

Fifth Series, Vol. XVIII, No. 13

**Thursday, August 17, 1972
Sravana 26, 1894(Saka)**

LOK SABHA DEBATES

**Fifth Session
(Fifth Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT

NEW DELHI

CONTENTS

No. 13—Thursday, August 17, 1972/Sravana 26, 1894 (Saka)

	COLUMNS
Oral Answers to Questions—	
*Starred Questions Nos. 241 to 243, 248, 250 and 251	1—40
Short Notice Question No. 2	30—41
Written Answers to Questions—	
Starred Questions Nos. 246, 247, 249 and 252 to 260.	48—52
Unstarred Questions Nos. 2380 to 2392, 2394 to 2412, 2415 to 2444, 2446 to 2456, 2458 to 2494, 2496 to 2510, 2512 to 2521, 2523 to 2538, 2540 to 2546 and 2548 to 2579.	51—188
Calling Attention to Matter of Urgent Public Importance—	
Reported Smuggling of foreign watches etc. by some European Consular officials in Calcutta.	189—92
*Laid on the Table	192—94
Messages from Rajya Sabha	194
Victoria Memorial (Amendment) Bill—	
As passed by Rajya Sabha	194
Central Sales Tax (Amendment) Bill—	
Report of Select Committee and Evidence	194—5
Bills Introduced —	
(i) Wild Life (Protection) Bill	195
(ii) Seeds (Amendment) Bill	195
Constitution (Thirtieth Amendment) Bill—	
Motion to consider	196—27
Shri H. B. Gokhale	196—98, 224—32
Shri Somnath Chatterjee	199—204

*The sign + marked above the name of a Member indicates that the question was actually asked on the House by that Member.

Shri R. V. Bade	...	...	204—07
Shri Jagannath Rao	...	...	207—09
Shri A. K. Sen	...	...	209—12
Shri D. K. Panda	...	...	212—16
Shri R. D. Bhandare	...	...	216—18
Shri Shyamnandan Mishra	...	...	218—21
Shri Dinesh Chandra Goswami	...	...	221—23
Shri G. Viswanathan	...	...	223—24
Clauses 2, 3 and 1	...	...	240—70
Motion to Pass	...	...	262
Income Tax (Amendment) Bill, 1972—			
Motion to consider	...	...	270—76
Shri K. Baladhandayutham	...	...	270—72
Shri K. R. Ganesh	...	...	272—
Clauses 2 to 6 and 1	...	...	274
Motion to Pass	...	...	274
Shri Shivnath Singh	...	...	274—75
Shri K. R. Ganesh	...	...	276
Public Debt (Amendment) Bill—			
Motion to consider	...	...	276—82
Shri K. R. Ganesh	...	...	276—78
Shri Dasaratha Deb	...	...	278
Shri K. M. Madhukar	...	...	278—79
Shri K. Narayana Rao	...	...	279—80
Shri C. T. Dhandapani	...	...	280
Clauses 2 to 5 and 1	...	...	281
Motion to Pass	...	...	281
Dr. Laxminarayan Pandey	...	...	281—82

	COLUMNS	
Shri K. R. Ganesh	...	282
Taxation Laws (Amendment) Bill—		
Motion to consider, as reported by Select Committee	...	282—316
Shri Yeshwantrao Chavan	...	282—88
Shri Virendra Aggarwal	...	288—91
Shri B. R. Shukla	...	291—95
Shri Dasaratha Deb	...	295—98
Shri G. Viswanathan	...	299—301
Shri K. Baladhandayutham	...	301—06
Shri K. Narayana Rao	...	307—10
Shri C. M. Stephen	...	310—14
Shri Satpal Kapur	...	314—16

LOK SABHA DEBATES

1

LOK SABHA

Thursday, August 17, 1972 (Sraavana 26, 1894)
(Saka)

*The Lok Sabha met at Eleven of the
Clock*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Bill on Industrial Relations

*241. SHRI C. T. DHANDAPANI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether all the Labour Trade Unions have been consulted with regard to the introduction of the Industrial Relations Bill; and

(b) if so, what were their views ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA) : (a) and (b). The proposed comprehensive Industrial Relations law will take into account the various views expressed during protracted consultations, with the trade unions and others, that have taken place since the Government received the report of the National Commission on Labour.

SHRI C. T. DHANDAPANI : Every body knows the state of industrial relations and the number of man-days lost due to lack of understanding between the management and employees. What specific action is being taken by the Government and when are they going to implement the suggestions ?

2

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : The question is about industrial relations law and we contemplate bringing forward a Bill on the basis of the recommendations of the National Labour Commission. We placed it before the tripartite body, the last national labour conference. The three national trade unions met together as a group and they have submitted their agreement. On that basis we are bringing forward that legislation. As for the second part, we are in consultation with the State Labour Ministers and I think I should be able to introduce legislation in the next session.

SHRI B. V. NAIK : Is that Bill going to be only bilateral relationship between labour and capital or between labour and management ? Are you also going to consider the points of view of the consumers whether individual or collective or group ? Will the consumers' point of view be taken up as part of the industrial relationship ?

SHRI R. K. KHADILKAR : Every time we take up this question of industrial relationship, we keep in mind the probable effect that it will have on the consumers. Beyond that there is no special organisation whom we could consult.

श्री हुकम चन्द कच्छबाब : मंत्री महोदय ने बताया है कि राष्ट्रीय धर्म आयोग की जो सिफारिशें हैं हम उन पर विचार कर कर रहे हैं और सम्भवतः अगले सेशन में यह बिल लाने वाले हैं। मैं जानना चाहता हूँ कि उन्होंने जो सिफारिशें की हैं उनमें से कितनी प्रतिशत सिफारिशें आपने स्वीकार की हैं।

आपने तीन मजदूर संघों की चर्चा की है जिसे आपकी बात हुई है। इसमें क्या आपने बी० एल० एस० की भी शामिल किया

है और क्या उन से भी कोई सलाह ली है ? अगर नहीं तो बिबेक लाल से पहले उनसे भी आप बातचीत क्यों और उनके सुझाव भी आप लेंगे, इस सम्बन्ध में ?

SHRI R. K. KHADILKAR : So far as the proposed legislation is concerned, we consult the three national trade union centres along with the employees' organisations and state Govts. About the first part of the question, I would assure him that we are consulting the State Labour Ministers and all the recommendations, as far as possible, made by the National Labour Commission will be given effect to, keeping in view the general consensus that we have arrived at.

श्री हुकम चन्द कछवाय : मेरे प्रश्न का उत्तर नहीं आया। श्री एम. एस. से भी क्या आप सलाह कर के उनके विचारों का इस बिल में समावेश करेंगे ?

SHRI R. K. KHADILKAR : That is not one of the three national trade union centres. Certainly I talk with their leaders but not as an organisation.

SHRI A. P. SHARMA : It is gratifying to note that the minister has consulted the three national trade union centres, as he calls them. May I know whether this Industrial Relations Bill is also going to affect the lakhs of Central Government employees and may I know whom he is going to consult about them.

SHRI R. K. KHADILKAR : Central Government employees are governed separately under the JCM. Their machinery for consultation is different. They are by convention not governed by industrial law.

SHRI S. M. BANERJEE : It appears from the answer that he will be able to introduce a Bill in the next session. In the meantime, there is going to be a fast deterioration in the industrial relations in the country because of the rising prices and the demand by the workers for wage rise and bonus. In the intervening period, is he going to convene any meeting of the central trade union organisations and other

organisations connected with certain problems to see that industrial relations improve because there is going to be labour trouble in every place ?

MR. SPEAKER : Please do not make a speech.

SHRI R. K. KHADILKAR : The three national trade union centres have formed a Council of Trade Unions. Through that, they can take up certain matters and approach the Government. So far as rising prices and other causes for industrial discontent are concerned, we deal with them separately. This is not a form for dealing with individual problems.

SHRI S. M. BANERJEE : What about the demand for wage rise and bonus ?

SHRI A. P. SHARMA : Industrial relations do not deal with wages and bonus.

SHRI R. K. KHADILKAR : That is right. Industrial relations law does not deal with wage structure and bonus.

MR. SPEAKER : You do not recognise the Chair. He does not recognise the Chair. What am I to do ? Kindly have a look at me also;

SHRI R. K. KHADILKAR : Yes, Sir.

SHRI M. RAM GOPAL REDDY : It is gratifying that the Labour Minister is consulting the labour organisations before enacting laws. Will he advise the other ministries also to consult the other interests at the time of enacting laws ?

MR. SPEAKER : Please be relevant to this question.

श्री हरि किशोर सिंह : क्या यह सत्य है भारतीय जनसंघ ने भारतीय मजदूर संघ नाम से मजदूरों को बरगलाने के लिए एक मजदूर संस्था खोली है ? यदि हाँ, तो उसकी क्या स्थिति है और उसका क्या प्रभाव है ?

SHRI R. K. KHADILKAR : The Bharat Mazdoor Sangh has ideological affiliations with Jan Sangh. They have got limited strength.

MR. SPEAKER : Questions should not be asked in a provocative manner. That is not good. Do not provoke them. Then it will be a headache which is transferred to me. You quietly sit down and I have to deal with them.

SHRI P. M. MEHTA : As amicable relationship between the management and labour does not exist in the public sector undertakings of this country, do the government propose to have strict application of this legislation to the public sector undertakings?

SHRI R. K. KHADILKAR : Industrial law will apply to public sector undertakings as well.

Closure of Iron ore Mining Industries in Bihar and Orissa

+

*242, **SHRI GIRIDHAR GOMANGO :**
SHRI RAM SHEKHAR PRASAD SINGH :

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

(a) whether iron ore mining industries in the Barajamda and Banspani areas of Bihar and Orissa are facing closure;

(b) whether 10,000 workers have already been retrenched from January to March, 1972; and

(c) the steps being taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Government is aware of the difficulties being faced by some of the iron ore mines in Bihar-Orissa resulting in the closure of some of them.

(b) No, Sir.

(c) The matter has been under constant review, in consultation with the Ministry of Railways with a view to improve the supply of the required number of wagons for movement of the iron ore.

SHRI GIRIDHAR GOMANGO : May I know whether it is a fact that the General Secretary of the Orissa Chamber of Commerce has made a categorical statement that the retrenchment has been much bigger because of the failure of the railways for the last two years to move iron ore from mine site for export via Paradip and the shortfall was one million tonnes during 1970-71 and 1971-72? If so, how far this statement is true? What steps have been taken in this regard?

SHRI SHAHNAWAZ KHAN : It is true that the railways had some difficulty in moving the iron ore from the area for export via Paradip. Even though the target for export through Paradip was 18 lakhs tonnes, the actual performance was 13.45 lakhs tonnes, leaving a shortfall of about 5 lakhs tonnes.

SHRI RAM SHEKHAR PRASAD SINGH : In reply to part (a) of the question the Minister has stated that some of these mines have been closed. Which are those mines and how many of them are in Bihar? What is the position of the workers in those mines which are closed? Will they be absorbed elsewhere or will they continue to be unemployed?

SHRI SHAHNAWAZ KHAN : The total number of workers affected so far varies from 1,800 to 2,000. Though there has been no large-scale retrenchment, there has been fairly large-scale lay off. The mines affected are : Kasia-Barapada Iron Ore Mines No. 1 and 2, Seramda-Bhadrasai Manganese Mine No. 1 and 2, Guali Iron Mine, Jaruri Iron Ore Mine, Gorumahisani Iron Mine and Purnapani Iron Mine.

SHRI VASANT SATHE : In view of the fact that a large number of employees as has been stated just now, are laid off, may I know from the hon. Minister whether these persons have been paid lay off compensation under the Industrial Disputes Act?

SHRI SHAHNAWAZ KHAN : That strictly does not come within the purview of the Ministry of Steel and Mines. I presume that the law on the subject will be obeyed. (Interruption) There are definite rules and regulations on the subject of lay-off and those are adhered to.

Bombing of North Vietnam

*243. **SHRI H. N. MUKERJEE** : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the United States Air Force planes have attacked the dyke system in North Vietnam several times in recent weeks resulting in heavy loss of life to civilian population;

(b) if so, whether India has made any efforts to rouse world opinion against such inhuman and barbarous attack on the civilian population in that country; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) The DRVN Government have informed the Government of India of the serious damage caused to their dyke system by the U. S. bombings and loss of civilian lives.

(b) and (c). Government of India have consistently opposed the U. S. bombings of Vietnam and expressed serious concern over the situation resulting therefrom. This open reiteration of our stand on the subject is in itself a powerful element in mobilising world opinion.

SHRI H. N. MUKERJEE : Since meek and mild gesture of moral reprobation of the impossibly atrocious conduct of the American imperialists appear to be inconsequential, may I know whether the Government has proceeded in the matter of recognition of the Provisional Revolutionary Government of south Vietnam which would be a proper answer to the operation of bombings in such barbaric fashion ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : It is a suggestion for action.

SHRI H. N. MUKERJEE : Efforts made in the direction include not only moral gestures of the kind Sardar Sahib made but also certain diplomatic and other steps in this direction. I do not know what is happening in this regard.

MR. SPEAKER : I am just keeping silent over it because it is a very important Question. But, I think, he should remain near about the Question.

SHRI H. N. MUKERJEE : My submission is that it comes within the ambit of the Question.

MR. SPEAKER : You have gone to the P. R. G. and all that.

SHRI H. N. MUKERJEE : If you could give me time enough, I could give you arguments for it, that it comes within the ambit of the Question.

