes, Sir. The State is supplying sleepers to the Indian Railways.

(b) Yes, Sir.

(c) (i) Frequent floods in the Valleys resulting in washing away lakhs of cubic feet of sawn timber to Pakistan.

(ii) Increase in cost of labour wages.

(d) The matter has been jointly examined in detail with the State Government and an agreement has been reached with them for supply of 4,15,000 sleepers during the period January 1958 to October 1959.

Shri Yajnik: May I know how many sleepers have been imported from Kashmir for railway purposes during the last two years?

Shri S. V. Ramaswami: I can give him for three years. The receipts during the last three years from Jammu and Kashmir were as follows:

1955-56	.. 1,37,000 numbers
1956-57	.. 1,25,000 numbers
1957-58	.. 72,000 numbers

Shri Yajnik: May I know if this drastic reduction in the import of timber or sleepers is due to the negligence of the Kashmir Government, or is it due to the negligence of the Railway Ministry in not getting this timber or sleepers in time?

Shri S. V. Ramaswami: I have already stated the reasons why we are not able to get enough.

Shri Heda: May I know whether the Railway Ministry is importing a good number of sleepers from foreign countries because we are short, and if so, may I know the reasons for refusing the offer of the Andhra Pradesh Government for the supply of timber of particular sizes?

Shri S. V. Ramaswami: Owing to the Second Five Year Plan, there is all round demand for timber, and the position has worsened generally in the eastern countries. Now, we require about 230 lakhs of sleepers. All of this we are not able to procure from our own country during the Second Plan. Therefore, we have programmed to import wooden sleepers about 42 lakhs, from abroad.

Shri Subbiah Ambalam: May I know the percentage of our requirements of railway sleepers that is being procured from Kashmir and the percentage that is imported from abroad?

Shri S. V. Ramaswami: I cannot exactly give the percentage, but I can give the numbers.

Mr. Deputy-Speaker: It is the percentage that is wanted. If that is ready, that may be given, and not the details.

Shri Khimji: May I know whether wooden sleepers are slowly and gradually replaced by cement sleepers in Indian Railways as is done in other countries, and if so, how they compare as to their cost and durability?

Shri S. V. Ramaswami: We are trying; as a matter of fact, during the Second Five Year Plan, we are going to use indigenous timber, imported wood, cast iron, steel and concrete. We are going to use all these different types of sleepers.

Shri Heda: The later part of my question was not answered.

Mr. Deputy-Speaker: Next question.

Private Practice by Doctors in Medical Colleges

+

*2001. { **Shri S. M. Banerjee:**
Shri Jagadish Awasthi:

Will the Minister of Health be pleased to state:

(a) whether Government have taken any decision to stop private practice by the doctors in various medical colleges; and

(b) if so, whether any non-practising allowance is likely to be granted?

The Minister of Health (Shri Karmarkar): (a) Private practice by doctors employed in the medical colleges under the control of the Central Government is not allowed.

(b) Non-practising Allowance at the rates of Rs. 250 p.m., Rs. 150 p.m., Rs. 100 p.m. and Rs. 50 p.m. is allowed

to Professors, Readers, Lecturers and Demonstrators respectively.

Shri C. R. Pattabhi Raman: Are there honorary surgeons and honorary physicians in the hospitals, and if so, what is the rule with regard to those persons? Can they have private practice?

Shri Karmarkar: There are no honorary doctors in our hospitals under the Government of India.

Shri Shree Narayan Das: May I know whether the Central Government have asked the various State Governments with regard to following this procedure in their respective hospitals?

Shri Karmarkar: Yes, we had asked for information. We did not get complete information, and I did not like to trouble the House with partial information. But I have received information from Bihar, which is as follows:

"All posts of medical officers (non-clinical subjects except pathology) at Darbhanga Medical College, and some posts at Patna Medical College, declared non-practising. Non-practising allowance paid to them. Proposal to declare some teaching posts (clinical subjects) at two medical colleges under consideration."

Shrimati Renu Chakravartty: This particular policy has been implemented in West Bengal, but there is a lot of confusion. I would like to know whether the Indian medical associations of the various States are also being consulted in this matter so as to work out a properly graded system for the doctors?

Shri Karmarkar: There is a little confusion in my mind about the precise scope of the question, as to whether it is in respect of non-practising allowance being allowed or in respect of whole-time teaching professors in colleges.

Shrimati Renu Chakravartty: The whole question that private practice will no longer be allowed to doctors has given rise to various complications, because there are various categories of

doctors, and the papers have been flashing the news that the various medical associations have been protesting against it. So, I would like to know whether before this policy is put into practice, the State Governments have been asked to have consultations with the various medical associations.

Shri Karmarkar: Now, I understand the question. So far as the Central Government are concerned, we are quite clear in our mind that our doctors and professors should be whole-time. So far as State Governments are concerned, I find that some of them have partially accepted the principle, and I am quite sure that they will keep in touch with all sources of public opinion, including the Indian medical associations in respect of the policies that are to be finalised by them; but they are their own independent masters.

Shri C. R. Pattabhi Raman: I find that the question refers to medical colleges. Does it also apply to Government medical hospitals?

Shri Karmarkar: This question concerns doctors in medical colleges.

Shri C. R. Pattabhi Raman: That was what I said.

Shri Karmarkar: That was what I also said.

Mr. Deputy-Speaker: Shri Bhakt Darshan.

Shri C. R. Pattabhi Raman: Do I take it that it refers to medical college hospitals?

Shri Karmarkar: There are clinical teachers, as they are called, who are practising in the hospitals and who are teaching in colleges associated with such hospitals.

Shri C. R. Pattabhi Raman: I said medical college hospitals.

Shri Karmarkar: That was what I said. Both of us understand each other quite well, and still, we are confused.

Mr. Deputy-Speaker: These questions and answers have gone on without my permission.

Shri Bhakt Darshan.

जी भक्त दर्शन . क्या गवर्नमेंट के ध्यान में यह बात आया है कि स्वयं दिल्ली के इरविन अस्पताल के बहुत से डाक्टर लोग इस कदर प्राइवेट प्रैक्टिस का मासरा ले रहे हैं कि वहाँ के असर्जो मर्रजो को नुकसान हो रहा है । यदि हाँ तो क्या हम के बारे में कोई सख्त कार्रवाई की जायेगी ?

उपाध्यक्ष महोदय : यह अस्पताल का सवाल नहीं है ।

Medical Degrees

*2002. **Shri Harish Chandra Mathur:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that the medical degrees given by some of our Universities are not recognised by the Central Government; and

(b) if so, whether Government propose to get the matter regularised?

The Minister of Health (Shri Karmarkar): (a) The Central Government recognises under Section 11 of the Indian Medical Council Act, 1933, medical qualifications granted by medical institutions in India after consulting the Medical Council of India. The Council has under consideration the question of recognition of the medical degrees of the following new Universities:—

1. Karnatak University,
2. Vikram University,
3. Jabalpur University,
4. S. V. S. University, Tirupathi.

(b) The Central Government will consider the matter on receipt of the recommendations of the Medical Council of India.

Shri Harish Chandra Mathur: May I know what shortcomings, if any, have been reported by the Indian Medical Council, particularly in respect of medical colleges in Centrally administered areas, and what Government are doing about the matter?

Shri Karmarkar: I am not aware of any recommendations made by the

Council. They send their own inspection staff. At the present moment, I am informed that the four Universities mentioned by me are now being considered by the Indian Medical Council, and they will make their recommendation, and then we shall consider it. With regard to the Centrally administered areas, I should like to have specific notice.

Shri Harish Chandra Mathur: Has the attention of the Minister been drawn to the serious complaints made by the President of the Indian Medical Council at the last annual general meeting, particularly with reference to medical colleges in the Centrally administered areas, and if so, what are those complaints, and has any consideration been given to them by the Minister?

Shri Karmarkar: I should like to have notice, because I cannot certainly recall what he said about the Centrally administered areas in particular. He had complaints generally about some colleges not being efficient in their teaching or in their equipment. But I should like to have notice.

Shri Nanjappa: May I know the names of the medical colleges whose degrees have not been recognised by the General Medical Council of United Kingdom?

Shri Karmarkar: That is a question which I cannot answer without notice.

Shri Harish Chandra Mathur: May I know whether new medical colleges are opened only with the approval of the Central Government, and if so, whether all the factors are taken into consideration to see that these medical colleges which are opened after the due approval of Government are recognised?

Shri Karmarkar: When the essential preliminaries are there, we do approve of a particular college, without promising aid.

Shrimati Renu Chakravarty: Is it not a fact that inspection teams carry out inspection at these medical

colleges and find out whether their standards are on a par with those laid down by the Indian Medical Act, and if so, may I know whether these inspections have been carried out in respect of those Universities which have not been given recognition?

Shri Karmarkar: These are new Universities. The Indian Medical Council have their own inspecting machinery, and they consider regularly the reports given to them by their inspectors.

But, with regard to these Universities, as to where the matter stands precisely, how far it has gone ahead and so on,—because some of these Universities have yet to send their final students, three years later—I am not able to answer that question without notice.

Shri Panigrahi: May I know the names of the Universities whose medical degrees have not been recognised by the Central Government so far?

Shri Karmarkar: For that, I should like to have a separate notice.

Shri C. R. Pattabhi Raman: May I know whether the degrees given by the All India Medical Institute at Delhi are being recognised?

Shri Karmarkar: There is a separate Act for that, passed by Parliament, which my hon. friend might do well to read.

Shri Harish Chandra Mathur: Is the Minister aware that there are certain medical colleges which do not fulfil even the minimum standards, and if so, what action is the Minister going to take? And what is the fate of those students who pass out from such colleges whose degrees are not recognised by the Central Government?

Shri Karmarkar: I am hoping that in due time the Indian Medical Council will see their way to give recognition to the students that have passed out regularly out of a college. I think the recognition of the medical degrees of the Universities is pending, perhaps because they have not yet inspected or perhaps because they have not

found them satisfactory. But I am hoping that a solution will be found by which no graduate of any Indian University will be thrown adrift on the streets.

Shri Harish Chandra Mathur: The first part of my question has not been answered. May I know whether the Minister is aware that there are certain medical colleges which do not fulfil even the minimum standards, and if so, what those colleges are?

Shri Karmakar: I should like to have notice. With regard to such colleges as do not have this particular standard, I should rather like to encourage them to have that standard than depress them and ask them to close down because they have not the standards, on account of the shortage of medical personnel.

Electrification Scheme on South-eastern Railway

+

*2003. { **Shri U. L. Patil:**
Shri Vajpayee:
Shri Hem Barua:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Governments of West Bengal and Uttar Pradesh have declined to supply power necessary for the railway electrification programme for the South-eastern coal and iron region;

(b) whether there had been any understanding earlier in this regard; and

(c) the steps proposed to be taken by Government to meet the situation?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). Necessary power for electrification of Asansol-Sini-Tatanagar-Rourkela and Rajkharwan-Barajamda sections covering South Eastern Railway's Coal and Iron region would be available from D.V.C. and Hirakud Grid. No difficulties are envisaged at present regarding power requirements for these sections.

(c) Does not arise.

Shrimati Renu Chakravartty: May I know whether it is a fact that the D.V.C. is supplying only one line of electrification? Is it also a fact that the railways have requested for the setting up of another substitution station also? Has any allocation been made in the Second Five Year Plan for that?

Mr. Deputy-Speaker: Three questions cannot be condensed and asked in this way.

Shri Shahnawaz Khan: I would like to say only this much at this stage, that our requirements have been made known to the Planning Commission. In the beginning, when we carried out the preliminary discussions with the Ministry of Irrigation and Power and other Ministries concerned, we were assured that sufficient power would be made available. Recently, some doubts have been expressed. We are taking the matter to the Planning Commission. We hope that everything will be settled amicably.

Shri Panigrahi: May I know what will be the total requirements for electrification of railways in the south-eastern region, and the amount of electricity the railways expect to get from Hirakud and D.V.C.?

Shri Shahnawaz Khan: I would not be able to give the total requirements for the South-Eastern Railway offhand. But giving the overall picture, I can say that during the Second Plan period we hope to electrify 1062 route miles, and the total requirement of electricity that is worked out by us is 177 million watts.

Shri Panigrahi: The hon. Minister has said that they are getting electricity from Hirakud. What is the quantity of electricity they are getting from Hirakud?

Mr. Deputy-Speaker: That is not known at present.

Shri Shahnawaz Khan: The matter is still under discussion and nothing final has been decided. Perhaps my

hon. colleague, the Minister of Irrigation and Power, may be able to throw more light on it.

Mr. Deputy-Speaker: Not at present.

Shrimati Renu Chakravartty: May I know by when the decision of the Planning Commission will be available?

Mr. Deputy-Speaker: That would be for a different Ministry to answer.

Shri Shah Nawaz Khan: This question, as the whole country realises, is of vital importance to the country, and it is being tackled with all expedition.

Shri Mahanty: May I know from what stage of the Hirakud project the supply of electricity will be available? In view of the fact that the second stage is yet to come up, may we know when they will be able to get the electricity for railway electrification?

Shri Shah Nawaz Khan: The electricity from Hirakud would be required for section Asansol-Sini-Tatanagar-Rourkela. It is programmed to be there by the beginning of December 1959.

Shri Panigrahi: If the Minister is not in a position to let us know the amount of electricity that will be available from Hirakud, could we know the amount of electricity that they are going to get from D.V.C.? Could we also know whether the amount of electricity from D.V.C. would be added to by having a separate thermal plant, and if so, to what extent they will get electricity from that also?

Shri Shah Nawaz Khan: That is quite right. As I said in the beginning, certain doubts have been expressed recently as to whether D.V.C. would be able to meet in full the requirements of the railways. It has been decided to put up a generating set at Dugda with a generating capacity of 125,000 kw.

Shri Mahanty: The fact is that all the electricity produced from the first phase of the Hirakud project has already been booked for a number of

projects. But the hon. Minister says that he will get it by the end of December, 1959

Mr. Deputy-Speaker: Shall we enter into an argument over it?

Shri Mahanty: I will ask a straight question. May I know whether the second phase of the Hirakud project is going to be completed by December, 1959 from which he hopes to derive electricity? It is mere kidding.

Shri Shah Nawaz Khan: This question regarding Hirakud might better be addressed to my hon. colleague, the Minister of Irrigation and Power.

Train Collision near Adoni Railway Station

+

*2004. { **Shri Tangamani:**
Shri S. M. Banerjee:
Shri Vajpayee:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Madras-Bombay Janata Express collided with detached wagons near Adoni on the Southern Railway on the 15th April, 1958;

(b) how many persons were injured;

(c) the extent of damage caused to Railway property; and

(d) whether any enquiry has been ordered into this accident?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes.

(b) 41 persons received minor injuries.

(c) Rs. 1,094. Only the Rolling Stock sustained damage.

(d) Yes.

Shri Tangamani: Ever since starred question No. 333 was answered on 20th February, 1958 dealing with three major accidents, namely, Igatpuri on 23rd November, 1957, Ambala on 1st

January, 1958 and Orissa on 23rd January, 1958, we find that the type of accidents now occurring is collision between two trains. May I know whether Government have ascertained the reasons for these recurring collisions?

Shri Shah Nawaz Khan: Every accident is gone into very thoroughly and reasons are analysed and suitable steps taken. It is very difficult to compare one with the other.

Mr. Deputy-Speaker: The hon. Member's presumption is that there is now a different set of cases of accidents.

Sbri Tangamani: That is my point.

Mr. Deputy-Speaker: There ought to be no presumption.

Shri Tangamani: I will ask a straight question. Apart from the collision which took place in Tanjore and which was avoided in Delux, and this collision, how many collisions have taken place since 20th February, 1958?

Shri Shah Nawaz Khan: I require separate notice.

Shri S. M. Banerjee: What positive steps have been taken to avoid this sort of accidents, because previously the hon. Minister said that certain recommendations of various Committees and Commissions were accepted? May I know what are those recommendations and whether they have been implemented now?

Mr. Deputy-Speaker: That is a very wide question.

Shri S. M. Banerjee: Human life is in danger by these recurring accidents.

Mr. Deputy-Speaker: That may be so.

Shri Tangamani: In reply to part (d), the hon. Minister has stated that an inquiry has been ordered. May I know whether the report has been received, and if so, what are the findings?

Shri Shah Nawaz Khan: An inquiry was held by senior scale officers from

16th to 18th April. The report has not yet been finalised.

Experts from Finland

*2005. **Shri Hem Raj:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Finnish Experts under the Finnish Agreement of 1957 surveyed the areas of River Beas and the coniferous forests of the surrounding areas;

(b) if so, what are the conclusions of their survey; and

(c) whether a copy of the same will be laid on the Table?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) Yes, Sir.

(b) The report of their survey has not yet been drawn up and the conclusions are not yet available.

(c) Does not arise.

Shri Hem Raj: May I know how many Finnish experts are working here?

Dr. P. S. Deshmukh: Two. They are working since October, 1957.

Shri Hem Raj: When did they begin their work and how long will they continue?

Dr. P. S. Deshmukh: The original proposal was that they should investigate for about 6 months, but this period has now been extended to 10 months. They began their work in October, 1957.

श्री भक्त दर्शन : क्या मैं जान सकता हूँ कि फिनलैंड के इन विशेषज्ञों को केवल व्यास नदी के क्षेत्र के सर्वेक्षण का काम दिया गया था या और इलाकों का भी ?

डा० पं० शा० देशमुख : इसी व्यास इलाके के लिए उनको बुलाया गया था ।

श्री हेमराज : हमारे यहाँ के जो फ़ारेस्ट ग्राफ़िस्ज फ़िनलैंड भेजे गए हैं, वे वहाँ पर कितना अरसा काम मीलेंगे ?

Dr. P. S. Deshmukh: I require notice.

Cancer

***2007. Dr. Samantsinhkar:** Will the Minister of Health be pleased to state:

(a) the number of cobalt therapy units received from the Government of Canada;

(b) the amount spent on these units;

(c) where these units have been established; and

(d) the advantages of these units over conventional X-ray therapy in treating the cancer patients?

The Minister of Health (Shri Karmarkar): (a) No cobalt therapy unit has yet been received.

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

(d) The advantages of these units over conventional X-ray therapy machines are that they can be used almost continuously for 24 hours whereas X-ray machines can only be used intermittently as otherwise the tube is likely to be overheated and may fuse.

I should like to add further that as a result of discussions in January, 1957, a formal request for the supply of 5 cobalt therapy units under the Colombo Plan was sent to the Colombo Plan authorities in Canada. I understand that as part of the capital aid programme during 1958-59, an allotment of \$120,000 has been made, which would be equal to 3 units.

Shri Supakar: When this new therapy is introduced, where will it be introduced?

Shri Karmarkar: I think in Madras, one cobalt unit is there.

Shri C. R. Pattabhi Raman: In view of the widespread incidence of cancer in rural areas, do Government propose to have mobile cobalt therapy units?

Shri Karmarkar: A mobile unit and cobalt therapy unit together are two absolutely impossible things.

Rajasthan Canal

***2008. Shri Damani:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the workmen of Rajasthan Canal are facing water problem; and

(b) if so, the steps being taken in the matter?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). Information is being collected and will be laid on the Table of the Lok Sabha.

Shri Damani: May I know whether Government expected such a kind of water scarcity; and, if so, what previous arrangements were made to overcome this difficulty?

Shri Hathi: The Government did expect this difficulty because the area through which the canal is passing is desert area. A meeting was convened on the 7th and 8th April, of the two Chief Engineers from Rajasthan and Punjab and the seriousness of the problem of water supply during construction was considered. It was agreed that the problem needs to be solved satisfactorily before any work could be started. The Chief Engineers have worked out the requirements also at so many cusecs per mile, wherefrom this water could be made available and the sources. They are required to lay down a complete scheme for water supply in this area.

Shri Harish Chandra Mathur: May I know at how many places work has been started and what is the number of labour employed?

Shri Hathi: As I said, that information is being collected. But, so far as my information goes, it is only the survey and alignment. The information about the actual number of labour employed is not in my possession now.

Casualty in the Irwin Hospital

***2009. Shri Harish Chandra Mathur:** Will the Minister of Health be pleased to refer to the reply given to

Starred Question No. 83 on the 12th February, 1958, regarding death of a girl in Irwin Hospital, New Delhi and state:

(a) whether the report of investigation has since been received;

(b) whether any departmental enquiry has been made; and

(c) if so, to what effect?

The Minister of Health (Shri Karmarkar): (a) No. The case has been investigated by the Delhi Police and necessary action is being taken by them.

(b) No.

(c) Does not arise.

Shri Harish Chandra Mathur: May I know what are the terms and conditions of the honorary surgeons who are employed in this hospital work and whether Government is having inspections to see that the terms and conditions are satisfactory and that they are efficient and careful in their work?

Shri Karmarkar: I have not got the terms and conditions with me now. But, I presume the services are to be honorary and they are to serve there. Naturally, it is expected of every doctor to be as careful as possible in his work. It is not part of the terms and conditions.

Shri Harish Chandra Mathur: May I know if the hon. Minister is aware that there is a general complaint of negligence and indifference to the patients and this case is only a symbol and a sort of climax of that general complaint? If it is so, what steps are Government taking to see that the administration is efficient?

Shri Karmarkar: As I said earlier in answer to another question, there are no honorary surgeons in hospitals under our direct supervision and management. Regarding other hospitals in the States and Administrations, the States and Administrations take all the care possible in such

matters. If any complaint is brought to my notice, I shall forward it.

Shri Nanjappa: May I know what was the operation done and how many assistants assisted the Surgeon during the operation?

Shri Karmarkar: The operation, I understand, was an abdominal operation. Regarding the number of assistants, I should like to have notice.

Shri Goray: Is it not true that the doctor concerned was a famous surgeon in Goa?

Shri Karmarkar: That is our information.

Rates for Post Parcels

+

*2010. { **Shri Rameshwar Tantia:**
Shri Bhogji Bhai:

Will the Minister of Transport and Communications be pleased to state:

(a) whether Government have received any representation that high rate for post parcels is affecting India's exports of sports goods; and

(b) if so, what steps have been taken to allow postal concession to the sports industry to meet competition from other countries in export to foreign countries?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Certain representations have been received that due to the present high rates of postage on Foreign parcels as compared to the Pakistan rates, exporters of sports goods in India have been placed at a disadvantage.

(b) There is no provision for fixing reduced postage rates for sports goods as compared to other goods, but the possibility of the reduction of the foreign parcel postage rates for certain countries is being examined.

Shri Rameshwar Tantia: The hon. Minister said that the fact that the Pakistan rate is reduced is affecting the sports goods export trade. So

may I ask whether it is under consideration to reduce these rates according to Pakistan rates?

Shri Raj Bahadur: I can only illustrate the point by mentioning facts and figures. Up to 3 lbs. the total rate is Rs. 4.80nP and the amount that we have to pay to the foreign administration is Rs. 3.30 nP and the amount that comes to India is only Rs. 1.50 nP. The inland postal rate on the same weight is also the same. In the case of Pakistan, they happen to pay much more to the foreign countries as their share than they realise from the particular parcel or item itself.

V. P. Postal Service from India to Burma

*2011. { **Shri U. L. Patil:**
Shri Vajpayee:

Will the Minister of Transport and Communications be pleased to state:

(a) whether V.P. postal service from India to Burma has been suspended with effect from 1st April, 1958;

(b) whether this has been done at the instance of the Postal Administration of Burma;

(c) if so, the reasons given by the Burmese authorities for their demand; and

(d) when is the service likely to be resumed?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes.

(b) Yes.

(c) Nil.

(d) Not possible to say.

Shri U. L. Patil: Is it the first instance of its kind?

Shri Raj Bahadur: No. It depends upon our relations in this respect with the Burma Government, which are based on a bilateral agreement which they were entitled to do. I think it is not the first instance of its kind.

Shri Ramanathan Chettiar: May I know whether our postal rates are higher than in Burma?

Shri Raj Bahadur: For that I require separate notice because the original question pertains to something different.

Export of Sugar

*2012. { **Dr. Ram Subhag Singh:**
Shri Vajpayee:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether any new scheme has been prepared for promoting sugar export; and

(b) the nature of the scheme?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b). The matter is under consideration.

Dr. Ram Subhag Singh: May I know whether Government will enact any legislation for helping the export of sugar from this country?

Shri A. M. Thomas: It will arise only after we have come to a decision in the matter. Perhaps, legislation may also become necessary.

Shri Tyagi: May I know whether in view of the fact that there is a carry-over of 451,000 tons of sugar from the previous year the necessity of export has arisen? The world prices of sugar have come down to £35 per ton and our cost f.o.b. in India is £51.18.0 and so the loss comes to £16.13 per ton f.o.b.; and the total loss comes to £76,19,300. May I know how this loss will be met if sugar is exported outside?

Shri A. M. Thomas: The question has been under our consideration. We invited suggestions from the Indian Sugar Mills Association also. They put forward five suggestions. Now, two suggestions put forward by them are under consideration. One is for the formation of a Corporation; and the Corporation will have 48 members

all the sugar factories; and it will be allowed to export, the loss to be recovered from the factories.

The second suggestion is that each sugar factory will be allowed a quota and if that fixed quota is not exported, some penal assessment will be levied on that factory. These schemes are under consideration.

We also tried whether the State Trading Corporation can be utilised for export. But the Commerce and Industry Ministry has informed us that their hands are too full and they may not be in a position to undertake the task. We are considering the matter in all its aspects.

Shri Tyagi: Why was not the help of the Tariff Commission sought for examining the expense ratio of sugar production?

The Minister of Food and Agriculture (Shri A. P. Jain): This question relates to the export of sugar and not to the cost of production.

Shri Tyagi: To the cost price also.

Shri Yajnik: May I know whether one of the suggestions being considered is also the increase in the prices of sugar in the country? May I also know if the Government are aware that very serious discontent is being expressed all over the country at the prospect of a rise in the prices of sugar just to increase the export of sugar?

Shri A. P. Jain: One of the effects of importing sugar might be that the internal price of sugar may go up. That is also under consideration. And, we will balance all the factors—advantageous and disadvantageous—and then come to a decision.

Shri Ranga: Do Government propose to call in the assistance of the Tariff Commission or experts of similar stature to advise them in regard

to this matter instead of consulting only the Indian Sugar Mills Association?

Shri A. P. Jain: There is no proposal to consult the Tariff Commission. In fact, in this matter, the Tariff Commission does not come into the picture. Government will take a decision on merits and on its own responsibility.

Mr. Deputy-Speaker: The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

कोपारिया स्टेशन के निकट पुल

*१९६४ श्री श्री नारायण दास : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पूर्वोत्तर रेलवे के मानसी-मुपौल सेक्शन पर कोपारिया स्टेशन के निकट रेलवे पुल के पुनः निर्माण की प्रस्तापना पर विचार कर लिया गया है ; और

(ख) यदि हाँ, तो इस विषय में क्या निर्णय किया गया है ?

रेलवे उपमंत्री (श्री शाहनवाज खान):

(क) और (ख). कोपारिया स्टेशन के पास मौजूदा धमाराघाट डलान (dip) पर पुल बनाने के बारे में विचार हुआ है लेकिन अभी कोई फैसला नहीं किया गया है, क्योंकि यह नहीं कहा जा सकता कि कोसी नदी पर किनारे के बांध बन जाने के बाद कितना पानी इस रास्ते में होकर गुजरेगा। इस समय हम इस बात पर विचार कर रहे हैं कि अगर हाँ सके तो तब तक के लिए वहाँ एक पायेंदार पुल (Pile Bridge) बना दिया जाये।

Thett in Dhantoli Post Office, Nagpur

*2013. **Shri Vajpayee:**
Shri U. L. Patil:

Will the Minister of Transport and Communications be pleased to state:

(a) whether a cash box containing about Rs. 10,000 was recently stolen from Dhantoli Post Office, Nagpur;

(b) whether any enquiry has been conducted in this regard; and

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

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes Sir.

(b) Yes. Enquiries not yet complete.

(c) Does not arise.

Export of Mangoes

*2014. **Shri Rameshwar Tantia:**
Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Government propose to arrange airlift of Mangoes from India to Britain; and

(b) if so, what quality and quantity of Mangoes are proposed to be airlifted to Britain?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) There is no proposal at present to arrange air lifting of mangoes from India to Britain on Government account.

(b) Does not arise.

बम्बई पत्तन न्यास

३१६३. श्री म० ला० द्विवेदी : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५५-५६ और १९५६-५७ की अवधि में कितने अधिकों ने बम्बई पत्तन

न्यास द्वारा संभावित दवाखानों की प्रत्यक्षता से लाभ उठाया ; और

(ख) इस सम्बन्ध में न्यास ने कितना व्यय किया ?

परिवहन तथा संचार विभाग में राज्य-मंत्री (श्री राज बहादुर): (क) बम्बई पोर्ट ट्रस्ट के प्रीविलेज में जिन कर्मचारियों ने १९५५-५६ और १९५६-५७ में इजाजत करवाया उनकी संख्या क्रमशः १,४८,६०४ और १,५६,२६० थी। पोर्ट ट्रस्ट द्वारा कोई भी प्रत्यक्षता नहीं चलाया जाता।

(ख) १९५५-५६ में १,२०,०७० रुपये और १९५६-५७ में १,६७,४४४ रुपये।

New Railway Stations to be opened

3194. **Shri Ram Krishan:**
Shri Daljit Singh:

Will the Minister of Railways be pleased to state the names of new stations which will be opened during 1958-59, Railway-wise?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): A statement is placed on the Table of Lok Sabha. [Placed in Library. See No. LT-700/58.]

Departmental Catering on Railways

3195. **Shri Ram Krishan:** Will the Minister of Railways be pleased to state:

(a) the number of Railway Stations on which departmental catering has been introduced so far, Zone-wise; and

(b) the number of Railway stations on which departmental catering will be introduced during the current year Zone-wise?

The Deputy Minister of Railways (Shri Shah Nawas Khan): (a) and (b). A statement is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 108.]

Family Planning Centres in Orissa

3196. Shri Kumbhar: Will the Minister of Health be pleased to refer to the reply given to Unstarred question No. 804 on the 28th November, 1957 and state the number of family planning centres opened in the Orissa State March, 1958?

The Minister of Health (Shri Karmarkar): 25 Rural and 22 Urban Family Planning Centres were established in Orissa during the period October, 1957 to March, 1958.

Promotions to Stenographers

3197. Pandit M. B. Bhargava: Will the Minister of Railways be pleased to state:

(a) whether the same rules and procedure for promotion of stenographers to the high grades are followed in the Railway Board and in the different Zonal Railways; and

(b) if not, what are the different procedure and rules that are followed in each case?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No.

(b) A statement showing the 'rules and procedure' followed in the Railway Board's office and on the Zonal Railways is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 109.]

Cardamom Cultivation

3198. Shri Jinachandran: Will the Minister of Food and Agriculture be pleased to state:

(a) what is the total area under cardamom cultivation in India, State-wise;

(b) what was the total production of cardamom for the years 1955-56 to 1957-58, the quantities exported and the average prices obtained during these years; and

(c) how many research-cum-nursery stations have been opened and where are they situated?

The Minister of Food and Agriculture (Shri A. P. Jain): (a)

	Area (Acres)	
Kerala	..	69,361
Mysore	..	41,034
Madras	..	10,475
Andhra Pradesh	..	10
West Bengal	..	3,500
Assam	..	0.25

Information from other States is awaited.

(b)	Production (tons)	Quantity exported (tons)	Average price obtained (Rs. per ton)
1955-56	3415*	1594*	20,688%
1956-57	3641*	1736*	21,560%
1957-58	2273	1822*	19,600%

*This relates to Kerala, Mysore and West Bengal only. Information from other States is not available.

%This relates to Kerala only

(c) Five, namely:—

- (i) Cardamom Research station at Panpadumpara (Kerala);
- (ii) Research Sub-centres at Nongpoh and Umling (Assam);
- (iii) Cardamom Research Station at Mudigere (Mysore);
- (iv) Research-cum-nursery station at Kalimpong (West Bengal).

Anti-T.B. Work in Bombay

3199. Shri Pangarkar: Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 89 on the 12th February, 1958, and state the amount given for anti-T.B. work to institutions in Bombay so far (institution-wise)?

The Minister of Health (Shri Karmarkar): A statement has been laid on the Table of Lok Sabha. [See Appendix VIII, annexure No. 110.]

Employment Potential

3200. Shri Jadhav: Will the Minister of Food and Agriculture be pleased to state the employment potential in the following at present;

(a) Agriculture: (i) Agriculturists, (ii) Agricultural Labourers;

(b) Sugar Industry; and

(c) Co-operatives?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). No information is available about employment potential in Agriculture, Sugar Industries and Co-operatives.

Research on Coconut and Arecanut

3201. Shri Kumaran: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the special sub-committee appointed to go into the question of co-ordinating research on coconut and arecanut has submitted its report; and

(b) if so, what are the main recommendations?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes.

(b) A statement is laid on the Table of Lok Sabha. [See Appendix VIII, annexure No. 111.]

All-Weather Route from Calcutta to Patna

3202. Shri C. K. Bhattacharyya: Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 453 on the 25th February, 1958 and state the districts through which the present all-weather route from Calcutta to Patna through Sunderbans passes?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): The districts

in Indian Territory through which the all-weather water route from Calcutta to Patna passes are the following:—

Calcutta	}	West Bengal.
Howrah		
24 Parganas		
Murshidabad		
Malda		

Patna	}	Bihar.
Saran		
Muzaffarpore		
Darbhanga		
Monghyr		
Bhagalpur		
Purnea		
Santhal Parganas		

Sainiks on Southern Railway

3203. Shri Siddiah: Will the Minister of Railways be pleased to state:

(a) the sanctioned strength of sainiks on the Southern Railway as on 1st January, 1958;

(b) the number recruited so far; and

(c) the number of Scheduled Castes and Scheduled Tribes recruited so far?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) 5,168.

(b) 4,831.

(c) (i) Scheduled caste—470

(ii) Scheduled Tribes—7.

रेलवे रियायती टिकट

३२०४. श्री भोगजी भाई :
क्या रेलवे मंत्री यह बनाने की कृपा करेंगे कि :

(क) १ अप्रैल १९५७ से ३१ मार्च, १९५८ तक कितने विद्यार्थियों को ५० प्रतिशत रेल की रियायत दी गयी तथा उसका कुल कितना मूल्य हुआ ; और

(ख) १ अप्रैल, १९५६ से ३१ मार्च, १९५७ तक की अवधि में कितने विद्यार्थियों को यही रियायत दी गयी ?

रेलवे उपमर्चा (श्री शाहनवाज खाँ):
(क) और (ख). कितने "रिप्रायस के आज्ञा-पत्र" (Concession Orders) जारी किये गये इसके आंकड़े इकट्ठे किये जा रहे हैं और सभा-पटल पर रख दिये जायेंगे। रियायत के कितने आज्ञा-पत्र सचमुच इस्तेमाल किये गये और स्टेशनों में उनके बदले कितने टिकट लिये गये इसका हिमाख अलग में नहीं रखा जाता। इस सूचना का इकट्ठा करने और जारी किये गये टिकटों का मूल्य आकने में फिजूल मेहनत होगी और वक्त बर्बाद होगा और उसके मुकाबले नतीजा कोई खाम नहीं निकलेगा।

Railway Schools

3205. **Shri Siddiah:** Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 2069 on the 5th April, 1958 regarding Anglo-Indian Railway Schools and state:

(a) whether these schools are meant for the students of the Anglo-Indian community only; and

(b) if not, whether Government propose to change the names of the schools?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No.

(b) It has already been decided to drop the prefixes "Anglo-Indian" and "Indian" at present appearing in the names of Railway schools and to add the words "English Medium" in brackets against the schools where the medium of instruction is English.

Ayurvedic and Unani College of Indian Medicine, Mysore

3206. **Shri Siddiah:** Will the Minister of Health be pleased to state:

(a) what is the allotment made for the purpose of upgrading the Ayurvedic and Unani College of Indian Medicine, Mysore, and to carry on research work in the above institu-

tion during the Second Five Year Plan; and

(b) the amount spent and the progress made so far?

The Minister of Health (Shri Karmarkar): (a) No allotment has been made by the Government of India for the purpose of upgrading the Ayurvedic and Unani College of Indian Medicine, Mysore or to carry on research work in the above institution during the Second Five Year Plan as the scheme received from that institution is not complete.

(b) Does not arise.

Wastage of Cement Bags

3207. **Shri P. G. Deb:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that thousands of cement bags which are stored at Jalesar Road in U.P. for the contract work of the new line have gone waste due to its non-utilisation in time;

(b) if so, the reasons therefor; and

(c) the steps Government propose to take in the matter?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No. There has been no such wastage of cement due to non-utilisation in time. The cement is stored in moisture proof godowns at Jalesar Road and no deterioration has taken place so far.

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

Scheduled Castes and Scheduled Tribes in P. & T. Department

3208. **Shri Siddiah:** Will the Minister of Transport and Communications be pleased to state:

(a) how many employees from Class I to Class IV in each cadre are there in the Posts and Telegraphs Department in the country as on the 31st March, 1958;

(b) how many of them belong to Scheduled Castes and Scheduled

Tribes in each cadre and in each class of posts;

(c) how many appointments were made through direct recruitment in each class and in each cadre in the years 1956-57 and 1957-58;

(d) how many were promoted to the next class or next cadre by holding competitive examination among the departmental candidates in the above two years; and

(e) how many Scheduled Castes and Scheduled Tribes were recruited or promoted and whether the reserved quota has been filled up?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (e). The information is being collected and will be placed on the Table of the Sabha when it becomes available.

Stock of Rice

3209. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to state the total stock of rice in the possession of the Central Government at the end of April, 1958?

The Minister of Food and Agriculture (Shri A. P. Jain): About 400 thousand tons.

Delegation to China

3210. { Shri S. C. Samanta:
Shrimati Ila Palchoudhuri:

Will the Minister of Food and Agriculture be pleased to state:

(a) the number of workers of co-operative farming societies of India who have so far been sent to China as suggested by the Indian Delegation to China on Agrarian Co-operatives;

(b) how many Chinese farmers were invited;

(c) how many have actually come over to India; and

(d) how the language difficulty has been solved?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). Nil.

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

दिल्ली में पशु चिकित्सालय

३२११. श्री नवल प्रभाकर : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली के ग्रामीण क्षेत्रों में बवाना, ढासा और बिजवासन में पशु-चिकित्सालयों पर प्रति वर्ष कितना व्यय किया गया ; और

(ख) इन चिकित्सालयों में प्रति वर्ष कितने पशुओं की चिकित्सा की जाती है ?

खाद्य तथा कृषि मंत्री (श्री प्र० प्र० जैन):

(क) उन में से प्रत्येक पर औस्तन वार्षिक व्यय लगभग १०,६०० रुपये है ।

(ख) लगभग १८,००० डॉर प्रति वर्ष ।

दिल्ली में सहकारी कृषि

३२१२ श्री नवल प्रभाकर : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में सहकारी कृषि का विकास के लिये क्या कोई योजना है ; और

(ख) यदि हा, तो इस दिशा में किये गये प्रयत्नों का वर्णन क्या है ?

खाद्य तथा कृषि मंत्री (श्री प्र० प्र० जैन):

(क) जी हां ।

(ख) दो सहकारी कृषि समितियां बना ली गई हैं, एक मुखमेलपुर गांव में और दूसरी होलम्बी खुर्द गांव में ।

Slum Clearance in Delhi

3213. Shri D. C. Sharma: Will the the Minister of Health be pleased to state the names of the slum areas in Delhi which are going to be cleared during 1958-59?

The Minister of Health (Shri Karmarkar): The Competent Authority under the Slum Areas (Improvement and Clearance) Act, 1955 propose to take necessary action for providing essential basic amenities in 200 Slum Katras during 1958-59. It is also proposed to tackle 25 Katras during that year for "Clearance".

Besides the improvement and clearance of slum katras mentioned above the following slum clearance schemes have been proposed for execution during 1958-59:—

- (i) Provision of 200 tenements in the Industrial Area for re-housing slum dwellers.
- (ii) Acquisition of certain slum properties and development of about 10 acres of land for putting up 300 tenements.
- (iii) Acquisition of land in Subzi-
mandi area for the purpose of re-development.
- (iv) Acquisition and development of about 100 acres of land for housing purposes.
- (v) Construction of some transit camps for accommodating slum dwellers temporarily while improvements are carried out in their houses.

These schemes have not been finally worked out so far and it is not possible to indicate at this stage the areas which will be cleared when these schemes are executed.

Telegraph Offices in Punjab

3214. Shri D. C. Sharma: Will the Minister of Transport and Communications be pleased to state the names of places where telegraph offices are proposed to be provided in Punjab during 1958-59?

The Minister of State in the Ministry of Transport & Communications (Shri Raj Bahadur): *The following

telegraph offices are proposed to be opened in Punjab during 1958-59:—

1. Amb.
2. Ambala City Motor Stand.
3. Assandh.
4. Bassian.
5. Bhuna.
6. Bhunga.
7. Hissar Textile Mills.
8. Kokrikalan.
9. Lehragaga.
10. Jadla.
11. Madlauda.
12. Nirmand.
13. Patiala Civil Lines.
14. Rania.
15. Ratia.
16. Sialba Majri.
17. Sanaur.
18. Sohana.
19. Tanda.
20. Verka.

Unserviceable Locomotives

3215. Shri D. C. Sharma: Will the Minister of Railways be pleased to state the total number of locomotives declared unserviceable during 1957-58?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): 164 locomotives.

Drinking Water Supply to Delhi Villages

3216. Shri D. C. Sharma: Will the Minister of Health be pleased to state the steps taken to provide drinking water to villages in the Union territory of Delhi?

The Minister of Health (Shri Karmarkar): A comprehensive scheme costing Rs. 40.0 lakhs has been worked out to provide drinking water to all the 305 villages of Delhi Territory. Due to shortage of funds, a provision

*Subject to availability of Stores in time.

of Rs. 19.0 lakhs only has been made in the Second Five Year Plan of Delhi Administration for Water Supply. With this amount it will be possible to cover 258 villages of the following categories:—

Villages with population

(1)	1500 to 5000—	14
(2)	2000 to 3000—	44
(3)	1500 to 2000—	200
		258

In the villages of category (1), a tube-well with diesel or petrol driven pump will be provided. An overhead tank and some distribution mains with public hydrants will also be provided.

In the villages of category (2), 3 existing wells and in category (3), 2 wells of the existing shallow wells will be cleaned, disinfected and provided with hand pumps or hand driven persian wheels.

Land Irrigated by Bhakra Nangal Dam

3217. **Sardar Iqbal Singh:** Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 1906 on the 19th December, 1957 and state the total acreage of land irrigated by the Bhakra Nangal Dam from 1st October, 1957 to 31st March, 1958?

The Deputy Minister of Irrigation and Power (Shri Hathi): Additional area irrigated from the 1st October, 1957 to 31st March, 1958 is 8,09,552 acres.

Prices of Rice

3218. **Shrimati Renu Chakravartty:** Will the Minister of Food and Agriculture be pleased to state:

(a) the prices of rice from September, 1957 to February, 1958 in West Bengal;

(b) the comparative prices a year ago;

(c) whether Government have made any purchases in the open mar-

ket or through procurement in West Bengal;

(d) if so, the quantity bought both by open market transactions and under procurement; and

(e) the quantity so obtained by the West Bengal Government?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). A comparative statement showing month-end wholesale prices of rice in certain centres of West Bengal is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 112].

(c) to (e). Yes; up to 19th April, 1958 the West Bengal Government had purchased 45,015 tons of rice and 116 tons of paddy. The Government of India are not purchasing any rice/paddy in West Bengal.

Ware-Houses in West Bengal

3219. **Shrimati Renu Chakravartty:** Will the Minister of Food and Agriculture be pleased to state:

(a) the number of ware-houses set up so far or sanctioned in West Bengal;

(b) the places selected for the purpose; and

(c) the amount of credit to be disbursed through ware-houses in 1958-59?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No ware-houses have been set up so far in West Bengal. Two centres for setting up ware-houses of the Central Warehousing Corporation during the year 1958-59 have, however, been tentatively selected.

(b) (1) Cooch Behar.

(2) Midnapur.

These are subject to revision depending upon the availability of sites, banking and marketing facilities.

(c) No credit as such will be made available through the ware-houses, though the depositors of the produce could obtain credit from the banks on the pledge of the warehouseman's receipt.

Intensive Cultivation

3220. Shri Elayaperumal: Will the Minister of **Food and Agriculture** be pleased to state:

(a) what were the total amounts allotted to Madras, Andhra and Kerala States for intensive cultivation under the First Five Year Plan;

(b) what are the total amounts allotted to the said States for the same purpose under the Second Five Year Plan; and

(c) whether the Madras Government have approached the Central Government for additional funds for this purpose?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). A statement giving the required information is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 113].

(c) The State Government had approached for an additional amount of Rs. 44.365 lakhs for Minor Irrigation Schemes.

D. V. C. Canals

3221. Shri Subiman Ghose: Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Starred Question No. 95 on the 12th February, 1958 and state:

(a) whether it is a fact that the Damodar Canal and Eden Canal existing from the time of the British in West Bengal are now called D.V.C. Canals; and

(b) if so, how many acres of land in West Bengal are irrigated from the newly excavated D.V.C. Canals excluding those two canals?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No.

(b) Does not arise.

Inland Transport Committee of E.C.A.F.E.

**3222. { Shri Ram Krishan:
Shri Raghunath Singh:**

Will the Minister of **Transport and Communications** be pleased to state:

(a) whether Government have received the report of the 7th Session of the Inland Transport Committee of the Economic Commission for Asia and Far East held at Bangkok recently; and

(b) if so, the main recommendations made therein?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes.

(b) Copies of the Report containing the recommendations made at the Seventh Session of Inland Transport Committee of E.C.A.F.E. have been placed in the Library of Lok Sabha.

All India Road Development Plan

3223. Shri Ram Krishan: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether the new All India Road Development Plan has been finalised; and

(b) if so, the main features thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir. But it is expected to be available within a few months.

(b) Does not arise.

Pepper Industry

3224. Shri Jinachandran: Will the Minister of **Food and Agriculture** be pleased to state:

(a) what is the amount spent out of the Central fund allotted for expenditure on the development of pepper industry during the last two years

of the First Five Year Plan and during 1956-57 and 1957-58;

(b) what are the corresponding amounts allocated for Kerala and how much have been utilised by the Kerala Government during these years;

(c) what is the total acreage (State-wise) under pepper cultivation and what is the total production in 1954-55 and 1957-58;

(d) what progress the Central Spices and Cashewnut Committee has made so far and how many Regional Committees have been set up;

(e) whether the Forest Research Institute has completed investigation of the technological possibilities of extracting essential oil from pepper; and

(f) if so, what are the results?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). No scheme for development of pepper was sanctioned by the Central Government before 1955-56. During 1955-56 only one scheme for the development of pepper in Madras State was sanctioned initially for two years at a total cost of Rs. 2,08,760/- to the Government of India. Due to late start of the scheme only Rs. 30,800/- were utilized by the Madras Government in 1955-56. In November, 1956, after the reorganisation of the States the scheme was transferred to Kerala State. During 1956-57 a sum of Rs. 13,800/- was spent on this scheme in Madras State and a sum of Rs. 23,850/- in Kerala State. Further allotment made for the development of pepper industry during 1956-57 and 1957-58 and the expenditure incurred during these years are as follows:—

State	Amount allotted		Amount utilized	
	1956-57	1957-58	1956-57	1957-58
Kerala	*	25,067	*	10,000
A & N Islands	4,500	38,745	2,000	11,000

(*Explained above)

(c) The State-wise estimates of area and production of pepper in India during 1954-55 is as follows:—

State	Area in '00 acres 1954-55 Area	Production in '00 tons Production
1. Kerala	188.6	24.8
2. Mysore	19.3	1.0
3. Madras	4	(2)
Total	208.3	25.8

(a) Below 100 tons

Figures for 1957-58 are not available. Pepper is not grown to any appreciable extent in other States.

(d) The Central Spices and Cashewnut Committee set up to plan, coordinate and supervise all research and development work on spices and cashewnut meets once a year in a producing area to consider various problems relating to spices and cashewnut. The first meeting of the Committee was held at Trivandrum in March 1956, the Second meeting was held at Cannanore in February, 1957 and the third meeting is being held at Mercara in May, 1958.

The Spices Enquiry Committee recommended that three Regional Advisory Committees should be set up in Travancore, Mysore and North Kanara, but later it was decided to set up nine local spices and cashewnut Committees in the States of Assam, Bombay, Madhya Pradesh, Madras, Orissa, West Bengal, Mysore, Kerala and in the erstwhile State of Coorg. These Committees have been formed in the States of Assam, Bombay, Kerala and West Bengal. Madhya Pradesh, Coorg, Madras and Orissa have not set up these Committees for the reason that either the area under these crops is very limited or due to reorganisation of States the spices producing areas have been transferred to other States. Intimation from Mysore State is still awaited.

(e) No.

(f) Does not arise.

Shipping Charges and Demurrages

3225. Shri Tyagi: Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1272 on the 27th March, 1958 and lay a statement giving full information regarding the amount of shipping charges and demurrages paid Ministry-wise to the Indian and foreign shipping firms during the years 1956-57 and 1957-58?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The information promised in reply to Starred Question No. 1272 is still being collected and will be laid on the Table of the Lok Sabha as early as possible.

Indigenous System of Medicine

3226. Shri Sanganna: Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 897 on the 26th August, 1957 and state:

(a) whether any grants have been given to the Government of Orissa during the year 1957-58 for the development of Homoeopathic and Ayurvedic systems of medicine;

(b) if so, to what extent; and

(c) how they have been utilised?

The Minister of Health (Shri Kar-markar): (a) No grants have been given to the Government of Orissa for the development of Ayurvedic System of Medicine during 1957-58, as the grant-in-aid of Rs. 14,200 sanctioned to the Government of Orissa during 1955-56 has not yet been fully utilised.

No request has been received from the State Government for financial assistance in respect of Homoeopathic System of Medicine during 1957-58.

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

रेलगाड़ी की टक्कर

३२२७. श्री भक्त दर्शन : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २० मार्च, १९५८ को कोटद्वार व नजीबाबाद स्टेशनों के बीच एक रेलगाड़ी की टक्कर से एक मोटर ट्रक चकनाचूर हो गया जिसमें कई व्यक्ति मरे व घायल हुए ;

(ख) यदि हां, तो क्या इस दुर्घटना का एक विस्तृत विवरण सभा-घटन पर रखा जायेगा ;

(ग) इस दुर्घटना के लिये उत्तरदायी रेल कर्मचारियों के खिलाफ क्या कार्यवाही की गयी है ; और

(घ) मृत व घायल व्यक्तियों में से प्रत्येक के परिवार वालों को किनना मुआवजा दिया जा रहा है ?

रेलवे उपमंत्री (श्री शाहनवाज खां):

(क) मे (ग). २० मार्च, १९५८ को सुबह ११ बजेकर २० मिनट पर, जब नं० ४ के० एन० मिलीजुली गाड़ी कोटद्वार और नजीबाबाद स्टेशनों के बीच जा रही थी, उसकी टक्कर एक मोटर ट्रक से मील १३।११ के समपार पर हो गयी। इस समपार पर कोई चौकीदार नहीं रहता। इस टक्कर के फलस्वरूप ट्रक में बैठे हुए ५ आदमियों में से एक उमी वक्त मर गया और बाकी चार को गहरी चोट आयी। ज़हिमियों का तुरन्त प्राथमिक उपचार (First Aid) किया गया और उन्हें कोटद्वार के सिविल हस्पताल में पहुँचा दिया गया। दुर्घटना की छानबीन करने वाली जांच समिति का कहना है कि टक्कर ट्रक ड्राइवर की भ्रमावधानी की वजह से हुई। किसी रेल-कर्मचारी को इसके लिए जिम्मेवार नहीं ठहराया गया।

(घ) कोई नहीं।

Dairy Development and Animal Husbandry in Bombay

3228. Shri Pangarkar: Will the Minister of Food and Agriculture be pleased to state:

(a) the Central financial aid given so far since the commencement of the Second Five Year Plan to Bombay State for dairy development and animal husbandry; and

(b) what is the present daily per capita average consumption of milk and milk products in Bombay State?

The Minister for Food and Agriculture (Shri A. P. Jain): (a) Rs. 50.34 lakhs.

(b) The estimated daily per capita average consumption of milk (including milk products) in Bombay State based on 1951 human census is 3.71 ounces.

Landless Labourers in Punjab

3329. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state the amount asked for and paid to the Punjab State Government for providing employment on hard manual schemes to landless labourers in the State?

The Minister of Food and Agriculture (Shri A. P. Jain): During 1956-57 the Government of the former PEPSU State (now merged in Punjab) submitted a scheme for the settlement of 400 landless agricultural labourers on an area of 4,000 acres of land. An amount of Rs. 3.55 lakhs comprising of Rs. 1.30 lakhs as grant and Rs. 2.25 lakhs as loan as asked for by the State Government was sanctioned by the Central Government. The scheme was, however, not implemented by the State Government and hence they did not draw any money against the sanctioned amount.

During 1957-58, the State Government did not submit any scheme. For the year 1958-59 a plan provision of Rs. 2.00 lakhs (including State's Share) has been agreed to.

Railway Restaurants

3230. Shri Daljit Singh: Will the Minister of Railways be pleased to state the number of departmental and private restaurants at each Railway station from Ambala to Amritsar junctions on the Northern Railway?

The Deputy Minister of Railways (Shri Shahnawaz Khan): There is no restaurant at any of the Railway stations between Ambala and Amritsar Jn. including both these stations.

However, Refreshment Rooms (Both Vegetarian and Non-Vegetarian) have been provided at Ambala Cantt. Ludhiana, Jullundur City, and Amritsar stations on this section, all of which are operated by contractors.

The distinction between a Restaurant and a Refreshment Room is that the former supplies mainly Western style food, while the latter supplies Indian style meals.

Sugar Mills

3231. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) the names of sugar mills which are being expanded and when this expansion is likely to be completed; and

(b) quantity of sugar which would be manufactured under this scheme?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) A statement giving the names of 68 sugar mills, which are being expanded, is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 114] 23 of these factories have already completed their expansion programmes. Expansion in remaining factories would be completed in the next 2 to 3 years depending on grant of import licences for machinery not available indigenously.

(b) About 3.8 lakh tons of sugar per annum.

Sugar Mills

3232. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) the estimated number of employees in the sugar mills in India and the capital invested during 1957-58; and

(b) the annual capacity of sugar production in each sugar mill?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) The number of employees in the sugar mills in India is about 1.82 lakhs and the capital invested in the industry is about Rs. 110.33 crores.

(b) A statement giving the required information is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 115.]

Betel Vines

3233. Shri E. V. K. Sampath: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government are aware that a devastating disease had been causing ruin to the betel vines in the Madras State, especially in Velur, Pothanur, Pandamangalam areas of Salem District; and

(b) if so, the steps taken to combat it?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes. The disease known as wilt has been prevalent in many parts of the Madras State, particularly the Salem district of that State.

(b) From January, 1957 upto the end of February, 1958, a total crop area of about 381 acres has been sprayed with chemicals in the Districts of Salem, Coimbatore, Tanjore, Tiruchirappalli, and South Arcot with a view to combating the disease. This has been done through the efforts of the Plant Protection Organisation of the State Government.

Apart from this, the Indian Council of Agricultural Research are also financing a scheme for investigation of the wilt disease of betel vines and for evolving methods to control the disease.

सड़क परिवहन

३२३४. श्री भ० दी० मिश्र : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि सरकार रेलवे टाइम टेबल के समान रोडवेज की सेवाओं का टाइम टेबल प्रकाशित कराने का प्रबन्ध करेगी जो उप-युक्त स्थानों पर मूल्य देकर मिल सके ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर) विधान के अन्तर्गत, सड़क परिवहन सम्बन्धी कार्याकारी सत्ता राज्य सरकारों के हाथ में है। मोटर गाड़ी अधिनियम, १९३९ के उपबन्धों और उसके अधीन बनाये गये नियमों के मुताबिक मोटर परिवहन के चलाने का प्रबन्ध राज्य सरकारें करती हैं। उक्त अधिनियम में कहे गये शासन सम्बन्धी काम काज को चलाने के लिए एक राज्य को अलग-अलग क्षेत्रों में बांट दिया गया है और ऐसे हर एक क्षेत्र के लिए राज्य सरकार द्वारा क्षेत्रीय परिवहन अधिकारी नियुक्त किए गए हैं। उक्त अधिनियम की धारा ४८ में क्षेत्रीय परिवहन अधिकारी को यह अधिकार दिया गया है कि वह मुसाफिर गाड़ी परमिट पर यह शर्त लागू करे कि उस पर गाड़ी चलाने की टाइम टेबल की प्रतियां लगी हों या उस अधिकारी द्वारा जो खास मुसाफिर गाड़ी मंजूर की गई है और जहां कहीं वह अपने मार्ग के नियत अड्डों और रुकने के स्थानों पर ठहरती हो या उस क्षेत्र में जहां कि वह गाड़ी नियत टाइम टेबल के विपरीत समय समय पर अधिकारी द्वारा बताए गए नियत स्थानों से आगे पीछे रुके वहां पर गाड़ियों पर टाइम टेबल की प्रतियां लटकाई जाएं।

देश में लगभग सभी राज्य परिवहन कम्पनियां अपनी मोटर गाड़ियों के चलाने

के टाइम टेबल प्रकाशित करती हैं और उनकी गाड़ियों के बारे में टाइम टेबल का एकीकरण करना सम्भव हो सकता है, इस तरफ भी कोशिश की जा रही है। कुछ और बड़े गैर-सरकारी मोटर चालक भी जो अपनी मोटर गाड़ियों के टाइम टेबल प्रकाशित करती हैं उन्हें भी इस योजना में शामिल किया जा सकता है। जहां तक छोटे चालकों का सम्बन्ध है और जो एक या दो गाड़ियों के मालिक हैं तथा जिनकी संख्या काफी बड़ी है उनके द्वारा चलाई जाने वाली मोटर गाड़ियों के बारे में एक संगठित टाइम टेबल प्रकाशित करना नामुमकिन है। इस लिए रेलवे टाइम टेबल की तरह मोटर परिवहन सेवाओं का एक थ्रिल भारतीय टाइम टेबल प्रकाशित करना सम्भव नहीं है।

New Medical Colleges in Kerala

3235. Shri Jinachandran: Will the Minister of Health be pleased to state what was the amount of grant allotted to the Kerala State for starting new medical colleges during 1957-58 and what was relative amount expended by the State Government during the year?

The Minister of Health (Shri Karmarkar): A sum of Rs. 6,18,836 was paid during 1957-58 by the Central Government to the Government of Kerala in connection with the establishment of medical college at Kozhikode. The total expenditure incurred by the State Government (including the Central Government's grant) amounted to Rs. 13,69,653.30 N.P.

Paddy Research Stations

3236. Shri K. C. Jena: Will the Minister of Food and Agriculture be pleased to state:

(a) the number of paddy research stations working in the country at present in different States (State-wise);

(b) whether any of the Paddy Research Stations has evolved such

paddy as will boldly thrive in flooded areas; and

(c) if so, the name of that paddy and the places where such paddy seeds are available and the average yield of it per acre?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). A statement is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 116.]

Paddy Research Station

3237. Shri K. C. Jena: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any Paddy Research Station has invented and experimented any manure to be used in the flooded areas in the paddy fields; and

(b) if so, the name of the manure and the quantity of that manure to be used per acre at an average rate and at what stage the manure is used in the fields?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No.

(b) Does not arise.

Sugar Factories in Mysore

3238. Shri Agadi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether on the recommendation of the Mysore Government a Co-operative Sugar Factory has been started at Gangawathi in Raichur District of Mysore State and the Union Government has been approached for a licence; and

(b) whether it is a fact that the licence has not been granted till now inspite of State Government's strong representation?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) The promoters of the Gangawathi Cooperative Sugar Factory applied for the grant of

a licence to establish a sugar factory at Gangawathi.

(b) Yes. The Licencing Committee for sugar factories could not agree to grant a licence to this Cooperative Society as the target for licencing cooperative sugar factories fixed in the Second Five Year Plan for Mysore State had been reached and as licences to cover the entire target of additional capacity envisaged under the Second Five Year Plan had already been granted. In view of this as also of the difficulties in obtaining foreign exchange facilities for importing machinery, the State Government was advised not to proceed further with the scheme.

Electric Trains

3239. Shri Subiman Ghose: Will the Minister of Railways be pleased to state:

(a) whether the electric trains in the Howrah Division run on stop and start system like the suburban trains on the Howrah and Sealdah section; and

(b) if so, whether there is any proposal to change the system?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes.

(b) No.

Visitors to Bhakra Nangal Project

3240. Shri Assar: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the passes are issued to visitors to Bhakra Nangal Project without any distinction; and

(b) if so, what precautionary measures Government have taken against the anti-nationals and fifth columnists?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No. Certain areas of the Project are not open to all visitors.

(b) Security staff in adequate strength is maintained at Bhakra to guard against any anti-national and fifth columnist activities. The entry of visitors to the Project areas is properly regulated.

सिंचाई की सुविधाएँ

३२४१. श्री पद्म देव : क्या खाद्य तथा कृषि मंत्री यह बतान की कृपा करेंगे कि क्या सतलुज, रावी, व्यास और पव्वर आदि नदियों से, जोकि बहुत गहरी हो गई हैं और जिनके दोनों किनारों पर सिंचाई की सुविधा के न होने के कारण हजारों एकड़ भूमि बंजर पड़ी हुई है, पम्पों द्वारा पानी निकालने की कोई योजना सरकार के विचारधीन है ?

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन): सतलुज, रावी, व्यास और पव्वर आदि नदियों से पम्पों द्वारा पानी निकालने की कोई योजना भारत सरकार के विचाराधीन नहीं है ।

Arrears of Payment to Staff on Northern Railway

3242. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the running staff on the Northern Railway including Conductors are not being paid their T.A. and D.A. regularly;

(b) if so, the number of such cases pending as on the 1st April, 1958; and

(c) the steps being taken in this regard?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No Sir.

(b) and (c). Some Conductors (who are not running staff) headquartered at Delhi have, however, refused to draw their T.A. since 1955 on the plea that the T.A. admissible under the rules is low. No action is necessary in the matter.

Apprentice Way Inspectors

3243. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) the number of Scheduled Caste candidates who applied for the posts of Apprentice Way Inspectors on the Northern Railway during 1956-57 and 1957-58; and

(b) the number selected during the same period on that Railway?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b).

Year	Number applied	Number selected
1956-57	50	8
1957-58	262	Selection not yet completed.

Cooperative Societies in Himachal Pradesh

3244. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any amount has been advanced by the Himachal Pradesh Territorial Council to the Cooperative Societies of Himachal Pradesh;

(b) the total amount collected by the Co-operative Societies by selling shares; and

(c) the amount advanced so far to these Co-operative Societies?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No.

(b) Rs. 3,75,080 during 1956-57 and 1957-58 (upto 31-3-1958).

(c) Does not arise. However, a sum of Rs. 2,49,700 was advanced by the Himachal Pradesh Administration during the years 1955-56 and 1956-57.

Landless Peasants in Himachal Pradesh

3245. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that majority of the peasants of Himachal Pradesh are landless; and

(b) if so, the percentage thereof?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). Information regarding landless labourers in Himachal Pradesh is not available as no survey for the purpose has been conducted. The Indian Agricultural Labour Enquiry Committee, however, conducted Survey in fourteen villages in Himachal Pradesh and detailed information is being collected.

Lift Irrigation Schemes in Punjab

3246. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Government of India have given any aid to the Punjab Government during 1957-58 for the lift irrigation schemes; and

(b) if so, the nature of schemes and the aid given in this regard?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No Sir.

(d) Does not arise.

Terminal Tax on Northern Railway

3247. Shri Daljit Singh: Will the Minister of Railways be pleased to state the number of places where terminal tax is proposed to be introduced on the Northern Railway?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): None.

Casual Labourers

3248. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) the number of casual labourers recruited during the year 1957-58 in the Northern Railway; and

(b) the terms on which they were recruited?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Information is being collected and will be laid on the Table of the Sabha.

(b) They are given market rates of wages, or minimum wages if subject to the Minimum Wages Act.

Corruption on Northern Railway

3249. Shri Daljit Singh: Will the Minister of Railways be pleased to state the number of corruption cases pending on the Northern Railway as on the 1st April, 1958?

The Deputy Minister of Railways (Shri Shahnawaz Khan): Six.

Diesel Locomotives on Northern Railway

3250. Shri Daljit Singh: Will the Minister of Railways be pleased to state the number of diesel locomotives running on the Northern Railway?

The Deputy Minister of Railways (Shri Shahnawaz Khan): 10 Broad Gauge, and 5 Narrow Gauge.

Quota of Wagons

3251. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) the number of wagons for the Northern Railway for transporting goods to places on the Central Railway; and

(b) how many wagons were allotted to Amritsar and Nangal Dam during 1957-58?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Booking of goods traffic from stations on the Northern Railway to stations on Central Railway via the various junctions is free of quota limitations. The position with regard to the clearance of traffic to Central Railway is easy and booking is current.

The number of wagons loaded on Northern Railway for destinations on Central Railway during the period

from April '57 to March '58 was as follows:

(i) from Broad Gauge stations on Northern Railway to Broad Gauge stations on Central Railway	21421
(ii) from Broad Gauge stations on Northern Railway to Metre Gauge stations on Central Railway	623
(iii) from Metre Gauge stations on Northern Railway to Broad Gauge stations on Central Railway	3,476
(iv) from Metre Gauge stations on Northern Railway to Metre Gauge stations on Central Railway	639

(b) During the period from April '57 to March '58 the number of wagons loaded at Amritsar for all railways was 1,186 out of which 34 wagons were for Central Railway stations and the number of wagons loaded from Nangal Dam for all railways was 1,336 out of which 125 wagons were for Central Railway stations.

Import of Steel

3252. Shri Jhunjhunwala: Will the Minister of Railways be pleased to lay a statement on the Table showing:

(a) the contracts so far placed by the Railway Board for import of steel by direct negotiations with foreign countries and the quantity involved in each contract;

(b) the price according to different categories at which each contract was placed;

(c) the outstanding quantity which remains to be delivered on these contracts on the 1st January, 1958;

(d) the cases where extensions were granted against direct purchases by Government and the quantities involved; and

(e) the reasons for the grant of extensions?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) to (e). A statement giving the required information is laid on the table of the Lok Sabha. [See Appendix VIII, annexure No. 117].

Chandigarh Aerodrome

3253. Shri Daljit Singh: Will the Minister of Transport and Communications be pleased to state the annual expenditure incurred for the maintenance of the aerodrome at Chandigarh?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): Rs. 32,000 (Approximately).

B.C.G. Teams in Punjab and Himachal Pradesh

3254. Shri Daljit Singh: Will the Minister of Health be pleased to state:

(a) the present strength of the B.C.G. teams in Punjab and Himachal Pradesh;

(b) the number of medical officers working for mass B.C.G. Campaign; and

(c) the number of such units working in different parts of the two States?

The Minister of Health (Shri Kar-markar): (a) The present strength of the B.C.G. teams in Punjab and Himachal Pradesh is 13 and 1 respectively.

(b) 13 medical officers in Punjab and 1 in Himachal Pradesh.

(c) There are 21 Sub Units working in the Punjab State. One team is working in Mandi in Himachal Pradesh.

Agricultural Colleges

3255. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) the total number of Agricultural Colleges in the country as on the 31st December, 1957, State-wise; and

(b) the total number of Agricultural Colleges to be opened during the Second Five Year Plan?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) There were 31 Agricultural Colleges in the country as on 31st December, 1957. A State-wise list of these colleges is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 118].

(b) There were 24 Agricultural Colleges in the country in 1954. In order to meet the increased requirements of Agricultural Graduates during the Second Five Year Plan, seven new Agricultural Colleges were started during the years 1955 and 1956. In addition, training facilities in some of the existing colleges were also expanded. As a result of the above measures, the number of admissions in Agricultural Colleges increased from 1454 in 1954-55 to 2661 in 1957-58 and the prescribed target for training of 6,500 Agricultural Graduates during the Second Five Year Plan is likely to be exceeded. However, the Planning Commission is at present engaged in reviewing the requirements of Agricultural graduates in connection with the Third Five Year Plan and as a result of this review, it may be necessary to start a few more Agricultural Colleges towards the end of the Second Plan period for meeting the requirements of the Third Plan. It is not possible at this stage to indicate the exact number of colleges to be started for this purpose.

Temporary Class III and IV Railway Employees

3256. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) the number of temporary Class III and IV employees on the Northern Railway on the 31st March, 1958; and

(b) the main reasons for their being temporary?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): The information is being collected and will be laid on the Table of the Lok Sabha.

Medical Colleges

3257. Shri Nanjappa: Will the Minister of Health be pleased to state:

(a) the names of medical colleges in the country without providing minimum facilities for training;

(b) the names of Universities in the country whose medical degrees are not recognised by the general Medical Council of United Kingdom; and

(c) what steps Government have taken or propose to take by way of remedying the inadequate facilities provided for training in the existing medical colleges and the new colleges to be started?

The Minister of Health (Shri Karmarkar): A statement is laid on the Table of Lok Sabha. [See Appendix VIII, annexure No. 119].

रतलाम-गोधरा रेलवे लाइन पर नव पुल

३२५८. श्री डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि क्या अमरीकन विशेषज्ञ ने पश्चिम रेलवे के रतलाम-गोधरा स्टेशनों के बीच, जहाँ कि दोहरी लाइन बिछाने का काम चल रहा है, नवीन पुलों की जांच की है ?

रेलवे उपमंत्री (श्री से० वें० रामस्वामी):

सुडरन्स एण्ड पोर्टर्स के एक अमरीकी दल ने १९५६ में गोधरा-रतलाम सेक्शन में दोहरी लाइन बिछाने की योजना पर विस्तार से विचार किया था। यह काम उस समय शुरू ही किया गया था। दल का यह सुझाव मान लिया गया कि माही घाट घास के दो बड़े पुलों पर दोहरी लाइन न बिछाई जाय। यह सुझाव भी मंजूर कर लिया गया कि पंचपिलिया और अमरगढ़ के बीच की सुरंग में एकहरी लाइन ही चालू रहे।

Bridge on Ghogra

**3259. { Shri S. M. Banerjee:
Shri Prabhat Kar:**

Will the Minister of Transport and Communications be pleased to state:

(a) whether a separate bridge for road transport on Ghogra (Elgin Bridge) is likely to be constructed;

(b) if so, whether this bridge is likely to be linked up with the Assam road; and

(c) if not, whether the same Railway bridge will be opened for other transport?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). The construction of the proposed bridge is primarily the concern of the Uttar Pradesh Government as it falls on a State Road. The Central Government have no proposal for the construction of this bridge.

(c) The existing railway bridge was provided with a road deck during the last war. This deck has been retained at the request of the Uttar Pradesh Government over which only Government vehicles, with the special permission of Railway Headquarters, are allowed. Due to very heavy rail traffic, it is not possible to permit all road traffic.

Extension of Service to Railway Employees

3260. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) the number of Class I and II Officers appointed temporarily on the Northern Railway during 1956-57 and 1957-58 and whose term of office has been extended from time to time; and

(b) what steps Government propose to take to regularise such appointments?

The Deputy Minister of Railways (Shri Shah Nawas Khan): (a) 31 temporary officers during 1956-57 and 11 in 1957-58 were appointed on the recommendation of the U.P.S.C. They are neither in Class I nor in Class II but just temporary officers. Their term of office does not have to be extended. They continue in service as long as their services are required.

(b) Does not arise as recruitment was made by the U.P.S.C.

Food Requirements of Himachal Pradesh

3261. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether crops in Himachal Pradesh will be sufficient to meet the food requirements for the year 1958-59; and

(b) if not, the quantity of food-stuff the Centre is likely to give to the territory as help?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). The rabi crops are now being harvested, and it is yet too early to say whether supply of foodgrains from outside will be necessary during 1958-59. Himachal Pradesh, however, is included in the surplus Northern Wheat Zone and any quantity of wheat required can freely move into the territory from Punjab through trade channels. Similarly, rice can also move through trade channels from Punjab to Himachal Pradesh.

दिल्ली की मजदूर बस्तियों में पानी का संभरण

३२६२. श्री प० ला० बाबुपाल : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली और नई दिल्ली को हरिजन तथा अन्य मजदूर बस्तियों में लोगों को पीने और नहाने के लिये काफी पानी नहीं मिल रहा है ; और

(ख) मजदूरों की बस्तियों में कितने लोगों के लिये पानी का एक नल है और वह प्रति घंटा कितने गैलन पानी देता है ?

स्वास्थ्य मंत्री (श्री करमरकर): (क) जी हाँ। तो भी जहाँ तक सम्भव है, दिल्ली म्युनिसिपल कारपोरेशन और नयी दिल्ली म्युनिसिपल कमिटी द्वारा इन मौजूदा बस्तियों में बुनियादी सुविधाओं (जिनमें साफ किया हुआ पानी शामिल है) की व्यवस्था करने की चेष्टायें की जा रही हैं।

(ख) मजदूरों को किसी खास संस्था पर पानी का नल लगाने के लिए कोई निश्चित हिसाब कायम नहीं है। यह भी नहीं बताया जा सकता कि प्रति व्यक्ति कितने गैलन पानी दिया जाता है, क्योंकि इस समय तरह-तरह की बस्तियों में तरह-तरह के हिसाब हैं।

राज्य सहकारी बैंक, हिमाचल प्रदेश

३२६३. श्री पद्म देव : क्या खाद्य तथा कृषि मंत्री यह बनाने की कृपा करेंगे कि :

(क) हिमाचल प्रदेश के राज्य सहकारी बैंक द्वारा अनुमानतः प्रतिवर्ष कितने का व्यापार किया जाता है ;

(ख) राज्य में इसकी कितनी शाखाएँ हैं; और

(ग) बैंक की आर्थिक स्थिरता बनाये रखने के लिये क्या ध्येयार्थों की गई है ?

खाद्य तथा कृषि मंत्री (श्री प्र० प्र० जैन):

(क) जानकारी इकट्ठी की जा रही है और तैयार होने पर सभा की टेबिल पर रख दी जायेगी।

(ख) दस।

(ग) बैंक ने २.२२ लाख रुपये की रकम तक के रिजर्व और दूसरे फंड इकट्ठे कर लिये हैं। सरकार द्वारा नामजद किये हुए दो डायरेक्टरों द्वारा सरकार के हित की ध्यान में रखा जाता है। स्टेट बैंक आफ इंडिया,

शिमला के एजेंट को, बैंकिंग विशेषज्ञ के रूप में, बैंक के डायरेक्टरों के बोर्ड में भी नामजद कर दिया गया है।

पूर्वोत्तर रेलवे पर क्षतिपूर्ति

३२६४. श्री अनिरुद्ध सिंह : क्या रेलवे मंत्री यह बताने को कृपा करेंगे कि पूर्वोत्तर रेलवे द्वारा १९५७-५८ के वित्तीय वर्ष में 'ओपन डिलोवरी' मद के अन्तर्गत व्यापारियों को क्षतिपूर्ति के रूप में कुल कितनी राशि दी गई ?

रेलवे उपमंत्री (श्री सै० वे० रामस्वामी) : क्षतिपूर्ति के दावों के आंकड़े 'कारण' (Causes) के अनुसार रखे जाते हैं, इसलिए जिन मामलों में खुलो डिलोवरी दी गयी उनके अलग आंकड़े मौजूद नहीं हैं क्योंकि ऐसे मामले उठाई गयी (pilferage) नुकसान, खराबो आदि जैसे किसी न किसी 'कारण' में आ जाते हैं।

Report on Slum Clearance in Delhi

3265. { Shri Rameshwar Tantia:
Shri Vajpayee:

Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 719 on the 7th March, 1958 and state:

(a) whether the Bharat Sewak Samaj has since submitted its report to Government on slum conditions in Delhi and New Delhi;

(b) if so, whether a copy of the report will be laid on the Table; and

(c) how far Government have accepted that report?

The Minister of Health (Shri Kar-markar): (a) No, Sir. The Report in question is stated to be under print at present. A copy and a summary of the Report have, however, been received recently.

(b) The Bharat Sewak Samaj have been requested to send a few copies of the Report to the Lok Sabha

Library when printed copies are available.

(c) The report has not been considered so far.

State Farm near Imphal (Manipur)

3266. Shri L. Achaw Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the State Farm at Mamtripukpri near Imphal has been found unsuitable by the Manipur Administration; and

(b) whether a copy of the cropping scheme followed during the last two years would be laid on the Table?

The Minister of Food and Agriculture (Shri A. P. Jais): (a) and (b). The information has been called for from the Manipur Administration and will be laid on the Table of the Sabha as soon as it is available.

भाखड़ा बांध

३२६७. श्री भक्त दर्शन : क्या सिंचाई और विद्युत् मंत्री १७ अप्रैल, १९५८ के तारांकित प्रश्न संख्या १७२४ के उत्तर के सम्बन्ध में एक ऐसा विवरण टेबल पर रखने की कृपा करेंगे जिस में निम्नलिखित जानकारी दी हुई हो :

(क) भाखड़ा बांध से प्रभावित होने वाले लोगों ने जो ज्ञापन भारत सरकार को प्रस्तुत किया है, उसमें कौन-कौन सी मांगें सम्मिलित थीं ; और

(ख) इनमें से प्रत्येक पर क्या निर्णय किया गया है ?

सिंचाई और विद्युत् उपमंत्री (श्री हाथी):

(क) तथा (ख). मांगों तथा उन पर दिये गये निश्चयों का विवरण लोक सभा-पटल पर रख दिया गया है। [देखिये परिशिष्ट न, अनुबन्ध संख्या १२०]

Wheat from Canada

3268. Shri L. Achaw Singh: Will the Minister of Food and Agriculture be pleased to state the quantity of Canadian wheat imported so far under the deferred payment Agreement concluded in the month of February, this year?

The Minister of Food and Agriculture (Shri A. P. Jain): About 2.97 lakh tons upto 25th April, 1958.

Lamphel Agricultural Farm

3269. Shri L. Achaw Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether an area of 800 acres of land in the Lamphel Agricultural farm is lying unutilised for the last two years; and

(b) if so, the reasons therefor?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). The information has been called for from the Manipur Administration and will be laid on the Table of the Sabha as soon as it is available.

Paddy Cultivation

3270. Dr. Ram Subhag Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Jassaria and A 138 varieties of paddy can be grown in both rising and receding water and can stand about 15 feet deep water;

(b) whether it is also a fact that Aman No. 1 variety of paddy can stand about 6 feet deep water;

(c) if so, where these experiments have been made; and

(d) whether Government propose to introduce these paddy seeds in waterlogged areas of the country?

The Minister of Food and Agriculture (Shri A. P. Jain): (a). Jassaria variety of paddy reported from Uttar Pradesh can stand 30 feet of water for ten days. Variety A 138 is not known.

(b) It is reported that Aman No. 1 variety can stand about six feet deep water.

(c) No experiments have been made with Jassaria variety which is a "cultivator's variety." Experiments with Aman No. 1 evolved in Assam are reported to be in progress.

(d) It is for the State Governments to introduce these varieties in water-logged areas of their respective States.

Public Call Offices

3271. Shri Thanu Pillai: Will the Minister of Transport and Communications be pleased to state:

(a) the number of Public Call Offices proposed to be opened in Tirunelveli District of Madras State during 1958;

(b) the places where they are to be opened; and

(c) the places where such offices have been opened so far during 1958?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). *Public Call Offices at the following places are proposed to be opened in Tirunelveli District of Madras State during 1958.

1. Arumuganeri.
2. Autoor.
3. Eral.
4. Idaiyangudi.
5. Satankulam.
6. Sawyerpuram.
7. Viravanallur.

(c) None.