In view of the special responsibility devolving upon the Government of India to concretise its sense of protest against American imperialism and their bombing in Vietnam, may I know why it is that the External Affairs Minister at Guyana appeared to be more apologetic about the walk-out of Indonesia and Malaysia rather than be positive about the admission of P. R. G., which would have shown that we do not follow a namby pamby policy in foreign affairs ?

SHRI SWARAN SINGH : I am sorry I do not agree with the assessment of my attitude in Guyana which the hon. Member has formed. I think, it is based on incomplete information about all that happened in Guyana.

MR. SPEAKER : You could put a direct question on that. I am sorry I allowed him to side-track from the main Question to P. R. G. and Guyana. This is about the bombardment of the dyke system in North Vietnam. I would request the Members to confine themselves to the Question.

SHRI DINESH CHANDRA GOSWAMI : May I know whether in the recent Conference which the hon. Minister of External Affairs attended, this matter was formally or informally discussed or, even if it was not discussed, whether any feeler was thrown from the Indian side on this matter ?

SHRI SWARAN SINGH : I must inform the House that this matter of bombing of dykes is now known to the entire world. In the initial stages some feeble

attempts were made by the U.S.A. Administration to deny, but I think, more and more evidence that has now been available, particularly from independent sources, does point out conclusively to the fact that dykes have been the subject matter of bombing and it is also clear that even bombing of points quite close to the dykes has also caused serious damage to the dykes. This matter has been a subject matter of discussion, and this matter, along with the general question of bombing of North Vietnam territory, was very much in the minds of the delegations in Guyana. The final resolution and declaration does contain references to the situation in Vietnam and has also taken a positive and clear stand of opposition to the bombing and of finding solutions which are acceptable to the people of Vietnam.

SHRI KRISHNA CHANDRA HALDER : I want to know from the Minister whether Government is prepared to move and pass a resolution condemning the bombing by U.S. Air Force of North Vietnam dykes and civilian population to rouse world opinion.

SHRI SWARAN SINGH : No resolution is required. We have expressed our view-point very categorically more than once.

SHRI G. VISWANATHAN : In view of the fact that even leading American politicians have attacked their own Government for bombing on the dyke system in North Vietnam, I want to know from the Minister what concrete steps have the Government of India taken to rouse public opinion, apart from issuing pious statements. I also want to know whether they had taken up the question in the non-aligned Conference to have a separate resolution condemning the bombing of the dyke system in North Vietnam.

SHRI SWARAN SINGH : With regard to the first question, the opinion is sufficiently roused in our country and all over the world, and I do not know what more he wants us to do in this respect.

About the second question, as I have said already, the question of Vietnam situa-

tion and the bombing by the Americans of North Vietnam territory, including dykes, was very much before the Guyana Conference, and if the hon. Member carefully studies the relevant resolution and declaration he will find the answer to what he is asking me.

SHRI R. S. PANDEY : Heavy bombings by Americans is going on in North Vietnam, and Mr. Kissinger is also going here and there. The Minister of External Affairs is competent enough to assess the American attitude. May I know what exactly is the motive of the Americans? Do they want to destroy North Vietnam or do they want to finish the war or do they want to negotiate and come to some sort of solution?

SHRI SWARAN SINGH : I wish I could answer for the United States Government. But I cannot.

SHRI P. VENKATASUBBAIAH : There has been the reported visit of Dr. Kissinger to South Vietnam to persuade that Government to come to some sort of an understanding with North Vietnam. May I know whether the role of India and also that of the non-aligned nations had had any impact on the United States to make them initiate this move? I also want to know whether it was known to our Government before Dr. Kissinger made his visit to South Vietnam.

MR. SPEAKER : Why do you not put a separate question on this?

SHRI P. VENKATASUBBAIAH : This is my question : whether the reported visit of Dr. Kissinger . . .

MR. SPEAKER : So many people come and so many people go. Please ask a relevant question : whether any Americans tried to . . . (Interruptions) You are again going to repeat it?

SHRI P. VENKATASUBBAIAH : I am not repeating it.

SHRI SWARAN SINGH : We knew that yesterday Dr. Kissinger flew in a plane

and he has reached Saigon. What he is going to do there, what are his plans—I do not know anything at all.

SHRI S. M. BANERJEE : Before I put a question, I really wanted to bring to your notice that when we put questions, I have seen that an American diplomat is violating the rules and regulations and goes on taking notes there sitting in the gallery. They come here merrily and go on dictating their own terms. I want that that should be snatched away. The security men should be sent immediately to snatch it away.

MR. SPEAKER : It happened once earlier also. Don't make reference to the galleries.

SHRI INDRAJIT GUPTA : A little while earlier, the hon. Minister said that in the beginning the American administration was trying to deny the fact of the bombing of the dykes, but later on, was forced to admit the truth. I would like to know from him, irrespective of whether the Americans deny or confirm it, have we on our own sought or received any direct information from our envoy in Hanoi who, being on the spot, is probably in a position to give us a better and fuller information and on the basis of that information, can he tell us as to what is the actual extent of the bombing of the dykes and the damage caused to the civilian population and cultivation and so on, and on that basis, why has the Government of India not said anything? Why are you to wait for the Americans to deny or confirm it?

SHRI SWARAN SINGH : It is a pertinent question. We did receive information from our own representative in Hanoi who, along with certain other diplomats, was taken by the North Vietnam authorities to see some of the dykes which have been damaged by bombing. Of course, he could not go to all the places and, therefore, it was not possible for him to assess the entire damage to the dykes caused by bombing. But he did see with his own eyes and he sent a report to us that he did see the damage caused to some dykes by bombing.

Setting up of Mineral Exploration Corporation

+

*244. **SHRI S. A. MURUGANANTHAM :**

SHRI ARVIND NETAM :

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

(a) whether there is a proposal to set up a Mineral Exploration Corporation to accelerate the mineral exploration programme in the country;

(b) if so, the main features thereof, and

(c) the time by which the Corporation is expected to be set up?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN): (a) and (b), Government have taken a decision to set up a Mineral Exploration Corporation in the public sector with its headquarters at Nagpur. To start with, this Corporation will function with the personnel and equipment to be transferred from the Geological Survey of India. The Corporation will be charged with exploring in detail and proving the resources in specific mineral prospects in the shortest possible time in order to facilitate their expeditious exploitation.

(c) The Corporation is expected to be set up within 2-3 months.

SHRI S. A. MURUGANANTHAM: May I know from the hon Minister whether Rs. 100 crores is being spent for the import of non-ferrous metals?

MR. SPEAKER: The question is about setting up a Mineral Exploration Corporation to accelerate the mineral exploration programme. You ask it in the shape of question and don't give information yourself.

SHRI SHAHNAWAZ KHAN : The import bill of metals would be about Rs. 200 crores roughly.

SHRI S. A. MURUGANANTHAM: May I know from the hon Minister whether the

Government propose to take urgent steps to see that this drain of foreign exchange is stopped at the earliest ?

SHRI SHAHNAWAZ KHAN: The Government is doing its utmost to ensure that our dependence on imports of metal is reduced as quickly as possible. The House would be glad to know that as far as aluminium is concerned, we are on the way to attaining self-sufficiency. Sizeable reserves of copper have also been found. We are developing that. Nickel also has been struck in Orissa and in respect of lead and zinc, sizeable deposits are there. We are trying to develop that as fast as we can.

श्री अरविन्द नेताम: अभी मंत्री महोदय ने बतलाया कि जिओलाजिकल सर्वे आफ इण्डिया का कुछ स्टाफ इस कारपोरेशन में ट्रांसफर किया जायेगा। मैं जानना चाहता हूँ कि कितना स्टाफ ट्रांसफर किया जायेगा और क्या यह स्टाफ सारे प्रान्त की आवश्यकताओं की पूर्ति कर सकेगा।

श्री शाहनवाज खान: अभी बसू के साथ कहना कि कुल कितना स्टाफ ट्रांसफर किया जायेगा मुश्किल है। मे एग्जैक्ट नम्बर नहीं बतला सकता, लेकिन लगभग साढ़े तीन हजार से चार हजार तक स्टाफ होगा।

SHRI PARIPOORNANAND PAINULI: Will the hon. Minister be pleased to state whether as a pre-requisite to mining operations and mining explorations, detailed survey of the mineral deposits would be conducted, especially of the deposits in the Himalayan region by the Photo Interpretation Institute ?

SHRI SHAHNAWAZ KHAN: That will be one of the main functions of the Mineral Exploration Corporation. The hon. Member would be glad to know that already the GSI have prospected various minerals in the Himalayan region.

SHRI INDRAJIT GUPTA: rose.

MR. SPEAKER: If you ask like this I have not been able to finish these questions.

SHRI INDRAJIT GUPTA: I tried to catch your eye, but I failed.

MR. SPEAKER: I am going to divert my eye for the question. Anyway, you can ask, but kindly don't make it a practice.

SHRI INDRAJIT GUPTA: Are there any complaints for all these long years that the mineral exploration work carried on so long by GSI was unsatisfactory or inadequate ? If not, what are the specific reasons which have led the Government, in the face of opposition by many scientists and experts, to bifurcate mineral exploration work from GSI and to set up an absolutely independent corporation now.

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMAR-MANGALAM): The decision of the Government was taken on the basis of the report that was submitted by a Sub-committee of the Committee on Science and Technology consisting of leading scientists of this country. It is called COST. The main reason advanced by them, which was accepted by the Government, was that geological mapping was proceeding rather slowly and that it would be better to separate the work of pure mapping on the one hand and the work exploration on the other hand. In many countries there is a division between the work of mapping and the work of exploration. It is really in pursuance of this principle, after considerable discussion, and after getting advice from leading scientists, that this decision was taken.

SHRI INDRAJIT GUPTA: It is not clear whether the mapping will be done in the new corporation or whether it will continue to be done by the GSI.

SHRI S. MOHAN KUMAR-MANGALAM: Survey work which really is the work of mapping is being done and will continue to be done in the GSI. After mapping reveals the existence of mineral reserves, in any particular area, the work will then be transferred to MEC (Mineral Exploration Corporation) to decide on whether these reserves could be commercially exploitable or not. When a decision is arrived at that they are exploitable, that will go over to the exploiting Corporations.

Setting up of new Steel Plant in South

+
*245. SHRI B. V. NAIK :
SHRI JAGANNATH MISHRA :

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

(a) the progress so far made in the setting up of the three new steel plants in the South;

(b) the time by which these three plants are expected to go into production; and

(c) the total area of land acquired by these plants at Visakhapatnam, Hospet and Salem respectively ?

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARA MANGALAM) : (a) to (c). A Statement is laid on the Table of the House.

Statement

(a) to (c). The progress made so far in respect of the new steel plants is given hereunder. The extent of land acquired/being acquired is also indicated:

Salem Steel Plant :

2. Based on the Consultants' techno-economic feasibility report of the project, an investment decision was taken in May 1972, for setting up an alloy and special steel plant at Salem with the following product-mix :

Sheets/strips	Tonnes per annum
Stainless steel	70,000
Silicon steel	75,000
High Carbon Steel	30,000
Wash heats (Mild Steel)	20,000
	195,000 tonnes

3. In the case of Salem Steel Project about 1,355 acres of land required for

the Plant has already been acquired. On the basis of the advice given by the Consultants, Hindustan Steelworks Construction Ltd., a Government of India undertaking have commenced site levelling work. With the construction activities having started, a separate company for the management of the Salem Project is being incorporated shortly.

4. The Project is expected to be commissioned in 1977-78.

Vijayanagar and Visakhapatnam Steel Plants

5. The Techno-Economic feasibility Reports were received in early 1972. The cost estimate varied from Rs. 747 crores to Rs. 819 crores for different alternatives. Besides, it emerges that the plant would make a considerable loss. A Study Group was, therefore, constituted to examine the Feasibility Reports with a view to reduce capital and operating costs. The Group has finalised its work and is expected to submit its Report shortly.

6. By 31. 3. 1972 about 3,216 acres of land had been acquired for the Vijayanagar Plant. Preliminary estimates for site levelling are being prepared. For the Visakhapatnam Plant land acquisition proceedings are in the progress. Initially about 5,500 acres of land is proposed to be acquired.

7. With a view to reduce the lead time required for the manufacture of equipment as well as to maximise the indigenous content, a panel of Experts for Standardization of Steel Plant Equipment was constituted in January, 1972. The recommendations made by the Panel in their Report submitted in May, 1972 have been largely accepted. Steps have been initiated to place orders for some of the major equipment on the Heavy Engineering Corporation and other public sector engineering units shortly. A Study Group to assess the manpower requirements during the construction as well as the operation phase has been constituted.

8. Arrangements have been made for testing the various raw materials at the National Metallurgical Laboratory, Jam-

shedpur, Central Fuel Research Institute, Dhanbad and abroad.

9. Topographical surveys in respect to all the sites have been completed. Railways have also completed their preliminary surveys for providing exchange yards and sidings. The schemes prepared by the respective State Governments for meeting the requirement of water, during the project construction stage, as well as during the operation stage are under consideration. Initial load bearing tests on soil have been completed.

10 According to a schedule of construction indicated by the Consultants in the Feasibility Reports, the Plants would take about 8 years from now to be completed. Measures, including those mentioned above, are in hand to reduce this time.