Madras Flying Club

3272. Shri Elayaperumal: Will the Minister of Transport and Communications be pleased to state:

(a) whether any amount has been sanctioned by the Centre for Madras Flying Club for the year 1958-59; and

(b) if so, what is the amount?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) and (b). Yes, Sir. A budget provision of Rs. 1,99,300 has been made for the grant of subsidy to this Club

Restoration of Dismantled Railway Lines

3273. Shri S. A. Mehdi: Will the Minister of Railways be pleased to state:

(a) the number of Railway lines that were closed during the War; and

(b) the number of restored since the War?

The Deputy Minister of Railways (Shri S. V. Ramaswami): (a) 26.

(b) 12.

Train Examiners

**3274. { Shri Ghosal:
Shri S. M. Banerjee:**

Will the Minister of Railways be pleased to state:

(a) the number of the Train Examiners promoted to 'C' Grade in Sealdah Division of the Eastern Railway during 1957-58; and

(b) how many of them have been confirmed?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) 6.

(b) None.

Pasteurisation Plants

3275. Shri K. S. Ramaswamy: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government propose to set up pasteurisation plants in various States under the Second Five Year Plan;

(b) the places selected in various States for this purpose; and

(c) the amount granted for each scheme?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes.

(b) and (c). A statement containing the available information is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 121].

Irrigation Schemes in Madhya Pradesh

3276. Pandit J. P. Jyotishi: Will the Minister of Food and Agriculture be pleased to state:

(a) the proposals for minor and medium irrigation projects under investigation in Madhya Pradesh; and

(b) the help that the Central Government have given to the State in removing the difficulty of technical personnel?

The Minister of Food and Agriculture (Shri A. P. Jain): (a). So far as Minor Irrigation Schemes are concerned, as a result of the successful exploratory bores done by the Exploratory Tubewell Organisation, the State Government are considering a proposal to construct 40 tubewells in Hoshangabad and Narasimpur districts. As regards the medium irrigation schemes, the following irrigation projects are under investigation in Madhya Pradesh by Central

Water and Power Commission in the Second Five Year Plan period:

1. Barna Project (recently completed).
2. Kolar Project.
3. Halali Project.
4. Bah Project.
5. Sagar Project.
6. Kasiyari Project.
7. Nagda Project.
8. Raigaon Project.
9. Pareri Project.
10. Upper Ken Project.
11. Upper Wain Ganga Project.
12. Hasdeo Project.

(b) For a post of Mechanical Assistant Engineer required by the State Government in connection with the tubewell construction the services of a Technical Assistant in this Ministry have been offered to the State Government. The Central Water and Power Commission has two investigation divisions in Madhya Pradesh for carrying out investigations of major and medium irrigation projects. In the recent past, the services of one Assistant Director was lent for a period of 2½ years to Madhya Pradesh State. The State have asked for lending the services of the following categories of Engineers which is under examination:—

1. Superintending Engineer	1
2. Executive Engineers (Mechanical).	2
3. Executive Engineers	8

POINT OF INFORMATION

12 hrs.

Shri Mahanty (Dhenkanal): Sir, before you pass on to the other item, I would like to raise a point of order. Precisely stated, the point of order is

whether a directive from the Speaker can be flouted by the Government and whether the implementation of the directive by this House or the Speaker can be kept indefinitely postponed? A week ago, the Speaker directed...

Mr. Deputy-Speaker: Order, order. The point of order has been framed.

Shri Mahanty: I will illustrate it.

Mr. Deputy-Speaker: All the facts are not required. The point of order has been framed and the answer is "no". That is all. If the hon. Member has to bring some specific thing to the notice of the Speaker, he should take action to write to the Speaker that such a thing has happened or the Government has not implemented or acted according to the directions of the Speaker or that the matter has remained pending for a long time, if that is his complaint.

Shri Mahanty: With all humility, I say I am in your hands. I may also submit that this House is not a correspondence class. We are perfectly right to make such submissions to you for such consideration as they deserve. It is true that we may write but it is not a correspondence class.

Mr. Deputy-Speaker: It has been observed here many a time that when a Member has got something in his mind which is not directly connected with the agenda that is put down for the day, he should either inform the Speaker in his Chamber or write to him if he does not go to the Chamber. There is a rule to that effect also. He may raise it afterwards if he is not satisfied. The hon. Member raised only this point: "Can the Government flout the direction of the Speaker?" I said: "No". There was nothing more that was to be said so far as that point of order is concerned. If he has something, the hon. Member may write to the Speaker.

Re: ADJOURNMENT MOTION

Shri U. L. Patil (Dhulia): Sir, I had sent an adjournment motion....

Mr. Deputy-Speaker: The Speaker has taken a decision and the hon Member has been informed.

Shri U. L. Patil: So?

Mr. Deputy-Speaker: So, he cannot raise it. He has got the information. He should wait. If he has some complaint against it, he should write to the Speaker or see him in the Chamber. (Interruptions.) Order, order. He has been informed and he should be content.... (Interruptions.) Order, order. He should now obey the orders.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF DAMODAR VALLEY CORPORATION AND AUDIT REPORT

The Minister of Irrigation and Power (Shri Hafiz Mohammad Ibrahim): I beg to lay on the Table, under sub-section (5) of Section 45 of the Damodar Valley Corporation Act, 1948, a copy of the Annual Report of the Damodar Valley Corporation along with the Audit Report on the Accounts of the Corporation for the year 1956-57. [Placed in Library. See No. LT-692/58.]

AMENDMENTS TO DELHI MOTOR VEHICLE RULES

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): I beg to lay on the Table, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939, a copy of each of the following Notifications, making certain amendments to the Delhi Motor Vehicles Rules, 1940:—

- (1) Notification No. F.12/25/52-MT/Home, dated the 6th March, 1958.
- (2) Notification No. F.12/138/57-MT/Home, dated the 6th March, 1958.

[Placed in Library. See No. LT-693/58.]

NOTIFICATION ISSUED UNDER NATIONAL HIGHWAYS ACT

Shri Raj Bahadur: I beg to lay on the Table a copy of Notification No. S.O. 568, dated the 19th April, 1958, under Section 10 of the National Highways Act, 1956. [Placed in Library. See No. LT-694/58.]

PRESIDENT'S ASSENT TO BILLS

Secretary: Sir, I beg to lay on the Table the following two Bills passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 7th April, 1958:—

1. The Finance Bill, 1958.
2. The Appropriation (No. 2) Bill, 1958.

RULES COMMITTEE

MINUTES OF SITTING

Shri Rane (Buldana): Sir, I beg to lay on the Table a copy of Minutes of the sitting of the Rules Committee held on the 29th April, 1958.

**PUBLIC ACCOUNTS COMMITTEE
EIGHTH REPORT**

Shri T. N. Singh (Chandauli): Sir, I beg to present the Eighth Report of the Public Accounts Committee on the 'Budget Estimates and Financial Control'.

MOTION RE: APPOINTMENT OF MEMBERS TO JOINT COMMITTEE

Shri Rane (Buldana): Sir, on behalf of Sardar Hukam Singh, I beg to move the following:

"That this House recommends to Rajya Sabha that Rajya Sabha do appoint five members of Rajya Sabha to the Joint Committee on the Parliament (Prevention of Disqualification) Bill, 1957 in the

[Shri Rane]

vacancies caused by the retirement of Dr. Shrimati Seeta Parmanand, Shri S. D. Misra, Kazi Karimuddin, Shri C. L. Verma and Shri H. D. Rajah from Rajya Sabha and communicate to this House the names of members so appointed by Rajya Sabha to the Joint Committee."

12-05 hrs.

[MR. SPEAKER in the Chair]

Mr. Speaker: The question is:

"That this House recommends to Rajya Sabha that Rajya Sabha do appoint five members of Rajya Sabha to the Joint Committee on the Parliament (Prevention of Disqualification) Bill, 1957 in the vacancies caused by the retirement of Dr. Shrimati Seeta Parmanand, Shri S. D. Misra, Kazi Karimuddin, Shri C. L. Verma, and Shri H. D. Rajah from Rajya Sabha and communicate to this House the names of members so appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

CONVENTION REGARDING VOTE ON ACCOUNT

Shri Naushir Bharucha (East Khandesh): **Mr. Speaker**, in the first week of March this year, this House was presented a statement on Vote on Account running into nearly Rs. 715 crores and when one of the Members, Shri Mahanty, wanted to speak on it, you were pleased to rule that in view of certain existing rulings given by previous Speakers, Vote on Accounts was to be passed without discussion. I had also written to you requesting your permission to let me speak on Appropriation Bills but there also your ruling was that you preferred to follow the rulings given on previous occasions and the hon. Prime Minister who was then the Finance Minister also concurred with your ruling. Thereupon I wrote to you that the ruling requires to be examined carefully in the light of certain articles

in the Constitution and our Rules of Procedure and requested you to see whether the ruling could not be modified or perhaps set aside in the light of what submission I propose to make before the House.

I think the first ruling on the subject was given on 12th March, 1951, when the Speaker in announcing the procedure on the motion for Voting on Account observed as follows:

"As hon. Members are aware, the procedure for Voting on Account is designed to give the Members a longer time for discussion on the Budget by putting the same off to convenient dates after the 31st March. The principle of the practice is that the House ought to grant sufficient funds to Government to enable it to carry on till the Demands are scrutinised and voted upon. In this procedure, as full discussion follows.....".

Mr. Speaker: May I ask the hon. Member what is it that he wants? Does a Vote on Account, according to him.....

Shri Naushir Bharucha: What I want is this....

Mr. Speaker: Let him hear my question. Does he want a full-dress debate on the Vote on Account as we have on the Demands for Grants?

Shri Naushir Bharucha: My request is, if not a full-dress debate, at least a reasonable debate should be permitted.

Mr. Speaker: May I know what is 'reasonable'?

Shri Naushir Bharucha: General discussion should be permitted and if a cut motion or cut motions are sent in by Members, they should be discussed and debated.

Mr. Speaker: Vote on Account is after the discussion on the Budget is over. The hon. Member will always notice this.

Shri Naushir Bharucha: It may be prior to the general discussion. It is a Vote on Account and not a Supplementary Demand.

Mr. Speaker: The practice has been this. There is no Vote on Account unless the Budget is introduced. Let us clear up the points one after another. After the Budget is presented, a Vote on Account is presented to the House. Even then, it is not until the general discussion on the Budget is over that a Vote on Account is asked for. If there has been any deviation from this rule, I shall certainly strictly follow it and I am sure every Speaker in future will always follow this practice of allowing a general discussion on the Budget first and thereafter allowing a Vote on Account before the Demands for Grants are taken up. That has been the practice. If there has been deviation in any particular year, we will set it right. Now, therefore, what are the other points that he wants to raise?

Shri Naushir Bharucha: Even then my submission is, no convention can survive as against the rules of procedure which we ourselves have laid down. If we turn to rule 214 of the Rules of Procedure—

Mr. Speaker: Before going into the technicalities of the law, I would like to know what exactly the hon. Member wants to say about the Vote on Accounts. What is it that he wants?

Shri Naushir Bharucha: I desire that the same procedure should be followed as in the Demands for Grants or in the discussion of the General Budget.

Mr. Speaker: That means he wants once again a repetition of the general discussion on the Budget. In a Vote on Account, there are a number of items. Something is cut off from each item, that is, 11/12th of the total amount is cut off from each item, and the rest of the amount is voted upon. That has to be granted. Therefore, there can be a discussion at one stage,

namely, during the general discussion of the Budget. We have also discussions on the Demands for Grants and also on the cut motions. Therefore, what is the need that the hon. Member has in mind?

Shri Naushir Bharucha: If you will permit me to develop my arguments further, I shall proceed.

Mr. Speaker: The hon. Member must let me know the points as to what he wants to say.

Shri Naushir Bharucha: That is what I stated very clearly in my letter, namely, that I desire that a reasonable opportunity should be given to discuss the Vote on Account. There should not be a convention that nobody shall say anything on the Vote on Account and that whatever the amount, even if it extends to hundreds of crores of rupees, should be passed. That is what I object to.

The Minister of Finance (Shri Morarji Desai): May I make a submission?

Shri Mananty rose—

Mr. Speaker: I will allow the hon. Members to speak. Now, the Finance Minister.

Shri Morarji Desai: In this matter, as I understand, the hon. Member's desire is to have a discussion on Vote on Account just as there is a discussion on Supplementary Demands and also on the cut motions. The reason why the vote on account has been introduced is that all the hon. Members of the House should have a proper and fuller opportunity for discussing the various Demands in the Budget. If there is no vote on account, then the budget will have to be passed before the 31st March. In that case, there will not be as much time available as is available now.

Now, the apprehension that some extra service or a new service may be introduced in the Vote on Account and the House has not given that

[Shri Morarji Desai]

sanction, is easily allayed by an undertaking given by the Minister that no new service will be introduced in the Vote on Account and that the Vote on Account will contain only one month's provision for normal and obligatory expenditure,—nothing to be departed from the last year. That is the undertaking that is given.

As was said last time by you, Sir, that a fuller explanation should be given, we have said that fuller explanation will be given next year. Therefore, if there is going to be another duplicate discussion on the same budget, well, I do not know why. After all, it is the same budget. Vote on Account does not mean two separate budgets. It is part of the same budget. Only one month's needs are put down, not taking into account any new service. That much is provided in the budget of the year on the old basis. Therefore, there is nothing new and there is going to be no new sanction taken from the House. The Vote on Account is only for carrying on for one month, so that the House has fuller opportunity to discuss all the Demands, and the discussion is not shortened for want of time. That is the only purpose of this Vote on Account. So, if there is going to be a discussion on it, then it will make it difficult.

As for the argument that there cannot be a convention, we have a convention here of having no quorum from 1-0 to 2-30 p.m. So, even on that it can be argued that that is against the Constitution or the rules and that therefore it is out of order. That would not be right. The House can certainly have a convention. The House can have its convention and to that extent the rule is bound to be affected. Therefore, I do not think that there is anything wrong. That is what I wanted to submit.

Mr. Speaker: The hon. Member, Shri Naushir Bharucha, must be heard, and of course the Government has to reply and so I allowed the hon. Finance Minister to say a few words.

Now, I shall hear all hon. Members who can throw some light on this. First, let us divide this into two portions. Firstly, about the convention. Now, a convention is always a little modification of an existing rule or an article in the statute without offending the principle. Otherwise, if the convention is the same as a rule, there is no need for a convention. I would like to know how the hon. Member says that once there is a rule, and unless that rule is changed, there cannot be a convention at all developed in this House. I would like to hear him on this point.

The second is a question of fact. Assuming that we allow opportunity to have a full discussion on the Vote on Account, are we to do the same thing again? For, the hon. Members have an opportunity to talk on the same thing during the general discussion of the budget. Then, are they going to consider them in detail during the discussion on the Demands for Grants also? Thus, one affirmative or one multiplied even by four times results in the same thing. So, shall we have the time of the House spent this way, by discussing the matters four times over and over again? These are the two points on which the hon. Member has to satisfy me. If the hon. Members have got new points to give me, I shall hear.

Shri Naushir Bharucha: So far as the first point is concerned, I shall say this. The point is whether a convention can at all survive against the express provisions of law. A convention is certainly a modification of a certain rule or procedure. Otherwise, there is no need in having a convention. I agree with that. The point is, where any law or statute has laid down specifically a procedure or practice, whether a convention can override that. If that is always so, then we will be setting aside every law. But a convention may be developed. For instance, it is permissible for the Chair to regulate the debate on the vote on account;

certainly. He can say that the discussion may be permitted for, say, one hour or two hours. But when it is said that there cannot be any discussion whatsoever, that is not regulating the debate or modifying a rule. That is simply denying the provisions in the law or statute. Therefore, I say that the convention must be such that it fits in generally with the rules and regulations with slight modifications required for the purposes of convenience or otherwise.

For instance, as was submitted by the hon. Finance Minister, the Constitution requires that the quorum shall be 1/10th. To say that there shall not be a quorum or there need not be a quorum between 1-0 and 2-30 p.m., I submit, is totally unconstitutional. It is an unconstitutional convention. I have never raised that point so far, but since it has been mentioned now, this is what I say; that is my frank opinion. So, what I say is, no convention can survive which deletes part of the Constitution or at least part of the law. That is one point.

On the second point, I quite see the difficulty that a certain amount of repetition is bound to occur. But surely it is open to the Chair to rule and say that what has been discussed in the vote on account shall not be repeated, so that it does give further opportunities to hon. Members to discuss other matters which they cannot pack within 15 minutes or so that are given for every hon. Member for the general discussion of the budget. The points already discussed can be cut out. That point or those points need not be discussed. I quite understand it. The regulation of the debate may be permitted, but complete negation of the right to speak, I submit, is not constitutional.

The hon. Finance Minister referred to new service. I am thankful to him for his saying that no new service will be incorporated, and he gives an undertaking. A Government's undertaking need not be an undertaking for the succeeding Government, which

can say, "No, we shall do such and such a thing. We are pressed for that, and we will have to do it". For instance, take an extreme case which, I know, this Government will not do. Supposing a part of the 1/12th expenditure includes certain expenditure on the manufacture of tactical atomic weapons. Surely, new service like that cannot be permitted to be showed in through the back-door. The undertaking may be there. That is not law.

There is another point. The hon. Minister has also stated that fuller explanation will be given. Now, in the present vote on account, the vote on account includes an item of Rs. 522 crores for debt redemption, etc. There is also an item running to about Rs. 5,098 crores which is shown under debts. We do not know the head or tail of this. We do not know whether this represents accumulated treasury bills or what. Supposing the hon. Minister gives us the necessary explanation and we are not satisfied with it, what are we going to do about it, if we are not allowed at all to speak.

Now, if I may anticipate a little, may I point out another feature? The hon. Deputy Minister presented to the House the third report of the Rules Committee which touches on this point. They have made a suggestion that with regard to rule 214, a discussion may be provided. The amendment proposes to provide that discussion on the Vote on Account is permitted. That is a different thing from saying that there shall be no discussion at all.

Mr. Speaker: The hon. Member will read sub-rule (3).

Shri Naushir Bharucha: Yes; sub-rule (3) says:

"Discussion of a general character shall be allowed on the motion or any amendments moved thereto, but the details of the grant shall not be discussed further than is necessary to develop the general points."

[Shri Naushir Bharucha]

That is a legitimate regulation of the debate. But when we say, "Nobody shall discuss; the Vote on Account shall be voted upon, even if it contains an item for Rs. 715 crores, without a word of criticism", that, I submit, is not regulation. The convention cannot be so extended as to take away the rights of the hon. Members to discuss at all. That stand, I submit, is unconstitutional and cannot be permitted.

Shri Mahanty (Dhenkanal): There can be one Appropriation Bill under article 114 of the Constitution and a Vote on Account under article 116 of the Constitution. I venture to think we are confusing the Vote on Account Bill under article 116 with the Appropriation Bill under article 114. This issue must be clarified from the beginning for a better appreciation of our submission.

Now the point is that after we consider all the budget demands and have a full-length discussion on it, the Appropriation Bill comes under article 114 for appropriating certain sums from the Consolidated Fund of India to meet the expenditure. Here we are concerned not with the Appropriation Bill under article 114 but with the Vote on Account under Article 116. This year a very unusual thing had happened and, I think, the Government themselves flouted the convention. Out of the total estimated expenditure of Rs. 812 crores, we were presented with a Vote on Account Bill for providing a sum of Rs. 715 crores with not a single line of explanation or explanatory memorandum.

This naturally raised some concern among us. Unless we consider for what it is going to be appropriated, how it is going to be appropriated, how can this House be asked to give its seal of approval to that Vote on Account Bill? Therefore, we made a submission to this House that we might be accorded some opportunity to discuss the matter.

Now, if you kindly look into article 116, you will find it stated that:

"Notwithstanding anything in the foregoing provisions of this Chapter, the House of the People shall have power—

(a) to make any grant in advance in respect of the estimated expenditure for a part of any financial year...."

Now, "part of any financial year" may be one month; it has been understood as one month, pending the final passing of the budget. Therefore, so far we have understood "part of financial year" as one-twelfth of the year and, consequently, part of the estimated expenditure as one-twelfth of the total estimated expenditure. But a part of the year may also mean 11 months and 29 days, in the same way as it may mean one month. If under this article of the Constitution a Vote on Account is passed in this House without any discussion for Rs. 715 crores out of Rs. 812 crores, then we think it is rather too much on the high side.

Now I would like to refer to another thing. The hon. Finance Minister has stated that no new services can be sanctioned out of a Vote on Account Bill. May I invite his attention to article 116(c), which permits him to include any new service? I wonder how he can say that in the Vote on Account Bill no new service can be sanctioned.

Shri Morarji Desai: May I say that I did not refer to article 116? Government gave only an undertaking.

Shri Mahanty: Government's undertaking cannot flout the mandate of the Constitution. The hon. Finance Minister has given an undertaking, and I am grateful to him for that. But what is the guarantee that a new Finance Minister may not come in and introduce a new service? Here we are not concerned with the assurances that are

being given, for which we are thankful to him. It is for you to consider whether under article 116(c) it is not open to the Government to make exceptional grants which form no part of the current service of any financial year? If that happens, as it happened this year, then we will be perfectly in our right to have a discussion, a full length discussion, on that aspect.

We are not confusing the Appropriation Bill with the Vote on Account Bill. If the Government gives an assurance that in future years the Vote on Account will be only up to one-twelfth of the estimated expenditure, well, we may not—personally, I may not—raise this point. But if they are going to come to this House with such exceptional appropriations, Rs. 715 crores out of a total estimated expenditure of Rs. 812 crores, then certainly this House must be afforded full opportunity to discuss the matter.

Shri Morarji Desai: May I say that there is a mistake or misunderstanding about this figure....

Mr. Speaker: The hon Minister may reply once for all at the end.

Shri Morarji Desai: Later on?

Mr. Speaker: Yes, later on, when he can cover all the points.

Shri T. N. Singh (Chandauli): I feel that the issue that is raised, though important, may be taken to be academical. My argument is as follows. We generally get full opportunity....

Mr. Speaker: I am not able to hear.

Shri T. N. Singh: We generally get full opportunity to discuss the budget during the budget discussion, for which necessary provision has been made both in the rules as well as in the Constitution. Now the question arises whether we can duplicate any discussion in the same session or not. I am sure nobody,—I think neither Shri Bharucha nor anybody here—would like to have a duplication of discussion on the same subjects over and over again. I think that even if the rules

provide that, we should avoid it, and a convention to that effect is desirable and necessary.

Now the main point for consideration is whether a Vote on Account may be in effect a departure from the general trend of the budget itself and any amount voted by the House would be spent for a service to which it is not committed. I think that is a perfectly legitimate fear which must be satisfied. I hold that so far as these Votes on Accounts are concerned, one month is the maximum that should be allowed on any such account, and in that if there are no new services, I think that should be sufficient to meet the needs of a budget discussion itself. But it does arise in certain cases. Wherever there may be a departure, I think the Finance Minister will be wrong in giving an undertaking straightaway that no new expenditure will be incurred. I will now tell you why I am saying this. After all, this House has got the Five Year Plan to consider, and a particular aspect of the Plan, to which this House is committed, has to begin work in the very first month of April. Merely because it is a new service, if the work is not begun, that will be delaying the progress of the Plan itself. Probably, therefore, a new expenditure would come.

I would suggest, therefore, that the Vote on Account and Appropriation Bills thereto must give fuller explanations, wherever there are any new items involved. The House should have an opportunity to discuss that. Wherever there is some such amount involved, it naturally creates a doubt as to how it can be one-twelfth of the total budget expenditure. That should also be discussed. Within this limited scope if there is a discussion, it should be proper and I am sure that will lead to no duplication of discussion. But to discuss the general budget itself on Vote on Account will be wrong and will be wasting the time of the House. So, whatever be the rules, I think the convention is a healthy convention and we should stick to that. That is my humble submission.

The Minister of Law (Shri A. K. Sen): May I said a few words in order to clear what I consider mainly due to a confusion about the various rights of members of this House qua members. I am glad that Shri Bharucha has considered that this House has got to evolve conventions for guiding the deliberations of this House, as also for facilitating the transaction of business in this House, which may be different from the Rules of Procedure which are printed. He has raised another point, namely, that these conventions must, nevertheless, be subject to the Constitution. To that there is no argument. We all agree that we cannot evolve conventions which conflict with the Constitution. But these two things are separate altogether. One thing is the right of the House to pass certain grants and the other thing is the procedure as to how the passing can in fact be effective. These are the two things.

We are in complete agreement that this House is the master of its own procedure and that it can evolve any convention, impose any self-restraint on its own powers, as it had done in this particular case. The history of this convention is really based on a voluntary curtailment by the House itself of its right to enter into detailed discussion or general discussion on Votes on Account at the stage when those votes are sought, a voluntary agreement to defer its discussion until the grants are in fact completed ultimately. Because, the convention is almost a matter of *stare decisis*, that is, the subject of several rulings and it has never been questioned. I dispute further that this convention is in conflict with the Constitution in any way whatsoever. The relevant article is article 116 read with articles 113 and 114. Article 116 merely gives the power to this House to pass votes on account more or less in line with the practice obtaining in the Parliament in the United Kingdom. This provision was not there when the Government of India Act, 1935, was in operation. It was considered necessary and you will remember and the House will recollect the hurry with which the

House had to pass the budget and complete its work before the end of March, because otherwise the Government could not carry on as soon as the new financial year begins.

It is only for the purpose of allowing the House a longer time to discuss the budget in detail as well as in its generality that this convention was evolved in the United Kingdom and was incorporated in the form of an article in the Constitution, so that the Government may carry on after the end of the financial year and as soon as the new financial year begins; and, in the mean time, the House will consider it according to the time it chooses for itself as sufficient, so that the budget may be discussed threadbare and considered from all its aspects. Article 116 does not say how in fact the House should proceed to pass these votes on account. In fact, matters of procedure are left entirely for the House to decide. I do not see any relevance in quoting article 116 whatsoever. Nobody doubts the power of the House to pass votes on account as laid down in article 116. But article 116 does not say how the House should control its own procedure. Passing votes on account has been regulated for all these years ever since 1951 by a convention which is now recognised repeatedly by several rulings of the Speaker of this House. I do not see any reason why the House should change this convention. It is a healthy convention. It lends the House for its own convenience a longer time and a greater field for it to operate upon, so far as its deliberations relating to the budget are concerned.

It is for the House to decide whether it wants to hurry up the work with regard to the budget and everything must finish by the end of 31st March, or whether it is not proper to allow the Government to be carried on with the old services, with a healthy check founded upon undertakings given by the Government that these votes on account will not at all deal with new services and will not deal with any expenditure beyond a period of one month.

Shri Mahanty: May I know how..

Mr. Speaker: The hon. Member has had his say and the hon. Minister has heard him. Now he should hear the hon. Minister.

Shri A. K. Sen: The convention was really founded upon these very healthy undertakings given on the part of the Government, so that when the House voluntarily curtails its right to discuss the matter, there is also at the same time a proper safeguard so far as expenditure is concerned, either from the point of view of the long time it relates to or from the point of other matters, namely new services and so on.

Therefore, I do not think any good reason has been shown why this healthy convention which has grown up should now be given up, when especially it is the only way by which the House can appropriate to itself more time for its deliberations on the budget. If that is true, if that is not in conflict with the Constitution—and I have submitted how it cannot be argued that it is—I submit that this healthy convention must remain not only for the convenience of the House, but for the convenience of everybody.

Shri Morarji Desai: I should first of all like to remove the misunderstanding about the figure of Rs. 715 crores as against the figure of Rs. 800 crores in the budget, which was quoted by the hon. Member.

Shri Naushir Bharucha: It is too late now.

Shri Morarji Desai: It is not a question of being too late. We are now discussing the very matter which has been raised here.

Shri Mahanty: On a point of order, Sir. What is meant by saying that he wants to remove the misconception? In the Bill itself it was stated Rs. 715 crores.....

Mr. Speaker: What is the point of order?

Shri Mahanty: The point of order is how it can be stated that a misconception is being cleared, because the misconception was there in the Bill itself.

Mr. Speaker: Any hon. Member can think that another hon. Member has misconceived a particular matter.

Shri Mahanty: It is a question of figures.

Mr. Speaker: Therefore, the hon. Minister is trying to remove the misconception. According to him, the point has been raised here due to a misconception and so he is trying to clear it up.

Shri Morarji Desai: Let me give my explanation.

Mr. Speaker: The hon. Member may or may not accept the hon. Minister's argument, but the hon. Minister is entitled to remove the misconception.

Shri Morarji Desai: The figure of Rs. 800 crores in the budget refers to the net revenue expenditure and does not take any account of capital expenditure, loans, advances and payment of debts. All this gross expenditure amounts to Rs. 7,124 crores and it is one-twelfth of this amount on which vote on account is taken.

Then again, 715 may not be exactly one-twelfth of 7,124, because there are some items which have to be paid not only for one month, but for three months, such as interest and some such charges. But on the whole it is only one-twelfth of the amount which is asked for. Therefore, I said that there is a misconception about it. This will remove the misconception, because Rs. 715 crores represents gross expenditure which can be tallied with only Rs. 7,124 crores and not with Rs. 800 crores net expenditure. That is what I would like hon. Members to understand.

Shri Mahanty: Then, where is the one-twelfth?

Mr. Speaker: That is another matter. Evidently in the mind of the hon. Member, there is a misconception that this one-twelfth relates to the normal revenue expenditure. The hon. Minister wants to point out that most of this is charged account and one-twelfth of the amount that has to be paid, which is provided for in this vote on account includes those charged items also. (Interruptions.) There ought not to be interruptions of this kind.

Shri Morarji Desai: I should like to explain also the undertaking I have given. I have said, we will not start any new services under the vote on account expenditure, because that will not be fair to the House and the House has not discussed any new expenditure; therefore, the House has not sanctioned any new expenditure. But I cannot say that nothing like that may have been included in Rs. 715 crores. It will be too far-fetched to say when Rs. 715 crores are taken, they are taken out of the whole expenditure for the new budget. Therefore, I cannot say it is not included. I said, we will not start any new services. That is all I said. But Government has always the power to start any new services at any time in the expectation of a vote if it is emergent and necessary. Government will certainly not allow any emergent work to suffer. But for normal expenditure, for normal behaviour, Government will not take to any extra expenditure or any new services which are not sanctioned by this House. If by inadvertence any such expenditure is incurred in the first month and it is not passed by the House, Government will certainly make proper accounting of it and will see that it is stopped immediately. Therefore, there is no question of by-passing the House in any way under the vote on account procedure.

Then again, I do not question the right of hon. Members to speak on this; but, it is only by convention that hon. Members do not exercise that right to speak on this. That is the convention and it is not absolute also. When we

had vote on account in 1951-52 or in 1956-57 at the time of the elections the vote on account was for three months and at that time there was discussion. Therefore, it was not claimed at that time that there should be no discussion. But when vote on account is only for a month, in order to enable the House to have a fuller time for discussion generally and also in regard to particular details, it is in the interests of the House and the Members that there should not be a duplicate discussion.

When my hon. friend, Shri Bharucha said, "Let there be a convention that Members will not speak again," is that not by-passing the rule? Is that not against the convention? Now, he is prepared to by-pass rules by convention only when it suits him; but, he is not prepared to have a convention which suits the House.

Therefore, I am only pleading for patience and understanding in this matter. That is all that I am asking for. Nothing is taken away from the right of the House. It is not questioned in any way. It is only that by a convention hon. Members agreed not to exercise the right as we do not exercise the right for quorum from 1.00 to 2.30 p.m. The other day even when it was said that we should have voting between 1.00 and 2.30 p.m., it was immediately pointed out that we have a convention that we shall not have voting between 1.00 and 2.30 p.m. We did not exercise the right that we have voting immediately. That was a convention and convention is certainly a thing which helps in the working of the House. Therefore, there is bound to be such conventions and perhaps conventions are of more benefit to the House than anything else. It is not, by itself, the rule in any way. It is only by a convention that the House accepts not to exercise the right in the interest of the House itself. That is the only effect of this convention and that is all that I have got to submit.

Mr. Speaker, A point has been raised that the establishment of this convention or the continuance of this convention is opposed to the Constitution itself and also to the Rules of Procedure that have been framed under the Constitution, and that no convention could be established which is inconsistent with and goes contrary to the express provisions of law. The second point is regarding the limits. I was more anxious to ascertain from the hon. Mover and also from Shri Mahanty, who followed him, as to within what limits, if any, the discussion should be allowed. If it is a question of allowing discussion on all those points that are raised on all the Demands which formed the subject-matter of the Vote on Account, that will be a duplication of the General Discussion which has already preceded it and anticipating a discussion which will follow on everyone of these Demands.

In the letter that Shri Bharucha wrote to me he refers to the precedent and says that the Vote on Account should be dealt with on the analogy of Supplementary Demands for Grants. I have not seen any Supplementary Demand on all the Demands. Supplementary Demands generally relate to a few Demands. Therefore, we go into those particular demands, which are very few. But this is a case where a Vote on Account with respect to most of the Demands or all the Demands is sought and therefore, it will in effect involve the same procedure, (whatever might be the language of the statute), about which I shall give an explanation to the House. If that means a general discussion on all those points followed by a discussion on the various Demands, there would then be no need for a Vote on Account at all.

Hon. Members will kindly refer to article 116 of the Constitution. The object is that after the presentation of the Budget and before the regular Demands are granted, there will be discussion in this House under article 113 for each item. For each Demand, there may be cut motions. Time is

allotted for the discussion on the Demands. Article 113(2) says:

"So much of the said estimates as relate to other expenditure shall be submitted in the form of demands for grants to the House of the People, and the House of the People shall have power to assent, or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein."

"Other expenditure" here means votable expenditure, i.e., other than charged expenditure. So, there is a normal procedure set out under article 113 with respect to the Demands for Grants.

Then, article 116 which follows refers in the following terms to the earlier article and the limitation is contained in the Article itself:

"Notwithstanding anything in the foregoing provisions of this Chapter....

"....the House of the People shall have power—

- (a) to make any grant in advance in respect of the estimated expenditure for a part of any financial year pending the completion of the procedure prescribed in article 113...."

What is the procedure prescribed in article 113? The procedure prescribed is that each Demand should be discussed by the House before the Demand is finally put to the House. Cut motions must be allowed and there must be a regular discussion. Ultimately, the demands with or without cuts are put to the vote of the House.

Now with regard to the Vote on Account, I am not able to see exactly as to how the House will consider it in the same manner as in the case of the regular Demands. As a matter of fact, whenever any hon. Member goes out or possibly any officer goes out, he takes some advance from his office for expenditure. If he has to give the

[Mr. Speaker]

details of all the expenditure at that time, he might as well wait till the expenditure is incurred. How is it possible in the case of Vote on Account to discuss the details?

Now, this convention has been adopted in terms of article 116. I am doubtful if rule 214 which we follow is itself *intra vires* or *ultra vires*. The rule does not seem to follow the spirit of article 116 and, therefore, the Rules Committee has thought it fit to amend it. Shall there be a discussion at each stage—discussion on the General Budget, discussion on the Vote on Account, discussion on the Demands and finally discussion on the Appropriation Bill also to some extent on matters which have not been dealt with earlier, i.e., once, twice, thrice and four times? On the whole, the House has accepted the present convention.

So far as the Appropriation Bill is concerned, it is specifically set out under the rules that excepting those points that have been dealt with already, if some points have been left out in the debate on the Budget and the Demands, the House may address itself to them. There is no confusion in the mind of anyone that article 116 and article 114 which refers to the Appropriation Bill are independent. This is an anticipation midway between a General Discussion on the one side and the detailed discussion on the Demands for Grants. The vote on Account is an advance of a lump sum given at that stage. Therefore it is inconsistent with the spirit of article 116, (in fact it makes it nugatory) if we go threadbare into every detail of the vote on account. It will have to be left to the good sense of the hon. Members.

With all respect, I do not think that rule 214 has been framed so rigidly. The interpretation that has been given does not seem warranted. Therefore, the rule itself has to be changed in accordance with the recommendation of the Rules Committee which has gone into this matter thoroughly. It is therefore in this background that a

convention was set before the House and duly adopted by the whole House in 1951.

The same point arose in 1951 as has been raised now. Hon. Members then raised the objection that it was going to set up a precedent. My predecessor, on the 12th March 1951, said:

"As hon. Members are aware, the procedure for Vote on Account is designed to give hon. Members a longer time for discussion by putting the same off to convenient dates after the 31st March. The first point is whether we should have a full dress debate on everyone of these items in the Vote on Account. That will mean that we are not going to allow them to spend the money or we will have to rush through the entire Demand before the 31st March. Shall we hustle ourselves or allow this money to be paid, i.e., 1/12th of the amount? We can take all this into account."

Whatever has been granted on the Vote on Account is not conclusive. It might be spent by Government, but the House is entitled to withhold the rest of the money and make it impossible for Government to proceed. Now, he says further—

"The principle of the practice is that the House ought to grant sufficient funds to the Government to enable it to carry on till the Demands are scrutinised and voted upon. In this procedure as full discussion follows the grant specially for the interim period in the motion for voting on account is always treated as formal. One such is a motion for leave to introduce a Bill or the introduction of a Bill. I trust hon. Members will appreciate this position and treat the Vote on Account as a formal affair as they would have a full opportunity to discuss the Demands for Grants in a detailed manner later from the 26th March to 19th April."

Upon the House agreeing to the above procedure, the Speaker stated that this decision meant that the motion for Voting on Account shall be assented to by the House without discussion.

We have been following this convention since 1951. The other day when this matter was brought up, I said I will set out the limits within which some discussion can be allowed. The limits are that if any hon. Member has got a doubt that it is not merely 1/12th or for one month but for a longer period of, say, four or five months that a Vote on Account is asked for, then this House may go into all those matters as if they were discussing the General Demands for Grants.

If a vote on account is for more than a month or a reasonably long period, a discussion has always been allowed. It is open to the House to restrict the period. Or it is open to the Government to say, "No, we want it only for one month", in which case the discussion may be curtailed.

The other point is this. We shall adopt it as a convention except in certain cases, as for instance, when a new service is introduced. Hon. Members need not depend only upon the assurance of the Government. It is this House that is adopting the convention. It is for the Government to say what they will do, and if any assurance is going to be broken, the House is always there. Either ourselves or our successors will be there to enforce whatever assurance has been given, and, irrespective of the assurance, to stick on to the convention that is established. Therefore, nothing is dependent upon an individual Minister who may come and go. It is this House which accepts the convention. It has already accepted it. Under the circumstances, it is not correct to say that the Minister may go away and, therefore, his assurance is nothing.

The next point relates to the limits. Any hon. Member can say that the period for the vote on account is too

long. He can say, "Within this period this amount is not likely to be spent; therefore, let us not vote this much. These are the limits within which we shall spend during this period."

I shall, of course, see that the vote is not asked for before the general discussion on the Budget. This convention will continue in this manner on the understanding that a vote on account shall be asked for only after the presentation of the Budget and the general discussion on the Budget is over. The vote on account shall be restricted to a short period and the period shall normally be a month. If the period is longer, this House is entitled to express an opinion. It can say, "It shall not be a longer period; it shall be one month or one and a half months, according to circumstances". That aspect may be discussed on the floor of the House. And even so far as that period is concerned, it is open to this House to say, "So far as these items are concerned, it is too much; you are not going to spend so much; therefore, spend less." Let us not get into further details, as to whether the provision is proper or not.

The next thing is, inasmuch as we are not allowing a regular discussion but all the same the House is called upon to vote, it must have fuller details. And the hon. Minister also has said that he will give fuller details regarding these items than have been given till now. They had given on the last occasion some details, but we were not able to understand them in the context in which they were given. They will certainly give fuller details on every vote on account.

Subject to these limitations, I would say the House should continue to follow the convention that has been observed all along. This convention is not contrary to article 116. There is no convention which cannot be revised; it is always open to the House to do so in the interests of proper working of the House. It is a matter

[Mr. Speaker]

of procedure, not a matter of substance. Hon. Members are not altogether denied the opportunity; later on, they have an opportunity to discuss the Demands. A vote on account is only for the interim period.

Under these circumstances, I do not think there is any necessity to deviate from the convention, except in so far as some opportunity may be allowed to ask for explanations, if necessary, at the time the motion for vote on account is made.

We shall now proceed to the next item of business.

Shri T. N. Singh: May I submit one point? You have suggested that no discussion on the vote on account should come before the general discussion on the budget. The point is, in another context we are discussing this and our Committee has also submitted a report relating to this matter. The idea is that information about the Central assistance should be communicated to the States well in time. Suppose the general discussion on the budget takes place some time towards the second or third week of March. That means that the vote on account will be passed only in the third week or the early part of fourth week of March. In that case, the State Governments would be informed of their allocations rather late. That would be rather rigid.

Mr. Speaker: I shall cut short the time by saying that the general discussion on the budget shall not be put off for a longer period than a week after the presentation of the budget. The budget is presented, and normally any section of the House or any Member can acquaint himself with the details of the budget, and in a week the general discussion can start. After all, the general discussion is only for four days. After a week's interval, we can finish the general discussion in four days, and within eleven days after the presentation of the budget, the general discussion would be over. That will be part of the convention

that we will adopt. We can go on adding to the conventions. Hon. Members are forgetting that we are not made for the procedure; the procedure is made for us. Therefore, whenever it is convenient for us we can modify it. After all, a convention is not an absolute rule or something like an article of the Constitution for amending which a two-thirds majority is necessary. If we find it is inconvenient, we can sit together and modify it and not become slaves to some rule that we ourselves have made. We are a sovereign body and hon. Members must be proud of the sovereign right that we possess, we are masters of ourselves.

Dr. Krishnaswami (Chingleput): May I ask for a clarification on a small point related to what you have said?

You have pointed out that this convention of having no discussion on the vote on account was adopted in order that we might have a fuller discussion on the demands for grants later. It seems that the procedure is based on the one in the United Kingdom. But there a much fuller period, of 2½ months to three months, is given. Are we to take it that Government have applied their minds to this matter and that more time will be given for discussion of the demands of the various Ministries? Because, the purpose of the convention will be defeated if the time for discussion of the demands of the various Ministries is shorter. This is all that I would like to place before you for your consideration and for the consideration of the Leader of the House.

Mr. Speaker: The hon. Member will kindly go through the time that has been allotted during all these six years. We started with 56 hours, then made it 60 hours, 70 hours, 80 hours, 119 hours. I have made it a rule that no Ministry, except in the case of one or two Ministries—and that also I intend changing—shall be allotted anything less than five hours, i.e., a full day—including even information

and Broadcasting and Health Ministries. Hon. Members themselves in the Business Advisory Committee suggested only three hours, but on the floor of the House I found that a large number of Members wanted to speak. Therefore, no Ministry will be disposed of in less than five hours or a full day. Some Ministries will have two days. The Government have never stood in the way. Hon. Members who are members of the Business Advisory Committee themselves felt that the time allotted was sufficient. And if some more time is necessary, as suggested by Dr. Krishnaswami, I think Government will be only too willing to agree to it, and to the best of my ability I shall see that no restriction is placed on the discussion and that it is allowed in as great a detail as is necessary and proper.

Shri Tangamani (Madurai): This time the Law Ministry was left out, and also Planning....

Mr. Speaker: Planning is not a separate Ministry by itself. Anyhow, if it is the desire of the House, I shall consider it.

SITUATION IN ORISSA

Mr. Speaker: Now, Mr. Mahanty has written to me and I understand that before I came to the House this morning he raised this point as to whether, regarding the affairs in Orissa, the hon. Minister is going to make a statement.

The other day, when this matter was brought up, I asked the hon. Minister and he said, "We are also in possession of only as much material as is available in the Press" and he said that as soon as fuller material is gathered he will place it before the House. I myself, like hon. Members, have looked into these papers recently and I myself thought that everything is settling down in Orissa. The Members who were arrested have gone into the Assembly and an adjournment motion on either side is not likely to

be pressed. These are all things. When the Assembly is there, full of representatives for a shorter area and a smaller number of people, they can claim representation in the Assembly as much as we do, if not a little more, and when they are there on the spot and are interested in the subject, why not they settled it themselves? That was what was passing in my mind. Otherwise I would have asked the hon. Minister to make a statement in the matter. I myself felt that nothing should be done here from Parliament with respect to any matter which arises in the State Legislature and which they could settle themselves. Far from easing the situation possibly by some remarks here we may be disturbing the situation and once again creating or reviving a situation that has lapsed. That was what was passing in my mind. It is not as if the Minister at any time refused to accept or carry out any direction from the Chair. The Home Minister has always been ready to accommodate and give more information than what is being asked for.

If, however, the hon. Member Mr. Mahanty wants any statement from the hon. Minister and if the hon. Minister is in possession of new ideas or new facts he may give them to the House.

13 hrs.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, I have hardly any new facts except the text of the complaint that was made to the police. If Mr. Mahanty wants me to place it on the Table or to read it to the House, I shall submit to his wishes. Apart from that, as he knows, some persons who were arrested on the 27th were released on bail on the 28th. The Orissa Legislative Assembly has been sitting from day to day. Some Adjournment Motions, one perhaps by Members belonging to the Congress Party and another by the Opposition, or the Gantantra Parishad, were notified on the 28th. The Congress Party Members complained about the subject matter of the reports that were

[Pandit G. B. Pant]

made to the Police, saying that such things should not happen and in a way blaming the Government for those incidents. On the other hand, the Opposition also gave notice of an Adjournment Motion about the abuse of authority. But I understand that both the motions were withdrawn and were not pressed by the movers concerned. Official Bills have since been considered and passed from day to day. The Members who had been arrested were released, as I said on the 26th—27th, the day on which they were arrested was a Sunday.

An. Hon. Member: By the High Court.

Pandit G. B. Pant: By a very eminent court and not by the Magistrate. If that adds to their dignity,—I am prepared to mention the High Court. They have been attending the Assembly and I think business has been transacted in a normal way. The Appropriation Bill is to be considered today.

Shri Mahanty knows more about the facts than I do. If he wants me to go deeper into these facts, I will do that, but I myself would not like to say more than what I have said. I hope he will appreciate my anxiety not to cause any embarrassment to him.

Shri Mahanty (Dhenkanal): With all humility, may I make a submission?

I am deeply grateful to the hon. the Home Minister for the candid statement that he has made, except for the facts which he does not want to give us at this stage. I can appreciate that. But our concern is not, as you have understood, to discuss a matter which comes within the purview had jurisdiction of the State Government, namely, maintenance of law and order.

Sir, we are concerned when we find that article 355 of the Constitution is being alleged to be violated. I can say only that much. Article 355 of

the Constitution lays an obligation on the Government of India to see that the administration in a particular State is carried according to the provisions of the Constitution. Now all that had happened during that most unfortunate week created an impression that the constitutional machinery was crumbling and it was being sought to be propped by arrests by intimidation, by suppression of civil liberties and the rest of it. I say in all humility that our object is not to make broadside against anybody. We should not abdicate this responsibility which devolves on us under article 355 of the Constitution to see that the administration of a State is carried on according to the provisions of the Constitution. It is out of that concern that our submission for a discussion arose. It does not matter if I am embarrassed, or anybody is embarrassed. After all we have the tradition of calling a spade a spade. We are always prepared to admit our defeats, mistakes and shortcomings and that too to no less a person than the Home Minister. There is no question of making a broadside against anybody. We still maintain that our request is not for discussing the arrests. They are within the State's jurisdiction; we are not concerned about it. We are only concerned with examining whether the constitutional machinery in that State has not crumbled and whether it has not been propped up by all this kind of intimidation, arrests, so on and so forth. That is my submission. It is for you to consider whether there is an occasion for it or not.

Shri P. R. Patel (Mehsana): I want to know whether the offences were bailable and whether the bail application was tendered before an executive magistrate or a judicial magistrate?

Pandit G. B. Pant: The offences, I understand, were not all bailable. Some were and some perhaps were not. The magistrate did not accept bail. The persons concerned went

to the High Court. In the High Court there was a difference of opinion between the two judges who heard the bail application. The matter was referred to a third judge and then bail was granted. It shows that when there is difference of opinion between the Judges, there was some substance in the order passed by the Magistrate, *prima facie*.

I am not going to express any opinion on the merits of the complaint, because I am not in a position to do that. It is only after the complaint has been investigated and a decision has been given, in case the matter goes to court, by a competent tribunal that I can say one way or the other on the basis of the judgment of the court. Apart from that I have no opinion of my own about the matter.

But I am as anxious as anybody can ever be about the maintenance of the democratic system in our country in its absolute purity and I would not myself encourage any activity which would in any way impair the growth of our democracy. So far as facts go, as I said, I have little more to add.

Shri P. K. Deo (Kalahandi): Mr. Speaker, Sir, as a reference has been made to my name in the complaint which has been laid on the Table by the Home Minister, I beg to submit my personal explanation to that.

Mr. Speaker: When has the complaint been laid on the Table?

Pandit G. B. Pant: So far as I am concerned, I have not even referred to the contents of that complaint. I have refrained from doing that myself. But if Mr. Mahanty so wants, I can place it on the Table of the House, so that it may not be said that I was withholding it. This is the only document which is concerned with this affair. I am not placing it on the Table of the House myself. But if he says "place it" then I am prepared to do that. I think you will appreciate my approach to this matter.

Shri Yajnik (Ahmedabad): May I know whether all these arrests, including the arrest of a Member of Parliament and the arrest of Members of the Legislative Assembly, were made without reference to, or without the consent of the Ministry of Orissa?

Pandit G. B. Pant: So far as I am aware, the Ministry of Orissa did not pass any orders for the arrest of any person.

Raja Mahendra Pratap (Mathura): May I also say a few words about this matter?

Mr. Speaker: This is not a general discussion about this case.

Raja Mahendra Pratap: On a point of order, I want to say a word about it.

Mr. Speaker: What is the point of order.

Raja Mahendra Pratap: You never allow me to speak.

Mr. Speaker: The hon. Member speaks inspite of me.

Raja Mahendra Pratap: Is it not very unfortunate that such a thing has happened in Orissa and instead of saying "our democracy," "our this system" and all that why should we not say "our culture, our religion, our tradition." I think it is not our tradition that we should fight like dogs and cats.

Mr. Speaker: Cats and dogs have no meaning in this context, except that it is an expression which is used wherever differences arise. There is nothing more to be said. There is no point of order. The hon. Member wanted to say something as an elder. He has given an advice so far as this matter is concerned. The whole of this matter, whatever might be the opinion regarding them, is under investigation. Therefore, advisedly the hon. the Home Minister has not given the details, though he may be in possession of them as the executive in charge of the administration.

[Mr. Speaker]

Regarding the point raised by Shri Mahanty about the application of article 355, while he admits that law and order and other things are not sought to be brought up here, he says that it is a constitutional issue whether the visitorial jurisdiction of the Central Government as envisaged in article 355, according to his interpretation, ought not to be exercised and whether the aid of this House ought not to be invoked for this purpose. That is the point he raised on that day and he has raised it today also.

The terms of this article are:

"It shall be the duty of the Union to protect every State against external aggression...

There is no external aggression here.

...and internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of this Constitution."

Hon. Members are aware that there was a distinction between Part A States and Part B States and there was a kind of jurisdiction vested in the Central Government to give direction and see that the Governments in the Part B States are run in an orderly manner. However, the Part B States protested against this power and one after another, they got out of this. Ultimately, after the States Reorganisation Act, the difference between the Part A and Part B States disappeared. During the course of ten years, every State has come into Part A.

In these circumstances, what are the limits within which article 355 can be invoked? Of course, in the case of external aggression, the aid of this House can be invoked, and that comes within the jurisdiction of this House. In the case of failure of the Constitution, the provisions are contained in the next article, 356. These articles 355 and 356 have to be read together. The internal disturbance should be of

such a grave nature that the President's jurisdiction, as if an emergency has taken, is to be invoked. Normally, the President's jurisdiction under article 355 ought not to be invoked. These two articles have to be read together. The whole thing has cooled down.

Some hon. Members: No, no.

Mr. Speaker: There is not even such difficulty here as in Ramanathapuram. Article 356 is an emergency provision in case of failure of constitutional machinery in States. There is no failure. The Government is going on there. In these circumstances, article 355 does not apply to a case of this kind.

EMPLOYEES' PROVIDENT FUNDS (AMENDMENT) BILL

The Deputy Minister of Labour
(Shri Abid Ali): Sir, I beg to move:

"That the Bill further to amend the Employees' Provident Funds Act, 1952, be taken into consideration."

As the House is aware, the parent Act was enacted in 1952. It originally applied to six important industries, covering about 2000 establishments, with about 15 lakh members. During the last two years, it has been extended to 32 additional industries including sugar, matches, heavy and fine chemicals, edible and non-edible oils and fats, plantations, manganese, gold, limestone, etc. At present, the Act applies to 6375 establishments employing about 29 lakh workers. About 24 lakh people are members of Employees Provident fund. The average monthly contribution in respect of these above establishments comes to over Rs. 2.3 crores. The total accumulations for the covered employees is nearly Rs. 104 crores. The provident fund moneys are exclusively invested in Central Government securities. In fact, the exempted establishments have also to comply with this condi-

tion, but they are utilised for financing the development projects under the Second Five Year Plan. It is our intention that the benefit of the provident fund should be extended during the Second Plan period to workers in all industries with an employment strength of 10,000 or more. We propose to cover the other organised industries also even though their employment strength is less. It is our hope that shops, commercial establishments and transport undertakings would also be covered before long. The Act as it stands at present does not apply to any establishment belonging to the Government or local authority. Even though most of the Government owned undertakings provide provident fund benefit similar to those provided under the Act, it has been the desire of the Government that the exclusion of establishments belonging to the Government or local authorities from the purview of the Act should be done away with and that the provisions of the Act should apply equally to both the public and the private sector. The proposed amendment seeks to achieve this objective.

I commend the measure for its acceptance.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Employees' Provident Funds Act, 1952, be taken into consideration."

Is there any amendment to this motion? None.

Shri Braj Raj Singh (Firozabad): What is the time allotted?

Mr. Speaker: The time allotted is two hours, with discretion to the Chair to extend. I shall see that every hon. Member gets sufficient time to speak on this matter.

Shri Tangamani (Madurai): Mr. Speaker, the Mover of this amending Bill has introduced it with a very short speech. To Section 16 of the Employees Provident Funds Act which this amending Bill seeks to replace, no one will have any serious objec-

tion. But, there are other points in this amending Bill and in the Employees Provident Funds scheme generally to which I would like to address myself in the latter part of my speech.

Coming to the Bill itself, the Employees Provident Funds Act, 1952, did not apply to the establishments belonging to the Government or local authorities by virtue of section 16(1) (a) of the Act. Repeatedly representations have been made, both from Trade union organisations and also from tripartite committees and also the various Provident Fund Boards set up, that this exemption should go. It is a good thing that the Government has come forward with a proposal to take away this exemption.

In another part, this Bill seeks to expand the definition of 'appropriate Government'. In the original Act, section 2 reads as follows:

"In this Act unless the context otherwise requires—

(a) "appropriate Government" means—

(i) in relation to an establishment which is a factory engaged in a controlled industry, or a mine or an oil field, the Central Government, . . ."

By this amendment, "appropriate Government" means—

"(i) in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil field or a controlled industry, the Central Government;"

The term 'appropriate Government' has been expanded so far as the Central Government is concerned. There is room for expanding it further. These are the two positive sides or positive aspects of this amending Bill.

The third aspect, which is a negative aspect is, whereas in the parent act, in section 16(1) (a), infant factories, factories which are three years

[Shri Tangamani]

old have been exempted, the amending Bill does not disturb it. After this amendment, what we find is, certain industries or concerns under the Central Government which were exempted under section 16(1) (a) are now included. In other words, these concerns under the Central Government also will come under the purview of the Provident Funds Act. But the factories which were started only three years ago were given exemption. Those factories are still exempted under this. This, in short, is the scope of this amending Bill.

But, at the outset I would submit that it is not proper for the Government to come forward with such piecemeal legislations. The hon. Deputy Minister when he introduced this Bill stated that the original Act—I am coming to it later on—applied only to big factories, that he proposed to enlarge it to include small factories also; the original Act did not extend to transport companies and therefore he proposed to extend it to transport companies also. He himself feels that very soon suitable amendments will have to come to the original Act, and that suitable amendments will have to come in the provident fund scheme also. So, why rush with this piecemeal legislation, because in the next session, I am afraid, another amendment is going to come?

I expected that the hon. Deputy Minister, while introducing this amending Bill, would tell the House about the history of the provident fund scheme itself, how it has been working, why we have to come forward with such an amendment, why we do not come forward with a comprehensive amendment etc. These are points, I feel, in which the House is very much interested.

The Provident Fund Act or the provident fund scheme was not in existence during the British period, but even before 1947 in almost all the demands by the various trade unions, the demand for provident fund was

there. I remember in 1946 as a result of such a demand, as a result of the strike notice which was given and as a result of the strike which took place, the transport workers in Madura got the benefit of this provident fund scheme. In the same way, in various industries throughout the country, the workers were getting some kind of provident fund scheme or other. There was no legislation compelling the employer to introduce the provident fund scheme. So, this scheme for provident fund has come about as a result of the concerted movement of the workers for a period of over 20, 25 years. Even in the framing of the rules for the scheme, the workers have advanced suggestions which have proved to be very useful and valuable.

What is a provident fund after all? It is nothing but a compulsory saving. We tell the worker: "Out of your monthly salary, you set apart 1/16 or 1/12 or 1/10. The incentive that I am giving you is that if you give me 1/10 of your salary, I will compel the employer to contribute an equal amount. So, 1/10 and 1/10 will make 1/5. This 1/5 will accumulate, and at the time of your retirement, or a particular time that we specify, you will be entitled to the entire amount, and also the interest thereon. The administrative expenditure will not be deducted from this 1/5; any other incidental expenditure will not be deducted." This is the incentive to the worker to save, and it is nothing but compulsory saving. So, an incentive is given to the worker to compulsorily save, and when he saves, the employer also contributes, and when the maturing time comes, he gets the full amount.

So, this concept has grown, and even today all the trade unions, whatever they may say about the Employees' State Insurance Scheme or about other schemes, welcome this provident fund scheme. I will come to the present position bit by bit.

As early as April 1948, the Ninth Session of the Indian Labour Conference discussed this matter threadbare, that we must have a proper employees' provident fund Act and that many industries must come under this. It was pointed out then that there was a provident fund scheme which was in operation in the coal mines, and I remember the Labour Minister said: "We will have to watch the working of the scheme in the coalmines. Then, let us refer it to the Standing Labour Committee, and if the Standing Labour Committee considers it worth while, then we will come forward with legislation."

So, at the twelfth meeting of the Standing Labour Committee, which was held in November, 1950, the whole question of provident fund scheme was discussed, and the Government agreed to draft the Bill. The first scheme was introduced in 1947. It was discussed in 1948. It was again re-emphasized in 1950, and in January, 1951 it was emphasized by all the State Labour Ministers. In the State Labour Ministers' conference which was held in January, 1951 they really impressed upon the Government the need for having a suitable legislation for giving provident fund facilities to all the employees, and the Government decided to do it.

The first form in which this particular Bill came was through an ordinance. It was Ordinance No. 17 which was promulgated on 15th November, 1951 and it came into force immediately. In the Ordinance itself there were two schedules. The first schedule mentioned the various industries which would have to be included. The second schedule mentioned the contribution of the workers. And even then, the contribution of the workers was 1/16 of their basic wage and dearness, that is 6½ per cent. Following this, a Bill was introduced on the 14th February, 1952 and it was passed on 23-2-1952, and the assent was received on 4th March, 1952. And that is the principal or the parent Act, Act No. 19 of 1952.

I have dealt with the background in great detail to show how the Act itself had to come. There was tremendous amount of pressure from the trade unions, from the workers, and there was a real reluctance to proceed with this. So, four, five years had to elapse, and as a result of this concerted effort, which was voiced by the Labour Ministers, which was voiced at the Indian Labour Conference, which was also voiced in the Standing Labour Committee, ultimately the Act had to come, the Ordinance had to be promulgated coming into force immediately, and then subsequently, a few months later, the Act itself was passed.

Now, I would like the hon. Deputy Minister also to look into this Act. For the lay man or for the person who is not directly involved in the trade union movement, it is very difficult to make out what this Act is all about, because it was hurriedly brought forward. This Act was only an Act which replaced the Ordinance. The Ordinance was passed, it was prepared very hurriedly, and two schedules were incorporated. So, the purpose of the Ordinance was to show the intention of the Government to come forward with such a scheme. They could not really address themselves to the various details of the scheme, and so they said that for six industries they were going to have this provident fund scheme. But what was to be the scheme? The scheme had to be worked out threadbare later on, but the same thing is not found in this Act, and it has been amended from time to time. Now, the whole Act will have to be recast, because since November, 1951, this has been enforced first in the case of six industries, and later on 13 industries have been added, and now the total number of workers who will be benefited, according to the figures given by the Mover of this Bill, is 29 lakhs. Twentynine lakhs of industrial workers are going to be benefited. We have got the experience of more than five years, but the Act is being added to bit by bit. That, I submit, is not a very healthy position.

[Shri Tangamani]

The original attempt was to apply it only to six industries, and those six were mentioned in the very first Act itself, namely cement, cigarettes, electrical, mechanical or general engineering products, iron and steel, paper, and textiles. But even in these six industries, not all the units were covered by the provident fund scheme. Only those units which were employing more than fifty workers were covered. Section 1 (3) says:

"Subject to the provisions contained in section 6, it applies to every establishment which is a factory engaged in any industry specified in Schedule I..."

—that is, those six industries—

"...and in which fifty or more persons are employed."

And this is found in the body of the Act. The body of the Act makes it clear that in any one of those industries which would be mentioned in Schedule I—that is, in the first instance, those six industries—those units which employ fifty or more workers will be covered by this.

Now, the question about the apprentices, contract labour and so on is left open, and that is to be left to the interpretation of the Provident Fund Commissioner or any other authority who will be called upon to do so. That was a lacuna in the original Act itself.

Again, section 6 of the original Act, which has not been amended, says:

"The contribution which shall be paid by the employer to the Fund shall be six and a quarter per cent of the basic wages and the dearness allowance for the time being payable to each of the employees, and the employees' contribution shall be equal to the contribution payable by the employer in respect of him and may, if any employee so desires, and if the scheme makes provision therefor, be an amount not exceeding eight and one-third per cent of his

basic wages and dearness allowance..."

So, it is established by section 6 that the contribution by the worker is to be 6½ per cent. In other words, if he contributes for sixteen months, he would be contributing one month's full salary. So, after 16 months he will get one month's full salary which he himself has contributed and one month's full salary which the employer would have contributed, and after the maturing period, the interest on his contribution and the employer's contribution. That was the percentage fixed in the first instance.

From that day onwards, there has been a demand that it must be raised to eight and one-third per cent, so that the worker should feel that at the end of one year he has saved one month's wages; and as a result of his saving, the employer is also forced to part with one month's wages. So, at the end of one year, he will feel that he has got two month's wages to his credit. And if he retires after twenty years' service, he will have forty months' wages to his credit. That is exactly what the workers must get. That was exactly what the Minister also wanted.

I find from the papers today that the National Development Council which met on Saturday, the 3rd inst. considered this aspect. Lest it should be said that the worker is not contributing to the Second Five Year Plan, I would like to point out that the worker is also contributing through his provident fund Rs. 100 crores to the Second Plan. Now, this Rs. 100 crores can be increased to Rs. 125 crores, if the percentage is increased from six and a quarter to eight and one-third. We want to know where the hitch lies. Government want this to be increased from six and a quarter per cent to eight and one-third per cent. The workers also, irrespective of their affiliations, whether it be AITUC, or INTUC, or HMS, want it enhanced. And if I am not wrong, it

is stated that one of the Ministers of the Madras State Government, and one of the Ministers of the Assam Government have said that it is about time that the rate was enhanced from six and a quarter per cent to eight and one-third per cent, so as to increase their internal resources. And Rs. 25 crores is no small amount. Rs. 25 crores being contributed by 29 lakhs of workers will be an additional contribution. The worker's patriotism is being tested here; he is prepared to pay eight and one-third per cent instead of six and a quarter per cent. So, that is a matter which has to be immediately looked into. It may have to be decided next month. So, why should we rush with this piece-meal amendment?

Another point which was raised right from the very beginning was the question of the scheme itself. We know, and the Deputy Minister knows, that the Payment of Wages Act will apply to a particular worker or employee whose monthly salary is Rs. 300. But now, it is Rs. 400. If you go through the Act, you will not be able to find it out; supposing a worker is getting Rs. 400 p.m. as total emoluments, you will not be able to find from the Act whether he will be entitled to the benefit of this provident fund scheme or not. For that, you will have to refer to Schedule II. And Schedule II was framed at the nick of the moment when the ordinance was going to be passed.

The first item in Schedule II reads:

"The employees or class of employees who shall join this Fund, and the conditions under which employees may be exempted from joining the Fund or from making any contribution."

That is a matter which will have to be specified by notification. The scheme is much bigger than the Act itself. Merely by looking into the Act, one will not be able to find out what the scheme is. Since I still happen to be a member of the Provident Fund

Board in the Madras State, I am able to speak here with some experience when I say this. And as for the scheme itself, the scheme is getting amended now and then. And the scheme as it stands is not available to anybody, and even the worker who contributes knows very little about it.

So, I would submit that these essential things which we have now learnt as a result of the working of this Act for more than five years must be embodied in the legislation itself. There is also one other suggestion in this respect. Under the Payment of Wages Act, the ceiling fixed is Rs. 400. Why should any employee who is getting Rs. 400 be deprived of the provisions of the Employees Provident Funds Act? According to the scheme, it is only Rs. 300 in the case of certain people. Why should it not be increased to Rs. 400 in their case also? These are legitimate questions which will have to be answered some time or the other.

In the same way, item No. 2 in Schedule II reads:

"The time and manner in which contributions shall be made to the Fund by employers and by, or on behalf of, employees, the contributions which an employee may, if he so desires, make under subsection (1) of section 6, and the manner in which such contributions may be recovered."

All these are matters which will have to go into the provident fund scheme.

So far as the question of contract labour is concerned, it is left blissfully vague. So is the case in regard to the apprentices also. In regard to both, the scheme says 'We cannot have anything to do with you'. And what is happening as a result of this? I can give you concrete instances in this behalf, from the textile industry. I know distinctly of some cases, where it was said that out of 2000 workers, 1500 were apprentices; even though they had put in ten years' service, it

[Shri Tangamani]

order to get round this Employees' Provident Fund Act, it was said that these 1500 were apprentices and they were still learning, and since it was an important industry, they should learn for about fifteen years. If this be the sort of attitude, then I would say that the Provident Fund Commissioner shall have to go and inspect that particular factory and see that these 1500 workers also are covered by this scheme, so that all the 2000 will have the benefit of it. So that way also, there is a lacuna in the Act which has to be set right.

I can develop this point further, but the point that I want to make is that the essential things which we have learnt as a result of having put into operation the employees' provident fund scheme must be embodied in the enactment itself. Otherwise, we shall not be doing justice to this House, or to the employees or to the employers or to the various State Governments who are very anxious to see that the scheme succeeds for the purpose of raising their internal resources.

The other important sections in the Act are sections 15, 16 and 17. Section 15 deals with those units where the worker was able to get his provident fund as a result of collective bargaining and as a result of struggle. Section 16 is the section which we are now seeking to amend. Section 17 is that section which gives power to Government to exempt those factories in which the provident fund facilities which the workers were enjoying then were equal to, if not superior to, the facilities which it was proposed to give to them.

13.39 hrs.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

I shall now tell you how the whole thing was administered originally.

Now, the Central Board of Trustees itself, which is a very important

body for administering this particular scheme, was formed by the Central Government on 31-10-53. The Ordinance came in November 1951, the Bill was passed into Act early in 1952 and the Central Board of Trustees was appointed on 31-10-53, with the Minister of Labour as Chairman. The Central Government are empowered to constitute State Boards and appoint Regional Commissioners. Now, various State Boards are there. There has been a demand from the State Boards that finance must be decentralised and State Boards must have more voice in this matter. There was a circular to the effect that it was going to be decentralised. Suddenly we find that that circular has been withdrawn. Still so many things are a mystery even to those people who are in the Provident Fund Board itself.

Having said this, I shall deal with the question of administration. How much is to be the administrative expenditure for running this entire scheme? If we go through the pages of the Act or the amending Bill, we will not get any inkling of this. It was by a notification dated, I think 28th January 1951, 1952 or 1953, that the Central Government said that 3 per cent of the total contribution was to be paid for administrative expenses. It is for those units which come under the provident fund scheme and which are not exempted under section 17. What is to happen to all those factories exempt under section 17? They were not contributing anything. Government saw this lacuna. Then they said: 'you contribute 3¼ per cent'. That is to say, 3¼ per cent contribution by those factories which are exempted under the Act and 3 per cent contribution by those factories which come directly under the Act.

I feel that as regards these exempted factories also, some stringent measures will have to be put in here. The inspection is to be made once in six months. But we have received complaints from several sources. I have received complaints from West Bengal

also. Certain factories—this is in the report itself—which are exempted are now forced to invest—it is not by law; it is a peculiar position—But they are not investing like that. I do not want to use a strong word and say there has been misappropriation, but we do not know what has happened to the money which has been contributed by the employers and employees. Such things are happening in West Bengal. So we will have to carefully go into this and see how far exemption could be given, how far we could check these exemptions, when once exemption is given, how often inspection is to be effected and so on. All these matters are not only administrative matters, but they come very much into the picture of the enactment itself. Unless all these matters are suitably covered and brought within the ambit of this Bill itself, I will have to say that this Bill will not serve the purpose for which the original framers of the Act wanted it.

The Central Board of Trustees at their meeting held on 24-3-57—that is, very recently—stated that the question of recoverable loans to employees suffering from serious illness must be considered. I will cite a practical difficulty also. Some workers would like their particular unit to be exempted, because when they are exempted, they are no longer governed by the various rules or schemes which have been operating under this Act as per Schedule II. There is a provision for getting loans repayable in easy instalments. Suppose the worker has contributed Rs. 500 and the employer's contribution will be Rs. 500. This will make Rs. 1000. He can draw from it up to a maximum of Rs. 300 or 60 per cent of his contribution. Then he will have to repay in easy instalments of Rs. 50 or Rs. 20. That provision is there in all provident fund schemes which are private, but in the Government provident fund scheme in factories which are not exempted, there is no such scheme. This is a crying demand from the workers. The only exemption that is now given is when

the worker insures his life with any one of the private companies; now, it has come into the LIC. That is the only provision given.

The Deputy Minister knows, particularly Shri Nanda knows, that today industrial housing is very important. We want to encourage co-operative industrial housing. For co-operative industrial housing, the worker will have to contribute Rs. 800 or so. How can he contribute Rs. 800? His salary is only Rs. 80. Every month he contributes Rs. 5. Every month, there will be Rs. 10 to his credit, that is, Rs. 120 at the end of the year. Probably, at the end of 5 years, he will have more than Rs. 600 or at the end of 10 years, he will have more than Rs. 1000. If out of this amount of Rs. 1000, Rs. 600 could be withdrawn, then there is a possibility of his contributing; otherwise, it is not possible at all.

This has been discussed at several meetings of the Consultative Committee; it has been raised at the Indian Labour Conference. It has also been discussed in the Housing Ministers' Conference. It was considered in the Seminar for community development too. In all these places, it has been discussed and everybody appreciates that it is a very good thing. But this modification in the scheme never takes place. The worker is also wondering what is happening. Whenever there is a certain piece of legislation for the workers, he has to struggle; when the legislation has to be enforced, then also he has to struggle. Government accept the justice of the case, but still he does not get it. There is something wrong with the way in which the whole motive force behind it is working.

It has not been possible to enhance the rate from 6-1¼ per cent to 8-1/3 per cent. This is not an idle demand of some people. It has become the demand of the entire trade union movement of this country. On the 27th March 1957, three Central trade union organisations, the All India Trade Union Congress, the Hind Maz-

[Shri Tangamani]

door Sabha and the United Trade Union Congress and Federations like the All India Defence Employees' Federation, All India Bank Employees' Association and Posts and Telegraphs' Employees' Association—all these people combined together and one of the demands is that this 6-1/4 per cent. must be increased to 8-1/3 per cent. Are we going to have this as part of this Bill? That is exactly what I want to know.

It is stated in the papers today that Shri Nanda, our Planning Minister, and luckily for us, Labour Minister also, has said that the provident fund contribution is one of the important internal resources, and the provident fund contribution should not be restricted to factories having 50 workers or more; it must be enlarged to cover small units also. It may be that we can say that all the factories should be included, that is, units having 10 workers, where it is run by power, and 20 workers, where it is not run by power, will be factories. So any unit which comes under the Factories Act will have to come under this scheme also.

I will now conclude with a few more observations. As I have said earlier, this amending Bill contains three aspects. The first aspect relates to expanding the definition of 'appropriate Government'. The second aspect is regarding giving no exemption to Government industries. The third aspect is concerned with maintaining the *status quo* regarding infant industries.

13.49 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Nobody can have any objection to the first two. To the third, we have objection. Why should be exempt certain units? Although there may be 4800 workers in a particular unit, Provident Fund contribution is only a part of his wages. He is paying probably more wages. Apart from that,

this has nothing to do with the profit and loss account. It is a thing which is part of the salary; some more salary is paid and the worker is made to save.

Now, various suggestions have been made. As I have said, many of the things which come under the employees' provident fund scheme and as envisaged in Schedule II, will have to be embodied in enactment itself. As I have already stated, we will not know what type of workers will be governed by these schemes unless we go into the schemes. The lacuna is there.

The second point is we will have to bring in more and more the State Governments. Many complaints have been made to the State Boards and they will have to meet more often because they have become important organisations now. What is the use of the State Boards meeting 4 or 5 times in these five years. In Madras I have received the same complaint. The State Board now in Madras is meeting at least twice a year. I have received a letter from West Bengal stating that the State Board has met 3 or 4 times all these 5 years. We make suggestions; we send them to the Central Board and nothing is known about it.

There is another lacuna. I was very happy to learn from the hon. Deputy Minister that this is going to be extended to the automobile industry also. In the automobile industry, there are two parts. On the one side, there are the maintenance workshops and on the other side, there are the transport workers. We contended that because these workshops are engineering workshops, they should also be covered by the Employees Provident Fund Act. The employers said, 'All right; the workshop workers will be covered by this and the transport workers will not be covered by this; for the transport workers, we

are having some kind of statutory scheme'. Ultimately, the matter was referred here. When the matter came up here, I believe the legal experts and also the Commissioner held that it is not a manufacturing process; and the workshop is only for repairs and maintenance and other things, although in Madras, in one unit there are about 2,500 workers who were getting this provident fund. Ultimately, what happened was this. The workers who were already getting this were deprived of it. It created a serious crisis in Coimbatore district. Even in places where the workers welcome this scheme, if you create industrial disputes in the actual implementation of it, then, I am sorry for the Government. They are very clever and they create industrial disputes where industrial disputes cannot exist by any stretch of imagination. They created industrial disputes. Because of the response of the leaders there we were able to settle the disputes. We want to expand and not to contract. Where this provident fund scheme has been in existence, instead of extending it to the transport workers, the existing benefit is gone. These are some of the matters that will have to be gone into. There are also the questions of loan facilities, serious illness, industrial housing and others.

Then, there is the question of exemption of factories. The question of exemption of factories big or small will have to be taken up only later on. Why should factories under three years be exempted? I should like to know why the exemption given to Government units is sought to be removed? The hon. Minister has given no reasons. It is not a question of paying out of profits; it is a question of an employee, a working man paying to save; it is a compulsory saving; and it is not a question of how weak a factory is or when it was started.

Another point also arises and I think it was also discussed. Supposing in a particular textile unit there are thousand workers.....

Mr. Deputy-Speaker: The hon. Member should try to be brief. The total time allotted is only 2 hours.

Shri Tangamani: This is a Bill on which only very few people will speak.

Mr. Deputy-Speaker: I only ask the hon. Member to be brief.

Shri Tangamani: I will conclude shortly.

If there are 1000 employees in a textile unit where the scheme is in operation, if the employer transfers all these workers into another unit, which, for argument's sake, is a unit which is not covered by the Employees Provident Fund Act, what is to happen? The law is not clear about it either. The workers will no longer get the benefit under the scheme. That type of lacuna will have to be filled in. The scheme has become so complicated and involved that it is not even understandable to the workers. We have really to evolve a minor scheme from the scheme; we have to produce that in the local vernaculars; we have to explain to the workers the simple procedure and all that.

Actually, under the scheme there is nothing to say that the employer will have to tell the worker how much has been contributed. Now we have made it a point that when the employer sends a return to Government, he must send a copy of the return to the workers also. Generally, whatever information the workers demand will be how much they have contributed, how much money is standing to their credit etc. May I point out that the Unions are really unanimous in.....

Shrimati Ila Palchowdhuri (Nabadwip): The question is one of actual accounting. Whenever a worker contributes something, the employer is bound to contribute so much and the worker will know the amount automatically.

Shri S. M. Banerjee (Kanpur): I would request the hon. Member to kindly read the scheme.

Shri Tangamani: A worker may after some 16 months like to know what is the amount standing in his name. Within three days he must know it. It is not as if whatever the worker has contributed, along with what the employer has contributed together with interest is given to the worker. The hon. Member will be disillusioned if she goes through the scheme, because the scheme says that the worker, if he retires within 20 years, will not get the entire sum. It is a paradox. It is a compulsory saving; the employer has contributed; the worker has also contributed. But, when the worker retires, he does not get the entire amount. There has been demands from the workers that whenever they have contributed and when the employer has contributed, it has nothing to do with the way in which one works; it has nothing to do with his trade union activities and has nothing to do with his capacity to work. Here, let us say, he works and the employer pays him Rs. 80. He contributes Rs. 5 and the employer contributes Rs. 5 and nobody can touch the Rs. 10. The worker is entitled to an amount of Rs. 10 multiplied by the number of months of service he has put in plus the interest on the amount standing to his credit. That should be the line on which the Provident Fund scheme should be amended. But the scheme is a very peculiar one. In the last conference they said that after 15 years' service the worker must be entitled to the maximum. In places where there are private schemes no employer will have to give his provident fund account....

श्री रा० क० वर्मा (निमाड़): उपाध्यक्ष महोदय, इस बिल के लिए केवल दो घंटे का समय रखा गया है। इस पर अभी और भी बोलना चाहते हैं। मेरा निवेदन है कि

उपाध्यक्ष महोदय : उनको भी जरूर मौका मिलेगा ।

Shri Tangamani: I will take only two minutes. I will be very happy if people are interested in this provident fund because this is a very important scheme the workers have been interested in. The N.D.C. is interested in it; I know the hon. Minister also is interested in it. The hon. Minister, Shri Nanda is interested in it because if it is increased by Rs. 25 crores, the internal resources for the Plan are increased. So, it is the patriotic urge of the workers also. There is the patriotic urge of the workers; what we want to know is whether the patriotic urge of the employer is also coming forth. The employer will have to prove their patriotism; the employers may say that they are patriotic and the workers must show their patriotism. That is the basic difference in the approach. We contend that the worker is prepared to contribute....

Mr. Deputy-Speaker: Can we not think that both are patriotic?

Shrimati Ila Palchoudhuri: I think both are patriotic.

Shri Tangamani: There is a difference in shade.

Shri A. C. Guha (Barasat): Anyhow, I think, other hon. Members should also get an opportunity.

Shri Tangamani: These are all various matters on which suitable amendments will have to be made. This type of piecemeal amendment is not going to meet the ends of justice.

So, I request the hon. Minister to consider the various suggestions that I have made and to bring about a comprehensive Bill incorporating the various suggestions that have been made at the various Indian Labour Conferences and the N.D.C. meetings and from all the various employers' organisations and the trade union organisations.

Shri Abid Ali: In the meantime, should I withdraw this Bill?

Mr. Deputy-Speaker: I will come to the hon. Minister later.

Shri Tangamani: I have said what I wanted to say.

14 hrs.