SHRI B. V. NAIK : From the statement I find that the Salem steel plant is expected to go into production in 1977-78, while for the other two plants at Vijaynagar and Visakhapatnam, no specific date of commissioning has been given, even though broadly it has been mentioned that it would take about eight years. I hope that the distinction between the two is not deliberate and that all of them will be commissioned.

It has also been stated that the steel plant at Vijaynagar or anywhere else will be making substantial amount of loss. In view of the fact that many of our public sector undertakings particularly in steel are working and functioning below their capacity, about 33 or 35 per cent in the case of Durgapur, will the Steel Ministry consider it fit to let the price of steel in the open market to float so that they will become self-sufficient?

SHRI S. MOHAN KUMARAMANGA-LAM : To answer first of all the point regarding the Salem steel plant coming into production earlier, I hope the hon. Member will appreciate that the steel plant at Salem is an alloy steel plant which is to produce about 195,000 tonnes of finished steel, that is, alloy steel, whereas Vijaynagar and Visakhapatnam plants are major integrated steel plants. So, naturally the

time for bringing them into commission will be different. I do not think that there is any discrimination involved except the discrimination between alloy steel on the one hand and ordinary steel on the other, which unfortunately exists in life.

So far as the question of loss is concerned, the hon. Member has put forward a point which has some relevance, and I can assure him that we are examining the entire pricing system of steel products to try to arrive at a proper conclusion.

SHRI B. V. NAIK : May we know whether there is any possibility of further 'preponing' the date of commissioning of the Vijaynagar and Visakhapatnam plants?

SHRI S. MOHAN KUMARAMANGA-LAM : I am not quite sure about the meaning of that English word 'preponing', but I presume that it means that he wants to bring it forward. So far as 'preponing' is concerned, every effort is always being made to 'prepone'.

MR. SPEAKER : 'Poning' is the common thing between the two.

SHRI S. A. SHAMIM : I hope that this is not unparliamentary.

I hope you will find that out.

MR. SPEAKER : It is just the 'poning' which is common on both sides.

SHRI JAGANNATH MISHRA : May I know whether these steel plants will meet their raw material requirements locally and what their man-power requirements would be during the construction as well as the operation phases?

SHRI S. MOHAN KUMARAMANGA-LAM : There are three plants involved and the extent to which these three different plants will obtain their raw material locally will vary. So far as the Salem steel plant is concerned, I think hon. Members are aware that our aim is to utilise the Kaptipatal iron ore. Since the steel plant is not going to be an ordinary integrated plant, the question of coke does not arise as also coking coal being transported there.

So far as the Vijaynagar plants is concerned, iron ore will be locally available, but coking coal will have to be brought from Bihar. So far as the Visakhapatnam plant is concerned, iron ore would very likely be taken from Bailadilla, but the coking coal will again be taken from Bihar. This is the position so far as the raw materials are concerned.

I did not follow exactly the latter part of the hon. Member's question.

SHRI JAGANNATH MISHRA : What will be the man-power requirements during their construction as well as operation phases ?

SHRI S. MOHAN KUMARAMANGALAM : We have not arrived at any final conclusion regarding man-power requirements. A study group is examining that in order to do so.

श्री आर० बी० बड्डे : मैं मंत्री महोदय से जानना चाहता हूँ कि बेल्लाडीला से जो आयरन ओर विशाखापत्तनम जायेगा वह कैसे जायेगा ?

This is about transport of ore to Visakhapatnam and shipment to Japan. At present, what is the procedure for bringing iron ore from Bailadilla to Visakhapatnam ? Is it by our own rail or by some other means ?

SHRI S. MOHAN KUMARAMANGALAM : At the present moment, we are still examining what will be the exact method of transport. Ordinarily we would expect that the entire ore would be transported by rail. But during the last decade, as hon. members must be aware, there has developed the process of transporting iron ore by slurry. We are examining all the three methods, namely, pelletising and transporting the pellets or sending them by slurry or sending them by rail. We have not come to a final decision.

SHRI B. S. MURTHY : What are the difficulties in acquiring land in Visakhapatnam ? Also what are the other teething troubles in the case of the Visakhapatnam factory ?

SHRI S. MOHAN KUMARA-

MANGALAM : I do not think Government have ever stated that we have had any difficulties regarding acquiring land in Visakhapatnam. The other difficulties are the normal ones that one faces in relation to the establishment of any public sector undertaking of a major character—nothing special.

श्री नाथू राम अहिरवार : अध्यक्ष महोदय, अभी माननीय मंत्री महोदय ने बताया कि विशाखापत्तनम स्टील प्लांट के लिए बेल्लाडीला से आयरन ओर भेजा जाता है। विशाखापत्तनम और बेल्लाडीला के बीच में कोई रेलवे लाईन नहीं है। यह तय है कि बेल्लाडीला को पहले प्राथमिकता मिलनी चाहिये थी स्टील प्लांट लगाने के लिए तो किन कारणों से बेल्लाडीला में स्टील प्लांट न लगाकर विशाखापत्तनम में स्टील प्लांट लगाया जाये, क्या सरकार बेल्लाडीला में स्टील प्लांट लगाने के क्रिये विचार कर रही है ?

अध्यक्ष महोदय : आप कहाँ विशाखापत्तनम और बेल्लाडीला पहुंच गये।

श्री नाथू राम अहिरवार : जहाँ पर आयरन ओर है वहाँ पर स्टील प्लांट लगाना चाहिए।

SHRI PILOO MODY : It is a very good question.

MR. SPEAKER : On his recommendation, I am allowing it for answer.

SHRI S. MOHAN KUMARAMANGALAM : The decision to put up a steel plant in Visakhapatnam was taken some years ago. I think all considerations were taken into account in arriving at that decision.

Advance payment for goods not supplied

*248. **PROF. NARAIN CHAND PARASHAR :** Will the Minister of SUPPLY be pleased to state :

(a) whether a firm fraudulently obtained advance payments amounting to Rs. 2.84 lakhs for supplies which were not effected by it, as observed by the public Accounts Committee in its 105th Report (Fourth Lok Sabha);

(b) if so, whether an investigation into the matter has been completed; and

(c) whether in view of this observation, Government is contemplating to consider the question of building safeguards into the general conditions governing contracts of the D. G. S. & D. ?

THE MINISTER OF SUPPLY (SHRI D. R. CHAVAN) : (a) Yes, Sir.

(b) Yes, Sir.

(c) In the light of the observations made by the Public Accounts Committee, certain remedial measures have been taken by the Government from time to time to safeguard Government's interests. A statement listing out these measures is laid on the Table of the House.

Statement

1. Sub-clause 9 of Clause 14 of the condition of contract (DGS & D-68-Revised) has been amended specifying that the railway receipt/consignee's note or bill of lading if any, should be drawn in the name of the consignee or the interim consignee, as the case may be, and should be sent to him.

2. Instructions have been issued to the Purchase Officers that in future Acceptance of Tenders, the consignees should be requested to send an intimation to the Purchase Organisation immediately on receipt of stores giving particulars of the Acceptance of Tender No. and date, date of despatch of stores by the contractor with railway receipt number and date and date of actual receipt by the consignee along with the quantity received.

3. In case of progress payments, in addition to test checks of railway receipts and transport documents, the progress

field staff will also test check the actual receipt of stores by the consignee. This will be done by checking consignee's receipts, sending letter to consignee to certify the receipt and in important cases even by visits to the consignee's premises.

4. Consignees have been asked to promptly report to the Pay & Accounts Officer concerned, with a copy to the Directorate General of Supplies & Disposals, any cases of shortages/discrepancies found in the stores received by them. In this connection, administrative instructions have been issued for preparation of bills by the supplying firms in quadruplicate to enable the Pay & Accounts Officer to use the triplicate copy of the bill as a debit intimation memo to the consignee concerned. This will help the consignee to report to the concerned authorities immediately in case stores have not been received for which payments have been drawn by the firm.

5. Instructions have been issued that all serious complaints received from consignee's and other malpractices, frauds etc. reported by them should immediately be brought to the notice of the senior officers and also periodically reviewed by them so as to ensure prompt and proper action.

6. It has been decided that the Pay & Accounts Officer would, immediately after making payment of advance bills, send a registered letter to the consignee asking him to confirm receipt in full or the extent of short supply of stores as indicated in the railway receipt, within 45 days of receipt of the letter.

7. It has been decided that the contractor should incorporate a certificate on the bill form itself to the effect that the railway receipt No. and date quoted in the bill is genuine and correct.

PROF. NARAIN CHAND PARASHAR : Arising out of answer to (b), may I know the contents of the report of investigation ?

SHRI D. R. CHAVAN : When the fraud was detected, Director, Supply, Bombay, reported it to the CBI, and SPE, Bombay

Branch. Investigation has been completed. There are four cases which are pending in the Additional Chief Presidency Magistrate's Court. One case has been decided. A partner of the firm committed the fraud. He has been convicted and sentenced to pay a fine and also undergo imprisonment.

SHRI S. M. BANERJEE : This is the first time that he is replying to a question as the Minister of Supply ?

MR. SPEAKER : Then he must be congratulated.

PROF. NARAIN CHAND : PARASHAR. What is the name of the firm ?

SHRI D R CHAVAN : The name of the firm is Khushalbai patel & Sons, and the partner of the firm, I. R. Patel, has been convicted (*Interruption*)

श्री इलीय सिंह : क्या मंत्री महोदय इस फर्म का नाम बतायेगे ? और क्या कोई लीगल एक्शन इसके खिलाफ लिया गया है ? यदि हा, तो उसका क्या रिजल्ट हुआ ?

SHRI D R. CHAVAN : The name of the firm has been given.

Mr. SPEAKER : He has mentioned it.

श्री हुकम चन्द कलबाय : अध्यक्ष महोदय मैं जानना चाहता हूँ क्या यह बात सही है कि जिन अफसरों ने पहले पेमेंट किया है उनका अपना कुछ कमीशन बंधा हुआ था ? क्या जो जांच की गई है उसमें यह पाया गया है कि अफसर स्वयं दोषी है ? यदि हाँ, तो ऐसे कितने अफसरों के खिलाफ केस दायर किये गये हैं और कितने अफसरों के खिलाफ आपने कोई कार्यवाही की है ?

SHRI D.R. CHAVAN : The question is, the fraud has been committed by the firm. Fraud has not been committed by the office; it has not come to the notice of the Government, what is alleged by the hon. Member

is absolutely incorrect.

श्री हुकम चन्द कलबाय : इसमें अफसरों से कुछ कमीशन बंधा हुआ था और उन्होंने लालच में आ करके पहले पेमेंट किया है। मैंने पूछा है कि जो जांच की गई है उसमें क्या अफसरों के खिलाफ कुछ निकला है ? यदि निकला है तो उनके खिलाफ भी कुछ कार्यवाही की गई है क्या ?

MR. SPEAKER : It has been categorically stated, (*Interruption*)

इसी का उत्तर दिया है।

SHRI G. VISWANATHAN : This is a case where a firm has received fraudulent payment without supplying any material. Without the official connivance, it is impossible to get payment without supplying the material. I want to know from the Minister, when he says that it is only a fraudulence on the part of the firm, what action has been taken against the officials who have paid the amount. (*Interruption*)

MR. SPEAKER : Order, order.

SHRI D R. CHAVAN : All the details concerning this case have been given in the 105th report of the Public Accounts committee, 1969. (*Interruption*)

MR. SPEAKER : He has put a categorical question; whether any action has been taken against those officers who have made the payment.

SHRI D. R. CHAVAN : No action has been taken against the officials. (*Interruption*)

श्री हुकम चन्द कलबाय : ये अफसरों को बचाना चाहते हैं क्योंकि अफसरों की साथ गाठ से सारा कुछ हुआ है। (अवधान) आप रिपोर्ट देखेंगे तो पता चलेगा कि वास्तव में अफसर भी शामिल हैं। (अवधान)...

MR. SPEAKER : Order, order, He has already categorically stated that no action has been taken. Now, Shri. H. M. Patel, (*Interruption*)

Shouting and screaming is not substitute for the strength and logic of the question. (Interruption) आप शान्ति से ज्यादा मजबूती के साथ पूछ सकते हैं। शोर करने से क्या वाजबूती नहीं जा जाती।

SHRI H. M. PATEL : Will the Minister be pleased to indicate if the department has carried out any enquiry into this, and whether he has found that there was no scope or there was scope for taking steps against the officers concerned?

SHRI D. R. CHAVAN : The investigation has been done. There was no scope for the officers to commit any fraud; no connivance. I can explain it: how the fraud was committed and all that. I can explain what was the *modus operandi* that was employed. The matter was investigated and the officers were not found to be involved. (Interruption)

MR. SPEAKER : I think he is very honestly telling you. He is not hiding or concealing anything. (Interruptions).

SHRI SHYAMNANDAN MISHRA : What is the modality of payment? How is the officer not involved?

SHRI INDRAJIT GUPTA : Who made the payment? Who sanctioned it?

MR. SPEAKER : He is asking about the modality of payment.

SHRI D. R. CHAVAN : This is advance payment made according to the practice prevalent in the DGSD on the basis of the railway receipt. The *modus operandi* in this case was as follows. The firm were not the manufacturers themselves but they were the agents of certain textile mills. They entered into agreement for supplying various stocks. In this case the mill manufactured the cloth and despatched the cloth after inspection to the destination and passed on the railway receipt to the bankers with instructions that if the firm makes payment to the bank the receipt should be given. The firm did not make payment to the bank but quoted fictitious receipt to the Pay and Accounts and got the money, advance payment which was 90 per cent of the total contract. (Interruptions)

MR. SPEAKER : I have called the next question.