Shri Naushir Bharucha (East Khandesh): Sir, I would invite the attention of the hon. Deputy Minister to two points in particular. Under section 17, exemption is granted to certain provident funds on certain conditions. It was my experience in Bombay that when I tried to get exemption in respect of the provident fund of an educational trust, the correspondence that ensued between me and the Commissioner of Provident Fund was so voluminous that it took nearly a year to get anywhere near the exemption. I do not blame the Commissioner because in between several times the Provident Fund Scheme had been amended by the Government and with each amendment we are asked to make a corresponding change in the rules of the provident fund. It is rather unfortunate that when the Government is anxious to give exemptions to *bona fide* concerns, funds and trusts, administrative difficulties involved are so vast that a person despairs of getting exemptions and the Government keeps on issuing circulars that the Government desires to encourage exemptions. May I therefore request the Deputy Minister to make up his mind whether there are any more amendments to come. Why is it that amendments are thought of piecemeal. Month after month, certain notifications are issued and the scheme is amended. At this rate we can get nowhere. I also do not understand why the Commissioner asks for any number of copies of rules and regulations: first two copies are sent; then two more are asked for and then one more and then two more. An administrative direction should go to various officers that where *bona fide* applications are being made, it should be the duty of the Commissioner to see that these proceedings are expedited. It is not enough to say: we want to enlarge the scope of section 17 and we want exemptions to be encouraged under section 17. There are administrative difficulties and the hon. Deputy Minister should

look into them. What I am pointing out is that getting exemption is a herculean task. It is very difficult because of so many difficulties and changes in the scheme.

Secondly, it is not enough to say that so many concerns have come within the scope of the Provident Funds Act. We should see how it is administered. I shall give an example. In a place in my constituency, Pachora, there is a concern called Bharat Vanaspati. Under the scheme, certain instalments have to be paid by the employer to the Provident Fund Commissioner. Whatever they collect from the workers has got to be deposited with him. This is not done. Nobody takes any notice of it. The amount is swallowed by the employer and nothing has happened. When the Government enacts a law like this, is it not the object to see that the provident fund is preserved and not swallowed by the employer. When it is swallowed, nothing happens except that faint-hearted attachments are issued and the employer tells you that all his assets have been mortgaged to the bank. What is going to happen to the employees? It is a serious question. It is no use our passing legislation here if we do not see how it is implemented. It is a sore point. The provident fund of about 400 workers of Pachora has been swallowed. There is no effective remedy in law. Therefore, I am appealing to the hon. Deputy Minister.—I know he is very keen to see that things do not happen that way—but what is the use of merely telling us that we are also incorporating Government concerns in this Bill. What is wanted is not merely an extension of the scheme but proper consolidation and thorough administration and implementation of it and that is why I am drawing particular attention of the hon. Minister.

Shrimati Ha Palchoudhuri: Mr. Deputy Speaker Sir, this Bill seeks to bring more factories under its purview and extends the welfare

[Shrimati Ila Palchoudhuri]

work more than it has ever done before. I was surprised at the speech of the hon. Member opposite. He asked why an ordinance was brought in a hurry. If an ordinance is brought to bring good to the workers, surely it is not a bad thing! After the ordinance was issued, the Act was brought. If the Government has been in a hurry to bring some good to the workers, I think there is every justification. I think compulsory saving has become a prominent feature in our planning. Under this head, Government has been able to collect Rs. 104 crores approximately, I understand. This would enable the Plan to go forward as we would wish it. But at the same time the employers and the employees must also play their part. There again I am surprised at the hon. Member opposite saying that the employers should prove themselves to be patriotic whereas the employees are patriotic. This is indeed a very peculiar point of view because, the employers are the public sector and the private sector. The public sector is the Government and surely it is patriotic. The private sector is also working for India and it has nothing but the good of India at heart. Of course no concern can run without profits but no concern could run without looking to the welfare of the workers also. I think the private sector must have the welfare of the workers at heart.

I hope the word 'emoluments' means basic pay plus the dearness allowance and it is not only the wages.

Shri Tangamani: Emoluments mean basic wage plus dearness allowance.

Shrimati Ila Palchoudhuri: I hope the hon. Minister will make the point clear. The Act is welcome in every way and it gives more amenities to the workers. It is very often difficult to get the insurance amount. This might not have been in the ambit of the Act. I have some experience of the plantations and the workers got their

insurance amounts as soon as there was any death, illness or any accident. Now that the Government has taken this over, there seems to be quite often inordinate delay and I hope the Minister will look into this aspect of the welfare of the workers so that there will not be undue delay and inconvenience to the workers, particularly where there has been some serious illness. It must be considered that welfare work includes looking after the workers during illness, sickness and hospitalisation. It is something that gets directly to the worker from the employer. It should not seep through Government channels or machinery. Any welfare scheme that the employer may put forth should have every support and help from the Government and the insurance amounts should be made available to the workers without delay. Welfare schemes such as the building of hospitals etc. also, should not be held up for want of material and support from the Government. Thank you Sir.

अ। १।० क० व० : उपाध्यक्ष महोदय,
एम्प्लॉईज प्रॉविडेंट फंड्स (एम्प्लॉयमेंट) बिल
जो कि सरकार की तरफ से रखा गया है
उसका समर्थन करने के लिये मैं खुश हुआ हूँ।
इस संशोधन विधेयक को देख कर मुझे
बड़ी खुशी हुई और इस संशोधन ने यह सिद्ध
कर दिया कि यह बनिया शासन नहीं है
बल्कि गरीबों का समाजवादी शासन है।

हमारे प्रॉविडेंट फंड्स ऐक्ट के अन्दर
क्या खासी और क्या कमो है उसके ऊपर
विचार करने के बजाय एक बुनियादी सिद्धान्त
के ऊपर हमें यह विचार करना चाहिये
कि दरमस्तल यह प्रॉविडेंट फंड्स ऐक्ट किन
सिद्धान्तों के आधार पर कायम किया गया
है। हमारे यहाँ हर एक तरह का विकास
कार्य हो रहा है, हर एक तरफ की बातें
हो रही हैं लेकिन मैं यह निवेदन करना चाहता हूँ
कि प्रॉविडेंट फंड क्या चीज है? उसकी
तरफ अगर हम नज़र डालते हैं तो प्रॉविडेंट
फंड यह स्त्री धन है। हमारे समाज के

अन्धर जो गिरे से गिरा हुआ सबका है वह मेहनतकश जमात है, कारखानों के अन्धर खेत और खानों के अन्धर काम करने वाली यह शोषित जमात है जो कि दूसरों की मजदूरी करके अपना पेट भरते हैं और जिनके कि पास मजदूरी करने के भलावा दूसरा कोई साधन नहीं है। इससे भी गिरी भाज समाज के अन्धर स्त्री जाति की जो बच्चा है और जो उसके साथ व्यवहार होता है उसको देख कर दिल भर आता है। दरभसल में यह प्राविडेंट फंड उन मेहनतकशों की बीवियों की इमदाद के लिये है जिसको कि मैं स्त्री धन का नाम देता हूँ।

भाज के पहले सन् १९५२ में जब प्राविडेंट फंड ऐक्ट लागू किया गया था तो वह केवल प्राइवेट सेक्टर के ऊपर था और वह भी प्रथम कुछ इंडस्ट्रीज के ऊपर ही लागू किया गया था। उस वक्त में यह सोचता था कि हमारे प्राविडेंट फंड ऐक्ट की चार टांगें होने के बजाय केवल एक टांग है और हमारा प्राविडेंट फंड इतना अपंग है जो केवल एक टांग के ऊपर चल रहा है लेकिन हमारे डिप्टी मिनिस्टर साहब ने यह संशोधन रख करके भाज उसकी चारों टांगें पूर्ण कर दी हैं। प्राइवेट सेक्टर के ऊपर तो वह पहले से लागू है ही लेकिन हमारी प्रान्तीय सरकारें जो अपनी कंसर्न्स के अन्धर प्राविडेंट फंड की सहायित देने से जिस तरीके से मुंह मोड़ती थीं और हमें परेशान करती थीं इससे उनको भी अब कवर कर लिया गया है। प्राविडेंट फंड के लिये प्रान्तीय शासन द्वारा कमेटीयां बनाये पांच पांच साल हो गये लेकिन प्रान्तों के अन्धर शासकीय उद्योगों में अभी तक प्राविडेंट फंड लागू नहीं किया गया। भाज इस संशोधन की वृत्ति से हम प्रान्तीय सरकारों से कह सकते हैं कि आप मुनाफ़ाखोरी करने के बजाय मजदूरों के साथ ईसाई कीजिये और जो स्त्री धन है उसको अपने खजाने में न रखते हुये शरीरों के पेट में जाने दीजिये।

इसी प्रकार से हमारी सेंट्रल गवर्नमेंट और लोकल सेल्फ गवर्नमेंट म्युनिसिपैल्टीज में भी कितनी ही जगह प्राविडेंट फंड की व्यवस्था नहीं थी। और यह जो बड़ी भारी कमी हमारे प्राविडेंट फंड ऐक्ट के अन्धर की उसको हमारे डिप्टी सेवर मिनिस्टर साहब ने इस एमेंडिंग बिल को लाकर दूर कर दी है और मैं इसके लिये उनको मुबारकबाद देता हूँ। इस संशोधन से जितनी भी रकम मजदूरों को प्राविडेंट फंड की मिलने वाली है और अभी तक जो सरकारी खजाने, म्युनिसिपैल्टीज और कारपोरेशनस के खजानों में जाने वाली वह रकम अब वहां न जाने देकर शरीरों की जेबों में जाने का यह एक प्रावजन इससे किया जा रहा है और इसलिये यह संशोधन स्वागत योग्य है।

उधर के एक मेरे कामरेड मित्र ने इस में बहुत सी खामियां बताई हैं। दरभसल अगर देखा जाय तो मनुष्य में खामी है और मैं तो यहां तक मानता हूँ कि ईश्वर में भी थोड़ी बहुत खामी है तभी तो इंसान के साथ भाज हैवान और शैतान भी दिखाई दे रहे हैं और लोगों की कितनी दुर्दशा हो रही है। यह मनुष्य के हाथ की बात नहीं है ईश्वरीय है और शायद उसमें भी कुछ खामी होगी। हर बात में जैसे जैसे अनुभव होता जाता है हम अपनी खामियों को दूर करने का प्रयत्न करते हैं। भाज हमारे देश को आजाद हुये १०, ११ साल हुये हैं। प्रथम पंचवर्षीय योजना के हमारे देश में लागू होने के दूसरे वर्ष में प्राविडेंट फंड ऐक्ट लागू किया गया। श्रीमन्, अभी जिन माननीय सदस्य ने खामियों की बात की है हमारे प्रदेश के अन्धर उन्हीं की पार्टी के लोगों ने जब सन् १९५२ में प्राविडेंट फंड ऐक्ट लागू हुआ था तो उस वक्त उन्होंने मजदूरों से हड़ताल कराने की कोशिश की और कहा कि यह जो तुम्हारा प्राविडेंट फंड फटा जाता है वह नहीं कटना चाहिये मजदूरों को उसका विरोध करना चाहिये और वह नहीं कटना चाहिये

श्री स० म० बनर्जी : यह कहाँ कहा गया था ?

श्री रा० क० बनर्जी : मध्य प्रदेश के अन्दर कहा गया था । आपके धीर मेरे रहते उन्होंने ऐसा ऐलान किया और हड़ताल के लिये कहा । मैं निवेदन करना चाहता हूँ कि पत्रों में भी यह बात आई है कि उन्होंने प्राविडेंट फंड न काटने देने का ऐलान किया कि मजदूरों को तो पहले से ही कम वेतन मिल रहा है और अगर उनके वेतन में से $6\frac{1}{4}$ परसेंट प्राविडेंट फंड काट लिया जायेगा तो उनका पेट नहीं भरेगा और इसलिये यह प्राविडेंट फंड न काटा जाय जब कि हम उनको यह समझा रहे थे कि रुपये में केवल एक आना ही काटा जायेगा और वह भी दरअसल में काटा नहीं जायेगा क्योंकि इस ऐक्ट के द्वारा जो एक आना आपका काटा जायेगा वहाँ उसमें एक आना मिल मालिक को मिलाना पड़ेगा । सच्चे मानों में तो मिल मालिक इस स्कीम के विरोध में थे लेकिन उन्होंने इन लोगों को धाने करके इस स्कीम का विरोध करना शुरू कर दिया

Shri Tangamani: He is confusing State Life Insurance with Employees' Provident Fund.

श्री रा० क० बनर्जी : मैं यह निवेदन करना चाहता हूँ कि किसी बात का विरोध करना और उस पर नुस्ताबीनी करना बहुत आसान होता है । इस प्रमेडिंग बिल के द्वारा प्राविडेंट फंड ऐक्ट में जो शासकी और अर्ध-शासकी श्रमिकों पर न लागू होने की यह खामी है उसको पूरा किया जा रहा है । जहाँ संशोधन का सवाल है आपकी पार्टी ने तो स्वयं अमृतसर में बैठ कर मार्क्स के सिद्धान्तों में संशोधन किया है और जब हमारी गवर्नमेंट अगर कहीं कुछ खामी बाकी है और उसको वह सुधारने के लिये संशोधन कर रही है तो इसमें क्या बुराई है ? मैं यह निवेदन करना चाहता हूँ कि जब भी देश के अन्दर कांग्रेस के शासन की तरफ से कोई भी प्रोग्रेसिव कदम उठाया जाता है,

कोई भी प्रगति की बात की जाती है तो उसका न मालूम कहाँ से और कैसे विरोध किया जाता है और ऐसी बातें उसके अन्दर लाई जाती हैं जिनके कि अन्दर कोई वास्तविकता नहीं होती है । श्रीमन्, जिस कम्युनिस्ट रूस की मेरे भाई पाँचे दिन बात करते हैं मैं बतलाना चाहता हूँ कि रूस की प्रथम पंचवर्षीय योजना के अन्दर प्राविडेंट फंड नहीं था, और न ही वह रूस की द्वितीय और तृतीय पंचवर्षीय योजना में अलबत्ता ४० वर्ष बाद रूस की छठी पंचवर्षीय योजना के अन्दर मजदूरों के लिये प्राविडेंट फंड की गृंजायश की जा रही है । इसके विपरीत यदि आप अपने देश की ओर देखें तो आपको मालूम होगा कि हमारी सरकार ने प्रथम पंचवर्षीय योजना के अन्दर प्राविडेंट फंड के अन्दर प्राविडेंट फंड की व्यवस्था रखी और द्वितीय पंचवर्षीय योजना के अन्दर पब्लिक सेक्टर, राज्य सरकारों, केन्द्रीय सरकार और लोकल सेल्फ गवर्नमेंट्स म्युनिसिपैल्टीज आदि यानी कोई भी सेक्टर ऐसा नहीं रहा जहाँ कि प्राविडेंट फंड की व्यवस्था न कर दी हो और गवर्नमेंट ने इस संशोधन को लाकर एक के बजाय आज चारों टांगें पूर्ण कर दी है ।

एक बात मैं और इस सम्बन्ध में कहना चाहता हूँ । जहाँ हमारी यह कोशिश होनी चाहिये कि मजदूरों को बड़ा हुआ वेतन मिले क्योंकि जितनी हम उनकी तनखा बढ़ायेंगे उतना ही धाने चलकर बढ़ी हुई रकम प्राविडेंट फंड की शक्ति में भी मजदूरों के हाथ में धायेगी लेकिन मुझे बड़े दुःख के साथ कहना पड़ता है कि परसेटिव के हिसाब से अगर देला जाय तो सारे देश में कम से कम प्राविडेंट फंड की रकम अगर कहीं मजदूरों के हिस्से में आती है तो वह केरल और बंगाल प्रान्त में आती है । आप इस सम्बन्ध में यदि आंकड़ों का मिलाव करें तो आपको मालूम होगा कि वह केरल और बंगाल दो ऐसे प्रदेस हैं जहाँ कि मजदूरों की डोटल इनकम जिस पर कि उनका

प्रॉविडेंट फंड कटता है सबसे कम है। पर-
सेंटेज के हिसाब से अगर देखा जाय तो
मालूम होगा कि कम से कम प्रॉविडेंट फंड
की रकम जहां मजदूरों के हिस्से में जाती
है वह एक तो केरल है और दूसरा बंगाल
है। सबसे बड़ा हिस्सा जहां कि अधिक
मजदूर काम करते हैं और जहां कि सबसे
पहले प्रॉविडेंट फंड लागू हुआ वह टेक्स-
टाइल इंडस्ट्री है और केरल की टेक्सटाइल
इंडस्ट्री में काम करने वाले एक मजदूर का
वेतन और डिग्रिनेस एलाउंस का एवरेज
५० रुपये से ज्यादा नहीं है और बंगाल में
इसी प्रकार से एक मजदूर का एवरेज वेतन
६२ रुपये से ज्यादा नहीं है जब कि बाकी
हिन्दुस्तान में चले जाइये आपको कहीं ८०
रुपये से कम का एवरेज नहीं मिलेगा। मैं
यह निवेदन करता हूँ कि हमारा यह फंड
है कि हम अपने मजदूरों की इनकम को
बढ़ावें क्योंकि उनकी आमदनी बढ़ने से
उनको मिलने वाली प्रॉविडेंट फंड की रकम
भी बढ़ जायेगी।

उपाध्यक्ष महोदय, डिप्टी मिनिस्टर
साहब ने जो संशोधन रक्खा है उसका
मैं हृदय से समर्थन करता हूँ। लेकिन
इसके साथ ही मैं एक निवेदन यह करना
चाहता हूँ कि जहां आज प्रॉविडेंट फंड
काटा जा रहा है वहां कुछ मैनेजमेंट्स प्रॉवि-
डेंट फंड की रकम को सरकारी खजाने में
जमा करने के बजाय बैंकिंग कंपिटल की
तौर पर उसका उपयोग कर रहे हैं जिसे
शासन को उन से फौरन वसूल कर
लेना चाहिये जो वह वसूल नहीं हो पा रहा
है और उसका परिणाम यह होता है कि
एक महीने, दो महीने, तीन महीने और
चार महीने इस प्रकार मजदूरों का प्रॉविडेंट
फंड राज्य के खजाने में न जमा करके बैंकिंग
कंपिटल की तौर पर उसका उपयोग किया
जाता है और बाद में कारखाने बंद करके
रख दिये हैं। और कारखाना बन्द हो जाने
के बाद हमारे मजदूरों को उस रकम को
जो उनकी काटी गयी है और जो कम्पनी

की तरफ से उनमें मिलायी गयी है, प्राप्त
करने के लिये बहुत धरम धक्के खाने पड़ते
हैं। तो यह सोचने की बात है कि जो रकम
वह जमा करते हैं और जो मालिक उसमें
मिलाते हैं वह उनको आसानी से मिल
सके। आप को इसके लिये राज्य सर-
कारों को कानून के द्वारा या जो शक्ति
आपके पास हो उसके द्वारा आदेश दें
कि वह मालिकों को दस दिन का मौका
दें और उसके बाद उनको वह रकम
सरकारी खजाने में जमा करानी पड़े।
यानी जैसे अगर सात तारीख को वेतन
बटता है जहां एक हजार मजदूर काम करते
हैं, और जहां १० तारीख तक वेतन
बटता है और एक हजार से ज्यादा मजदूर
काम करते हैं तो आपको उनको दस दिन
का और मौका देना चाहिये यानी उनको २०
तारीख तक वह सारा रुपया सरकारी
खजाने में जमा करवा देना चाहिये। यह
आपने विधान में रखा है लेकिन इसकी
पूर्ति नहीं हो रही है। तो मेरा निवेदन
यह है कि जो रकम मजदूर की काटी जाती
है और कानून के अनुसार जो रकम उसमें
मिल मालिक मिलाता है उसको वह बैंकिंग
कंपिटल की तरह क्यों इस्तेमाल करे।

दूसरे दुःख की बात यह है कि आज
हमारे साथी ट्रेड यूनियन कांग्रेस वाले कम्पू-
निस्ट मित्र यह नारा लगाते हैं कि अगर
कोई कारखाना बन्द हो रहा है तो मजदूरों
के प्रॉविडेंट फंड से वह कारखाना चालू
रखा जाये। यह बड़े आश्चर्य की बात है।
मजदूर अपना घर तो चला नहीं पा रहे हैं
और उनके रुपये का उपयोग कारखाने
चलाने में किया जाये जिससे प्रॉफिट मिल
मालिक कमायेगा। यह कैसे हो सकता
है। तो एक तो मेरा निवेदन यह है।

दूसरा एक सुझाव मैं और रखना चाहता
हूँ। प्रॉविडेंट फंड ऐक्ट में यह शर्त रखी
गयी है कि प्रॉविडेंट फंड का फायदा मिलने
के लिये एक मजदूर को साल में कम से कम

[श्री २१० के० बमर्]]

२४० दिन हाजिर रहना चाहिये। इसमें बहुत सा अन्याय हो रहा है। वह इस तरह कि कारखानेदार यह करते हैं कि बदली वर्कर्स की संख्या बहुत ज्यादा बढ़ा देते हैं और किसी मजदूर के १२ महीने में २४० दिन पूरे नहीं होने देते। होता यह है कि एक के बाद एक बदली पर आदमी बदल दिये जाते हैं और एक मजदूर को चार दिन भी शान्ति से काम नहीं करने देते। इस तरह से मिल मालिक को प्राविडेंट फंड की जो रकम देनी पड़ती है वह बच जाती है। तो इस तरह से मजदूर के ऊपर अन्याय होता है।

यह जो प्राविडेंट फंड की रकम ६ परसेंट से ८ परसेंट बढ़ाने की बात है यह तो इंडियन लेबर कानफरेंस में भी तै हो गयी थी और तीनों पार्टियों ने इस बात को मंजूर कर लिया था। लेकिन आपके वर्किंग के अन्दर कहां गड़बड़ी है। उसको आप देखें और भ्रमलियारूप दें। मैं तो यह निवेदन करना चाहूंगा कि भले ही यह रकम कम हो तो कोई हर्जा नहीं, लेकिन यह कम रकम जो मजदूर को मिलनी चाहिये वह भी नहीं मिल पाती। इसको बचाने के लिये मालिक लोगों की ओर से जो दांव पेच किये जाते हैं उनको आपको देखना है और आपको यह सोचना है कि प्राइवेट सेक्टर के अन्दर जो बदली वालों की संख्या बढ़ा दी जाती है और २४० दिन की हाजिरी पूरी नहीं होने दी जाती यह नहीं होना चाहिये। ऐसा करने से मालिक केवल प्राविडेंट फंड की रकम ही नहीं बचाते। लीव आफ कम्पनसेशन के लिये और सवेतन छुट्टी के लिये भी २४० दिन की हाजिरी की आवश्यकता है। यह २४० दिन की हाजिरी पूरी न होने देने में मालिकों को इन दो चीजों में भी लाभ हो जाता है और मजदूर को नुकसान हो जाता है। दो में यह निवेदन करना चाहूंगा कि आप

कानून के अन्दर इतनी गुंजाइश कर दीजिये कि किसी भी कारखाने में चाहे वह प्राइवेट सेक्टर में हो या पब्लिक सेक्टर में हो, अगर एक भी दिन एक आदमी ने काम किया है, तो प्राविडेंट फंड के लिये उसके सेवन से रुपये में एक आना काट लिया जाये और उसी हिसाब से उसको प्राविडेंट फंड का लाभ मिले। कनसर्न को उसी हिसाब से प्राविडेंट फंड के लिये रकम देनी चाहिये।

यही दो तीन सुझाव मैं आपके सामने रखना चाहता था। मैं आपसे निवेदन करना चाहता हूं कि आप इन पर गौर कीजिये और जो आपने संशोधन रखा है उसका मैं हृदय से समर्थन करता हूं।

श्री स० न० बनर्जी : उपाध्यक्ष महोदय, यह जो प्राविडेंट अमेंडमेंट बिल हमारे सामने है इसमें जो डेफीनीशन की बात है और इसके मकसद का जहां तक सवाल है उसमें कोई खास मतभेद नहीं है सिवा एग्जम्पशन के सवाल के। मैं समझता हूं कि शायद हमारे माननीय मंत्री जी को डर है कि जहां पर भी जायज एग्जम्पशन देने की कोशिश करेंगे शायद उसका कुछ इंडस्ट्रियलिस्ट गलत इस्तेमाल करे। यह डर है कि छोटी यूनिट्स और नई यूनिट्स यह ऐत-राज करेंगी कि हम प्राविडेंट फंड नहीं दे सकते।

आज प्राविडेंट फंड की मांग इसलिये की जाती है कि इससे मजदूरों के लिये कुछ कम्पलसरी सेविंग हो जायेगा। इसके साथ ही इससे एक और फायदा है। आज देश का निर्माण हो रहा है और दूसरी पंचवर्षीय योजना के लिये घरबों रुपये की जरूरत है और हमारे वित्त मंत्री को रुपये लेने के लिये विदेशों को जाना पड़ता है। ऐसे वक्त में हमको अपने इंटरनल साधनों को पूरे तौर पर काम में लाना चाहिये। इस प्राविडेंट फंड द्वारा मजदूरों को भी

कम्पलसरी सेविंग हो जायेगी और वह रुपया हमारी पंचवर्षीय योजना में लगाया जा सकेगा। ऐसे वक्त में प्रावीडेंट लागू करना इसलिये भी आवश्यक है।

आप इस बात को जानते हैं कि आज हिन्दुस्तान में सिर्फ २६ लाख मजदूर ऐसे हैं जो कि प्राविडेंट फंड ऐक्ट से फायदा उठा रहे हैं। आप जानते हैं कि कुछ रकम मजदूर की कटती है और कुछ हमारे सरमायेदार भाइयों को देनी पड़ती है। लेकिन प्राविडेंट फंड ऐक्ट से फायदा बहुत कम मजदूर उठा पा रहे हैं जब कि हमारे देश में भारगोनाइज्ड लेबर की तादाद तकरीबन एक करोड़ है। तो जिस तरह से कि हमारे भाई तंगामणि ने कहा, मैं भी कहना चाहता हूँ कि हमारे माननीय मंत्री जी एक कम्प्रीहेंसिव बिल लायें ताकि प्रावीडेंट फंड के कानून में जो भी तरमीम करनी है वह एक दफा कर दी जाये और इस सदन के सदस्यों को उस विषय पर काफी तरीके से विचार करने का मौका मिले और वे बहुमत से ऐसे कानून का फैसला कर सकें और उसको हमें बार बार अमैंड करने की जरूरत न रहे। मैं आपको बताऊँ कि हमारा क्या तजर्बा है। आप जरनलिस्ट्स के केस में देखें जो सुप्रीम कोर्ट का फैसला हुआ। मैं इस बारे में ज्यादा बात नहीं कहना चाहता लेकिन उसमें एक अइचन है "कंपेसिटी टू पे"। अब मजदूर को कोई हक नहीं है कि वह मालिक की कंपेसिटी टू पे को देख सके, या उसके बैलेंस-शीट को देख सके, या उसके बकिंग कैपीटल को देख सके और जिन दूसरे रिसोर्सज से वह लेनदेन करता है उनकी जांच पड़ताल कर सके। इस वजह से हो सकता है कि वह न दें। बेंच बोर्ड का फैसला हो सकता है कि कंपेसिटी नहीं है। तो दूसरी पंचवर्षीय योजना में हम यह तो चाहते हैं कि मजदूरों की काम करने की कंपेसिटी की तो कोई लिमिट न हो लेकिन सरमायेदारों की देने की लिमिट है।

अगर उनकी कंपेसिटी नहीं है तो वह प्रावीडेंट फंड की रकम न दें। और इसी की वजह से वे एग्जैम्पशन सीक करते हैं। मेरा ट्रेड यूनियन के काम में १५ या १६ साल का तजर्बा है। मैं आपसे कहना चाहता हूँ कि पहले सेंट्रल गवर्नमेंट के एम्पलाईज के लिये भी प्राविडेंट फंड कम्पलसरी नहीं था, आप्शनल था। १९३८ के बाद इसको कम्पलसरी बनाया गया। उसमें भी मजदूरों के दिल में विश्वास नहीं था कि वह जो रुपया दे रहे हैं वह उनको वापस मिलेगा या नहीं क्योंकि मजदूर कई चोटें खाये हुये थे, इस वजह से उनके दिल में भ्रम और परशंका और शुब्हा पैदा होता था कि उनको उनका रुपया मिलेगा या नहीं। बाद में उन्होंने देखा कि उनको इससे फायदा होता है और कम्पलसरी सेविंग हो जाता है। उनको बताया गया कि उनका रुपया देश के निर्माण में लगेगा। अब सेंट्रल गवर्नमेंट एम्पलाईज को गवर्नमेंट सेंट पर सेंट कंट्रीब्यूशन देती है और इस चीज को प्राइवेट सेक्टर में लागू किया जा रहा है। अब आप देखें कि आखिर यह ६ 1/4 परसेंट से आठ सही एक बटा तीन क्यों नहीं हो रहा है। क्या यह वाक्या है कि कंपेसिटी नहीं है। हमारे लेबर मिनिस्टर साहब काफी हमदर्दी से इस मसले को देखते हैं और उनका खयाल है कि होना चाहिये लेकिन होता क्यों नहीं। कहा जाता है कि हमारे पास कंपेसिटी टू पे नहीं है। इस वक्त देश का निर्माण हो रहा है और उसकी ६० परसेंट ठेकेदारी सरमायेदारों की है। तो वह कहते हैं कि हमें यह ठेकेदारी पूरी करना है, हम मजदूरों को कैसे देख सकते हैं। इसलिये मैं निवेदन करना चाहता हूँ कि आप इस चीज को देखें और एक कम्प्रीहेंसिव बिल लावें जिसमें इन तमाम चीजों को लाया जा सके ताकि प्राविडेंट फंड ऐक्ट काफी कारभामब हो सके और उसमें लोगों को काफी विश्वास पैदा हो सके।

[श्री स० म० बनर्जी]

इसके बाद मैं प्राविडेंट एडवाइजरी बोर्ड के बारे में कुछ कहना चाहता हूँ। मुझे यह सुन कर ताज्जुब हुआ कि बंगाल में जो बोर्ड बना है, उस में झाल इंडिया ट्रेड यूनियन कांग्रेस का एक नुमायंदा और इंडियन नेशनल ट्रेड यूनियन कांग्रेस के दो नुमायंदे लिये गये हैं। हमारे माननीय मंत्री जी का कहना है कि इंडियन नेशनल ट्रेड यूनियन कांग्रेस की मेम्बरशिप हिन्दुस्तान भर में सब से ज्यादा है। मैं कहता हूँ कि दुनिया भर में सब से ज्यादा है। लेकिन यह जरूरी है कि इन दोनों संस्थाओं को ईक्वल रिप्रेजेंटेशन दिया जाय। यह प्राविडेंट फंड का मामला है। इस में उन दोनों का सहयोग प्राप्त करना चाहिये और दोनों को ईक्वल रिप्रेजेंटेशन मिलना चाहिये। अभी मैं ने यहां पर इंडियन नेशनल ट्रेड यूनियन कांग्रेस के नुमायंदे का भाषण सुना। इधर से जो भी बात उठती है, तो फौरन रूस और चीन की याद आ जाती है। मैं जानना चाहता हूँ कि इस में रूस और चीन की बात क्या थी। मध्य-प्रदेश से, जिस को कि वह रिप्रेजेंट करते हैं, टेक्सटाइल इंडस्ट्री से शायद यह एतराज किया गया हो, लेकिन जहां तक इंडियन ट्रेड यूनियन कांग्रेस का सवाल है, उस ने अपने तमाम यूनियन्स को कहा है कि प्राविडेंट फंड का डीडक्शन होना चाहिये और इस प्रकार राष्ट्र के निर्माण में और सैंकड़ फ़ाइव बीघर प्लैन की सफलता के लिये मदद करनी चाहिये। उस ने यह कहा है कि यहां कम्पल-सरी सेविंग का सवाल नहीं है, *We are riding the Second Five-Year Plan—we are financing the Second Five-Year Plan.* हमारा दृष्टिकोण तो यह है कि तमाम भाइयों को मिस कर हिन्दुस्तान का नव-निर्माण करना है। ऐसे मौकों पर अगर यह कहा जाय कि लोग नहीं चाहते हैं और उन्होंने विरोध किया है, तो यह उचित नहीं है और यह बिल्कुल गलत है। इसलिये मैं यह निवेदन करना

चाहता हूँ कि एडवाइजरी बोर्ड में ईक्वल रिप्रेजेंटेशन होना चाहिये।

प्राविडेंट फंड का पैसा होता क्या है? श्री राम जी भाई ने कहा कि प्राविडेंट फंड का पैसा जिस तरह से जमा होना चाहिये, वैसे नहीं होता है, बल्कि वह एम्प्लायर्स के द्वारा प्लोईंग कैपिटल की हैसियत से इस्तेमाल किया जाता है। मुझे बताया गया है—मुझे मालूम नहीं कि इस में कहां तक सचाई है—बंगाल की एक ज्यूट मिल में एक साल रुपये का डीफ़ाल्केशन हुआ और प्रेम चन्द ज्यूट मिल के रुपये का कोई हिसाब नहीं है। जब इस प्रकार की भ्रष्टाचार होगी और इस प्रकार की घटनायें होंगी, तो मजदूरों को इस योजना पर कैसे विश्वास होगा? अगर सरमायादारों ने यह समझ रखा है कि यह रुपया देश के नव-निर्माण के लिये, देश के भविष्य के लिये, मजदूरों और उन के बाल-बच्चों के भविष्य के लिये एक सैंक्रिड फंड नहीं है और वे इस रुपये को अपनी योजना विकास के लिये और अपने उद्योगों के विकास के लिये लगाते हैं, तो मजदूरों को इस पर विश्वास कैसे होगा?

जहां तक पेमेंट का प्रश्न है, उस की व्यवस्था बिल्कुल असंतोषजनक है। फ़र्ज कीजिये कि मैं एक मजदूर हूँ और ५५ साल या ६० साल के बाद निकाल दिया जाता हूँ, तो इस देश में रिटायरमेंट बेंचिफ़िट्स इतने ज्यादा नहीं हैं कि उसके बाद मैं अपना गुजारा चला सकूँ। यहां पर सोशल सिक्योरिटी अभी ज्यादा नहीं है। हम समाजवाद की तरफ बढ़ रहे हैं—पच्चीस फ़ीसदी चले हैं और जब पचास फ़ीसदी पहुँच जायेंगे, तो शायद कुछ सुधार हो जाय, लेकिन इस समय हमारे देश में सोशल सिक्योरिटी ज्यादा नहीं है। प्राविडेंट फंड का पैसा ऐसा पैसा होता है कि एक व्यक्ति नौकरी के बाद कोई दुकान लगा कर अपने जीवन के आखिरी दिन किसी हासत में

गुजार सके। डिफेंस इंडस्ट्री और पब्लिक सेक्टर के विषय में मेरा तजुर्बा तो यह है कि कुछ केसिज में मजदूर भर गया, काफ़ी देर तक रियल नामिनी कौन है, इस का फ़ैसला न हो सका, प्राविडेंट फंड का रुपया बीबी को भी न मिला, और फिर चार साल के बाद वह रुपया दिया गया। हम चाहते हैं कि जब कोई प्रादमी निकाल दिया जाय, तो तीन महीने बाद, छः महीने बाद उस को रुपया दे दिया जाय, कम से कम उस के जीते जी तो उस को पैसा मिल जाय। लेकिन वह होता नहीं है। मैं निवेदन करना चाहता हूँ कि माननीय मंत्री जी इन बातों का विशेष रूप से ध्यान रखें। वह कह सकते हैं कि ये बातें इस बिल से सम्बन्धित नहीं हैं, लेकिन मैं कहूँगा कि ये बहुत जरूरी बातें हैं और इन की तरफ ध्यान दिया जाना चाहिये।

जहाँ तक कांट्रीब्यूशन का सवाल है, मैं कहूँगा कि वह आप को बढ़ाना है। अगर सरमायादारों की बातों में आ कर आप कहें कि यह नहीं हो सकता है और वह सवा छः परसेंट ही रहेगा, क्योंकि उन की कैपेसिटी टु पे नहीं है, तो मैं यह निवेदन करूँगा कि यह ज़ेरस चीज है। अगर हम यह न देख सकें कि उन की तिजोरी में कितना पैसा है, वे कितना खर्च कर रहे हैं, कितनी उन की आमदनी है, उन के पूरे बजट को अगर हम न देख सकें, तो वे लोग कैपेसिटी टु पे के आधार पर अपना कांट्रीब्यूशन न देना चाहें, यह गलत बात है।

जहाँ तक एग्जेंप्शन का सवाल है, हम देखते हैं कि नई नई इंडस्ट्रीज बन रही हैं और ये सरकार से लोन ले रही हैं। लेकिन जहाँ पर मजदूरों की नफ़री-वेजिज—का सवाल आता है, वहाँ उन के साथ इन्साफ नहीं किया जाता है। माननीय मंत्री जी यह देखें कि प्राविडेंट फंड के एग्जेंप्शन का विस्मृज न हो और अगर होगा, तो

इसी आधार पर मजदूर भाई कहेंगे कि इस का एक्सटेंशन होना चाहिये। इस बारे में एक दूसरा बिल ग्राज नहीं, तो कल आप को लाना पड़ेगा। उस समय इस सम्बन्ध में एग्जहास्टव डिस्कशन हो सकेगा। इस वक्त कुछ करोड़ रुपये मिलते हैं। अगर आप ज्यादा लेना चाहते हैं, तो आप को परसेंटेज—एम्प्लायर्स का कांट्रीब्यूशन—बढ़ाना होगा। इस में जितने ज्यादा मेम्बर बनेंगे, देश के निर्माण के लिये उतना ही ज्यादा रुपया मिल सकेगा। हमारे यहाँ लगभग एक करोड़ आरगनाइज्ड लेबरर हैं। अगर उन में से अस्सी लाख भी हम प्राविडेंट फंड की योजना में ला सकें, तो हम को काफ़ी पैसा मिलेगा। मुझे आशा है कि माननीय मंत्री जी जवाब देते हुये इस तरफ़ जरूर ध्यान देंगे। मैं अक्सर घबराता हूँ, क्योंकि इधर से जहाँ कोई खड़ा होता है कि रेड रंग टु दि बुल का ब्याल आ जाता है। मैं समझता हूँ कि वह इस बारे में भी कुछ रोजनी डालें, ताकि हम को पता चले कि इस तरफ़ उन का रवैया क्या है। वह बार बार अमेंडमेंट्स लाते हैं। अगर तफ़्तील के साथ एक काम्प्रि-हेंसिव बिल लाया जाए, तो मैं समझता हूँ कि वह हमारे लिये बहुत अच्छा होगा।

Shri A. C. Guha: Mr. Deputy-Speaker, this is a very small Bill and the provisions of the Bill mean some improvement in the present position. It was not quite fair that the Government industrial establishments should have been treated with some particular favour or some special privilege. They should be brought in line with the other industrial units.

As far as this Bill goes, I do not think any hon. Member in this House is opposed to the provisions.

But I would like to draw the attention of the hon. Minister to certain aspects as regards the working of this Act. Under this Act huge amounts are collected. I find from the report that the collection has been going up. The

[Shri A. C. Guha]

collection as on 31st December, 1957, that is, for nine months, was Rs. 36.13 crores and in the previous year 1956-57 the collection was Rs. 26 crores. So, it is expected that in 1957-58 the collection would be near about Rs. 48 crores or something like that. But, as yet, all industrial units are not covered; all factories are not covered by this Act. I find that only 13 lakhs employees are covered under this scheme. Some hon. Members have mentioned that there are about one crore of industrial labour in this country. But on 31st December, 1957 this Act covers only 13,36,000 and odd workers. So, I think there is enough scope yet to extend the provisions of this Bill to cover a wider number of workers and greater number of industrial units and establishments. I hope the hon. Minister will look into this aspect and try to see whether the scope of the operation of this Act can be extended.

Of course, he can say that since 1952, when this Act was enacted, its scope has been extended rather rapidly. From six categories of establishments, which it covered, now it covers about 30 to 32 categories of industrial units. All the same, it still leaves a wide range of workers and factories yet to be covered by this Act.

Then I would like to refer to certain other aspects that are mentioned in this report. I find that during the year 1956-57, 174 prosecutions were sanctioned against some defaulting units or factories, out of which 158 prosecutions were actually instituted. In sixteen cases some agreement might have been arrived at with the Government; I do not know. Nothing has been mentioned about them. The total amount involved was Rs. 56,47,515, as provident fund contributions, which have not been paid by these industrial units; and out of this Government have been able to collect from these defaulting companies, only Rs. 17,11,006. So, nearly about Rs. 40 lakhs are yet to be secured from these defaulting facto-

ries and units. That is something rather alarming and I think the Government should take necessary steps so that no factory or no industrial unit can escape paying the due amount to this Fund.

I find also from this report that inspection was not satisfactory due mainly to the shortage of inspectors and, I think, due to the defect in inspection so many defaulting cases could have occurred. So, the Government should take steps to improve the inspecting system so that no factory or no industrial establishment may be allowed to postpone the payment of the amount till the next quarter. I think it should be on the basis of each quarter. The collections of one quarter should be paid within the next quarter. Anyhow, this thing should be improved so that huge amounts may not remain unpaid by these factories.

I also find that there has been some demand for decentralisation of the Fund. I do not exactly know as to what the different State Governments mean by decentralisation. If they mean that the Fund should be handed over to each State, I do not think that would be a step in the right direction. Rather, I consider that such a step should not be encouraged. At the same time, there is one point to which I think the Government should pay some attention.

Previously, State Government loans were also subscribed from this Provident Fund. I think for the last two or three years that has been stopped and only the Central Government loans can be subscribed to by this Fund. I do not know why this discrimination has been made against the State Governments. The loan raised by the State Government will also go for the implementation of the Plan and it is becoming more and more difficult for the State Governments to raise any loan. Their sources are being dried up. Insurance companies have all now been

nationalised and generally the tendency of the Life Insurance Corporation is to invest only in the Central Government loans. Provident Fund has also been blocked for these State loans. I do not think that there is any logic behind this. The State loan is almost as good as the Central loan and it is not expected or apprehended that any State Government will fail to redeem its loans. In that case, the Central Government will have to share the responsibility. So, this question may be considered and from this Fund State loans may also be subscribed to. A proper share of this Fund may go to the State Governments when they intend to raise any loan.

It has been mentioned by the hon. Minister and by other hon. colleagues also that this Fund is utilised for implementation of the Plan. In the resources of the Plan this and similar other funds have been taken into account and, I think, the total amount taken into account not only from the Provident Fund but also from other funds is about Rs. 250 crores.

There is also a scheme for the Government officers to subscribe to Provident Fund. There the contribution is their own and there is no contribution from the Government. It is quite optional. I think the Government may also do something to make it compulsory and to fix the contribution of the Government officers on a graded scale according to the scale of pay. The higher pay they get, the more should be their contribution. It should be on a graded slab basis and should be made compulsory and not optional as it is now, so that the Government can mop up a portion of the salaries paid to these highly-paid officials. This would help in implementing the Plan and will also be a source of check on inflation. I think that suggestion may also be considered.

With these remarks I support this Bill but I hope that the defaulting cases would be looked into properly.

No factory or industrial unit should be allowed to default in the payment of the dues and there should not be any arrears. I also find that the rendering of requisite statements, has not been done by some of these factories and industrial establishments. In all such matters Government should be rather strict and should enforce the provisions of the Act strictly, with a view to pull them up and persuade them to pay all arrears. I hope the scope of the Bill will be extend further to cover a wider range of industries and a greater number of workers.

Shri Shree Narayan Das (Darbhanga): Mr. Deputy-Speaker, Sir, the scope of the Bill is very limited but the provision that is going to be introduced is of vital importance. There was no justification to make any discrimination between the Government establishments or establishments of local bodies and the establishments in the private sector. The introduction of this Bill will eliminate the apparent discrimination that was being made between the employees of the Government establishments and employees in the private sector although I know that in most of the Government establishments there is provision for provident fund. I cannot say whether the facilities that are being given under this Provident Fund Act and the facilities being given in the Government establishments are at par or not, but this is certain that in most of the Government establishments, there is provision for provident fund. Even then, this disparity, I think, did not look well. This discrimination between establishments in the private sector and the public or local bodies sector was not proper.

Although some measures are going to be adopted by the Government to secure social security in the country, the provisions that are existing are not adequate. Even the scope of this Act is quite limited. I have got the 1956 Report before me, but as has been pointed out by so many hon. Members a large number of employees

[Shri Shree Narayan Das]

even in the factories as defined at present do not come within the purview of the Act. As the name suggests, I think, efforts should be made so that the employees wherever working, whether in an establishment where the number of workers is less than 50, are brought within the scope of the Bill. I do not know and I will crave your indulgence to point out one thing which is my main point—I cannot say that it has not come quite within the purview of this Act—that a large number of workers or employees, though they do not come within the definition of factories, living in rural areas are also employees. So far, although we are not satisfied, some of these security measures have been taken and factory workers or workers in some of the manufacturing establishments are getting the benefits, but so long nothing has been done for a very large number of employees who work in the agricultural sector. I do not know when that time will come, but I think the Government of India should make some investigations because now even in rural areas panchayats have been established. There is some organised body which will take care to see that the employees in the agricultural sector, especially in the larger firms, also get the benefit of this provident fund scheme and other social security measures. In a country like India, as has been pointed out every now and then, although the factories are important, the number of people working in the factories is very limited, having in view the large population of the country. The hon. Minister quoted that it was about 1 crore or something like that. I cannot say what the exact number is. That number is quite insignificant compared with the large number of employees working in the agricultural sector. Some of them are working in large farms and some of them are working with small farmers. We require some savings also. I think the time has come when, as has been pointed

out by many Members, some social security should also be given to the agricultural employees. I think efforts should be made or some committee should be set up to see whether a beginning can be made in that sector or not. As I have pointed out, during the Second Five Year Plan period, practically all the villages will be covered by panchayats. Panchayats are organised bodies and practically Government bodies so to say and if certain provisions are made to give social security to agricultural workers, they will see that they are enforced. It is a good thing that we are going to extend the provisions of the Act to Government establishments and establishments under local authorities. I would like to take this opportunity to suggest to the hon. Minister that some enquiry should be made and some investigation should be made to see whether it would be possible to extend the provisions of this Act to any section of the agricultural employees. I think in certain selected areas, in certain farms where the number of people working in the agricultural sector is large, this can be easily made applicable.

The Bill is quite good. Every hon. Member has welcomed it. But, the fact is that the scope of the Bill, as has been pointed out by my friends, is quite limited just at present. Every employee working in any establishment in the country, should be brought within the purview of the Act. Besides that, I would suggest some efforts should be made to see whether the application of such a measure will be possible in the near future to the agricultural workers whose number is vast. This welfare state must see that the very large number of workers who work in the agricultural fields also get the benefit of social security measures that this Government is going to take with regard to industrial labourers.

With these words, I support this measure. I think this is a very helpful measure.

Shri P. C. Borooah (Sibsagar): Mr. Deputy-Speaker, Sir, I rise to support this Bill. I thank the hon. Minister of Labour for bringing in such an amendment. I also congratulate him for his luck in winning support for the Bill from all corners of this House. I do not want to speak much except to make a few observations which I shall try to make as concisely as possible, as almost everything has been said by the hon. Members who preceded me.

Firstly, Sir, this Act should be extended to all sections and to all establishments whether under the public or under the private sector, or owned by the Government or by local authorities. As at present, it is confined to only 20 industries under the private sector. Of course, the new amendment proposes to extend it to establishments owned by the Government and local authorities. May I suggest that the Act be extended to all establishments under the Government, the local authorities and the private and the public sectors?

The second observation that I have to make is for a very large number of workers who actually draw only Rs. 50/- and less a month. It is very difficult for them to participate in the Provident Fund by paying Rs. 3/- or so as their part of the contribution to the provident fund. I suggest that at least in the case of workers getting Rs. 45/- and less, their part of the contribution be borne partly by the Government and partly by the employer in addition to the part of the contribution the employer is to render. Here I want to include the question of primary teachers also whose emoluments are ridiculously low. In their case, I think it will be in the fitness of things if their part of the contribution is paid by the Government and the employer.

My next point is about transfer of accounts. As at present, a worker, to get the full benefit of his provident fund, has to put in continuous service for 20 years to his employer. If he puts in 15 years' service, he gets

75 per cent of the part of the employer's contribution; if it is 10 years, he gets 60 per cent and if it is 5 years, he gets 50 per cent of the part of the employer's contribution. In such circumstances, if the worker finds better prospect elsewhere, it becomes difficult for him to change his job because of his losing to get the full benefit of the provident fund. I suggest that the provident fund account should be made transferable. Wherever he may be, his account should be made transferable to the establishment he is attached so that the continuity of his service is not broken and he can get the full benefit of his provident fund deposit.

Fourthly, Sir, the terms of withdrawal should be made a bit liberal. Of course, there already exist arrangement for taking of loan from the Provident funds for paying premium on life insurance policy. I suggest that the terms should be liberalised so that the employees can meet their strict legitimate social and economic demands other than Insurance Premiums. Lastly, Sir, in cases where a worker dies before his retirement or full length of his service, the settlement of claim should be made as speedily as possible, so that the bereaved family is not subjected to suffer or face starvation for delay in getting back the Provident Fund of the deceased employee.

These are the few observations that I wanted to make and I hope the hon. Deputy Minister will consider them. With these words. I end once again supporting the amended Bill.

Shri Abid Ali: Sir, I never expected that discussion will take so long on this simple and very useful piece of amendment. Perhaps, the hon. Member who spoke the longest wanted to justify the decision of the Business Advisory Committee which decided to allocate two hours for this discussion.

Shri Narayanankutty Menon (Mukandapuram): It is quite inadequate.

Shri Abid Ali: Most of the remarks made by my hon. friends opposite had nothing to do with the Bill under discussion or the main Act itself. It is true, as was said by my hon. friend from Indore, that friends opposite were very much persistent and an organised whispering campaign was going on all over the country, more so in Bombay when this Ordinance was brought and the Provident fund scheme was to be introduced. Propaganda went on to say that the amount which will be collected from the workers will never come back to them and that this was a dodge being played by the Government. It is no use denying things which have actually happened. Is it not a fact that there are some people in this country who do not want that workers should become happy? Why should there be objection if we bring in this amendment and want to benefit a larger number of workers by bringing them under this scheme?

15 hrs.

Shri S. M. Banerjee: You have misunderstood. Nobody objected.

Shri Abid Ali: I do not interrupt when others speak.

Hon. Members were talking of a comprehensive Bill. I do not know what they were talking about. We do not intend to bring forward any comprehensive Bill. There is nothing of that kind to be done.

My hon. friend from Bombay said that this is piece-meal. Certainly whenever an amendment is thought of and it becomes necessary, it is introduced. That is the function of Parliament. Otherwise, if all the Acts are finally passed, and everything is done finally, it will not be necessary to hold so many sessions of Parliament. Only the Budget session will be enough.

Mr. Deputy-Speaker: There should not be this interruption.

Shri Abid Ali: Particularly when I was scrupulously silent.

What I was submitting is that there are some hon. Members who do not want it. They want that the workers should remain in difficulty. The suggestion for giving loans liberally is bad, because then the whole purpose of this Act is vitiated. The intention of this Act is vitiated. The intention retirement should get some amount, or in case of their death, their families should get some amount. If we allow giving loans liberally, then on retirement there will be nothing to be paid. The whole amount will be written off against the debt. So, that is not the intention, let it be made clear. Of course, so far as housing is concerned, there is provision. If the worker wants to draw the amount to his credit to invest in land, or in housing, that should be given. About that, provision has already been made.

About insurance, my good sister from Bengal has made a suggestion, but we have already very recently amended the Payment of Wages Act by which a worker can authorise his employer to deduct the premium from the amount of wages and pay the insurance premium.

It was said no benefit has been derived by the workers by this scheme. It is true that previously also some of the workers had provident fund schemes in certain industries, but it should be kept in mind that according to the schemes then prevalent, only the basic wage was taken into consideration for the purpose of calculating the contribution to the provident fund. Now we have included dearness allowance and other concessions, and the total wage of the worker is taken into consideration for calculating the contribution to the provident fund by the employer and also by the worker. So, there is a big difference in that. So, the attempt that has been made to show that no benefit has been derived by the workers by introducing the scheme is very much surprising. Of course, hon. Members have their own intentions.

About transport workers, much has been said, but I do not know why the hon. Members do not care to read the scheme and the Act. It is such a small thing. Transport workers are coverable.

Shri Tangamani: I beg your pardon.

Shri Abid Ali: Transport workers are coverable by the present Act and the scheme.

I submit that the hon. Member should not interrupt. He should now listen.

Mr. Deputy-Speaker: The hon. Member should not interrupt.

Shri Tangamani: If a mis-statement is made?

Mr. Deputy-Speaker: There might be difference of opinion over interpretation.

Shri Tangamani: It is not a difference of opinion over interpretation. Transport workers are not there in the scheme. Are the drivers and conductors getting benefit under this Act? I would like to have a straight answer to that question.

Mr. Deputy-Speaker: Order, order. He has said they are covered.

Shri Abid Ali: I say transport workers are coverable by the present Act and scheme. I make a categorical statement, and if there is any difficulty, I am here, and the hon. Member also will be here for some years. They are coverable, and it is not necessary to amend the scheme or the Act to cover transport workers.

Then, about decentralisation, this is a funny position. If there is centralisation, they say it should not be Centralised. If something is handed over to the States, they say it should be centralised. Whatever is existing is bad from the point of view of the hon. Members. Of course, they are at liberty to have their own point of view, but it should be remembered that in the Central Board, all the trade union organisations, and parti-

cularly the one represented by the hon. Member here, are represented, and up to this time practically all the decisions reached in the Board are unanimous. So, deciding things unanimously and coming here and complaining is not fair, to put it mildly.

About expenses, we collect about Rs. 40 lakhs on account of administrative expenses from the employers, but not a pie from the workers. Out of Rs. 40 lakhs collected yearly, about Rs. 20 lakhs are spent, and the other Rs. 20 lakhs naturally go to the fund. I do not know why there should be a complaint about this. If something is collected from the employers and the balance of that is credited to the account of the fund, hon. Members opposite should be happy about it.

Shri S. M. Banerjee: Nobody complained about it.

Shri Abid Ali: My hon. friend from Indore and other friends, as also Shri Guha, have made references to mismanagement. It should be remembered that Rs. 104 crores have been collected. There are 29 lakhs of members. Maybe, in Pachura or somewhere here and there—there may be some mismanagement. Consider how much has been collected, and how much has remained uncollected. Only a very small percentage has remained uncollected. It is good that nobody should commit theft. Everybody wants that nobody should commit theft, but still there is theft. People do commit theft. Then action should be taken. An attempt should be made to see that the least possible number of persons commit theft. But our difficulty in these matters is that generally an employer defaults when he is in difficulty. Ordinarily they do not default. When the factory is working, there is no default. When the factory is in difficulty, there is default. When the employer is in difficulty, the amount is not paid. There again, we have to see that if we take stringent action, it may result in the closing down of the factory, resulting in the unemployment

[Shri Abid Ali]

of the workers. We do consult the workers and ask them: "What do you want? Do you want us to be strict and take action by which the factory may be closed, or do you want that we should give facility to the employer to pay the amount in instalments and also keep the establishment working?"

My good friend Shri Guha has mentioned that the number of prosecutions sanctioned was actually five. In between the sanction and the closing of the year, those prosecutions might not have been filed, and the following year action might have been taken. I am not able to say exactly, but that may be the possibility.

What I was submitting is that it is just natural that in this vast country, when such a large number of workers are covered, here and there these defalcations may occur, but we are very much alert. Our inspectors are there to take action. There may be one or two of them also sometimes who may not be doing their job satisfactorily. That also is taken notice of and action is taken.

About payment, we are ourselves very much anxious that the amount due to the worker, or his family in case of his death, should be paid with the least possible delay. Generally provident fund amounts reach the workers or their families within a month; in some cases in a week or a fortnight, but mostly within a month. Still, we should endeavour to see that the amount reaches them still earlier, but the difficulty comes when a worker dies and his heir has not been mentioned. But it should be up to the trade union organisations also to see that they educate the workers in this respect.

About this Act being complicated, certainly Acts are always complicated. Workers will not be able to understand it. It is not that the Act should be translated. Trade unions also should do something, they should print the important provisions in

simple language, in the language that the workers understand.

A suggestion has been made, and it was also considered before. There are representatives of the workers, as I said, in the Central as well as the State Boards. They can take up this question very well, and we shall convey this suggestion to the Board, but in the meantime, the unions also can immediately make available to the workers in a simple language, in their language, all that it is necessary for them to know.

So far as depositing of the amount within a shorter period, as suggested by my hon. friend from Indore, is concerned, most of the amounts to be deposited by the employers in the bank is deposited within a fortnight, and when I say 'most of the amount', I mean a substantial amount; as I said, maybe, 99 per cent of the amount is deposited within a fortnight.

About badli workers, this difficulty has always been there. The limit of 240 days is there, because there will have to be some limit in order to cover the workers by the scheme. Still, we shall consider what action can be taken and in what form, so that this mischief can be stopped.

So far as delay in payment to workers in the Defence establishments is concerned, I did not object to the hon. Member's raising it here, because I do not like objecting, but I must submit that that scheme is not covered by this Act. That is quite a separate thing. Whether it be this scheme or any other scheme, nothing should be delayed. That is the intention. And we are earnestly endeavouring to see that nowhere does any delay take place. But still delays do take place.

I was mentioning the other day about the membership figure of the AITUC as on 31st March, 1957. Even today, a complaint was made that AITUC has not been given represen-

tation and so on. Therefore, I am mentioning this, that the list of trade union organisations affiliated to the AITUC as on 31st March, 1957 has not reached us, even though thirteen months have elapsed. So, delays are everywhere.

Shri Tangamani: How does it arise out of this? Even if it had not been submitted, that is not material here.

Shri Abid Ali: So, there is no use saying that only in Government delays do take place.

Regarding housing, I have already referred to it. As for the suggestion made by my hon. friend from Bengal, that some part of the amount should go to the State Governments, that is a general question. This question has to be considered from the overall point of view of finances and the amount distributed according to the planning that has been done and so on. The discussion on this Bill cannot cover that point, and certainly not by me. But even formerly, when we had no provident fund scheme. Centrally each establishment used to have its own provident fund scheme, most of the amounts collected had to be in Central Government securities.

Shri A. C. Guha: A portion was allowed to be invested in State Government securities.

Shri Abid Ali: That is true. But I would submit that States do receive their contribution through other processes. So, it is not that they do not receive anything. The intention particularly of this scheme is that the amount should be utilised for housing for the industrial workers. And the amount goes to the State Governments. Wherever housing is needed for the workers, and wherever it is possible to construct houses, the amount is given to the State Governments, and they utilise it according to their plans.

A suggestion has been made to include agricultural workers also under

this scheme. But this particular scheme covers only workers in the factories, in the mines, in plantations, in transport etc. So far as agricultural workers are concerned, that is a very big question. Perhaps, it may be possible to have a sort of co-operative working there, and when the principle or "जो खेय वह खाय" will be prevalent, then the question of provident fund for them will not arise.

About transfers, perhaps, the hon. Member would agree with me that even now, if a worker in a particular industry, say, textile industry in Bombay or jute in Bengal or mines in Jharia or Raniganj, leaves one establishment and goes to another, his account continues. By his leaving the establishment, his account is not stopped. When he gets himself re-employed in another place, his contributions are collected, and it does not become necessary for him to be on the waiting list.

Shri Tangamani: What happens when he is transferred to another unit belonging to the same employer, but which is not covered by this scheme? That was the point that I raised.

Shri Abid Ali: It does not matter. Even if the establishment belongs to another employer, I submit that he is entitled to be continued as a member.

Shri Naushir Bharucha: If that establishment is not covered?

Shri Abid Ali: Then, it is another thing. If an employee who is a member of the fund is transferred to another establishment which is not covered by the Act, then, whatever is provided in the scheme for such contingencies will follow. But, ordinarily, when an employee is transferred from one establishment to another even if it belongs to an employer under whom he was not working formerly, there is no difficulty.

About the monthly salary, perhaps, the hon. Member knows that it is

[Shri Abid Ali]

Rs. 500 p.m. and not Rs. 300 p.m. A person getting Rs. 500 total emoluments a month is entitled to join the scheme.

As regards the other suggestions made by my hon. friend from Madhya Pradesh and others, I assure them all that all those suggestions will receive earnest and deserving consideration.

Shri P. C. Borooah: About the suggestion that the contribution payable by the very lowly paid employees is to be paid partly by the Government and partly by the employers, in addition to the employers' part of the contribution what is the reaction of the Hon'ble Deputy Minister?

श्री आबिद अली: गवर्नमेंट कंट्रीब्यूट करे यह और मुमकिन है। अलबत्ता कुछ वर्कर्स दें और ज्यादा एम्पलायर्स दें और वह अच्छी बात है क्योंकि जो पैसा इस तरह से जमा होगा वह सब वर्कर्स को ही मिलेगा।

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Employees' Provident Funds Act, 1952, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: Since there are no amendments, I shall put all the clauses etc. to vote together.

The question is:

"That clauses 1 to 3, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 1 to 3 the enacting Formula and the Title were added to the Bill.

Shri Abid Ali: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

TRADE AND MERCHANDISE MARKS BILL

The Minister of Commerce (Shri Kanungo): I beg to move:

"That the Bill to provide for the registration and better protection of trade marks and for the prevention of the use of fraudulent marks on merchandise be referred to a Joint Committee of the Houses consisting of 45 Members, 30 Members from this House, namely Shri C. R. Pattabhi Raman, Shri Radhelal Vyas, Pandit Dwarika Nath Tiwary, Shri Kailash Pati Sinha, Shri C. Bali Reddy, Shri Nibaran Chandra Laskar, Shri Tayappa Hari Sonavane, Shri Akbarbhai Chavda, Shri Shiva Datt Upadhyaya, Shri K. P. Kutikrishnan Nair, Shri Ram Krishan, Shri Jaswantraaj Mehta, Shri Bishwa Nath Roy, Shri Raghubar Dayal Misra, Shri Sunder Lal, Dr. Sushila Nayar, Shri Muthukrishnan, Shri K. S. Ramaswamy, Shri Jitendra Nath Lahiri, Shri M. K. Shivananjappa, Shri Chintaman Panigrahi, Chaudhary Pratap Singh Daulta, Shri J. M. Mohamed Imam, Shri Laisram Achaw Singh, Shri Balasaheb Patil, Shri Ram Chandra Majhi, Shri Badakumar Pratap Ganga Deb Bamra, Shri Motisinh Bahadursinh Thakore, Shri Nityanand Kanungo and Shri Lal Bahadur Shastri, and 15 Members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of Members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects, the Rules of procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Committee and communicate to this House the names of Members to be appointed by Rajya Sabha to the Joint Committee."

As hon. Members are no doubt aware, the present Trade Marks Act, 1940, is the first legislation in India for registration of trade marks. Based on the recognition of the common law right of prior user, the Act had also introduced some of the new concepts of trade marks law, such as 'defensive registration', 'registered user' and 'assignment of trade mark without goodwill' which had been introduced for the first time in the U.K. Trade Marks Act, 1938. The Act of 1940, has been amended by the Amending Acts of 1941, 1943 and 1946. By the Amending Act of 1943, the Trade Marks Registry was separated from the Patent Office and was transferred to Bombay from Calcutta, while by the Amending Act of 1946 certain provisions were introduced for reciprocal arrangements with the then Indian States, which however, were since repealed by Part B States (Laws) Act, 1951.

With the rapid growth and development of commerce and industry during the last decade, there has been a persistent demand from the commercial public for a revision of the laws dealing with trade marks and trade descriptions. It was represented to Government that the sale of articles bearing false trade descriptions and spurious labels had increased considerably in recent times, particularly in respect of drugs and articles of food, and that effective steps should be taken to prevent such fraudulent trade practices. Accordingly, in November 1953, the Government of India appointed a Committee, known as the Trade Marks Inquiry Committee to consider and report what changes, if any, were necessary in the existing Trade Marks Act, 1940, the Merchandise Marks Act, 1889, and the provisions relating

to trade marks in the Indian Penal Code.

15.23 hrs.

[SHRI C. R. PATTABHI RAMAN in the Chair]

The Committee submitted their report to the Government in April, 1954. The majority and minority reports made exactly opposite recommendations in respect of all the main matters dealt with by the Committee. This was unfortunate, and in view of the sharp divergence of opinion among the members of the Committee, the Government of India decided that the Report of the Committee, together with the entire material considered by them, should be further examined by a high judicial authority. Accordingly, by a resolution dated 22nd January, 1955, Shri Justice N. Rajagopala Ayyangar of the Madras High Court was requested by Government to go into the matter and make his recommendations on the changes necessary in the present laws bearing on trade marks. After a careful examination of the entire material and of Mr. Justice Dean Committee Report on Trade Marks Law Revision in Australia, Shri Justice N. Rajagopala Ayyangar submitted to Government in October 1955, a very valuable and comprehensive report on 'Trade Marks Law Revision'.

The Judge did not agree with the views expressed in the majority report, on the three main recommendations of the Committee, namely, (1) the necessity for a Special Tribunal, (2) the extension of defensive registration to trade marks consisting of other than invented words and (3) making cognisable all offences relating to trade marks in the Penal Code. It was in regard to these three matters that the third member of the Committee had expressed his dissent from the recommendations of the majority. The reasons for rejecting the proposals made in the majority report of the Committee on the above three matters are carefully consider-

[Shri Kanungo]

ed by the Judge in paragraphs 15—38 of his Report. The Judge also very carefully examined the several sections of the Trade Marks Act, 1940, as well as the Indian Merchandise Marks Act, 1889, and the relevant sections of the Indian Penal Code, and also independently considered the problems arising in the working of these Acts. His recommendations both as to substantial provisions and as to drafting changes have generally been accepted by Government.

I would like to take this opportunity, on behalf of Government, of paying tribute to Shri Justice Rajagopala Ayyangar for the very able manner in which he has discharged his heavy and difficult task and to express thanks to the Government of Madras and the Chief Justice of the Madras High Court for agreeing to the Government of India being enabled to avail themselves of the services of the learned Judge for this purpose.

With a view to ascertain the views of the commercial community, a 'List of Amendments to the Trade Marks Act, 1940' based on the Judge's Report, together with an explanatory statement, was thereafter circulated for opinion to the chambers of commerce and trade associations, State Governments, High Courts and Bar and Advocate Associations in December 1956. After an examination of the opinions thus received and the Report of the Trade Marks Enquiry Committee and of Shri Justice Rajagopala Ayyangar, a draft amending Bill was prepared. This draft amending Bill sought to implement generally the recommendations of Shri Justice Rajagopala Ayyangar but introduced certain important changes, which in the light of the opinions received from commercial bodies and having regard to modern requirements, Government deemed necessary.

For instance, in view of the objections by a section of the commercial

community to the originally proposed requirement as to user for two years for the purpose of registration in Part B register, assignment of trade mark without goodwill and registration as to registered user, the above proposed condition as to use was in each case deleted in the draft Bill. Another important change was the substitution in place of the existing sub-section (8) of section 10 of a new and more elegant provision based on section 34(2) of the Australian Trade Marks Act, 1955, enabling the Registrar to defer consideration of a later numbered application for registration until the earlier numbered application was disposed of. Again, the provisions relating to 'old marks', (that is, marks used before the 26th February 1937), 'division of application', and exclusion of Part B marks from defensive registration, were all deleted.

On further consideration, it was felt that, having regard to the large number of amendments to the Trade Marks Act which were being proposed under the Bill, it might be advantageous to re-enact the Trade Marks Act as a comprehensive law on the subject of Trade and Merchandise Marks, by combining the existing provisions with the proposed amendments in the Trade Marks Act, 1940, the Indian Merchandise Marks Act, 1889, and the relevant provisions in the Indian Penal Code. This Bill, which is now before the House, thus combines the existing laws, civil and criminal, on the subject of trade and merchandise marks and incorporates the proposed amendments.

Sir, that is the history of this measure. I should like to say a few words on the measure itself. Hon. Members will notice that as stated in the preamble, the Bill seeks to combine both the civil and penal laws for trade marks. The penal law relating to trade marks and trade descriptions is contained in Chapter X, while the other Chapters of the Bill deal with the civil law relating to registration and protection of trade marks.

An important feature of the present Bill is the introduction of Part B of the register which was recommended by both the Trade Marks Enquiry Committee and the Judge. The Register of Trade Marks is to be divided into two parts, called Part A and Part B. The existing register is to be incorporated with and to form part of Part A of the register and trade marks which are distinctive, that is to say, 'adapted to distinguish', may be entered in this register. Trade marks which, although not distinctive, are nevertheless, 'capable of distinguishing', will not be refused registration hereafter, but may, if the applicants so desire, be entered in Part B of the register. It may be mentioned that the question of introducing Part B register was considered at the time of enacting the first Trade Marks Act of 1940, but it was not deemed desirable at that time.

It is to be remembered in this connection that even in the UK, the B register was introduced for the first time only in 1919, that is to say, 44 years after the first Trade Marks Act of 1875, that the intended purpose of the B register, namely, to get on the register all common law trade marks had not been fulfilled, as several common law marks are still not registrable even in the B register by reason of their not being 'capable of distinguishing', and that the difference between the expressions 'adapted to distinguish' used in relation to B register marks have not been clearly explained by the English Courts. In the circumstances, it was thought that it would be desirable to postpone the introduction of the B register in India till the commercial communities had acquired some knowledge of the actual working of the Trade Marks statute, which was then being introduced for the first time in this country. I would invite the attention of those hon. Members who may be further interested in the history of B register to Dr. Venkateswaran's book on the Law of Trade & Merchandise Marks Act in India where the matter is discussed in detail. Nevertheless, it would seem that the B register in the

United Kingdom has served a useful purpose in her export trade. It has now been represented by Indian commercial communities that, with the expanding exports of our manufactured goods since 1947, the protection of India trade marks in foreign countries has become of much importance and urgency to the trade. There are many good common law trade marks, which are not now registrable, as they fail to satisfy the rigorous test of distinctiveness laid down under the existing Act. These Indian marks, even though they may satisfy the requirements of the relevant statutes in certain foreign countries, cannot now obtain registration in those countries, for the mere reason that the certificate of home registration, which is a condition precedent to obtaining the foreign registration, is not available to the owners of these marks. As far as India is concerned, non-registration of these trade marks does not deprive their owners entirely of protection as their rights to passing off action under the common law remain unaffected. But the owners of these marks are put to difficulty in those foreign countries, where common law rights of user are not recognised, and trade marks rights have of necessity to be acquired only by registration. There is also the danger of an Indian mark being misappropriated by registration by another person in these foreign countries and the Indian owner being blackmailed and prevented from lawfully using his trade mark in those countries.

It is accordingly now proposed that, even though a trade mark does not satisfy the stringent test of registrability required under section 6 of the existing Act, it may, nevertheless, be put on Part B of the register. It is clear that the deposit system of registration cannot be adopted for the B register and that certain limits of registrability have necessarily to be laid down for registration so that marks which are laudatory or purely descriptive or which consist of the names of well-known cities or generic terms may be excluded. It is accordingly provided that in order to entitle a trade mark for Part B registration,

[Shri Kanungo]

the mark must be capable of distinguishing even though it is not adapted to distinguish. As the test of registrability in Part B register is thus less stringent than for Part A register, it is proposed that the rights conferred by registration Part B register should be of a lower order than those conferred by registration in Part A of the register. So, in an action for infringement of a trade mark registered in Part B of the register the plaintiff will not be granted any relief if the defendant proves that the use of the mark complained of is not likely to deceive or cause confusion [Clause 29(2)].

Again, clause 32 which provides that the registration is to be conclusive as to validity after seven years does not apply to B register marks. Sub-clause (6) of clause 9 provides that the same trade mark may be registered in Part A as well as in Part B register in the name of the same proprietor. I may mention there that the United Kingdom Act of 1919, which introduced for the first time Part B register, required that in order to be registrable in Part B register a mark must have been used bona fide for not less than two years in the United Kingdom in connection with the goods of the proprietor of the mark (section 2 of the United Kingdom Act of 1919), but this condition as to user was removed in the United Kingdom Trade Marks Act of 1938 (section 10 of the U.K. Act of 1938).

In view of the fact that the B register is sought to be introduced for the first time in India, a similar condition as to user for registration in Part B of the register was originally proposed but, as already stated, in deference to the objection to this provision raised by commercial bodies the requirement as to user has been deleted in this Bill. The provisions in the Bill as to registration in Part B of the register now follow the corresponding provisions in the present United Kingdom Trade Marks Act, 1938.

Another important new provision deals with the amalgamation of the

Trade Marks Registry and the Patent Office. Both the Trade Marks Enquiry Committee and Shri Justice Rajagopala Ayyangar have recommended the amalgamation of these two offices for reasons of efficiency and economy. Expert opinion is also in favour of amalgamation of the two offices. Again in the U.K., Australia, U.S.A., Germany, France, Sweden, Switzerland and most of the other foreign countries the administration of the laws relating to patents and designs and trade marks is vested in a single head. The administration of the two departments by a single head will also remove the possibility of conflicting expert advice being given to Government in respect of international matters relating to industrial property. It has accordingly been decided by Government that the Patent Office and the Trade Marks Registry should be combined and that the head of the combined offices should be designated 'Controller General of Patents, Designs & Trade Marks' as in the United Kingdom.

One matter may be made clear in this connection. It is stated in sub-clause (2) of clause 5 that the head office of the Trade Mark Registry shall be at Bombay. In order to remove any doubts or fears on the part of some of the hon. Members of this House I should like to make it clear to the House that the provision to locate the head office of the Registry at Bombay does not in any manner affect the issue as to the final location of the head office for Patents and this question will be considered by Government only at the time of formulating the new Patents Bill for which preparatory work is in progress. Due regard will, no doubt, be given at the time to the long historical association of the Patent Office with Calcutta, administrative convenience and other relevant matters.

Clause 3 of the Bill deals with the jurisdiction of High Courts for the purposes of filing appeals from the Registrar's decision and for filing applications for rectification. At present, the head office of the Registry

is located at Bombay with two branch offices at Calcutta and Bangalore. Conflicting views have been expressed by the different High Courts on the question as to whether any of the several Indian High Courts may hear appeal from the Registrar's orders or only that High Court which has territorial jurisdiction over the Registry. The preponderance of judicial opinion is in favour of the latter view.

Again, in a vast country like India, the need for providing branch offices of the Registry to facilitate the public has been pointed out by the State Governments and commercial bodies even at the time of enactment in 1940 of the existing Trade Marks Act. It has been represented that the owner of a trade mark residing or carrying on business at places far away from Bombay or Calcutta, for instance, in the Punjab or Madras State, is put to great hardship at present, that such person should not be compelled to travel thousands of miles to attend to his trade mark matter and that he should be placed in a position to make his application and attend to other proceedings concerning his mark reasonably near his place of business. It is, accordingly, now proposed to open new branches of the Registry and to provide that only the High Court having jurisdiction over any office of the Registry within whose territorial limits the principal place of business in India of the proprietor of the trade mark is situate, should be vested with jurisdiction to hear appeals from the Registrar's orders or hear applications for rectification in respect of the mark. This will remove the conflict of decisions that now exists regarding the proper forum for hearing appeals from the orders of the Registrar and for rectifying the entries in the Register of Trade Marks.

It is further proposed that when an applicant for registration has no place of business in India, the address for service given in his application for registration should determine the relevant office of the Registry. The territorial jurisdiction of each office of the Registry will be defined in the

Rules. While the filing of an application for registration of a trade mark and further proceedings relating to the mark have to be made at the relevant office of the Registry, the examination of all applications for registration will be made at the Central Office at Bombay to ensure uniformity. Needless to say, registration confers protection throughout India, irrespective of the office of the Registry where the application for registration is made. Copies of the register and certain other important documents will be available for public inspection at the branch offices of the Registry. It is clear that the opening of a Branch Office will have to be determined by considerations such as the quantum of work expected at the office, geographical distribution and other special circumstances. The present intention of Government is to divide the country into 4 regions, which might broadly be designated the Western, Eastern, Northern and Southern, and to locate Registry offices of these areas at Bombay, Calcutta, Delhi and Madras.

Shri Ranga (Tenali): What about the Centre?

Shri Kanungo: Delhi?

Shri Ranga: Nagpur or somewhere, Bhopal.

Shri Kanungo: An analysis of the total number of applications for registration of trade marks filed in the Registry during the years 1944-54, classified according to the principal places of business of the applicants as falling within the above regional distribution, shows that there were 23,243 applications from the Western Region, 9732 from the Eastern Region, 9,777 from the Northern Region and 14,239 from the Southern Region.

Shri Narayanankutty Menon (Mukandapuram): Sir, let us now have quorum.

Mr. Chairman: The hon. Minister will resume his seat. The Bell is being rung.

3.41 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: Now, there is quorum. The hon. Minister may continue his speech.

Shri Kanungo: This would indicate that Government's proposals for the regional offices are fair and equitable and are calculated to conduce to the convenience of the merchants spread out in the country.

An important change has been made in the provision relating to the infringement of trade marks in section 21 of the existing Act. Clauses (a) and (m) of this section which define infringement of a registered trade mark, follow the language of the corresponding clauses (a) and (b) of sub-section (1) of section 4 of the U.K. Act of 1938. Two types of infringement are contemplated by these two sub-clauses. Clause (a) deals with the type of infringement where the wrongful user complained of is user as a trade mark. This is in accordance with the definition of infringement as set forth in the earlier U.K. Trade Marks Statute of 1905 and also in accordance with the common law. But the type of infringement contemplated under clause (b) of section 4(1) of the U.K. Act of 1938 is a novel one. Judicial decisions in U.K. are not free from ambiguity and the latest Australian statute does not have any similar provision. Mr. Justice Rajagopala Ayyangar, after careful consideration of the whole matter, recommended that the provision in clause (b) of the corresponding section 21 of the existing Act of 1940 should be deleted and the Bill before the House implements his recommendation. Opportunity has been taken to recast the provisions relating to rights conferred by registration and definition of infringement on the Australian model for the purposes of clarity.

The working of the existing provisions relating to 'registered users' ('licensing of trade marks') has shown that decisions as to licences for the use of trade marks should be made only after due consideration of the overall interest of the trade of the

country, since the Government has adopted a policy of regulated development. It is, therefore, necessary that, regulatory provisions in industrial and commercial property should be complementary to the Industrial Policy. In the context of those factors which have emerged in recent years, it would be clear that the authority who could judge of the propriety or necessity for a registered user with reference to these factors can only be the Central Government and not as at present the Registrar. The considerations involved in the acceptance of such an application would involve not merely any trade mark law, but the economy of the country, which can be judged only by the Government and not by the Registrar. Having regard to these facts it was recommended by Shri Justice Rajagopala Ayyangar that the responsibility for granting registration should be vested in the Central Government, as the latter will be in a position to assess authoritatively how far public interest is either fostered or hurt by the registration of such licences. The present Bill seeks to implement this recommendation. I may mention that licensing of trade marks is not permitted under the common law, as a trade mark indicates the trade origin of the goods and the use of the same mark by more than one person is likely to cause deception or confusion and lead to trafficking in trade marks. The evil of having too many registered users in respect of a trade mark has, therefore, to be avoided on grounds of public interest and public policy. The statutory provisions as to the 'registered users' have therefore necessarily to include certain restrictions as to the number of permissible licencees. But to avoid any possible inconvenience it is expressly provided that these restrictions are not to apply in two cases, namely, (1) where the proposed registration of registered user is used solely in relation to goods for export from India and (2) in the case of related companies where there is common business control. The rights of existing registered users are also expressly saved by sub-clause (1) of clause 50.