Implementation of ratio of Clerks in E.P.F.O.

*250. SHRI R. P. YADAV : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether ratio of U.D.Cs and L.D.Cs. has been fixed by the Government from 1:2 to 2:1 Employees Provident Fund Organisation and a Gazette Notification in this regard has also been published; if so the specific features thereof and the policy of the Government; and

(b) the steps being taken to expedite the implementation of the same?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA) : (a) The Government have accepted a recommendation of the Central Board of Trustees based on the report of a Committee of Trustees that the ratio of U.D.Cs and L.D.Cs may be liberalised from 1:2 to 2:1 subject to the condition that there would be no overall increase in the total number of posts as a result of the revision of the ratio and the revised ratio should be given effect to from the date of regular filling up of the posts. No gazette notification has been issued prescribing the ratio of the posts of U.D.Cs and L.D.Cs.

(b) The Provident Fund authorities have reported that the Scheme has already been implemented.

SHRI R. P. YADAV : May I know whether a decision has been taken in the matter to reverse the ratio and if so why the same is not being implemented? What is the number of LDCs and UDCs? After this ratio is reversed, how many LDCs were promoted as UDCs?

SHRI BALGOVIND VERMA : I do not follow the point that the ratio had been reversed. It has already been stated that the ratio had been liberalised from 1:2 to 2:1. Accordingly some posts have been filled; 189 posts have been filled and 189 EDCs

were promoted as UDCs. It has been decided to promote 1,000 LDCs as UDCs in the long run.

SHRI R. P. YADAV: I want to know whether the Central Provident Fund Commissioner is not implementing the scheme deliberately due to his prejudices and if so what action is being contemplated against him? Is the Minister aware that the employees are on strike?

SHRI BALGOVIND VERMA: The contention of the hon. member is not correct that the Provident Fund Commissioner is not filling up the posts as per the decision. The fact is, the posts are filled fifty-fifty; i.e. 50 per cent will be by promotion based on seniority and 50 per cent by those who come out successful in the examination. On a tacit understanding, the two methods of filling up the posts will go on side by side. (Interruptions).

SHRI R. P. YADAV: Has it come to the notice of Government that they are on strike?

SHRI BALGOVIND VERMA: It has not come to our notice.

SHRI S. M. BANERJEE: This was one of the demands of the employees of this organisation which has been conceded in part, not fully. Have they submitted a charter of demands and there is a countrywide agitation going on this? Have they made a request to the minister to intervene in the matter? If so, what is his reaction?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): We have received charters of demands from various quarters and one of them is from these employees. We have partially met their demands and partially it is under the consideration of the Board of Trustees. (Interruptions).

Compensation to Victims of Dhuri Mine disaster in Bihar in 1965

*251. **SHRI S. M. BANERJEE:** Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether family members of 268 workers who died in Dhuri Mine Disaster, Bihar

in 1965 have not yet been paid compensation, and

(b) if so, the reasons why no action was taken to get compensation for the family members either by the State Government or by the Union Labour Ministry?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) Yes.

(b) The enforcement of the Workmen's Compensation Act, 1923, rests with the State Government. No action was possible on the part of the State Government as the compensation proceedings pending before the Labour Court, Patna had been stayed by the Patna High Court till the disposal of the civil revision cases preferred before it by the management. These cases have since been disposed of by the High Court and the compensation proceedings have been resumed in the Labour Court at Patna. The date for the next hearing is 28th August, 1972.

SHRI S. M. BANERJEE: In 1965 in Bihar, 268 workers died in the Dhuri Mines owned by the Raja of Ramgarh. We are putting this question in 1972 and we are told that no compensation has been paid to their families. May I know whether the Government of India are in contact with the State Government and whether they will see that at least the members of their families, if they are alive, should be paid this compensation?

SHRI R. K. KHADILKAR: I must admit that it is a sad commentary on the functioning of the judiciary when offences of this nature are brought to the courts, the Labour Court, the Patna High court and all these courts, I do not know under what influence, because so many people died in 1965 and yet no compensation has been paid. (Interruptions). I am stating the facts. (Interruptions).

SHRI DINESH SINGH: How can you cast aspersions on the High Court? It is very unfair.

SHRI INDRAJIT GUPTA: It has taken more than seven years and still they have not been paid compensation. You should be ashamed of such courts.

SHRI PILOO MODY: Government could have paid compensation *suo motu*. Why did they not do it?

MR. SPEAKER: It would be much better if Shri Khadilkar leaves aside all comments and is concise in his answers. He can easily say that it is pending for a long time.

SHRI R. K. KHADILKAR: Under the Workmen's Compensation Act, the implementation rests with the States. Certain advances were made from the Prime Minister's Relief Fund and other funds. They were very meagre because it was such a big disaster.

MR. SPEAKER: May I request him to give brief concise replies instead of long replies because longer replies lead to complication?

SHRI A. K. SEN: It could not have gone to the court unless the Government resisted the claim for compensation.

SHRI R. K. KHADILKAR: Now a stage has been reached where perhaps the case will be finalised soon.

MR. SPEAKER: I am sorry, the question hour is now over.

SHRI INDRAJIT GUPTA: Sir, I thought you would make an observation about it. It is a scandalous thing. Eleven years have passed.

MR. SPEAKER: The Minister has already made it.

SHRI A. P. SHARMA: The Minister has said that the case has reached a stage where it would be finalised. What is the stage now?

SHRI JYOTIRMOY BOSU: This is another glaring instance which shows the class character of the government.

SHRI S. M. BANERJEE: In view of the delay in arriving at a decision by the High Court and in view also of the fact that no compensation has been paid so far, would the government make some *ex gratia* payment?

SHRI R. K. KHADILKAR: This is a suggestion.

SHORT NOTICE QUESTION

Death of Shri Charu Mazumdar in Police Custody in West Bengal

S. N. Q. 2. SHRI H. N. MUKERJEE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the country-wide apprehension over the recent death in police custody in West Bengal of Shri Charu Mazumdar, chairman of the Communist Party of India (Marxist-Leninist);

(b) whether medical and other relevant reports regarding the death of this all-India political personality have been adequately examined; and

(c) whether Government are in a position to allay all apprehensions in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT): (a) and (c). According to the information furnished by the State Government so far, Shri Charu Mazumdar was arrested by the Calcutta police in the early hours of 16th July, at Calcutta. On being taken to the Calcutta police headquarters he was examined, among others, by an eminent heart specialist. An ECG was arranged and all possible medical care was made available. On being remanded to police custody, he continued to be under constant medical attention and treatment as advised by the heart specialist. Family members of Shri Mazumdar were also allowed to see him when he was in police custody. Shri Mazumdar's condition, however, suddenly deteriorated towards the afternoon of 27th July. He was again examined by the heart specialist and on his advice was admitted at 19.30 hours on 27th July, to the S S K. M. Hospital. Despite all medical assistance, Shri Mazumdar expired at about 4.50 hours on 28th July. A four-man panel of physicians, including the heart specialist under whose

treatment Shri Mazumdar had remained has stated that the death of Shri Mazumdar was due to ischaemic heart disease with congestive cardiac failure. The death certificate of Shri Mazumdar was duly signed by the four physicians in the panel. Since the death occurred in police custody, *post-mortem* examination of the dead body was made. The viscera has been sent to the Forensic Science Laboratory for chemical examination. The result is awaited. A magisterial inquest is also in progress.

SHRI H. N. MUKERJEE : The question relates to the death of a leader of a political party and all that we get in answer is that a statement is laid on the Table. The members would like to hear the answer. He is the leader of a respectable party.

MR. SPEAKER : He may ask his supplementary.

SHRI H. N. MUKERJEE : Sir, you should please bear with me for a moment. Before I ask my supplementary, I want to make a submission. This is a question about the death of the leader of a political party of this country and it should be answered in a fashion that the hon. Members would know. Now, hon. Members do not get an opportunity of reading the statement.

MR. SPEAKER : In the case of longer replies they are always laid on the Table.

SHRI JYOTIRMOY BOSU : Sometimes they are read out also.

SHRI H. N. MUKERJEE : Sir, I am a bit intrigued by your concern for time being wasted or not wasted.

In view of the fact that the average citizen would be intrigued by the phenomenon that the heart of Shri Charu Mazumdar which could bear the rigours and tensions of underground life and hounding by the police of the entire country for more than three years was unable to stand the care and comforts provided by the Government for even a fortnight and also, in view of the fact that his widow has made a statement to the effect that adequate medical treatment had not been given to him, that police interrogations had continued for very long

stretches of time to the detriment of his heart condition and similar accusations have been made in journals published in this country, may I know if it is right for the Government to leave this matter to a Magisterial inquest, that is to say, an executive non-entity investigating the proceedings and why does not Government agree to some kind of a real investigation by a proper person or a High Court Judge or something of that sort so that all the misapprehensions in the minds of the people could be allayed?

SHRI K. C. PANT : May I, for the benefit of those Members, who may not have read the Statement give a few sentences from the statement? This is the information given to us by the West Bengal Government :

"On being taken to the Calcutta police headquarters, he was examined among others by an eminent heart specialist. An ECG was arranged and all possible medical care was made available. On being remanded to police custody, he continued to be under constant medical attention and treatment as advised by the heart specialist. Family members of Shri Mazumdar were also allowed to see him when he was in police custody. Shri Mazumdar's condition, however, suddenly deteriorated towards the afternoon of 27th July...."

I might say that when he was captured, along with him oxygen cylinders were also found and, I understand, he was a chronic patient of cardiac asthma. From the photographs, you must have seen that he was considerably emaciated.

Further, I read from the statement :

"He was again examined by the heart specialist and on his advice was admitted at 19.30 hours on 27th July to the S.S.K.M. Hospital...."

—there he expired—

"A four-man panel of physicians, including the heart specialist under whose treatment Shri Mazumdar had remained, has stated that the death of Shri Mazumdar was due to ischaemic

heart disease with congestive cardiac failure. The death certificate of Shri Mazumdar was duly signed by the four physicians in the panel. Since the death occurred in police custody, *post-mortem* examination of the dead body was made..."

As Shri Mukerjee said, a magisterial inquiry is also in progress.

So, I hope, my hon. friend will concede that adequate medical arrangements were made and that all along a heart Specialist was also looking after him and his advice was being followed.

SHRI H. N. MUKERJEE : What-ever one might think of the Minister's statement, since very large number of deaths inside jail, whether by point blank shooting down or otherwise, in recent years, have taken place, can the Government assure that in every such case of death, including that of Shri Charu Mazumdar, *post-mortem* reports properly made would be made available and that a full medical report regarding Shri Charu Mazumdar's death in particular would be made public in view of the magisterial inquest at least which has been announced ?

SHRI K. C. PANT : The death report, as I have already said has been signed by four physicians. The inquest is on. The findings of the inquest will be public. They will be going into the report of the forensic laboratory and the *Post-mortem* examination etc. I do not know procedurally what exactly is made public by the magistrate or what is not made public. But all the procedures laid down will be followed. I for one do not find any reason at all in this to occasion any doubt about the probity of any of the persons involved, Mr. Mukerjee said, some one of probity should look into it. I have no reason to question the probity of either the physician or the magistrate in this case.

SHRI JYOTIRMOY BOSU : The hon. Minister has just now said that from the time of arrest, all along a heart specialist had been attending on late Charu Mazumdar. If I remember aright, the Commissioner of Police, Calcutta, had said very categorically that Mr. Charu Mazumdar

was in good health at that moment. How does it sound that a heart specialist was attending on a man who had been maintaining good health as certified by the Head of the Calcutta Police, namely, the Commissioner of police ? Will the hon. Minister kindly clarify this point ?

SHRI K. C. PANT : I do not know about the statement of the Commissioner of Police. But I do know that the information given to us by the State Government is that Shri Charu Mazumdar was arrested by the Calcutta police in the early hours of 16th July at Calcutta. On being taken to the Calcutta Police headquarters, he was examined among others by an eminent heart specialist. This is the information with me on which I have made the statement. I have myself said on the basis of the information with me that he was a chronic, cardiac-asthma patient. His heart might have been all right when he was arrested, obviously was good enough at that stage, but then there was a sudden deterioration on a certain date. All those fact I have given; I can not give any more.

SHRI JYOTIRMOY BOSU : The Minister is mentioning about the facts at his disposal. We are interested in knowing the correct facts and not cooked-up facts that are often brought before the House. Will he please collect fuller details on this and lay them on the Table of the House, if there is no skeleton in the cupboard ?

SHRI TRIDIB CHAUDHURI : The Minister has said that Mr. Charu Mazumdar was a cardiac-asthma patient. When he was arrested, pathadrine and oxygen cylinders were found with him. He was, immediately after the arrest, examined by a heart specialist. It is also on record that he was subjected to constant interrogation by one Minister in charge of Calcutta Police and also subsequently . . .

SHRI JYOTIRMOY BOSU : Minister of State.

SHRI TRIDIB CHAUDHURI : Minister of State is also a Minister. (*Interruption*) It is not a laughing matter. It is a very serious matter and this thing is being widely commented by the Press, by the

public and not by the people who were all admirers of Mr. Charu Mazumdar. But there is something called justice. Mr. Charu Mazumdar was not found to be convicted of any crime as yet. Anyway it is on record that he was subjected to interrogation, and it has been alleged that he was subjected to 12 hours of continuous interrogation. Before this interrogation took place this grilling third degree method on a cardiac-asthma patient was the advice of a cardiac specialist and other doctors who attended on him obtained before Mr. Charu Mazumdar was subjected to this sort of inhuman interrogation?