Clause 28 of the Bill deals with the exclusive right to the use of the trade mark conferred by registration. As enacted in 1940, the existing section 21 used the qualification, 'if valid' to describe the registration of the mark. The effect of this was that when the registered proprietor sought to enforce his statutory right by filing a suit for infringement the defendant could plead invalidity of the registration as a defence. The words 'if valid' were removed by the amending Act of 1946, as it was thought that under the reciprocal arrangements with the then Indian States, which was introduced under that Act, administrative and legal difficulties might result by those words. The said reciprocal provisions under the amending Act of 1946, were however repealed by the Part B State (Laws) Act, 1951, and the words 'if valid' are accordingly now reintroduced in clause 28. The Bill expressly provides that where the defendant in a suit for infringement questions the validity of registration the issue can be tried only in a proceeding for rectification of the register before the High Court having jurisdiction. It may be pointed out that under the existing Act the validity of registration can always be disputed by any person aggrieved by filing an application for rectification, that the words 'if valid' which are now proposed to be included merely indicate this state of law and that the onus is always on the applicant for rectification. I may point out further that the words 'if valid' have appeared in the corresponding sections of the UK Trade Marks Acts since 1905 and they appear also in the Australian enactment and have been found to be useful and necessary.

Under the existing Act the expressions 'trade mark' and 'certification trade mark' are separately defined. The definition of 'trade mark' is now proposed to be enlarged so as to include both ordinary trade marks and certification trade marks for the purposes of registration. This change was recommended by the Trade Marks Enquiry Committee and was accepted by the Judge. The effect of this

amendment would be that where applications for registration of either type of mark are examined for conflicting marks under clause 12 the search would include the other group of marks as well, and any confusion likely to be caused by the co-existence of the same mark being registered both as an ordinary trade mark and as a certification trade mark would be eliminated.

Under section 18 of the existing Act registration of a trade mark is for a period of seven years but may be renewed for successive periods of 15 years. It was recommended by Mr. Justice Rajagopala Ayyangar that the duration of the term on a renewal may also be limited to a period of seven years. This would serve two purposes, namely, the elimination from the register of marks which the proprietor is either not using or does not think worthwhile to renew, and secondly to increase the revenue of the department and thus permit extension of its useful activities. Clause 25 of the Bill gives effect to this recommendation.

Clause 32 of the Bill which corresponds to section 24 of the existing Act introduces certain amendments for clarifying the law. The expression 'including applications under section 56' has been inserted to place it beyond doubt that in the case of an application for rectification of the register, the onus is on the applicant to establish the invalidity of the registration and that the expression 'local proceedings' referred to in this clause includes an application for rectification. Clause (b) of existing section 24 has been made free from ambiguity in accordance with the recommendations of Mr. Justice Rajagopala Ayyangar in his report where the case law is discussed. The scope of the clause is sought to be enlarged by the addition of a new clause (c), which provides that registration is not to be valid if the trade mark is not distinctive at the commencement of the proceedings. There are several marks which for some reason or other have got on the register notwithstanding that they consist of generic terms, but

[Shri Kanungo]

their validity cannot now be challenged as the seven year period has expired. At the initial period after the Trade Marks Act, 1940 came into force there was a rush of applications and this has resulted in many wholly descriptive marks being registered. The new clause will, therefore, serve a useful purpose. A similar provision exists in section 81(c) of the Australian Trade Marks Act, 1955, and section 18(1)(b) of the present Canadian Trade Marks Act. This is only a drafting change to clarify the law even as it is now conceived to be.

Among other new features contained in the Bill may be mentioned the provisions stating the several reliefs which are available to the plaintiff in an action for infringement, savings in respect of innocent infringement, and a provision enabling the Registrar to give preliminary advice to applicants as to whether a mark is *prima facie* distinctive or capable of distinguishing.

Sir, so far I have dealt with some of the salient features of the provisions as to the civil law contained in the Bill. I shall now proceed to deal briefly with the penal provisions contained in Chapter X of the Bill. As I have already stated these provisions are based on the Indian Merchandise Marks Act, 1889, and Chapter XVIII of the Indian Penal Code and include such amendments of the law as are considered necessary or desirable by Government. The criminal law relating to false trade marks and false trade descriptions contained in these provisions was enacted at a time when commercial advertising in this country had not been much developed. Having regard to the appeal and power of modern advertisement and the widespread sale in this country of spurious goods, particularly drugs and medicines and articles of food, a fresh approach to this problem has now become necessary. It is accordingly proposed to strengthen the penal law in two respects.

First, the punishments in the existing statutes for offences relating to false trade marks and trade descrip-

tions are proposed to be enhanced to two years and where the offences are in relation to drugs and articles of food the punishment is proposed to be enhanced to three years. Secondly, the present definitions of "trade description" and of "false trade description" in the Indian Merchandise Marks Act are sought to be expanded generally by including trade descriptions "as to the standard of quality of any goods", and in respect of drugs and articles of food, trade descriptions "as to fitness for purpose, strength, performance or behaviour" also. These expanded definitions are based on paragraphs (aa) and (ab) of section 1(1) of the recent Merchandise Marks Act, 1953, of the United Kingdom, and their effect is to extend the arm of the penal law to some more types of false trade descriptions that are not now punishable under the Indian Merchandise Marks Act, 1889. It is also proposed to empower the Central Government to require that goods notined should have applied on them the name and address of the manufacturer or of the person for whom the goods are made. Opportunity has been taken to remove an ambiguity in the language of the present section 15 of the Indian Merchandise Marks Act, dealing with limitation of prosecution, which has given rise to conflicting decisions. In descriptions relating to linear measurement, additional references to metres wherever there are references to 'yards, feet and inches' are proposed to be incorporated in view of the Government's decision to introduce the metric system. Certain consequential changes in the Sea Customs Act are also proposed.

Sir, that is the Bill which I have the honour to move to be read for the second time. It is hardly necessary for me to say that the whole subject is highly technical and difficult and that accordingly Government have spent much time and thought in the preparation of the Bill. It will be seen from the history of the Bill that the revision of the trade marks law has been undertaken at the request of the commercial bodies, that the question has been before the public for

consideration for some years past, that the views of the commercial community and expert opinion have been ascertained at every stage, and that the present measure is the result of conclusions of Government after careful consideration of the entire material. Government have every hope that the Bill will modernise the law and prove of great use and benefit to the commercial community to foster and develop trade keeping all unhealthy and unsocial trade practices in check, if it does not succeed in eradicating these altogether.

Sir, I move.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide for the registration and better protection of trade marks and for the prevention of the use of fraudulent marks on merchandise referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely:—

Shri C. R. Pattabhi Raman Shri Radhelal Vyas, Pandit Dwarika Nath Tiwary, Shri Kailash Pati Sinha, Shri C. Mali Reddy, Shri Nibaran Chandra Bhaskar, Shri Tayappa Hari Sonavane, Shri Akbarbhai Chavda, Shri Shiva Datt Upadhyaya, Shri K. P. Kuttikrishnan Nair, Shri Ram Krishan, Shri Jaswantraj Mehta, Shri Bishwa Nath Roy, Shri Raghubar Dayal Misra, Shri Sunder Lal, Dr. Sushila Nayar, Shri M. Muthukrishnan, Shri K. S. Ramaswamy, Shri Jitendra Nath Lahiri, Shri M. K. Shivananjappa, Shri Chintaman Panigrahi, Chaudhary Pratap Singh Daulta, Shri J. M. Mohamed Imam, Shri Laisram Achaw Singh, Shri Balasaheb Patil, Shri Ram Chandra Majhi, Shri Badakumar Pratap Ganga Deb Bamra, Shri Motisinh Thakore, Shri Nityanand Kanungo and Shri Lal Bahadur Shastri and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliament Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

Shri Narayanankutty Menon: Mr. Deputy-Speaker, Sir, as the Bill is going to the Joint Committee and as regards the principles of the Bill as well as the details and procedure of the Bill, there is a large volume of evidence available for the Joint Committee, I do not propose to make detailed comments on the various clauses of the Bill.

The only point that I wish to make out is regarding certain principles involved in the Bill which have been already the subject-matter of the recommendations of Justice Rajagopala Ayyangar and accepted by the Government, but, at the same time, the points require further elucidation in the Bill and also more reconsideration.

As far as the courts of law in India are concerned, in dealing with the matters of trade marks, just there have been inherent traditions of the past courts in not realising the substantive rights of human liberty and freedom, they have also taken more time to realise the importance of the rights involved in patents and trade marks. A large number of cases, right from the beginning to the end, have arisen out of the original Act. If the judgments are read, you will find that the courts have taken more time to realise whether any right is involved in a patent or a trade mark. Ultimately, when the realisation that a moral right is involved the relief that the afflicted party got, used to be very symbolic. That shows that the courts were very astute in recognising the right itself, and it is a welcome

[Shri Narayanankutty Menon]

feature that in many clauses and sub-clauses of the Bill there is a positive recognition of certain valuable rights involved in the patents and trade marks. I congratulate the Government in accepting the minority report of the Committee which was originally appointed—the three-man committee—and which made certain recommendations. When the Government found that many of the majority recommendations of the Committee were not at all in consonance with public good, the Government did well to refer the matter again to Justice Rajagopala Ayyangar, and on the basis of the minority report, Justice Rajagopala Ayyangar has made recommendations and almost all the recommendations of Justice Rajagopala Ayyangar have been incorporated in the Bill.

Mr. Deputy-Speaker: He may continue tomorrow. We pass on to the next item now.

MOTION RE: ANNUAL REPORT OF INDUSTRIAL FINANCE CORPORATION

Shri Harish Chandra Mathur (Pali):
I beg to move:

"That the Annual Report of the Industrial Finance Corporation for the period ending June, 1957, laid on the Table of the House on the 11th November, 1957, be taken into consideration."

My intention in giving notice of this motion is to maintain a living interest of Parliament in these industrial enterprises and public autonomous bodies. I consider such living interest of Parliament not only necessary but expedient in view of the increasing and the growing importance of these institutions in the development of our social economy.

It is not always that we come here to discuss the reports only to offer adverse criticisms. I consider that that would be a wrong approach, and it would, as a matter of fact, detract public faith and confidence in these autonomous bodies which are going to

play a very important role in future. Of course we will never be wanting in offering ruthless criticisms where they are wanted as was done by my hon. friend here while discussing in some other form, another institution, the L.I.C. But I think it is equally

16 hrs.

important that we give an unmistakable impression on the one hand to these autonomous bodies that they enjoy perfect autonomy so far as their day-to-day working is concerned and in so far as we enable them to take quick decisions and running the institutions efficiently, but at the same time, they should realise that they are constantly under public gaze, that they are accountable to Parliament and we discuss these reports to give them approbation or appreciation where it is necessary and at the same time to give guidance and direction for their future working. It is in this background that I have moved this motion and I shall offer my criticisms.

The first thing I would like to mention is about the directorate. I would like to submit that I do not feel very happy about the way the directorate is composed. I think it should be realised now by the Government that this is an institution which should not be equated with a banking institution. As a matter of fact, while we were discussing the amendment to the Industrial Finance Corporation Act in 1956, we gave expression to our apprehension. Not only one Member, but that apprehension was supported by Member after Member that the Government should take particular care to see that those institutions do not degenerate into merely banking institutions providing certain facilities to the capitalists to advance their schemes here and there, but they have to fulfil a much larger and a much bigger purpose, the purpose which was discussed when this Corporation was itself set up.

If you look at the directorate, you will find that it is overburdened with banking interests. There is represen-

tation of the Reserve Bank; there is representation of the State Bank and certain I.C.S. officers have been appointed. It is very necessary that this directorate is broadbased and certain people should be included who can bring about a fresh outlook. Another difficulty which should be realised is that, when you appoint as Chairman of such a corporation a very senior I.C.S. officer—there are other I.C.S. and other officers from the Government also—that the services have developed a certain tradition, a sort of convention and you cannot expect very much of that flash of ideas and that freedom of discussion among the members of the old, which are very necessary for the healthy growth of the institution. Therefore, you should have certain people from the public life. So, I urge upon the Government to broadbase this directorate and to extend it. In doing this, if there is nothing to stand in the way, you may include two Members of Parliament to represent the general public interest. It is not only the narrow vested interest of the Reserve Bank or the State Bank which is to be represented, but there should be a general broad outlook which we inherit here and which, as a matter of fact, is necessary for the implementation of our social order, of our economic policies. That sort of change in the composition of the directorate is necessary.

While mentioning the directorate, there has been some agitation. But I do wish to mention that the Chairman of this Industrial Finance Corporation had to resign from this body some time back. You will remember that a discussion was held here and it was followed by a certain inquiry. I am not interested in the individual or the person. That gentleman may be a nice man or a very good man, but my objection is that a gentleman who as a result of an inquiry found it necessary to resign from the chairmanship, to be appointed as the chairman of a certain bigger concern means something which should not be tolerated by this House. This only indicates that we can ride roughshod over the

sentiments and public feelings and feelings expressed in this House, just to satisfy the vanity of a particular gentleman or maybe there are some other reasons which they consider more important than the public morale or certain principles which demand that this should not be done. Maybe my friend will say that they have not appointed the Chairman to some other concern, but it is some other Ministry. But I expect that the Government functions as one unit, that it functions with mutual consultation. It was necessary for the Finance Minister to put his foot down and say that such an appointment should not be made. When the Corporation had its headquarters here, there were certain allegations against the Chairman and also against the working of the Corporation. You appoint the very same gentleman in a much bigger public enterprise. I think from any criterion of moral standard and public morale, it is not a desirable thing.

The next thing I would like to mention is about certain broad principles on which this Corporation works. When we were discussing this matter the other day, certain Members wanted to impress on the hon. Finance Minister with all the emphasis at their command that this Corporation should be utilised for the even and balanced development of the country as a whole. The Corporation should give special emphasis to certain undeveloped areas and it should not degenerate itself into merely a bank, because a bank has an absolutely different and narrow outlook. They will only see the application, just examine it, whether the party is good or not and whether their investment is safe or not. They are not concerned with anything else.

We never wanted this Corporation to degenerate into that position and we gave the Government a warning. We emphasised this point when we spoke in 1955 or 1956, but I am afraid the hon. Minister himself did not know what the correct position was. He raised certain difficulties and objections and said that all that they could do was to examine the ap-

[Shri Harish Chandra Mathur]

plications which were before them. Of course, they will try to fall in line with the Five Year Plan and they will give loans to those projects which fall within the Plan, but they cannot point out how they can extend their assistance in developing certain under-developed areas. At that time, I myself was not aware; I just thought it was my own view and the view of certain other hon. Members. But now, when I tried to examine the whole matter and just went through the discussion which had taken place when the Act was passed, I found that even at that time when that Corporation was originally constituted, certain Members in this House very strongly and forcibly pressed this point that one of the main aims and purposes of this Corporation should be to pay special attention to the under-developed areas. I looked into all the reports trying to find out whether Government have issued any direction to that effect or not.

Immediately after the Act had been passed, they had issued a direction, but I am afraid that direction had completely been forgotten, because as late as 1955-56, even the Ministry did not know it and it raised certain difficulties and objections.

Now, if you examine the working of the Corporation, if you see whether in this direction they have done anything, whether they have taken any special interest in the under-developed areas, you will be surprised to find that it is just the other way round. How is the Corporation going to take interest in the under-developed areas? It is not only by just looking at what loans have been sanctioned. Even if you look at the loans which have been sanctioned during the nine years, you will be surprised to find that not a single pie has been given to the most backward area of this country, and that is Madhya Pradesh, so far as industrial development is concerned. We find from the details that are before us that not a single pie of loan has been given to Madhya Pradesh. Then Rajasthan is the second poorest.

So, I venture to submit that that is not the correct approach, that is not the correct attitude and it is not the purpose and aim for which the Corporation was set up. The hon. Finance Minister at that time very clearly made a promise to this House. At that time, Shri Shanmukam Chetty, who was the then Finance Minister, stated:—

“There were a great many things about which it may be necessary to issue such instructions. For instance, a desire was expressed in the Select Committee, and very rightly too, that the operation of this Corporation should help the industrial development of more backward provinces and areas. It is very difficult to incorporate in a Bill of this kind appropriate provisions to ensure that resolution. But it is an appropriate subject to form the code of instructions that the Central Government may issue from time to time.”

As I submitted, the Minister himself had promised that instructions will be issued in the matter. But, as I just now pointed out to you, these underdeveloped areas have received the least assistance from the Corporation. The Corporation may have certain difficulties. But the whole approach is wrong.

Where are the offices of this Corporation? The Corporation has offices in Delhi, Calcutta, Bombay and Madras. Are these the backward areas for which you want to give impetus? If you want to give impetus to the under-developed areas, you should have branch offices in the under-developed areas. Why not have a branch in Nagpur, if you want to develop Madhya Pradesh, so that people may come in contact with the directors and the directors may encourage them and tell them what can be done and what cannot be done? So, I appeal to Government in all seriousness and earnestness that the branch offices of this Corporation should be shifted from Calcutta, Bombay and Madras to certain under-

developed areas, where special assignment should be given to the Corporation to see that these under-developed areas are properly looked after so that the Corporation may achieve the object for which it was constituted. Just look at the Directorate; none from these areas. Look at the advisory committees; none from these areas. Still, you expect that you are going to develop these areas and you are going to fulfil the purpose and mission for which the Corporation was constituted.

Now, having said that, I wish to turn my attention to the working of the Corporation for the year 1956-57. It is with great appreciation that we look at the exceptionally good work that it has done during the year 1956-57. The disbursement of loans has been almost the heaviest. It is almost four times of what it was during the previous year and much more than the average of the past several years. Not only that. They have, I think, streamlined the working of the Corporation and they have plugged all loopholes. The Corporation has, for the first time, made good banking business. They have, I should say, made good profits. They are now in a position to pay a dividend and they need not fall back upon the Government for the guarantee which they have given for the subvention. This work has got to be appreciated. There is not the least doubt about it. They have made provision for bad debts. They have even tried to make good recoveries of bad debts. Gross profits of the Corporation rose from Rs. 32.68 lakhs in 1955-56 to Rs. 43.06 lakhs during the year. After providing for Rs. 31.81 lakhs for the tax liabilities, doubtful debts and other contingencies, there will be a net profit of Rs. 11,25,000. This will enable the Corporation to pay the guaranteed dividend without asking for any special subvention. Loans sanctioned has come to Rs. 21.90 crores at the end of the year, as against Rs. 10.25 crores last year. It is stated in the report that the Corporation will be able to hold its own

in future and make good the subvention paid by the Government all these three years. I do not know whether it will be the policy of the Corporation to pay back to the Government what they had received to enable them to disburse the dividend in earlier years. That has not been made clear. All this is work for which the Corporation must be congratulated. I have not the least doubt or hesitation in saying that. But the question remains whether this Corporation is to work as a good banking institution or it has to fulfil the purpose for which it was constituted. And I would like to know what steps the hon. Finance Minister proposes taking and what directions he intends issuing to the Corporation to fulfil that purpose and that mission.

Government has issued certain instructions and under those instructions the Corporation has referred certain cases to Government. Now, they have referred to Government one case where a loan exceeding Rs. 1 crore was sanctioned. Very little information is given about it. I think the higher the loan, the lesser the information that we have here. We would like to know what were the special purposes and special reasons for which this consideration was shown to a particular concern. I do not want to attribute any motives. I do not know anything. But I want fuller information from the Minister himself. We would like to know what was the recommendation of the Corporation itself, whether they recommended this loan or whether it was in spite of the recommendation of the Corporation. We would like the hon. Minister to enlighten us on this point.

There is another reference in terms of another directive issued by the Government. The Corporation has referred to one case in which the parties concerned had already been granted loans by it on three previous occasions. They demanded a fourth loan of Rs. 50 lakhs and Government approved this additional loan to the party concerned. I wish more information is made available about such

[Shri Harish Chandra Mathur]

loans, which are not within the competence of the Corporation, which had gone to the Government. We would like to know the special circumstances in which these loans were granted. Here we hear a whispering campaign that these people, who were out of court for some time and who were denied assistance, were, as a special case, given some assistance which they would not have otherwise secured. But, as I submitted, I do not want to make any particular allegation in this matter. We would only like Government to enlighten us in the matter.

Another matter to which I would like to refer is the services. How is the recruitment made to this Corporation? There are about 20 officers who are drawing more than Rs. 1,000. What satisfactory arrangement exists for the recruitment of these officers? That question was raised more than two years back. Certain people suggested that the U.P.S.C. should be brought in and recruitment should be made through them. I do not know what thought Government has given to this matter. I do not know whether the Corporation remains satisfied with these very officers continuing in the very same office for a number of years. Does it not create staleness, a certain fear that these officers work in certain particular grooves? Once a branch manager is a branch manager for all times even from the new point of the work. We would like to know whether this is a satisfactory arrangement or not. Government have now such a vast number of public enterprises that whether any thought and consideration has been given to pool the services of all these industrial enterprises, even as they exist today. Are these transfers possible? How the recruitment is proposed to be made in the various enterprises and particularly in this which is before us for consideration?

Before I wind up—it is already time—I wish again to repeat the two important points which I mentioned.

One was to broaden the directorate and another was to take certain concrete and specific steps to see that this Corporation fulfils the purpose for which it was intended, i.e., to go its way in developing the under-developed areas.

Mr. Deputy-Speaker: Motion moved:

"That the Annual Report of the Industrial Finance Corporation for the period ending June, 1957, laid on the Table of the House on the 11th November, 1957, be taken into consideration."

Shri Prabhat Kar (Hooghly): Mr. Deputy-Speaker, Sir, I am thankful to the hon. Member, Shri Mathur, for having moved this Motion. He has stated that in order to create a living interest in the working of the public autonomous bodies this particular report has been brought before this House for discussion. He has raised the most important point, i.e., how we want the Industrial Finance Corporation should function? It is true that it was never the intention of the Parliament that another banking institution is to be created to finance the industry and the capitalists in the face of important banking institutions with a network of branches all over the country. This autonomous body was created with a view to help the planned industrial development of the country and it was expected that it will properly discharge its function to cater to the need of the Plan, to cater to the need of the industrial development and will also allocate its advances that not only the industrial development in the backward areas was assured but at the same time give priorities to those industries which form the life and soul of the country today.

The past of this Corporation and its activities have been subject to criticism. There has been an enquiry and, if I may say, some of its scandals were unearthed. But it was expected that after all these things we will see that this Corporation has changed its way of functioning and is now really

trying to discharge the responsibilities for which it was created. We are sorry that the high hopes that were pinned on it have been completely belied. It has been functioning as a banking institution. It is not only functioning as a banking institution but it is functioning as a banking institution to support a group of capitalists who really do not deserve any help from the Corporation.

It is no doubt encouraging this year that at least the Government has been saved from subsidising a huge amount to enable the Corporation to pay the guaranteed dividend, but up till now Rs. 53,45,000 has been paid. It is expected that when the Corporation is making progress and is earning profits, this amount which has been paid by the Government would be paid back.

If we look into the list of the statement of loans sanctioned by the Industrial Finance Corporation during this particular year, we will find that the same old way of functioning continues. We had a very gloomy fact of advancing to a glass factory to the tune of Rs. 63 lakhs. The interest has not been realised up till now and it is not possible to realise it. We have again advanced a huge amount to a glass factory in West Bengal. Now, we have advanced Rs. 20 lakhs to Bengal Potteries, to Bharat Ram Bhagat & Co. its managing agents. About this particular managing agency in the past we had occasion to say that it was through an undue influence that the Corporation was granting advances. Again, we find that in the present year, the same firm of managing agents has been granted Rs. 20 lakhs and the Indian Titanic Production Co. (Private) Ltd. to the tune of Rs. 30 lakhs and Rs. 6 lakhs. We know that this particular loan which has been granted and along with this we know that a firm, M/s. T. T. Krishnamachari & Sons, has been appointed selling agents....

The Deputy Minister of Finance
(Shri B. E. Bhagat): Selling agents of

Shri Prabhat Kar: Selling agents of Indian Titanic Production Co. (Private) Ltd.

Furthermore, we find that a loan has been granted to the Imperial Chemical Industries. It is surprising, for the company, Indian Explosives Ltd., whose managing secretaries are the Imperial Chemical Industries, there has been a loan of Rs. 1,50,00,000. I can understand a banking institution granting a loan to any customer who fulfils the requirements of the banking institution, their guarantee and other things. I cannot understand the Industrial Finance Corporation granting such a huge amount to institutions and companies who under any circumstances cannot help in the development of industries, not to speak of backward areas.

Furthermore, what I find from the report and the analysis that has been given of the industries to which they have granted loans is this. I am rather surprised that instead of granting loans with a view to develop the industry, it is found that they are granting loans to those institutions which they are subsequently forced to sell. If we turn to page 62, we see, Miscellaneous manufacturing industries. A concern which was previously engaged in manufacture and production was sold by the Corporation. Then, Electric light and power—the Corporation sanctioned loans aggregating to Rs. 82,75,000 to five units of industry. The balance due from a concern was Rs. 33,64,000. This concern has stopped generating electricity on its own with effect from 3rd April 1955 and is from that date receiving hydro-electric power in bulk and distributing the same to its consumers. Instead of advancing to industries, we have started advancing to commercial firms, middlemen, purchasing hydro-electric power and distributing it.

If we turn to page 56—first of all I do not understand how this appears under manufacture of Iron and steel products, the Corporation has sanctioned an additional loan of Rs. 23 lakhs to a concern already engaged

[Shri Prabhat Kar]

in the production of sugar, to enable it to complete a scheme for the production of ferro manganese, and no part of the loan was availed of by the concern during the year. I do not understand this exactly. In a bank, I can understand, the limit is sanctioned; whether the customer availed of it or not, it is not the concern of the banking institution. Here is a Corporation whose main purpose is to see that because of the absence of help, the industry does not suffer. You sanction the loan and the loan is never availed of. That means, either there is no proper scheme put forward before the sanction of the loan or there was no need for the loan at all. Sanction has been taken just getting the limit, to keep it pending. This is the position that we find from the chart that has been given in page 8; total amount of loan sanctioned and total amount of loan disbursed. I do not know whether it is due to the difficulties created by the Corporation that the loan has not been disbursed or the loan has not been availed of. You find that more than 50 per cent of the loans sanctioned are not disbursed. What is the reason? We do not know. It may be that you sanction the loan and it is not availed of. If we look into the years 1949 to 1957, we will find that in almost every year, more than 50 per cent of the loans are not disbursed or they may not have been availed of. There are others,—I can point out from this,—the Corporation is granting loans to companies whose assets had to be sold with a view to realise the amount and in some cases, from the assets, the money could not be realised. This is the picture we get from the report of this Corporation. I can draw attention to other pages wherein we find that in various cases, the Corporation had to sell the industries.

Are we here simply to help those firms which are, in the long run, to liquidate themselves, or are we helping industries so that they can improve their conditions, discharge their

obligation to society and repay the amount that they have taken from the Industrial Finance Corporation. In the case of banks, I can understand the question of bad and doubtful debts. Unless the Corporation is completely sure that the amount is being paid to those concerns which, in the long run, will improve their industry and will be in a position to pay back, I do not understand why such a heavy amount is sanctioned to these concerns. In the case of the Sodepur Glass factory, we have seen, when the question of the guarantor came, the property of the guarantor almost could not realise a single rupee. If the assets of the guarantor are such, I do not understand what happens. When you sanction a loan, you take a guarantee and the assets are being pledged to the Corporation. If it is subsequently found that the amount is irrecoverable, what are the processes of examining? It has been stated that two Law officers have been engaged and it is expected that all these things will be properly looked into. It has also been stated that the appointment of law officers and the addition of two branches have contributed in no small measure to accelerating the pace of disbursement of the loans by us. Simply by the appointment of law officers we cannot ensure that the failures of the past will not recur again. We could only see that a proper check is made.

As I was saying, if we look at page 19, we find the same thing: every time, the Corporation has to sell the assets and recover the amount. The whole outlook will have to be changed. Shri Harish Chandra Mathur has said, that so far as the directorate is concerned, they almost represent banking interests. We should change the directors. I would only suggest that the Finance Ministry takes this matter to the directors of the Industrial Finance Corporation that they are not to function as a banking institution, because there are many banks here and the industrialists are in a position to secure advances from the banking institutions. It is not

with a view to offer further banking facility to the industrialists that this particular institution has been created. It has a purpose. The purpose is industrial development and also industrial development of backward areas, and the priority is to those industries which cater to the needs of the country. This is the main purpose. If the Industrial Finance Corporation failed to discharge this particular responsibility for which this particular body was created, we will say that the Industrial Finance Corporation has failed to fulfil the obligation for which this particular body has been created. I would request the Finance Ministry to look into it and see that the functioning of the Industrial Finance Corporation improves.

There is only one more point. Perhaps 8 or 9 months ago, we passed the Industrial Finance Corporation Amendment Act. Government has taken the liability of guaranteeing deferred payment in foreign exchange on behalf of the Industrial Finance Corporation. Naturally, it has become all the more necessary that we see that all the lapses of the past are stopped and the Corporation functions properly, I would say again, for the industrial development of the country.

Shri Somani (Dausa): A specialised credit institution like the Industrial Finance Corporation really plays a very vital role in the economic development of the country. At a time when our country is in the midst of an ambitious programme of industrialisation, and when the capital market is not very favourable, I believe that the importance of the functions of such a credit institution as the IFC cannot be over-emphasized. Really, since its inception, the IFC has been able to contribute to the industrial development of the country, and I am quite sure that this institution will continue to play its important role to further the industrial development of this country. Criticism has been made in the past, and as we all know, there was an enquiry committee which had gone

thoroughly into the working of this Corporation, and then a complete reorganisation of the administrative machinery of the Corporation followed. It is gratifying that ever since that reorganisation took effect, the Corporation has made steady progress, and, as we know from its latest report, the Corporation has been able to earn to an extent which has enabled it to pay its guaranteed dividend to its shareholders without making any call on the Government.

Now, the figures of loans sanctioned and disbursed during the year clearly reflect the remarkable progress that the Corporation has made. Loan sanctioned during the year ended 30th June, 1957 was Rs. 11.91 crores and the disbursement was nearly Rs. 10 crores as against Rs. 2.82 crores which was highest figure ever disbursed in any previous year.

Criticism has been made about how the Corporation functions, but I would like to draw the attention of the hon. Members to the very elaborate process through which an application has to pass before the final sanction is conveyed to the applicant concerned. I do not think that in the light of the very elaborate machinery which has been set up by the Corporation, there is any serious danger of any sort of irregularity or lapse taking place.

Firstly, whenever any application is made, the branch office of the Corporation scrutinises it in proper detail, and then the application is forwarded to the head office where again there is an elaborate analysis of all the aspects of the application. After the necessary particulars are collected from the applicant concerned, the application goes to the advisory committee. I understand that four or five such advisory committees function with regard to the various important industries, consisting of various representatives, and as such, the application is reviewed properly by the advisory committee. After that review takes place, the applica-

[Shri Somani]

tion is again examined by the head office. Then, it is again placed before the Central Committee or before the Board. What we should also remember is that there are certain basic principles which have to be followed by the Corporation in the sanctioning of these loans. One of these fundamental principles is that the application must be in conformity with the priorities and principles that have been laid down by the Planning Commission.

Then, of course, there are certain other healthy restrictions put by the Government with regard to the amount of the loan that is allowed to be sanctioned for a particular concern or group of concerns. In view, therefore, of all this process of scrutiny and restrictions, I for one do not think that there is any likelihood of any irregularity or any lapse taking place in the processing of these applications.

The charge has been made about loans having been given to this industry or that, to this individual or that concern. After all, it has got to be appreciated that loans have to be given to those who are engaged in industry, and naturally, therefore, whether it is one concern or a group of concerns which may have to come again and again to the Corporation, the fact has to be recognised that the applications fit in with the broad policy laid down for the functioning of the Corporation. Once it is realised that all these precautions are taken, there is no reason for any apprehension whatsoever.

It has been said that not much has been done about the under-developed areas. I am one of those who strongly feel that the Government of India must do everything possible to give even preferential treatment so far as the industrial development of the backward areas is concerned, but the fact has to be recognised that, after all, the Finance Corporation comes into the picture only after some party or individual or entrepreneur enters

the field and moots a proposal and puts an application before the Corporation. I do not think it lies with the Corporation to just go about inviting applications. Even so, so far as I know, it has been the policy of the Corporation to encourage the State Governments to promote application for the industrial development of the areas concerned. I am not aware of any instance, and indeed my hon. friend Shri Harish Chandra Mathur who raised this point also could not say whether any application, which otherwise was sound on merit, from any backward area has been at any time rejected by the Corporation. The fact is that there are various other factors which are coming in the way of the development of the backward areas.

I am also on the Board of one of the State Finance Corporations, the State Finance Corporation of Rajasthan. At a recent meeting of the Board we were surprised that the Corporation did not get even a single application to consider. Rajasthan has a very vast area, there is plenty of scope for development and yet, leave alone the bigger resources of the Industrial Finance Corporation, even the small resources of the State Finance Corporation of Rajasthan are left unutilised simply due to the fact that they have no applications to consider. At the last Board meeting we had four or five applications which simply could not be put through because either they were withdrawn, or the party concerned did not avail himself of the facilities offered, and therefore no application was there to be considered. I am referring to this point only to emphasise that those of us who are interested in the development of the backward areas have to explore the real reasons which are responsible for the slow progress of industrialisation in those areas, and it is to those factors which will enable this process of industrialisation to be accelerated that we have to look.

So far as the particular matter about the former chairman of the

corporation is concerned, I think it was really very unfortunate that that was mentioned, because, so far as I am aware, the Inquiry Committee had exonerated the Industrial Finance Corporation of any favouritism having been shown. So far as that charge was concerned, there was absolutely no proof, and the former chairman of the corporation resigned of his own accord.

Shri Harish Chandra Mathur: Why?

Shri Somani: And I do not think it was at all relevant in the course of our discussion of the report of the Industrial Finance Corporation that his name should have been referred to for his having been appointed the chairman of some other body. So far as I know, he has got plenty of experience, and a very clean and good record of service to the country and to the economic development of the country. I do not think his record as chairman of the corporation was in any way of a nature which could have called for any such comments as my hon. friend did make in the course of his speech.

Coming to the other activities of the corporation, I am glad that the corporation has recently been enabled to give guarantees for the deferred payments for the import of capital goods, because on account of the foreign exchange restrictions, the Government of India have been insisting upon deferred payment arrangements being made by the importers; and I do hope and trust that the corporation could come forward boldly in entertaining the applications for this guarantee which will enable the industrialists to perform their obligations to the overseas exporters of capital goods.

In this connection, I would also like to make the suggestion that it will be worth while for Government to authorise the corporation also to take exchange risks. When the industrialists have to enter into long-term commitments of this nature, the risk of exchange fluctuations is really one which may cause serious repercus-

sions on a individual. I would, therefore, suggest that Government should authorise the corporation to undertake the exchange risk also while giving guarantees for deferred payments.

So far as the resources of the corporation are concerned, the Industrial Finance Corporation Act was specifically amended, some time last year, I think. Section 21 (4) of the Industrial Finance Corporation, 1948, was amended whereby the limit of borrowings of the corporation has been raised to ten times the amount of its paid-up capital and reserve fund. Therefore, the corporation can now borrow up to Rs. 50.55 crores. The total borrowings of the corporation aggregate at present to something like Rs. 26 crores, and, therefore, the corporation could still borrow a further sum of about Rs. 24 crores. In the context of the pressing needs of the country for industrialisation, I hope it will be possible for the corporation to make these borrowing arrangements, so that it could continue to offer its facilities to the various enterprises.

In this connection, the corporation has had to increase its interest rate from 6 per cent to 6½ per cent. I would like to suggest to Government that looking to the present times when the deferred payment terms and various other factors have increased the capital outlay of the various industries, it is desirable that everything possible should be done to minimise the incidence of interest charges; and, if possible, the corporation should be in a position to revert to its old rate of 6 per cent; and if that is not possible, at least it should be possible for the corporation or the Planning Commission to lay down certain priorities whereby this reduction in interest rate may be allowed at least in certain cases. That will, of course, depend upon the rate at which they are able to borrow. But the overall needs of the country to get these facilities for industrial development at the cheapest possible rate should be kept in view. I

[Shri Somani]

would, therefore, suggest to Government to make all possible resources available to the corporation at a rate which would enable them to continue to offer their loans at a reasonable rate of interest.

I would like also to draw the attention of the corporation to the delays in the legal formalities which sometimes occur in the final execution of the deed for their various loans. This is a legal matter about which I am not competent to say much. But the fact remains that a proper analysis of the working of legal formalities should be made so as to ensure that after the loan is sanctioned, these legal formalities do not take an unduly long time. Of course, I am aware that the corporation has also a system to give interim loans in cases where these legal formalities involve delay. All the same, it is desirable that these legal formalities should be simplified to the extent possible.

It is also gratifying to learn that the corporation has been giving a lot of valuable assistance to the co-operative societies. Especially last year, it has given so much for the development of co-operative societies in the sugar industry, and but for the very valuable loan facilities from the corporation, it would not have been possible for these co-operative societies to have been able to launch their projects.

Shri Ranga (Tenali): But it has not been utilised; it could not be.

Shri Somani: Loans have been sanctioned, but I do not know how far in particular cases they have been utilised.

Another suggestion that I have to make is about the high rate of stamp duty in the creation of a charge for raising loans on mortgage basis. This is a matter which lies with the State Governments. But I would like the corporation to negotiate the matter with the State Governments who are

so much interested in the industrial development of their areas, that these stamp charges are reduced to a reasonable amount.

BUSINESS ADVISORY COMMITTEE

TWENTY-FIFTH REPORT

Shri Rane (Buldana): I beg to present the Twenty-Fifth Report of the Business Advisory Committee.

ANNUAL REPORT OF INDUSTRIAL FINANCE CORPORATION—contd.

Shri Bimal Ghose (Barrackpore): Before I come to an examination of the working of the Industrial Finance Corporation, I may just refer to a matter which both the Mover and the speaker who followed him mentioned, namely, the purpose of the corporation's functioning. I do not understand as to what both of them meant by saying that the corporation should not function as a banking institution, because the corporation does not function as a banking institution. The reason why the corporation was set up in 1948, long before the Plan was formulated, was that an institution was thought to be necessary to provide long-term finance to industry, the commercial banks providing the short-term finance.

17 hrs.

If it is implied that the Corporation is functioning as an industrial bank does in another country, that criticism may be valid, but certainly it is not functioning as an ordinary commercial bank functions. Then also there are certain criticisms of the Corporation which might be valid taken generally, but certainly are not valid as applied to the Corporation functioning within the ambit of the Act. The Corporation is meant primarily for assisting the private sector. It is not the purpose of the Corporation to

assist industrial development; as such it is not functioning as a government organisation to encourage industrial development in certain areas. The Corporation functions primarily to assist private industrialists and to give them financial assistance as may not be available to them otherwise. Therefore, the criticism that it has not done very much for the backward areas, while valid, is really not a criticism against the Corporation as such.

Concerning the functioning of the Corporation, the first thing I should like to say is that the Corporation deserves congratulation on being able to pay the guaranteed dividend for the first time in its life without calling upon government subvention, although we should realise that this has been made possible by not accepting the recommendation of the Auditor that another Rs. 5 lakhs be set apart for bad and doubtful debts. If that had been done, certainly there would not have been sufficient profits to pay the guaranteed dividend.

It is also a matter for congratulation that the Corporation has been disbursing very much more funds during the year under review than during the previous years. The amount of funds disbursed was about Rs. 10 crores as against about Rs. 2.22 crores in the preceding year.

The question of disbursement of funds raises another question, namely, the question of resources of the Corporation. As you may have noticed, the outstandings as of 30th June were about Rs. 20.4 crores. If the Corporation were called upon to provide funds for all these sanctioned loans, where would the funds come from? Of course, the Act was amended, as my hon. friend, Shri Somani, said, enabling the Corporation to borrow 10 times its paid-up capital and reserves. That should come to about Rs. 52 or Rs. 53 crores. In any case, what I find of interest is this: that the resources which the Corporation can have must be from one or other of the following items.

The first is issue of bonds. Since about Rs. 7.8 crores bonds were issued in 1954-55, no more bonds have been issued. Why not? Is it impossible to raise any capital from the market? Another source was acceptance of fixed deposits repayable not before 5 years. But no fixed deposits have been accepted to augment the funds of the Corporation. Why not? Why has no attempt been made in that direction at all? The only source tapped has been borrowing from the Government or the Reserve Bank of India.

The Deputy Minister of Finance (Shri B. R. Bhagat): Very recently the Corporation floated a bond which was over-subscribed. It was hardly a few months back. I do not remember the date. It was for Rs. 4 crores. I think they closed it at a little over Rs. 4 crores.