SHRI K. C. PANT : I shall again repeat because my hon. friend put some words in my mouth. According to him, I said, 'At once a heart specialist examined ...' I did not say 'once'. I can only say what has been given here : 'On being taken to the Calcutta Police Head-quarters he was examined among others by an eminent heart specialist.' ...

SHRI PILOO MODY : 'On being taken ...'

SHRI K. C. PANT : But the information that I heard said that right from the time he was arrested, he was given proper medical attention. So, I cannot exactly pinpoint when the heart specialist examined him.

Secondly, the question of twelve hours continuous interrogation has been raised by my friend. It has been stated here by the West Bengal Government that because of his poor health, Shri Charu Mazumdar's interrogation was carried out only in brief spells. So, this does not bear out what he says.

SHRI PILOO MODY : Three spells of twelve hours.

SHRI SHYAMNANDAN MISHRA : There are three very material points which arise in this context and need clarification from the hon. Minister.

Now, what are exactly the reasons for a Minister of State interviewing Charu Mazumdar in the Police custody? Is it a practice for a Minister to interview a person in the Police custody?

Secondly, what were the findings of this eminent heart specialist after his examination?

Thirdly, a point arises out of what the hon. Minister has said namely that an inquest is under way. What are the precise points for the inquest?

SHRI K. C. PANT : As to why the Minister of State interviewed Mr. Charu Mazumdar, I cannot answer...

SHRI SHYAMNANDAN MISHRA : Why? Is it the practice?

SHRI K. C. PANT : Obviously I cannot. It is for the State Government. He is not our Minister. Shri Manoharan will be very angry if I choose to answer for one of the Tamil Nadu Ministers here (*Interruptions*)

SHRI K. MANOHARAN : Your Central Ministers can go to Tamil Nadu and meddle with the whole matter?

SHRI K. C. PANT : I am happy about it.

SHRI TRIDIB CHAUDHURI : On a point of order. It has become the practice of the Treasury Benches whenever a question pertaining to States or law and order comes up, to take shelter behind the DMK. That is very unfair. You have admitted the question and this question is being answered. He is answering the question. So, why should he give this sort of answers?

SHRI K. C. PANT : Why not? I do not understand the objection... (*Interruptions*)

SHRI PILOO MODY : If the minister sits down, I can explain the objection to him.

SHRI K. C. PANT : I do not see what fairness or unfairness there is in this. We do hear protests here if one of our Ministers chooses to answer for the State Government. There is the emphasis on State autonomy. So, if I raise this question, how is it unfair?... (*Interruptions*)

SHRI JYOTIRMOY BOSU : On a point of order, Sir. He has accepted this

question. Now he wants to take shelter under DMK. Wonderful, If it is a State matter, how was this question allowed to be admitted? I want to ask this question of you, Mr. Speaker. If it is a matter which involves the State Government, how is it that this question was admitted here? I want to know about that.

SHRI C. T. DHANDAPANI : The DMK Government directed an inquiry whenever such a thing happened in Tamil Nadu. Will your Government follow the same?

SHRI JYOTIRMOY BOSU : Kindly give your observations on what I said.

MR. SPEAKER : If you think it is a wrong thing, then it will not be done in future.

SHRI H. N. MUKERJEE : Are you taking a cue from an odd Member?

MR. SPEAKER : No please.

SHRI H. N. MUKERJEE : This kind of observation that falls from your lips that is recorded for posterity.

MR. SPEAKER : We have accepted it.

SHRI K. MANOHARAN : Sir, I do not want to put any question to Mr. Pant because I want to be magnanimous.

SHRI K. C. PANT : I thank Shri Manoharan for his magnanimity. So far as the findings of the heart specialist are concerned, I do not have the exact findings here; certainly we can find out what the heart specialist had said. But I know that he was called on the 27th. He advised that Shri Majumdar should be hospitalised and straightway he came towards the evening and Shri Majumdar was hospitalised in the evening. This fact I do have with me. As for the inquest the Magistrate did see the dead body in the morning and he also examined some witnesses. He still wanted to examine some more witnesses and only after that examination we will be in a position to know fully.

SHRI SHYAMNANDAN MISHRA : What are the precise points for inquest?

SHRI K. C. PANT : I don't know the precise points, but he was going into the

circumstances and facts surrounding the death to give his findings.

SHRI G. VISWANATHAN : The death occurred on the 27th, July. we presume that on the same day the viscera was sent for chemical examination we do not have the examination results. This is the callous way in which he was treated even after his death. In view of the mounting doubts expressed regarding the medical treatment meted out to him and regarding his death, I want to know whether Government is in a position to accept a judicial inquiry into the whole matter.

SHRI K. C. PANT : He died on the 28th at 4-50 P.M. and not on 27th. I wish to correct him there. So far as the report of the Forensic Science Laboratory is concerned, I myself was surprised that the report had not come. I asked my office to ring up West Bengal Government and they got in touch with the West Bengal Govt and they told them that there were certain tests which take long time. Only this morning we had got in touch with them. I agree with my friend; it looks as if they have taken a long time. So far as the next question is concerned, about the judicial inquiry, my answer is, no.

SHRI A. K. M. ISHAQUE : Charu Mazumdar very successfully eluded arrest for three years and it was known that he was to tour the country for organisational work of his party. It was also known and it was common news that in Calcutta this Naxalite movement was losing its ferocity and its depth. How is it that just before death Charu Mazumdar arrived there in Calcutta and got himself arrested? Was it done under advice from any foreign country, or was it a planned way of being arrested, just before death, for political purpose?

SHRI S. A. SHAMIM : There must be a judicial inquiry. The State Government is a party to the issue. You are basing your opinion on the statements and facts given by the State Government. The facts or the statements are those that have been supplied by the accused, which is, the State Government in this case. Will the Minister agree to an inquiry, either by Members of Parliament or a Judicial Inquiry or even a Central Agency Inquiry, for that matter, of

the CBI, or any other agency, because the State Government is the accused party?

SHRI K. C. PANT : I am surprised at the statement made by the hon. Member that the State Government is the accused party. This is completely wrong.

SHRI S. A. SHAMIM : It is a conspiracy hatched by the State Government. The West Bengal Government has got him killed. The Minister who visited him

SHRI PILOO MODY : They played Nagarwala on him. Who else murdered him?

SHRI S. A. SHAMIM : It is a case of a mysterious death.

SHRI SAMAR GUHA : We differ from the political views of Shri Charu Mazumdar but as he was honest to his own conviction, his death has created a scare in the country. It appears to us that the hon. Minister is not posted with all the information from the Government of West Bengal. I want to know from Government one thing. If the hon. Minister is posted with the facts, he can reply here and now, otherwise, he may supply the information as early as possible after finding out the facts. I want to know whether Shri Charu Mazumdar was in police custody for eleven days before his death. During these 11 days, may I know whether he was at the police headquarters at Lal Bazar or he was taken to jail custody? Further, during those 11 days, for how many hours was he subjected to interrogation? Which were the agencies that interrogated him? May I know whether before interrogation, medical advice was taken on the question whether Shri Charu Mazumdar's health would permit him to be able to bear the strain of interrogation? Lastly, may I know whether his wife and daughter made any complaint about his death to the police?

SHRI K. C. PANT : I have already indicated that he was taken to Calcutta police headquarters. As regards the question how many hours he spent there and how many hours he spent in the police lock-up, I do not know how material it is to what we are discussing now. I do not know the purpose of the question in regard to the

time spent in either place.

SHRI SAMAR GUHA : The hon. Minister has said that he does not know the purpose of the question.

SHRI K. C. PANT : An attempt is being made to raise suspicion over a matter on which factually there is no ground for suspicion.

SHRI S. A. SHAMIM : Suspicion is already there.

SHRI K. C. PANT : Some people are congenitally suspicious.

SHRI S. A. SHAMIM : Because the entire Government's functioning makes us suspicious. Their conduct makes us suspicious.

SHRI K. C. PANT : The material point is whether he had adequate medical aid, and whether he was being looked after by doctors. I have been told that besides periodical examinations by heart specialists, he was also being examined by the police doctor. Somebody had asked for the name of the heart specialist who attended on him. Dr. Chandikar is his name, and as regards the hospital, I have already mentioned that it is the SSKM hospital. Apart from that, Shri Charu Mazumdar was also being examined by the police doctor. Therefore, that is the material point. Therefore, there is no question of his not having been under medical care. He was a heart patient. That is the information. He was a chronic heart patient. Therefore, the police doctors did take the precaution of examining him frequently. So, why should there be objection to that?

So far as his wife and daughter are concerned, I did indicate in my reply that his wife and daughter met him. As far as my knowledge goes, they have not made any complaint, that is, the West Bengal Government have not communicated any complaint by them to me.

SHRI SAMAR GUHA : May I make a submission to you? I had asked a question whether the hon. Minister had any information on the point regarding the number of hours for which he was subjected to interro-

gation, and whether before interrogation, medical advice was taken about whether he would be able to bear the strain of the interrogation. If the hon. Minister has got the information, he may tell us, or else he can supply it at a later date. He has not replied to this very relevant question.

SHRI K. C. PANT : I do not know what the doctor told the people there after each examination. The very fact that he was under examination by a heart specialist and that he was also being examined thrice daily by the police doctor obviously shows how much care the Government there was taking to see that he was given proper medical care. That is the point.

SHRI M. RAM GOPAL REDDY : I want a confirmation from Government ..

MR. SPEAKER : No confirmation, only a question.

SHRI M. RAM GOPAL REDDY : Has any leader from Kashmir, including Sheikh Abdullah, died in our custody? (*Inter-ruption*)

MR. SPEAKER : I have already allowed too many questions on this. I am passing on to the next item.

SHRI PILOO MODY : I have asked only one question this whole session.

MR. SPEAKER : Yes.

SHRI PILOO MODY : I do not understand this questioning and answering procedure which tries to evade the relevant point. It has been admitted by the Minister that Shri Mazumdar was an ill man, suffering from a very chronic disease called cardiac asthma. Under the circumstances, it was asked of the Minister how many hours of police grilling and interrogation did he have. This is very material to find out, because in spite of the fact that they knew his medical condition, he was being interrogated not only by Ministers but by policemen. And what methods were used, nobody knows. The Minister asks, how is it relevant to the question? This is the only relevant thing whether they killed him by interrogation (*Inter-ruption*).

MR. SPEAKER : Order, order. No such remarks should be made.

SHRI K. C. PANT : I have never said whether it was relevant or not. I had only given the relevant facts in answer to the question about interrogation. My information is that the interrogation was being carried out only in brief spells because of his weak and poor health. Thrice a day doctors were seeing him. There was a heart specialist who was attending on him whenever required. Therefore, the presumption is that all those people must have taken the precaution. I do not exactly know what the specialist said; nor do I know exactly what the doctors said. The facts speak for themselves. This is the submission I make.

SHRI R. V. BADE : As soon as Shri Mazumdar was arrested by the police, he must have been produced before the Magistrate and the Magistrate must have remanded him to police or judicial custody. Was he examined at that very time by the judiciary or the Magistrate?

SHRI K. C. PANT : Being a lawyer, my hon. friend knows the procedure. So he knows that he was remanded to police custody.

SHRI R. V. BADE : He must have been examined by the Magistrate.

SHRI K. C. PANT : Yes. The Magistrate did remand him. He knows the procedure. I had said in the beginning—he would have known if he had listened to me carefully—that on being remanded to police custody, he continued to be under constant medical attention and treatment, as advised by the heart specialist.

WRITTEN ANSWERS TO QUESTIONS

भारत-अमरीकी सम्बन्ध

*246. श्री ईश्वर चौधरी : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने अमरीकी सरकार के साथ अपने सम्बन्ध सुधारने के लिए कुछ कदम उठाये हैं;

(ख) यदि हाँ, तो उसका धीरा क्या है; और

(ग) इसमें सरकार को कहां तक सफलता प्राप्त हुई है ?

विदेश मंत्री (श्री स्वर्ण सिंह) : (क) से (ग). भारत-अमरीकी सम्बन्धों में गतिरोध का कारण 1971 में इस उप महाद्वीप में घटित घटनाओं के प्रति अमरीकी कार्यवाहियाँ और नीतियाँ रही हैं। सरकार का ध्यान ऐसे कई वक्तव्यों की ओर गया है जिनमें यह संकेत किया गया है कि संयुक्त राज्य अमरीका भारत के साथ वार्तालाप करने को उत्सुक है। इस संबंध में अमरीका सरकार द्वारा उठाए गए किसी भी ठोस कदम के प्रति हमारी प्रतिक्रिया रचनात्मक होगी।

इस्पात निर्माण की भारतीय विधि

*247. श्री अटल बिहारी वाजपेयी : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) अस्तेकर समिति ने 'इस्पात निर्माण की भारतीय विधि' के बारे में क्या आपत्तियाँ उठाई थीं,

(ख) डेजिन कन्सल्टिंग इंजीनियर्स के श्री गुप्ता ने गत 9 जून के अपने पत्रकार सम्मेलन में इस बारे में क्या स्पष्टीकरण दिया है; और

(ग) जिन देशों में भारतीय विधि पेटेंट हो चुकी है उनके नाम क्या-क्या हैं और इस बारे में भारत की क्या प्रतिक्रिया है ?