Shri Bimal Ghose: That is what I want to know from Government. Is it intended to float more bonds in the market or is it the main intention that it should be borrowing from Government and the Reserve Bank? If it is intended to borrow from Government, the question arises as to where will Government find the funds.

On the question of resources, there is another point. When the Plan was formulated, there was a provision for an investment of Rs. 720 crores in the private sector. Of this amount, it was estimated that the Corporation would provide funds to the tune of Rs. 15 crores. It appears now that the Corporation is going to provide much more than Rs. 15 crores during the Second Plan period. I want to know as to what is the idea of Government regarding the amount of loans that they intend the Corporation to provide for investment in the private sector during the Second Plan, and if more funds are being provided through the Corporation, the reasons therefor, whether there has been a short-fall in the other items or in the other sources from which investment for the private sector should have come or Government want that in-

[Shri Bimal Ghose]

vestment in the private sector should expand, and if so, to what extent. What is the reason that more funds are now being provided for the private sector through the IFC, and what is the amount of the funds they want to invest in this fashion? Is any revision of investment in the private sector contemplated?

There are only a few other points I want to mention. I would like to suggest to Government that loans to concerns in which directors of the Corporation are interested as directors or as directors or members of the managing agency firms in loanee companies should require government sanction. I say this because we find in another case where a directive was issued that loans in excess of Rs. 1 crore should be referred back to Government in a few cases, I believe such loans were rejected on Government's refusal to allow those loans.

Secondly, I suggest that more information should be given in this report about the total loans granted to firms under the same controlling agency. There is a provision now that loans to the same controlling agents should not exceed a certain limit. I should like that the total loans granted to a number of firms under the same controlling agent should also be mentioned here.

Then I find from the report that the audit of the Corporation for the year ending June 1955 was done by the Comptroller and Auditor General and that the audit report has also been received. I should like very much that the audit report of the Comptroller and Auditor General should be incorporated in this annual report. I find in the 1955 audit report certain interesting observations. For example, there was a terminal leave salary paid to the managing director to the extent of Rs. 21,000, which was not justified either according to staff regulations or according to government rules. I should like to know what action has been taken with regard to that matter.

There was also a statement that excessive pay was granted to Corporation employees posted to loanee companies, that whenever an officer of the Corporation was posted to a loanee company, an increase to the extent of 30 or 50 per cent. was made in the salary, because that salary had to be paid by the loanee company. Now, it was suggested that such increase should not exceed 20 per cent. of the pay or Rs. 300 whichever is less, as is the practice with Government. Have Government taken any decision on that matter?

I also want to know what has been the total loss suffered in the Sodepur Glass Works transaction and how Government intend—or the Corporation intends—to pay that loss. Is it to be done by keeping apart more funds in future years for bad and doubtful debts or is it going to be met by government funds?

The last point I want to mention is on the question of the distribution of shares. After the insurance companies were nationalised, the present distribution of shares has some peculiar effect. There are 4 or 5 categories and one category is Insurance Companies, Investment Trusts and other financial institutions. Now, on June 1, 1957, the number of shares held by this category was 2598 out of which 2346 were held by the Life Insurance Companies. Therefore, this has become really a government-owned shareholding. I should suggest that the Investment Trusts and other financial institutions' shares held by them should now be added on to the shares held by the Scheduled Banks and the category should be Scheduled Banks Investment Trust and other Financial Institutions. The reason for that is the change in the shareholding which necessitates, in my opinion, a change in the composition of the Board of Directors and of the Central Committee. The Board of Directors, in so far as the directors elected by the Insurance Companies come under elective heads, are no

longer really elected directors. They have become nominated directors and, to that extent, a change in the position of the Central Committee should also be necessary; because, now, to say that the Scheduled Banks and the Insurance Companies should elect two directors to the Central Committee really means that one is nominated and only the Scheduled Banks' director is an elected director. I think, after the nationalisation of the Insurance Companies, these anomalies should be looked into and removed.

Shri Damani (Jalore): Mr. Deputy-Speaker, we are discussing the Ninth Annual Report of the Industrial Finance Corporation. From the report, the working of the current year is not much encouraging; but, it is better than the previous year. In previous years, the Corporation had to call upon Government to help them to distribute the guaranteed dividend of 2½ per cent. But, during this year, the profits of the Corporation are sufficient to distribute the 2½ per cent. dividend guaranteed to the shareholders. I think this is the first year that the Corporation has distributed dividend out of its own income.

The chief aim of the Corporation is to finance the industries of the country—long-term and medium credit needs and such institutions are very essential for the development of the country's industries. When we are going ahead with our Second Five Year Plan such financial assistance through such corporations is much needed and I think it will develop our industries gradually.

During the current year, the disbursement of loan to industry is very encouraging. In the previous year, the disbursement of loans was very small; but, this year, they have done quite nicely and more than Rs. 10 crores have been disbursed as loans.

I want to draw the attention of the House particularly to one fact. While advancing the loans, the Corporation has not seen the difficulties of the textile industry. The loan applica-

tions on behalf of the textile industry were to the extent of Rs. 389 lakhs out of which only Rs. 184 lakhs have been advanced; while in the case of the sugar industry, the loan applications were to the extent of Rs. 589 lakhs and they advanced Rs. 4,62,50,000. There is no comparison. I do not want to ask why they have advanced so much to the sugar industry. But, I want to express that the textile industry is a most advanced and big industry which is passing through a very difficult time. Out of 370 mills, 36 mills have closed down on account of shortage of funds. Because they had no money to replace their old machinery and with old machinery they cannot work with profit, they have to suffer losses. They require renovation of the machinery; and, on account of the shortage of money, they could not renovate their machinery. Therefore, the mills have closed down or are closing down. Therefore, Government should give more attention towards those industries which are suffering, which are in great need of funds so that they may not close down. They should not stop functioning. This should be the aim of the Corporation. They should have a practical view as to which industry requires more finance; and no industry should close down on account of shortage of funds. This will create a great deal of unemployment.

My dear friend Shri Somani has just now said....

Mr. Deputy-Speaker: All are hon. Members here.

Shri Damani: I am new; perhaps, I may commit mistakes.

Shri Feroze Gandhi (Rai Bareilly): Because he has just now been talking of sugar.

Shri Damani: There is one difficulty about the rigidity of the rules of the Corporation. He said that there were no applications. But the rules are so strict and rigid that a person who applies for a loan has to wait for months and months to know the fate of his application. Many persons are disgusted. They have to go to the

[Shri Damani]

officers of the Corporation to know the result of their applications, they have to see Members of the Advisory Committees and even then, they do not know the fate of their applications. Therefore, persons who are in need of funds hesitate to go to the Corporation because they do not know whether they will get the loan or how much time it will take and whether after getting the loan they will be in a position to utilise it. The rigidity of the procedure should be reduced.

I do not mean that the loans that the Corporation is going to advance should be advanced in a haphazard way or without considering the full security for the loans. But, they should be advanced in a shorter time; and the rules should be simplified so that people may get funds within a reasonable time when they are actually in need and not after 6 or 8 months when it is not of much importance to them.

In the case of banks, they come to a decision within 8 or 10 days. This Corporation and other Corporations take 6 to 8 months to come to a decision. Therefore, the most important thing that I want to mention here is that the rigidity of the rules should be relaxed.

I am happy that from now the Corporation has adopted a policy of advancing interim loans—money while investigations are going on, according to the necessity of the loanee. This is a good thing and this should be pursued more so that an industry which requires money can get money in proper time.

At present, the capital employed by the Corporation is Rs. 23 crores, including capital bonds and loan secured from the Reserve Bank and the Government of India. The profit is Rs. 11,25,000. That means the I.F.C. has made a profit of half per cent.—only half per cent. I do not know what is wrong and where it is wrong. Seeing the balance sheets and the results, I can see that there is something wrong. Only half per cent. is the

profit. If so, the Government should see and improve so that we may get a nice profit because we see in institutions with an investment of about Rs. 23 crores we are making a profit of 5, 6 and 7 per cent.

Then the loans actually sanctioned amount to Rs. 55 crores but the actual advances amount to Rs. 26 crores. It is less than 50 per cent. No reason has been given in the report as to why the full amount has not been paid. The reasons for not advancing the full amount should be given so that the Members and the public can know the difficulties in the way.

Default in payments of the capital comes to 8.4 per cent. This is also on the higher side.

Shri B. R. Bhagat: Capital or loan?

Shri Damani: The default in interest is 2.7 per cent. and the loan is 8.4 per cent. So, there is something wrong here also which should be investigated. It means Rs. 25 lakhs. I also want to mention about the parts which are not developed. We see that Rajasthan gets Rs. 74 lakhs while Assam gets Rs. 45 lakhs and M.P. Rs. 3.5 lakhs. The argument is this that people do not approach the I.F.C. for loans. But sanction of loans depends upon the smoothness of the working and the facilities given by the I. F. C. If they give more facilities, naturally people will like to facilities, naturally people will like to come to them and get their help. But if the rules are very rigid, the under-developed parts could not take full advantage of these facilities because in those areas people are not so much educated and they are shy. They hesitate to go here and there. The offices also are not in those places and it involves a lot of expenditure to go to big cities to know the fate. So, branch offices should also be opened in these areas so that the public can know the facilities which the Government is providing.

I also join my friend, Shri Mathur, in saying that the directorate should be more broad-based. Some experienc-

ed persons should be taken on the board or in the advisory committees so that they may smoothen the rigidity of its working.

Generally speaking, I want to suggest that its rigidity should be avoided, that liberal loans and interim loans should be continuously granted, that the expenses should be reduced so that we may get a nice return as half a per cent. is not sufficient, and that a committee should be appointed to scrutinise the working and look after these things. Encouragement should be given to those industries which are in the underdeveloped areas.

Shri B. R. Bhagat: Mr. Deputy-Speaker, Sir, I am very grateful to the hon. Member, Shri Mathur, who raised this discussion. The tenor of the speeches made by the hon. Members shows that they are generally satisfied with the working of the I.F.C. One of the hon. Members gave what is called approbation or appreciation over the working of the I.F.C. I think in a reasonable assessment of things about the working of the I.F.C. we may look at it from various angles: disbursement of loans or the rise in the tempo activity in the grant of loans or streamlining of the procedure and process for the finalisation of loans. You will find that there has been a marked improvement in the working of the I.F.C. It has also justified the hopes raised in this House and in the country and it has been able to render assistance to that sector of our industrial development which needed that most. Today not only the I.F.C. has benefited the economic development in the private sector but also benefited itself because now we can say that it is completely on its own legs today. This year it did not draw any amount from the Government for its guaranteed dividend. It has also made provision for taxation and bad debts and various other things. So, I can say that this is a very illuminating example of a statutory corporation working to the fullest satisfaction of the House and the country. The greatest credit should go to the House which has taken

a critical and constructive interest in its working. When sometime back it was feared that its working was not proper, the House came harsh on it and appointed a Committee. Its report was discussed and the various recommendations were accepted including the appointment of a permanent Chairman.

What is the result today? After 3-4 years we find that the Corporation is in a very happy state of affairs. The constructive and creative interest taken by the House and the hon. Members here has resulted in the very good example shown by the I.F.C. With these words I should like to deal with some of the points raised by the hon. Members.

Let me take up some of the specific points which call for very short answers. The hon. Member who spoke last referred to the textile industry and related to us the plight of the textile industry and the lukewarmness shown by the I.F.C. in granting loans to the textile industry. I appreciate the fears of the hon. Member in saying that the textile industry is in a bad plight. But I do not agree with his logic. Facts do not warrant that. If you see the report you will find that next to sugar, 'cotton accounts for the biggest chunk of loan from the I.F.C. I think it is the policy of the Government to put textile industry on a lower priority than the others like iron and steel or engineering, etc. It has already had a big chunk from the I.F.C. It has been said that the textile industry has suffered because its plants are not modernised. For that loans have not been made available by the I.F.C. I think the hon. Member who is a businessman himself ignores the very purpose of the I.F.C. The I.F.C. has not been created for modernising or rehabilitating the various industries that are in a bad way. For that we have another Corporation, which is popularly known as the N.I.D.C., and they have rendered adequate assistance not only to the textile industry but to the jute industry and they have rendered very valuable service.

Shri Damani: No money has been paid.

Shri B. R. Bhagat: To connect the present position of the textile industry with this, is I think, very far-fetched.

Then I refer to the rates. The hon. Member Shri Somani said that the rates should be lower, roundabout per cent. or even lower. That was the usual rate before. The rates have been increased recently to 7 per cent. The rates are not an independent phenomenon. They are related to the borrowings and the rates which the I.F.C. is paying, for example, it is $4\frac{1}{2}$ per cent. on the borrowings from Government. They will have to pay 5 per cent or $5\frac{1}{4}$ per cent. on its borrowings from the L.I.C. The general market rates are also high. So, from that, we must realise, taking that into account, that the rate of 7 per cent. is not very high. If you relate the 7 per cent. with the general market rates which are very exorbitant, it is not very high. I want to join issue with him and say that industrial development on a lower rate of interest is not possible. It has never been possible in any country in the world.

Recently I was reading an assessment about some of these under-developed countries by the International Monetary Fund. They said that the plight of some of these countries was due to the fact that there was a bias in favour of a low rate of interest, in some of these under-developed countries. So, I want to say with a certain amount of emphasis that the rate of interest has nothing to do with the economic and industrial development of the country particularly in advanced countries like Japan or Germany where the rates of interest are much higher than these. So, comparing these rates and in the context of the various rates prevailing in other countries, 7 per cent. is not a high rate, but I think quite a reasonable rate.

Shri Harish Chandra Mathur (Pali): What about rebate?

Shri B. R. Bhagat: Yes; rebate also. An hon. Member referred to certain legal formalities. I think the legal formalities have been streamlined and the I.F.C. has opened a special legal branch which renders legal assistance to the clients and the result is that not only is the legal service quick but it is also cheap.

Then a point was raised about the loans not being utilised. The hon. Member Shri Prabhat Kar gave an instance of a particular loan of Rs. 23 lakhs which was not utilised in the year 1956-57. To tear away an example from the whole context is not proper. Sometimes it gives a misleading impression. Not only in this particular case but in many cases what happens is, once a loan is sanctioned, that is paid when the machinery arrives. These are long-term loans for import of machinery or for expansion and when the machinery arrives, the clients take advantage of the loan, and they have to pay a commitment charge if the first instalment is not drawn in time. We charge $3\frac{3}{4}$ per cent. So, we have taken precaution that once we sanction a loan it is utilised in proper time. If the loans are not utilised they have to pay penalty. So, all these usual procedures are followed and precautions taken.

Then a point was raised about deferred payment, and the exchange risks. Only recently, we came to the House for an amendment of the I.F.C. Act, that the I.F.C. should be entrusted with the work of guaranteeing deferred payments on certain conditions, because, we thought that the I.F.C., having worked for the private sector and towards the industrial development of the country, has earned sufficient amount of experience so that it can handle the work. The I.F.C. has formulated its definite rules and regulations for guaranteeing such deferred payments. I think already a few applications are pending before the I.F.C. for finalisation.

So far as exchange risks are concerned, I think it would not be wise to burden the I.F.C. with the risk involved. If any exchange parity differs or if there is a fluctuation in the exchange market over which the I.F.C. have no control and over which the Government of India may not have any control, it would not be wise to burden the financial and credit organisation like the I.F.C. with such risk, because, then, if there is a big loss the voice of protest will be raised by hon. Members that the I.F.C. has not been very wise in providing such guarantees and it has come to a bad fate. I think it is a very wise decision and it should not be revised.

This leads me to some of the bigger issues and they are more general in nature. The first one of them is the point raised about broad-basing the directorate—a point which the hon. Member who raised the discussion made during his speech. I could not understand what the hon. Member meant by broad-basing the directorate. He used the expression that the general public interest should be represented, and not only the banking interests. He confused the issue by saying that it is a banking institution to which an hon. Member answered that it is not a banking institution in that sense. It is an institution created for a definite purpose, to meet the gap in the capital market for long-term capital needs and as a long-term financial institution it has to take proper safeguards. It is not a banking institution in that sense. There is a Board, and I do not see how it can be said that it is very restrictive in character. The Act itself provides how the constitution should be and how the Board should be representative. The first category which is provided in section 10(1) of the Act is that there should be two directors from insurance companies, investment trusts, etc. Then the second category is from the co-operative banks.

Shri Harish Chandra Mathur: They are government servants.

Shri B. R. Bhagat: They are not government servants. I am going to say, and it will be known, that they are not government servants, nor is it restrictive in representation. Then come the scheduled banks, because they are the subscribers, and naturally those who subscribe should have representation on the I.F.C. Similarly, the Government has a right of nominating four persons. If you see that we have representation from the Reserve Bank which is vitally concerned, we have from the scheduled banks who have contributed to the funds, also. We have representatives of the co-operative banks who are elected. In addition to that, we have an hon. Member of this House, Shri Deshmukh, on this Board. We have a labour representative, Shri Ambekar, on this Board. We have also a professor of the Calcutta University who is an expert in industrial finance, Prof. S. K. Basu. The Sucheta Kripalani Committee had recommended that there should be a professor dealing with finance problems—an expert—on the I.F.C., and we have accepted that recommendation. So, if all these persons do not represent the wider public interest, I do not know who else could.

Shri Harish Chandra Mathur: Do I understand that he represents as Member of Parliament, in that capacity, or does he represent a co-operative body or industry or something else?

Shri B. R. Bhagat: If a Member of Parliament represents the co-operators and if he is elected from the co-operatives, and he is connected with co-operatives, I do not know whether his identity as Member of Parliament is lost. He only represents the general public interest.

Shri Harish Chandra Mathur: My question is whether he is represented as Member of Parliament or whether he represents some other interest.

Shri B. R. Bhagat: The Act does not provide any representation for Parliament. If Parliament chooses that its Members should be provided with rep-

[Shri B. R. Bhagat]

representation on the Board, certainly, they can be represented on the Board. The point is, I do not say that they are the best men under the sun. There may be better men. But to say that the present constitution of the Board is restricted or it is confined to certain groups or is confined to Government officers, is not correct. So, public interest is represented; labour and other interests including experts on industrial finance are represented.

In this connection, I would like to answer a short point raised by Shri Ghose about nomination instead of election of the directors from the insurance companies, because the insurance companies have been merged into L.I.C. This point was raised last time when the I.F.C. Act was amended. Although it is true that a very big chunk of the shares is owned by the L.I.C., because all the companies have merged, there are general insurance companies.

Shri Bimal Ghose: There are only about 250 shares and they may be lumped with the shares held by scheduled banks.

Shri B. R. Bhagat: That is true. Unless we eliminate the general insurance companies, there is no special purpose served and elections will serve the same purpose. It is not, therefore a big point.

Another point raised by the hon. Member was about the assistance to the under-developed areas. The House has expressed its anxiety, whenever there were discussions, that the interests of the under-developed areas in the country should be taken care of. It is true, but as the hon. Member said, as a matter of policy, the I.F.C. has to look to the dispersal of loans to various industries and take care of the needs of the regional areas and their interests also. But you cannot blame the I.F.C. for the regional disparity. You cannot blame the I.F.C.

if there are no industries coming up in certain areas where they ought to come up, because it is a negative help that the I.F.C. gives. The growing up of institutions and organisations in the private sector cannot be taken care of by the I.F.C. Certainly it works under a broad pattern of the industrial policy adumbrated in the second Five Year Plan.

A criticism was made that a big chunk of loans has gone to the sugar industry and other essential industries have not been taken care of. The Chairman of the I.F.C. has in consultation with the Planning Commission drawn up a list of priorities. For example, I.F.C. cannot entertain any application for which no import licence has been given either by the licensing committee for the manufacturing programme or by the Controller of Imports for the import of machinery. So, the basic pattern of industrialisation is set under the Industrial Policy Resolution or by the licensing committee or by our import policy. Only when these conditions are fulfilled, then the I.F.C. comes into the picture and when an application is made, it considers it.

So, you cannot lay the blame at the door of I.F.C. for any regional disparity that exists. The hon. Member gave the example of the State from which he comes. Another hon. Member who represents the same State said that in Rajasthan, there is the State Finance Corporation, but it has received no application. I do not know; the hon. Member knows it better. You cannot isolate the I.F.C. from the S.F.C. The S.F.C. has to look to the interest of the various regions and develop the industries. When bigger industries are to be promoted, the I.F.C. comes into the picture. When there are no loan applications to the S.F.C., how do you expect that the I.F.C. will be able to cater to the needs of the regional areas? I repeat what the hon. Member has said. There has not been a single deserving application from those areas which has been rejected by the I.F.C. On the

other hand, following the policy and direction of the Government, the I.F.C. during the year 1955-56 and 1956-57 has taken care to see that a larger flow of its loan capital comes to these areas.

I will give some figures. For example, in Andhra, which may be considered from the industrial point of view a depressed area, in June, 1955, the loan advanced was Rs. 4 lakhs. A year later in June, 1956, the loan advanced in Andhra was Rs. 129 lakhs. Again a year later, in June, 1957, the loan advanced was Rs. 2,61,00,000. Similarly, take another example, U.P., which may be considered a depressed area from the industrial point of view. The hon. Member will be interested to know that in 1955, the loan advanced was Rs. 1,30,60,000. In June, 1956, it was Rs. 2,95,60,000. In June, 1957, it was Rs. 3,85,60,000. Similarly, considering the figures for Kerala, Mysore, Orissa etc., there has been an increase in the tempo of activity generated by the I.F.C. through its loan capital in these areas.

So, I do not quarrel with the principle that the hon. Member has raised. Actually Government has given directions and the IFC is following them. But whatever the IFC may do, its scope is limited. Unless entrepreneurs come up, unless good schemes and projects come up, the IFC cannot go about throwing money over ill-prepared schemes. If that is done, it will be encumbered with bad debts and the House will come harshly upon it and ask, "Why did the IFC invest money on it?" Taking all these points into consideration, I think the needs of the depressed areas and depressed States are not ignored. They are being taken care of to the extent possible and within the limitations set for the IFC—financial and other limitations.

Shri Harish Chandra Mathur: What about Madhya Pradesh, which is an under-developed area? What about promotion of industries there?

Shri B. E. Bhagat: I am glad the hon. Member reminded me about it. The Chairman of the IFC wrote to

the Chief Ministers of all the State—Andhra, Himachal Pradesh, Mysore, Kerala and so on—that he wanted to discuss with the Chief Ministers as to how to promote industries there, so that the IFC might help the industries there. The Chairman went round and discussed with many Chief Ministers. With those Chief Ministers whom he could not contact, there has been correspondence and it has been discussed from all points of view. The IFC has taken care to see that the Chief Ministers are made aware of the problems, so that it may give a fillip to the promotion of such industries which the IFC may be able to help. So, the IFC has taken very positive steps to develop industries in those areas as best as it can.

Shri Harish Chandra Mathur: Has anything emerged out of it?

Shri B. E. Bhagat: The hon. Member said that there was no representation on the advisory committee from the depressed areas. The IFC has advisory committees for these subjects: sugar, chemicals, engineering, textile and miscellaneous. So, five advisory committees are there. All these committees are presided over by the Chairman of the IFC. There is a director of the IFC on it. Then, various expert interests are represented there. I have before me the personnel of these committees. Take, for example, sugar. Punjab, Andhra Madras, Orissa, Uttar Pradesh, Delhi, Bombay, an expert of the Ministry of Food and Agriculture, those interested in the promotion of sugar industries and other Ministries concerned are represented.

The position is the same in regard to chemical industries. We see all the States and all regional interests are represented. But it is mainly an expert body which goes into the technical scrutiny of the loan applications and advises the Board of the IFC whether a scheme is technically feasible, economically feasible and whether the loan should be granted or not.

[Shri B. R. Bhagat]

Then a point was raised about recruitment. All recruitments are made by the Board, or on its authority, excepting that of the Chairman of the Board, who is appointed by Government. All the Branch Managers and the staff are recruited through open competition. A small committee of the Board does recruitment as regards senior staff. Recently the IFC has formulated the detailed regulations about the manner in which the recruitment is to be made and other matters like emoluments and conditions of service that are to be given and those regulations will come up before the Government for their approval very shortly. So, even on that score, the matter is being taken care of and every action is being taken to look into them.

A point was raised about the Managing Directors and it was suggested that Directors of the Board, who are the Managing Directors of loanee companies should also come up to Government for approval. At present all such cases are reported to the Government. But the hon. Member stated that they should come for approval.

Shri Bimal Ghose: If there is a directive, it should be reported.

Shri B. R. Bhagat: We have given written instructions in many cases. Except the six directives that we have issued, we have given other written instructions in many cases. Then there are rules under section 42 and regulations under section 43. The regulations under section 43 go into the internal working of the IFC. The rules under section 42 deal with bonds, policies and other things of a general nature. So, they are also taken care of. Rules have been formulated and regulations have been framed, and they have been laid on the Table of the House. Therefore, through these various devices we have seen to it that the IFC works in the manner in which it should function.

Now I will come to the last point raised by Shri Ghose, which is an important point. He asked various questions. What is the prospect of the IFC? How is the share capital made up? What are the ways and means position? How are you going to augment it? What is the position that you visualize in the Second Five Year Plan? I will try to cover those points now. The outstanding commitment on 1st April 1958 is Rs. 16 crores. I will now say how we will meet this commitment. At present, the balance in hand is Rs. 6 crores, which includes proceeds of bonds which were floated, in November 1957. The bond was floated for Rs. 4 crores. It was subscribed to an amount of Rs. 4.57 crores. So, this includes that. Then there is a loan which has to come from the LIC amounting to Rs. 10 crores. So, the outstanding of Rs. 16 crores will be met out of the Rs. 16 crores of resources.

Then I come to the resources available for the rest of the Second Plan period. A point was raised why we have increased the plan provision from Rs. 15 crores to Rs. 22.25 crores, that is, by Rs. 7.25 crores. Why did we raise it? Why was a diversion made from the public sector? It is true that a diversion was made. Now, those who are well conversant with the money market and the capital market, if they watch the situation, will find that today the money, position is easy. I do not know whether it is temporary or it is going to last. But during the last three years we were faced with a situation in which the capital or money market was very tight and there were no funds available. The IFC had a large number of loan applications with it. Either they had to refuse the applications or find sources of money. And there were loans for paper, cement, engineering and allied industries. At that time there were directives of Government for developing the co-operative industry. We wanted to give it high priority. We had a large

number of applications at that time. We had about 40 applications from sugar co-operatives and we sanctioned about 26. So, we were faced with a situation when industrial development in this sector could not take place unless we give them some funds and the industries were vital industries like cement or paper.

Suddenly, the IFC realised that it has no funds to meet the commitments that it had entered into; that is to say, they realised that they cannot meet the loans sanctioned by them. As they were in that situation, the matter was gone into in the Planning Commission and they, seeing the conditions and the necessity for developing these vital industries, considered that the Plan provision should be raised from Rs. 15 crores to Rs. 22.25 crores. That is the need for it. The addition average comes to Rs. 7.25 crores. The industries concerned will have to repay the loans during the period of three years 1958-61 to the extent of Rs. 7 crores. So, today the IFC has a net resources of Rs. 14.25 crores or roughly Rs. 15 crores and its activity would be to the tune of Rs. 5 crores per year for the balance of three years. This is the ways and means situation.

Then, one hon. Member asked: why are you borrowing from the Government? Why don't you go in for more bonds? Why don't you go in for more deposits? That is true, But we had already exceeded the limit for borrowing provided in the Act. It was only five times of the capital, that is five times of Rs. 5 crores, Rs. 25 crores. That was the limit. So, we came in with an amendment last time and now the limit is Rs. 50 crores. What is the position today. We have already reached Rs. 44.62 crores. Only Rs. 5 crores are left. Out of the balance, Rs. 3 crores we have to borrow on temporary basis, year to year basis, from Reserve Bank. That leaves us only Rs. 2 crores.

Shri Bimal Ghose: That is borrowing. What about deposits?

Shri B. R. Bhagat: I am coming to deposits. We floated a bond in 1949 to the tune of Rs. 7.80 crores. Recently we have floated another bond which we need pay only in 1967.

Then there is the question of deposits. Of course, deposits are not included within this limit. But there is a fundamental difference between deposits and borrowings. Whereas the borrowings are guaranteed, the deposits are not guaranteed. Therefore, there is not that much incentive for the deposits, as in the case of borrowings. It will mean two things, Either we will have to give more incentives or we will have to increase the share capital, so that we can have a higher limit for borrowing. This is a question for the House to decide, as it decided last time.

So far as the deposits are concerned, we are left with one alternative. We have to pay higher rates of interest thereby giving more incentives. Now we have to decide whether we choose to pay more interest.

A question was raised about the subvention whether the IFC is going to pay back what it received from the Government. Yes, we are going to get it back; the IFC is going to pay it back. IFC will also be borrowing from the LIC. So they have to pay interest charges. So we had the alternative of having a sinking fund, or paying the subvention out of the receipts or earnings, or going in for deposits by paying higher rates of interest.

18 hrs.

The balance of advantage is that at present Government has decided that industrial development has taken place in the public sector particularly in cement and others where there is not very acute need today. So, we may stagger it at the rate of Rs. 5 crores a year. When we find that we have left the position flexible enough and we find that more money is required we can raise another Rs. 2 crores or we can go in for

[Shri B. R. Bhagat]

deposits, if it is needed. But that is for the Government or the House to decide. So far as our ways and means position is concerned, it is satisfactory enough and is in a position to take care of the loans that have to be given. Already the tempo of loan applications is decreasing because, as I said, the real barometer is not the IFC, which gives the loan, but the import policy, the foreign exchange situation and the Government's industrial policy. That is being tightened at that end and there are less and less applications coming in and there are less and less demands on the IFC.

Therefore, it is our expectation that our ways and means position is comfortable and we will be able to meet the needs of these sectors out of the money that we have. But we have some cushion and we have a flexible

policy. We can go in for Rs. 2 crores of bonds or deposits if we think that the situation demands it.

I have tried to answer most of the points that have been raised. I do not know if some of the points have been left out, but that was not possible within the time allowed to me. I once again say that I am grateful to all hon. Members who have participated in this discussion because it has given me an opportunity to lay emphasis on the points that need emphasis. It will also give an impression to this House and outside that here is an organisation, here is a Corporation which has functioned well under the critical and constructive eyes of the Parliament.

18-02 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 6th May, 1958.

[Monday, 5th May, 1958.]

ORAL ANSWERS TO QUESTIONS

COLUMNS
13021-28

S.Q. No.	Subject	
1991.	Aerodrome at Dehra Dun . . .	13021-24
1992.	Water-logging in Punjab . . .	13024-26
1993.	Agricultural Loans . . .	13026-27
1995.	Second Shipyard . . .	13027-29
1996.	Improvement of Gardens in Delhi . . .	13029-31
1997.	Cochin Port . . .	13031-32
1998.	Cooperative Sugar Factory in Orissa . . .	13032-35
1999.	Railway Advisory Committees . . .	13035-37
2000.	Sleepers for Railways . . .	13037-39
2001.	Private Practice by Doctors in Medical Colleges . . .	13039-42
2002.	Medical Degrees . . .	13042-45
2003.	Electrification Scheme on South-eastern Railway . . .	13045-48
2004.	Train collision near Adoni Railway Station . . .	13048-50
2005.	Experts from Finland . . .	13050
2007.	Cancer . . .	13051
2008.	Rajasthan Canal . . .	13052
2009.	Casualty in the Irwin Hospital . . .	13052-54
2010.	Rates for Post Parcels . . .	13054-55
2011.	V.P. Postal Service from India to Burma . . .	13055-56
2012.	Export of Sugar . . .	13056-58

WRITTEN ANSWERS TO QUESTIONS

COLUMNS
13058-13103

S.Q. No.		
1994.	Bridge near Kopariya Station . . .	13058-59
2013.	Theft in Dhantoli Post Office, Nagpur . . .	13059
2014.	Export of Mangoes . . .	13059

U.S.Q. No.

3193.	Bombay Port Trust . . .	13060
3194.	New Railway Stations to be opened . . .	13060
3195.	Departmental Catering on Railway . . .	13060-61
3196.	Family Planning Centres in Orissa . . .	13061
3197.	Promotions to Stenographers . . .	13061
3198.	Cardamom Cultivation . . .	13061-62
3199.	Anti-T.B. Work in Bombay . . .	13062-63

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
3200.	Employment Potential . . .	13063
3201.	Research on Coconut and Arecanut . . .	13063
3202.	All-Weather Route from Calcutta to Patna . . .	13063-64
3203.	Sainiks on Southern Railway . . .	13064
3204.	Railway Concession Tickets . . .	13064-65
3205.	Railway Schools . . .	13065
3206.	Ayurvedic and Unani College of Indian Medicine, Mysore . . .	13065-66
3207.	Wastage of Cement Bags . . .	13066
3208.	Scheduled Castes and Scheduled Tribes in P&T Department . . .	13066-67
3209.	Stock of Rice . . .	13067
3210.	Delegation to China . . .	13067-68
3211.	Veterinary Hospitals in Delhi . . .	13068
3212.	Cooperative Farming in Delhi . . .	13068
3213.	Slum Clearance in Delhi . . .	13068-69
3214.	Telegraph Offices in Punjab . . .	13069-70
3215.	Unserviceable Locomotives . . .	13070
3216.	Drinking Water Supply to Delhi Villages . . .	13070-71
3217.	Land Irrigated by Bhakra-Nangal Dam . . .	13071
3218.	Price of Rice . . .	13071-72
3219.	Ware-Houses in West Bengal . . .	13072-73
3220.	Intensive Cultivation . . .	13073
3221.	D. V. C. Canals . . .	13073
3222.	Inland Transport Committee of E.C.A.F.A. . .	13074
3223.	All India Road Development Plan . . .	13074
3224.	Pepper Industry . . .	13074-76
3225.	Shipping Charges and Demurrages . . .	13077
3226.	Indigenous System of Medicine . . .	13077
3227.	Collision of a Train . . .	13078
3228.	Daily Development and Animal Husbandry in Bombay . . .	13079
3229.	Landless Labourers in Punjab . . .	13079
3230.	Railway Restaurants . . .	13080
3231.	Sugar Mills . . .	13080

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMN
3232.	Sugar Mills	13081
3233.	Betel Vines	13081-82
3234.	Road Transport . . .	13082-83
3235.	New Medical Colleges in Kerala	13083
3236.	Paddy Research Stations .	13083-84
3237.	Paddy Research Station .	13084
3238.	Sugar Factories in Mysore	13084-85
3239.	Electric Trains	13085
3240.	Visitors to Bhakra Nangal Project	13085-86
3241.	Irrigational Facilities . .	13086
3242.	Arrears of Payment to Staff on Northern Railway	13086
3243.	Apprentice Way Inspectors	13087
3244.	Cooperative Societies in Himachal Pradesh . .	13087
3245.	Landless Peasants in Himachal Pradesh . .	13087-88
3246.	Lift Irrigation Schemes in Punjab	13088
3247.	Terminal Tax on Northern Railway	13088
3248.	Casual Labourers	13088-89
3249.	Corruption on Northern Railway	13089
3250.	Diesel Locomotives on Northern Railway . .	13089
3251.	Quota of Wagons	13089-90
3252.	Import of Steel	13090-91
3253.	Chandigarh Aerodrome . .	13091
3254.	B.C.G. Teams in Punjab and Himachal Pradesh .	13091
3255.	Agricultural Colleges . .	13091-92
3256.	Temporary Class III and IV Railway Employees .	13092
3257.	Medical Colleges	13093
3258.	New Bridges on Ratam-Godhra Railway Line . .	13093
3259.	Bridge on Ghogra	13094
3260.	Extension of Service to Railway Employees . .	13094-95
3261.	Food Requirements of Himachal Pradesh	13095
3262.	Water Supply in Workers' Colonies in Delhi . . .	13095-96
3263.	State Co-operative Bank, Himachal Pradesh . .	13096-97
3264.	Compensation on N.E. Railway	13097
3265.	Report on Slum Clearance in Delhi	13097-98
3266.	State Farm near Imphal (Manipur)	13098

WRITTEN ANSWERS TO QUESTION—contd.

U.S.Q. No.	Subject	COLUMN
3267.	Bhakra Dam	13098
3268.	Wheat from Canada . . .	13099
3269.	Lampel Agricultural Farms	13099
3270.	Paddy Cultivation . . .	13099-13100
3271.	Public Call Offices . . .	13100
3272.	Madras Flying Club . . .	13101
3273.	Restoration of Dismantled Railway Lines	13101
3274.	Train Examiners	13101
3275.	Pasteurisation Plants . .	13102
3276.	Irrigation Schemes in Madhya Pradesh . . .	13102-103

PAPERS LAID ON THE TABLE

The following papers were laid on the Table:—

- (1) A copy of the Annual Report of the Damodar Valley Corporation along with the Audit Report on the Accounts of the Corporation for the year 1956-57, under sub-section (5) of Section 45 of the Damodar Valley Corporation Act, 1948.
- (2) A copy of each of the following Notifications, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939, making certain amendments to the Delhi Motor Vehicles Rules, 1940:—
 - (i) Notification No. F. 12/52-MT/Home, dated the 6th March, 1958
 - (ii) Notification No. F. 12/138/57-MT/Home, dated the 6th March, 1958 . . .
- (3) A copy of Notification No. S.O. 568, dated the 19th April, 1958, under section 10 of the National Highways Act, 1956

PRESIDENT'S ASSENT TO BILLS

13106

Secretary laid on the Table following Bills passed by the Houses of Parliament during the current session and assented to by the President since the last report made to the House on the 7th April, 1958:—

- (1) The Finance Bill, 1958
- (2) The Appropriation (No. 2) Bill, 1958

Subject **COLUMNS**
MINUTES OF THE RULES COMMITTEE—LAID ON THE TABLE . . . 13106

Minutes of the Rules Committee held on the 29th April, 1958 was laid on the Table . . .

REPORT OF PUBLIC ACCOUNTS COMMITTEE PRESENTED . . . 13106

th Report was presented . . .

MOTION RE: APPOINTMENT OF MEMBERS OF RAJYA SABHA TO THE JOINT COMMITTEE ON THE PARLIAMENT (PREVENTION OF DISQUALIFICATION) BILL, 1957—ADOPTED . . . 13106-07

Shri Rane moved for recommendation to Rajya Sabha for appointment of five Members of Rajya Sabha to the Joint Committee on the Parliament (Prevention of Disqualification) Bill, 1957 in the vacancies caused by retirement of certain members of that House from the said committee. The motion was adopted.

CONVENTION RE: VOTE ON ACCOUNT . . . 13107—33

Under Rule 377 Shri Naushir Bharucha raised certain points with respect to the established convention of the House not to discuss the vote on account . . .

The Speaker ruled that the present convention was not contrary to the principles set out in Article 116 of the Constitution. That Article gave power to the Lok Sabha to authorise by Law the advance withdraw-

Subject **COLUMNS**
CONVENTION RE: VOTE ON ACCOUNT—contd.

wal of money from the consolidated Fund of India.

BILL PASSED . . . 13140—95

The Deputy Minister of Labour (Shri Abid Ali) moved that the Employees Provident Funds (Amendment) Bill, 1958 be taken into consideration. The motion was adopted. After clause-by-clause consideration the Bill was passed . . .

MOTION TO REFER BILL TO JOINT COMMITTEE UNDER CONSIDERATION . . . 13196—215

The Minister of Commerce (Shri Kanungo) moved that the Trade and Merchandise Marks Bill, 1958 be referred to a Joint Committee. The consideration was not concluded . . .

MOTION RE: ANNUAL REPORT OF THE INDUSTRIAL FINANCE CORPORATION. . . . 13215—60

Shri Harish Chandra Mathur moved that the Annual Report of the Industrial Finance Corporation laid on the Table on 11-11-1957 be taken into consideration. The Report was considered . . .

REPORT OF BUSINESS ADVISORY COMMITTEE PRESENTED . . . 13236

Twenty-fifth Report was presented . . .

AGENDA FOR TUESDAY, 6TH MAY, 1958

Consideration and passing of the Gift-Tax Bill, 1958 as reported by the Select Committee.