इस्पात और खान मंत्री (श्री एस० मोहन कुमारमंगलम) : (क) एक विवरण सभा-पटल पर रख दिया गया है।

(ख) पत्रकार सम्मेलन में परिचालित की गई टिप्पणी में श्री गुप्ता ने अस्तेकर समिति द्वारा की गई आपत्तियों में से किसी का उत्तर नहीं दिया था परन्तु केवल इतना कहा

था कि भारतीय प्रक्रिया के आधार पर एक पायलट प्लान्ट स्थापित किया जाना चाहिए।

(ग) हमारे पास उपलब्ध जानकारी के अनुसार भारती प्रक्रिया को अमेरिका, यू० के०, पश्चिमी जर्मनी, जापान, इटली, फ्रांस, मैक्सिको आदि देशों में पेटेंट कराया जा रहा है।

किसी प्रक्रिया के पेटेंट कराने से यह जरूरी नहीं है कि उस आधार पर वाणिज्यिक उत्पादन करना सम्भव है।

विवरण

सरकार को प्रस्तुत की गई अपनी रिपोर्ट में अस्तेकर समिति इस निष्कर्ष पर पहुंची है कि भारती विधि को काम में लाना सम्भव नहीं है। इस निष्कर्ष के लिए उसने निम्नलिखित तर्क दिये हैं :—

(क) इस विधि की मूल बात अर्थात् लोह अयस्क के अपचयन के लिए कोक-ओवन टाइप की भट्टी के उपयोग में कई तकनीकी बाधाएँ आयेंगी (मैमर्स कापर्स ने भी कहा है कि स्पंज आयरन फनेस प्लान्ट को छोड़कर, इकाइयों के कुशल परिचालन में कोई सन्देह नहीं है।)

(ख) देश में कोक-ओवन विशेषज्ञों, जिनकी इस मामले में राय ली गई थी, ने भी कहा है कि लोह अयस्क के अपचयन के लिए सामान्य अंतिज प्रकार का कोक ओवन चैम्बर उपयुक्त नहीं है विशेषतया इस प्रकार के चैम्बर से पृथर की सहायता से स्पंज आयरन को बाहर धकेलना सम्भव नहीं है।

(ग) अपचयन करने वाली गैस, जिसमें कार्बन मानाकसाइड की मात्रा 70 प्रतिशत होती है के निकलने से स्पष्ट खतरा है। इस विधि में गैस का दाब बड़ कोक भट्टी के दाब से बहुत अधिक होगा।

(घ) अधिक गर्म होने से लोकेलाइज्ड स्टिकर फार्मेशन और आंशिक गलन से ऐसी कठिनाइयाँ हो जाने की सम्भावनाएँ हैं जिनसे शोषण प्रायः काम करना असंभव कर देते।

(द.) अपचयन के पश्चात् गर्म स्पंज लोह के बाहु के सम्पर्क में आने से धात्विक स्पंज लोह का पुनः वापसीकरण हो जाएगा।

Supply of Tin Plates to Tin Can Manufacturing Units

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

(a) the names of firms which have been granted C. O. B. licences for fabricating Tin containers for captive use with a manufacturing capacity of 1000 tonnes per annum and above during the current year (upto 30th June, 1972), and

(b) whether any guidelines have been down for the supply of tin plates to these tin can-manufacturing units ?

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARA-MANGALAM) : (a) During the current year (up to 30th June, 1972) only two C.O.B. (Carry on Business) licences for the fabrication of tin containers were issued to the Vanaspati Manufacturers for their captive use. The names of the firms are as under :—

- (i) M/s. Premier Vegetable Products Ltd., Jaipur.
- (ii) M/s. Bhavnagar Vegetable Products Limited, Bhavnagar (Gujarat).

(b) No guidelines have been laid down by Government for the supply of Tinplates to different units. The distribution of Tinplates is looked after by the Tinplate Producers' Consultative Committee.

Reconvening of Geneva Type Conference on Vietnam

*252. SHRI H. M. PATEL: Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the British Government one of the Co-Chairmen of the Geneva Conference on Vietnam, recently suggested the reconvening of the Geneva type conference ;

(b) the reaction of the Soviet Union the other Co-Chairmen of the Geneva Conference in regard to the British suggestion; and

(c) the reaction of Government to the British suggestion and whether there have been initiatives from India for solving the Vietnam problem ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): (a) to (c). According to the information revealed in the House of Commons, the British Government had made such a proposal to the Soviet Union but the Soviet Union reportedly did not agree with it. This is a matter between the two Co-Chairmen and the Government of India feels that there should be agreement between them and Geneva Conference members before any progress can be made. Also it is Government of India's view that fighting must stop in Vietnam first and a ceasefire arranged before any such conference could be held.

German Technicians in Rourkela Steel Plant

*253. SHRI SHYAM SUNDER MOHAPATRA : Will the Minister of STEEL AND MINES be pleased to state the time by which the German technicians working in Rourkela Steel Plant are expected to leave the Plant ?

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARA-MANGALAM) : There are at present 10 German technicians at Rourkela Steel Plant. The contracts of these ten individuals will expire during the period September, 1972—January 1973.

विदेशों द्वारा भारत में निमित्त सस्त्रों की खरीद

*254. श्री हरि सिंह : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बाहर के कुछ देशों ने भारत में निमित्त सस्त्रों की भारत से खरीदने या सहायता में बांगने का प्रस्ताव किया है; और

(ख) यदि हाँ, तो उन प्रस्तावों पर सरकार की क्या प्रतिक्रिया है ?

विदेश मंत्रालय में उपमंत्री (श्री सुरेन्द्रपाल सिंह) : (क) जी हाँ।

(ख) हमारी नीति मित्त देशों के आइंटों की सरकार के स्तर पर स्वीकार करने की है। ये बेचे जाते हैं। सहायता के रूप में कोई आपूर्ति नहीं की गई है।

रोजगार की तलाश करने वाले नये व्यक्ति

*255. श्री अँकार लाल बेरवा :
श्री लालजी भाई :

क्या मन्त्र और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों में शहरी तथा ग्रामीण क्षेत्रों में कितने नये व्यक्ति प्रतिवर्ष रोजगार की तलाश में रहे; और

(ख) उनमें से कितने व्यक्तियों को उपयुक्त अवधि में रोजगार मिला ?

मन्त्र और पुनर्वास मंत्री (श्री धार० के० काठिलकर) : (क) और (ख). गत तीन वर्षों के दौरान रोजगार कार्यालयों द्वारा पंजीकृत किए गए तथा नियुक्त कराए गए व्यक्तियों की वर्षवार संख्या :

वर्ष	पंजीकरण* (द्वारा पंजीकरण सहित)	नियुक्तियाँ**
1	2	3
1969	42,00,694	4,32,182
1970	45,15,934	4,47,195
1971	51,29,857	5,06,973

*शहरी तथा देहाती क्षेत्रों से पंजीकरण के सम्बन्ध में सूचना अलग रूप से उपलब्ध नहीं है।

**तीन वर्षों (1969—71) के दौरान नियोजित उम्मीदवारों की संख्या का इन वर्षों के दौरान पंजीकृत व्यक्तियों से, जिनके बारे में अलग रूप से सूचना उपलब्ध नहीं है, अनिवार्यतः सम्बन्ध नहीं हो सकता।

Industrial Accidents

*256. SHRI FATE SINGHRAO
GAEKWAD:
DR. KARNI SINGH:

Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether the incidence of industrial accidents in the country has of late risen considerably;

(b) if so, the total number of industrial mishaps during the last three years and how many of them proved fatal;

(c) the total loss in terms of money and the total number of man-days lost as a

result of industrial accidents during the above period; and

(d) the steps proposed to be taken to improve the safety regulations ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) to (c). A statement is laid on the Table of the Sabha. The information regarding total loss in terms of money is not available.

(d) The Safety requirements laid down in the State Factories Rules framed under the Factories Act, 1948 and Regulations framed under the Mines Act, 1952 are constantly reviewed, enlarged and improved upon wherever considered necessary.

Statement

No. of accidents and man-days lost in factories covered by the Factories Act, 1948

Year	Fatal	Non-fatal	Total	No. of man-days lost on account of non-fatal accidents
1968	565	2,26,893	2,27,458	25,90,854
1969	618	2,61,997	2,62,615	29,87,587
1970 (Pro- visional)	609	2,87,496	2,88,105	28,94,914

No. of accidents and man-days lost in mines covered by the Mines Act, 1952

		No. of accidents		No. of persons		Man days lost on account
		Fatal	Serious	Killed	Seriously injured	of Serious Injuries Estimated
1969	Coal	211	1,650	232	1,717	97,869
	Non-coal	78	861	89	886	49,616
1970	Coal	194	1,577	212	1,625	68,250
	Non-coal	58	786	66	799	42,347
1971	Coal	199	1,451	231	1,535	79,820
	Non-coal	65	749	73	813	39,837

निर्माण और औद्योगिक उद्देश्यों के लिए छोटे उपभोक्ताओं को इस्पात का बितरण

*257. श्री राम सहाय पांडे : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या इस्पात में मुनाफाखोरी और चोर बाजारी बड़े पैमाने पर चल रही है जिससे निर्माण के और औद्योगिक क्षेत्र में छोटे उपभोक्ताओं को अत्यन्त कठिनाई हो रही है;

(ख) क्या इस्पात के बितरण को सुव्यवस्थित बनाने के लिए कोई नीति बनाई जा रही है जिससे कि छोटे उपभोक्ताओं को सीधे सरकारी एजेंसियों से निर्धारित मूल्य पर इस्पात उपलब्ध हो सके; और

(ग) यदि हाँ, तो इस बारे में उक्त नीति के मार्गदर्शी सिद्धान्त क्या है और इन सम्बन्ध में अब तक क्या कदम उठाये गये हैं ?

इस्पात और खान मंत्री (श्री एस० मोहन कुमारमंगलम) : (क) से (ग). यह कहना ठीक नहीं है कि इस्पात में बहुत मुनाफाखोरी और चोर बाजारी है। वर्तमान बितरण व्यवस्था उपभोक्तोन्मुख है और उपलब्ध इस्पात का लगभग 95 प्रतिशत विनियमित मूल्यों पर वास्तविक उपभोक्ताओं को सीधा प्रेषित कर दिया जाता है। फिर भी, तथाकथित वास्तविक उपभोक्ताओं को दिया गया माल खुले बाजार में बिके जाने के बारे में कुछ शिकायतें प्राप्त हुई हैं। कोइला और इस्पात

(नियंत्रण) आदेश में संशोधन करके इस बात की व्यवस्था की गई है कि जिस काम के लिए इस्पात मांगा गया था वह आवंटित किया गया हो उससे भिन्न किसी अन्य काम के लिए उसका उपयोग कोहा और इस्पात (नियंत्रण) आदेश का उल्लंघन माना जाएगा और आवश्यक वस्तु अधिनियम के अन्तर्गत दण्डीय होगा। देश के विभिन्न भागों में क्षेत्रीय कार्यालय भी खोले गये हैं और उनके कार्यों में एक कार्य इस्पात के दुरुपयोग को रोकना भी है।

**Stoppage of Steel quota for
Agriculture Ministry**

*258. SHRI NIHAR LASKAR .
SHRI C.K. CHANDRAPPA :

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

(a) whether his Ministry has stopped the steel quota of the Agriculture Ministry for the last one year which was being supplied for the last 25 years ,

(b) if so, the reasons therefor, and

(c) whether there are any prospects of restoring the supplies of steel to Agriculture Ministry?

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMAR MANGALAM) (a) The system of allocation of "quotas" was given up when the Steel Distribution policy was revised in May 1970. All despatches from the Main Producers are now regulated in accordance with the Priority allocations decided every quarter by the Steel Priority Committee. The Priority requisitions sponsored by the Agriculture Ministry are also given due consideration by the Steel Priority Committee.

(b) and (c). Do not arise

I.L.O. Programme of Research

*259 SHRI K. BALADHANDAYUTHAM :
Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the International Labour Conference has finalised a programme of research and action to help developing countries choose technologies offering the best possibilities of balanced economic, social and technical progress ;

(b) whether any such research and action programme is to be taken up in India by International Labour Organisation; and

(c) if so, the salient features thereof ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (c) No such programme has been finalised by the International Labour Conference. It, however, passed a Resolution at its 57th Session (June 1972) laying down guide-lines for dealing with labour and social implications of automation and other technological developments and requesting the Director General of the I.L.O. *inter alia*, to provide the developing countries at their request with suitable technical and research assistance to ensure positive results of the introduction of technological innovation. The Resolution has not been formally received by the Government of India nor has it been examined yet by the Government.

**Workers Problems regarding settlement of
claims and grant of Loans**

*260 SHRI RAMAVATAR SHASTRI :
Will the Minister of LABOUR AND REHABILITATION be pleased to state

(a) whether the poor workers and subscribers are faced with the problem of settlement of claim or grant of loans because of the ignorance regarding the procedure to fill in the forms;

(b) whether the desirability of getting printed long hand—bills in the form of notices regarding the procedure of getting claims settled or loans granted and paste them on the walls of the factories and mines remotely situated as other notices are pasted by the other departments under the Mines Act and the Factories Act has been considered; and

(c) whether Government will consider the issuing of orders to all the Regional

Commissioners to meet the workers every-day at a fixed time and hear their grievances like some Regional Commissioners who have already started doing this?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : The Provident Fund Authorities have reported as under :—

(a) No such complaint has been received in this behalf.

(b) Various forms including those for settlement of Provident Fund claims, grant of loans are, as a rule, printed bilingually in English and in the Regional language. It is therefore, not considered necessary to get long hand-bills printed in the form of notices and pasted on the walls of establishments.

(c) Regional Commissioners generally meet workers and others who seek interview with them in connection with the Provident Fund affairs and take suitable action on their complaints. It does not appear necessary to issue separate orders in this behalf.

Indo-Bangladesh consultations

2380. **SHRI E. V. VIKHE PATIL :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government propose to have high level consultations with Bangladesh on issues involving the three nations of the sub-continent; and

(b) if so, by what time a decision on the matter is likely to be taken?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) and (b). Government is in constant touch with the Government of Bangladesh on issues common to India, Bangladesh and Pakistan.

Chief Engineer of a Public Undertaking in Rajasthan caught Red-Handed

2381. **SHRI CHANDRA SHEKHAR SINGH :**
SHRI HARI SINGH :

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

(a) whether the Central Bureau of Investigation have recently caught red handed a Chief Engineer of a Public Undertaking in Rajasthan for allegedly accepting a Graft of Rs. 5000/- from a Calcutta firm in a posh hotel of New Delhi;

(b) if so, the names and other details of the persons taking and giving graft and the firms to which these persons belonged; and

(c) the action proposed to be taken by Government to punish the persons involved?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b). Yes, Sir. The Central Bureau of Investigation received a complaint from a representative of M/s Damodar Enterprises Ltd., Calcutta alleging that Shri Jacob C. Korah, Chief Engineer (Civil), Khetri Copper Project, was demanding a sum of Rs.5000/- for having shown favours in restoring the contract as well as for acceptance of future supplies to be made by the firm without any objection. Accordingly, the C. B. I. laid a trap and caught the official concerned red handed while accepting the bribe from the complainant at Akbar Hotel, New Delhi on 16.6.72.

(c) The case is under investigation by the Central Bureau of Investigation and appropriate action will be taken on receipt of their report.

मध्य प्रदेश में अलौह धातुयें

2382. **श्री वंशावरण दीक्षित :** क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश में कौन-कौन सी अलौह धातुयें उपलब्ध हैं और उनके अनुमानित भंडार कितने हैं;

(ख) राज्य में वर्ष 1969-70 में हवाई जलिन सर्वेक्षण तथा भारतीय भूधर्मीय सर्वेक्षण की कार्यवाहियों के क्या परिणाम निकले हैं और

यदि कोई अनुवर्ती कार्यवाही की गई है तो क्या;

(ग) क्या राज्य की प्रचुर खनिज सम्पदा का उपयोग करने का सरकार का कोई निश्चित कार्यक्रम है; और

(घ) यदि हां, तो तत्सम्बन्धी मुख्य विशेषतायें क्या हैं ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां) : (क) भारतीय भूवैज्ञानिक सर्वेक्षण द्वारा मध्य प्रदेश में अलौह धातुओं के लिए किए गए अन्वेषणों के फलस्वरूप बालाघाट जिले के मालंजखण्ड में 1% तांब्रांश वाली तांब्र धातुक की 400 लाख टन, बिलासपुर बालाघाट, मण्डला, शाहदोल, दुर्ग, रायगढ़ और सुग्गुना जिलों में 45% ऐलूमिनास वाली बाक्साइड की 529.8 लाख टन अनुमानित उपलब्ध राशियाँ निर्धारित की गई हैं।

(ख) भारतीय भूवैज्ञानिक सर्वेक्षण ने 1969-70 के दौरान मध्य प्रदेश में कोई हवाई सर्वेक्षण नहीं किए। तथापि, राष्ट्रीय भूभौतिकीय अनुसंधान संस्थान ने 1968 के दौरान मध्य प्रदेश के पन्ना, चित्तौड़पुर और टीकमगढ़ जिलों में 1600 वर्ग किलोमीटर क्षेत्र में हवाई चुम्बकीय एकरूपीय सर्वेक्षण किए तथा उनसे संबंधी रिपोर्ट में कुछेक क्षेत्रों में अधिक विस्तृत भूमि अन्वेषणों के लिए सिफारिश की। जनवरी, फरवरी, 1972 में राष्ट्रीय भूभौतिकीय अनुसंधान संस्थान द्वारा मध्य प्रदेश में नर्मदाघाटी के पूरब में 20,000 वर्ग किलोमीटर क्षेत्र पर

उड़ान की गई। इस सर्वेक्षण के चुम्बकीय और स्फूर्णिय आंकड़ों का विश्लेषण किया जा रहा है। हवाई खनिज सर्वेक्षण और समन्वेषण (भारतीय भूवैज्ञानिक सर्वेक्षण का स्कंध) ने भी जून, 1972 में मध्य प्रदेश में हवाई सर्वेक्षण किए जिसके परिणाम प्रतीक्षित हैं।

(ग) और (घ). हिन्दुस्तान लिमिटेड मालंजखण्ड तांब्र निक्षेप के विकास के लिए कदम उठा रहा है। भारत ऐलुमिनियम कम्पनी, कोरबा में, अमरकंटक और पुटला पहाड़ बाक्साइड निक्षेपों पर आधारित एक लाख टन ऐलुमिनियम प्रति वर्ष की क्षमता वाली एक ऐलुमिनियम प्रायोजना को कार्यान्वित कर रहा है।

मध्य प्रदेश में लौह अयस्क के निक्षेप

2383. श्री गंगाधरन बीक्षित : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश राज्य में किन-किन क्षेत्रों में लौह अयस्क के निक्षेपों का पता लगाया गया है;

(ख) इन निक्षेपों में लगभग कितना लौह अयस्क मिलने की संभावना है; और

(ग) उनके उचित समन्वेषण के लिए सरकार द्वारा क्या कार्यवाही की जा रही है ?

इस्पात और खान मंत्रालय में राज्य-मंत्री (श्री शाहनवाज खां) : (क) से (ग). विवरण सभा पटल पर रखा जाता है।

विवरण

भारतीय भूवैज्ञानिक सर्वेक्षण द्वारा किए गए अन्वेषणों के परिणामस्वरूप मध्य प्रदेश के बस्तर, दुर्ग, जबलपुर और खालियर जिलों में लौह अयस्क के कुछ निक्षेप पाए गए हैं। इन जिलों में लौह अयस्क की निक्षेप-वार उपलब्ध राशियाँ निम्नलिखित हैं :—

(i) बैलाडिला (14 निक्षेप)	(बस्तर जिला)	11350 लाख टन (अनुमानित)
(ii) मारीचुवरी		170 यथोक्त
(iii) रोषाट		7500 यथोक्त

(उपपक्षित)

(iv) बंसाडोंगरी	बस्तर जिला	320 यथोक्त
(v) तेनायर	"	120 यथोक्त
(vi) कौण्डपाल	"	610 यथोक्त
(vii) रामरा	(दुर्ग जिला)	1600 यथोक्त (प्रमाणित)
(viii) दल्ली	"	
(ix) कोकन	"	200 यथोक्त
(x) महामाया	"	500 यथोक्त
(xi) कनहवारा	(जबलपुर जिला)	170 यथोक्त
(xii) अगारिया	"	140 यथोक्त
(xiii) सरोलीइ	"	40 यथोक्त
(xiv) घेरा गोसलपुर और बिजौरी	"	340 यथोक्त
(xv) सान्तऊ हणहार	(ग्वालियर जिला)	450 यथोक्त (अनुमानित)

इसके अतिरिक्त, खान्दवा, छत्तरपुर और सिधी जिलों में लघुतर निक्षेप पाए गए हैं।

बैलाडिला निक्षेप सं० 4, 5, 10, 11क, 11ख, 11ग, 13 और 14 में व्ययन द्वारा समन्वेषण सम्पूरित हो चुका है। भारतीय भू-वैज्ञानिक सर्वेक्षण ने 1971-72 से बस्तर जिले में रोबाट और उसके समीपवर्ती क्षेत्रों में विस्तृत अन्वेषण प्रारम्भ किए हैं। कार्य के 1975-76 तक सम्पूरित हो जाने की सम्भावना है।

मध्य प्रदेश में टेक्सटाइल मिलों के उद्योगपतियों द्वारा मजूरी बोर्ड की सिफारिशों के अनुसार मजूरी का भुगतान न करना

2384. श्री गंगाधरन दीक्षित : क्या भ्रम और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस आशय की शिकायतें मिली हैं, कि मध्यप्रदेश टेक्सटाइल मिलों में उद्योगपति मजूरी बोर्ड के निर्णयों के अनुसार मजूरों को मजूरी नहीं दे रहे हैं; और

(ख) यदि हां, तो इस बारे में क्या कार्यवाही की गई है अथवा करने का विचार है ?

भ्रम और पुनर्वास मंत्री (श्री आर० के० काकिलकर) : (क) मजूरी बोर्ड की सिफारिशों की क्रियान्विति राज्य सरकारों द्वारा करवाई जा रही है। उन से प्राप्त सूचना के अनुसार,

22 कपड़ा मिलों में से, 18 ने सिफारिशों पर क्रियान्विति कर दी है। शेष चार ने या तो सिफारिशों पर आंशिक रूप से क्रियान्विति की है या बिल्कुल भी क्रियान्विति नहीं की है। उनमें से एक रुग्ण इकाई है, एक हाल ही में स्थापित सहकारी इकाई है और सिफारिशों को क्रियान्वित करने की स्थिति में नहीं है तथा दो मिलों के सम्बन्ध में यह बताया गया है कि वे वित्तीय कठिनाइयों में हैं।

(ख) प्रश्न नहीं उठता।

मध्यप्रदेश के कपड़ा मिलों के कर्मचारियों को समय पर बोनस का भुगतान न किया जाना

2385. श्री गंगाधरन दीक्षित : क्या भ्रम और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश में कपड़ा मिल के

कुछ श्रमिक संघों और कर्मचारियों ने केन्द्र सरकार से श्रमिकों को बोनस को समय पर भुगतान न किये जाने के बारे में शिकायत की है; और

(ख) यदि हाँ, तो इस सम्बन्ध में सरकार द्वारा क्या कार्यवाही की गई है ?

श्री श्री वृन्दास मन्त्री (श्री भार. के. साहित्यकार) : (क) और (ख). कपड़ामिलों द्वारा बोनस के भुगतान के सम्बन्ध में राज्य सरकार 'उचित सरकार' है और इस सम्बन्ध में जो भी शिकायतें हों, वे उन्हें उचित कार्यवाही के लिए सम्बोधित की जानी चाहिए।

Survey for Semi-Precious Stones in Trivandrum

2386. SHRI VAYALAR RAVI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government are aware that in all over Trivandrum District there are reported occurrence of Semi-Precious stones and Private parties are working round the clock to extract them for the last five years;

(b) whether any investigation has been made on this by the Geological Survey of India; and

(c) if so, the main features thereof and the steps taken to exploit these resources ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a). The sporadic occurrences of semi-precious stone namely chrysoberyl in parts of Nedumangad taluk in Trivandrum district have been known to Government. Government of Kerala are aware of attempts of illicit mining of precious stones in the area and have also taken action against persons engaged in illicit mining.

(b) and (c). Investigation for gem quality chrysoberyl was taken up by Geological Survey of India in parts Quilon and

Trivandrum districts during the field seasons 1962-63, 1964-65 and 1969-70. The investigation has revealed that the chrysoberyl appears to be accessory mineral in the pegmatites traversing the crystalline rock and as detrital mineral in pebble beds and gravels. These investigations indicate that large scale exploitation of these stones in the area may not be economically viable.

Defective functioning of Kerala Circle of geological Survey of India

2387. SHRI VAYALAR RAVI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government have received any representation regarding the defective functioning of the Kerala Circle of the Geological Survey of India; and

(b) if so, the steps taken to streamline the administrative set up of this institution in Kerala ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a). Yes, Sir. A representation has been received recently.

(b) The matter is under examination.

Bihari and Non-Bihari feelings among workers of Hindustan Copper Limited

2388. SHRI SWARAN SINGH SOKHI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the officers of Hindustan Copper Limited at Mohubhandar, Ghat-sila, Bihar are indulging in local politics and creating the feelings of Bihari and non-Bihari amongst the workers ; and

(b) if so, the action Government propose to take in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a). No Sir.

(b) Does not arise.

Mining of Bauxite at Nileshwar (Kerala)

2389. **SHRI RAMACHANDRAN KADANNAPALLI**: Will the Minister of STEEL AND MINES be pleased to state the stage at which the investigation of mining Bauxite at Nileshwar in Cannanore District, Kerala State stands now?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN): Exploration for bauxite in 4 blocks at Nileshwar in Cannanore district of Kerala is in progress since October, 1970. Probable reserves of 1.76 million tonnes of Bauxite with 40 to 60% alumina content has tentatively been estimated in Block I where detailed drilling has been completed. Pitting for confirmation of drilling date is in progress. Detailed investigation by drilling in Block II is in progress and Bauxite horizon up to 6.35 metres thickness has been intersected in 23 boreholes. Preliminary test drilling in Blocks III and IV has been completed and follow up work is in progress.

Mercury deposits in Kerala

2390. **SHRI RAMACHANDRAN KADANNAPALLI**: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have received the report of the Geological Survey of India regarding the investigation of the mercury deposits in Badagara in Kerala; and

(b) if so, the stage at which the investigation is progressing?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN): (a) and (b). Preliminary investigation by Geological Survey of India for mercury near Badagara has been completed. The investigation has not revealed the presence of any promising zone in this area. The Report is under preparation.

Unemployed Automobile Engineering Diploma Holders

2391. **SHRI ONKAR LAL BERWA**: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) the number of unemployed Automobile Engineering Diploma holders on the live register of Employment Exchanges in the country during the last three years, year-wise;

(b) the number of such unemployed engineers in Delhi; and

(c) the steps Government propose to take to absorb them?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR): (a) and (b). The number of diploma holders in automobile engineering on the Live Register as at the end of each year is given below:

Year	All-India	Delhi
1969	524	26
1970	625	39
1971	716	40

(c) In addition to the large number of employment opportunities generated as a result of implementation of various development programmes included in the Fourth Five Year Plan, increasing number of job opportunities are expected to be created by the Special Employment Oriented Schemes and Programmes taken up since the year 1970-71 including programmes for the benefit of educated persons initiated during the year 1971-72.

In the Union Budget for 1972-73 an aggregate provision of Rs. 125 crores has been made for Special Welfare Schemes. This amount includes a sum of Rs. 60 crores for Special Employment Programmes which would be for the continuation of the various employment programmes taken up in 1971-72 and for organising new programmes both in rural and urban areas. These schemes will benefit the unemployed including the automobile engineers in the country as well as in the Union Territory of Delhi.

Contract of expansion of Coke Ovens at Rourkela Steel Plant

2392. **SHRI SWARAN SINGH SOKHI**: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the expansion of half battery of coke ovens at Rourkela Steel Plant has been given on contract to a foreign firm, because the Central Design Bureau, has failed to undertake the job;

(b) if so, the total amount of the whole contract and the foreign exchange involved; and

(c) the amount as penalty the Hindustan Steel Limited propose to impose on the contractor, if they fail to complete the construction of the coke oven within the stipulated time ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Letter of intent for construction of an additional half Coke Oven Battery at Rourkela Steel Plant has been issued in favour of M/s. Otto India Private Ltd. The question of Central Engineering and Design Bureau, failing to undertake this job does not arise as it is not intended for undertaking construction jobs.

(b) According to the final quotation, the total contract value is Rs. 4.222 crores, including a foreign exchange component of Rs. 1.307 crores. Negotiations are still going on in regard to specifications of the fire bricks to be used. The result of these may affect the value of the contract.

(c) M/s. Otto India Private Ltd., have accepted Hindustan Steel Limited's general condition of contract regarding penalty for late delivery, which prescribes liquidated damages of 1% of the contract value for each completed month of delay, subject to a maximum of 3% of the contract value. The party is also required to pay penalties for non fulfilment of performance guarantees subject to a ceiling of 3% of the total contract value. However, the overall ceiling on penalties for shortfall in performance guarantees and liquidated damages due to failure to complete the work in time, will be 5% of the total contract value.

Implementation of Coal Wage Board recommendations by Coal Mine Owners in Assam, Nagaland and Meghalaya

2394. SHRI ROBIN KAKOTI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the names of the Coal mine owners of Assam, Nagaland and Meghalaya who have not yet implemented the Coal Wage Board Award; and

(b) the steps taken against them ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) The names of the Coal mines and the owners are as below :—

Sl. No.	Colliery	Name of owner
1.	Tipong Colliery	M/s. Assam Railways & Trading Co. Ltd., Assam.
2.	Ledo Colliery	—do—
3.	Bargalai Colliery	—do—
4.	Dilli Colliery	M/s. Dilli Collieries (Assam) Ltd.
5.	Koilajan Colliery	M/s. Koilajan Collieries Ltd., Assam.
6.	Jeypore Colliery	Jeypore Collieries (P) Ltd., Assam.
7.	Thanjinath Colliery	Shri Ramanand Shah, P.O. Lebang, Shillong.
8.	Shilwata Colliery	Shri H.P. Dutta, Dipali House, Shillong.

The recommendations are not enforced statutorily and implementation is achieved largely through persuasion and advice. A disputes relating to non-imple-

mentation of the Wage Board recommendations by collieries of M/s. Assam Railways and Trading Co. Ltd., Assam has been referred for adjudication.

Survey of underground Minerals in States

2395. SHRI ROBIN KAKOTI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether any survey of underground minerals has been conducted in Assam, Nagaland, Meghalaya, Manipur, Tripura and Union Territories of Mizoram and Arunachal;

(b) if so, the particulars thereof, mineral-wise and State-wise and Union Territory-wise; and

(c) whether, based on the findings of the survey, any plan has been drawn up in this connection ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b). A statement is laid on the Table of the House.

(c) In Assam, coal and oil are being exploited and a cement factory is being set up at Bokajan. In Meghalaya, limestone for cement plant at Cherrapunji and sillimanite in Sonapahar are being exploited. Limestone investigations are being carried out by the Geological Survey of India for the proposed cement plant in Manipur. Government of Tripura are considering to establish small scale glass factory and ceramic factory in the State.

Statement

As a result of investigations carried out by the Geological Survey of India in Assam, Nagaland, Meghalaya, Manipur, Tripura and Union Territories of Mizoram and Arunachal, the minerals located in these States and Union Territories are given below :—

Assam

Coal. Investigations have recorded coal at Koilajan (0.6 million tonnes) in United North Cachar and Mikir Hills district, at Dilli-Jeypore (20 million tonnes) and at Makum (191 million tonnes) in the districts of Lakhimpur and Sibsagar.

Clay. Deposits of clay have been located in

Mikir Hills and the reserves have been estimated in the order of 6 million tonnes.

Iron Ore. Estimated reserves of iron ore are of the order of 50 million tonnes in Goalpara district.

Limestone. Sizeable deposits of limestone have been located at Koilajan, Garampani, Meyang Disa, Jorapgaon and Bar Harigaon in United Mikir and North Cachar Hills district and along the boundary zone between Sibsagar and Nowgonj districts.

Lepidolite. Minor occurrence of lepidolite reported from Goalpara district.

Petroleum. Important oilfields are at Digboi, Naharkatiya and Moran in Lakhimpur district.

Meghalaya

Coal. The reserves of coal estimated are of the order of 422 Million tonnes in Garo Hills and 67 million tonnes in Khasi and Jaintia Hills.

Clay. About 100 million tonnes of clays have been estimated in Garo Hills and about 20 million tonnes in Khasi-Jaintia Hills

Copper-lead-zinc Geological and geo-physical work carried out in the Aumpyrtha area in United Khasi and Jaintia Hills district have revealed a small zone of copper-lead-zinc mineralisation of uneconomic dimensions.

Limestone. Extensive deposits of good quality limestone have been located near Therriaghat-Sheila, Cherrapunji and at Nongkhalih in United Khasi and Jaintia Hills district.

Sillimanite : Sillimanite is being exploited from Sonapahar deposit.

Glass sand and occurrences of phosphatic nodules have also been located in Khasi Hills.

Manipur

Limestone. Deposits of limestone have been located near Ukhrul, Mongdung,

Lambert and at places in Tengnoupal sub-division. The total reserves of limestone occurring at these places have been estimated at about 3 million tonnes. Detailed investigation for limestone is being continued in Manipur.

Occurrences of lignite in Jiribum sub-division, clays associated with lignite and salt spring in Thoubal sub-division, nickel and chromite in Moreh have been investigated. So far the results are not encouraging.

Nagaland

Coal. The reserves of coal estimated in Naga Hills are of the order of 55 million tonnes.

Tripura

Clay and glass sand. The principal minerals deposits of Tripura are clays and glass sand, the estimated reserves of which are of the order of 54,000 tonnes and 310,000 tonnes respectively.

Minor uneconomic occurrences of lignite and a number of gas seepages were also located.

Arunachal Pradesh

Coal. About 91 million tonnes of coal have been estimated in Namchik-Namphuk coalfield in Tirap district. Coal has also been located in parts of Siang and Kameng districts.

Limestone. Reserves of limestone estimated at Tiding are of the order of 50 million tonnes.

Investigations have also located occurrences of clays in Lohit district, Marble in Siang district, and lignite in Subansiri district, graphite in Lohit district, copper, lead and oil seepages in Tirap frontier and iron ore and mica in Subansiri district.

Mizoram

Geological mapping and preliminary mineral investigation are being carried out in parts of Mizoram.

Godowns of Hindustan Steel Limited in Assam

2396. **SHRI ROBIN KAKOTI :** Will the minister of STEEL AND MINES be pleased to state :

(a) the names of the godowns, if any, of the Hindustan Steel Limited in Assam; and

(b) the names of the appointed agents, if any, of the Hindustan Steel Limited, to sell its products in Assam ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Hindustan Steel Limited have a Branch Sales Office-cum-Stockyard in Gauhati.

(b) Hindustan Steel Limited have not appointed any agents to sell their products. The materials received in their stockyard at Gauhati are sold by them directly.

Indo-Israeli Relations

2397. **SHRI ROBIN KAKOTI :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government have taken any decision regarding the establishment of diplomatic relations with Israel; and

(b) if not, whether there is any possibility of establishment of diplomatic relations with Israel in the near future ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) and (b). While Government of India extended *de jure* recognition to Israel in September, 1952, no proposal is under Government's consideration for establishing diplomatic relations.

Advertisement for recruitment of Indian Doctors for Nigeria

2398. **SHRI CHANDRA SHEKHAR SINGH :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Mid-Western State Hospital Management Board of Nigeria had

advertised for recruitment of Indian doctors in this country's Newspaper on 25th May, 1972;

(b) if so, the number of Indian doctors selected by them, and whether approval of his Ministry was made in this regard and whether permission for recruitment of Indian doctors was taken by the Nigerian Hospital Authorities;

(c) if so, whether the exodus of Indian doctors in this manner in large numbers is being encouraged by Government and constitutes another bad example of "brain drain" and

(d) the steps Government propose to stop this type of "brain drain" by foreign hospitals in India ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Yes Sir.

(b) The number of doctors, if any, if any, selected is not known as the recruitment was being made directly by the Nigerian authorities. The Government of India's permission was not sought.

(c) Government does not encourage a large scale exodus of Indian doctors. However, it is the Government of India's policy to assist fellow developing countries to the extent possible by making available the services of Indian experts in various fields, including medicine. This is in accordance with the basic tenets of cooperation among developing countries to which the Government of India subscribes. In this instance it seems that similar advertisements for the recruitment of doctors appeared simultaneously in India, United Kingdom, Canada and, perhaps, also other countries. The State Hospital Management Board, Benin City, have apparently not finalised their selection and no Indian doctor has been recruited so far. Nevertheless, it may be noted that under this scheme, doctors will serve for a limited period on a contract at the expiry of which they would naturally be expected to return to India.

(d) The Government of India encourages foreign governments to recruit their

requirements through the good offices of the Government of India with the help of the administrative apparatus devised for this purpose. This helps to keep a check on the outflow of our expertise while at the same time ensuring the Government's interest in cooperating with the foreign government concerned by rendering assistance.

Role of United Nations Military Observers' group in J & K

2399. SHRI S. A. MURUGANANTHAM :
SHRI B. V. NAIK :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the United Nations Military Observers' Group in Jammu and Kashmir has ceased to have any functional role since the 1949 ceasefire line no longer exists;

(b) whether under the Simla Agreement the responsibility of maintaining peace along the line of control of 1971 has been assumed by India and Pakistan; and

(c) whether in the context of these developments, Government would demand the winding up of the United Nations Military Observers' Group in Jammu and Kashmir ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Yes, Sir.

(b) Under paragraph 4(ii) of the Simla Agreement, India and Pakistan have bilaterally agreed to respect the line of control in Jammu and Kashmir which came into effect on 17th December, 1971, not to alter it unilaterally, and to refrain from the threat or the use of force in violation of it.

(c) Government have made the position clear. It is for the U.N. to decide whether the U.N. observers should be removed from the area.

Briefing of Journalists at Shimla

2400. SHRI NARENDRA SINGH :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Secretary, Ministry of External Affairs, invited selected journalists for a dinner briefing at Simla during the Summit;

(b) whether journalists of some important regional and language papers were left out; and

(c) if so, the reasons therefor and the names of the journalists invited and those excluded, separately ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) No, Sir.

(b) and (c). It was considered desirable that the Foreign Secretary should give some background information only to some selected senior Indian journalists and columnists the evening before President Bhutto's arrival in Simla. For such a selected briefing usually all national newspapers, all national news agencies, and some representative and important regional and language papers are invited. This was done in the present case also. Naturally, not all the regional and language papers who had representatives covering the Simla Summit could be asked because of the numbers involved. Such briefings are always informal and arranged at the last moment. No separate official list was prepared of the names of journalists. All the journalists asked and all those excluded cannot at this stage be recalled for the reason that no lists were maintained.

शिमला में पाकिस्तान के राष्ट्रपति से मिलने वाले गैर-सरकारी भारतीय

2401. श्री शंकर बहाल सिंह : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या शिमला शिखर वार्ता के दौरान पाकिस्तान के राष्ट्रपति से कुछ गैर-सरकारी लोगों ने भी भेंट की थी; और

(ख) यदि हाँ, तो उनके नाम क्या हैं तथा अन्य और क्या हैं ?

विदेश मंत्रालय में उपमन्त्री : (श्री सुरेन्द्र-पाल सिंह) : (क) जी हाँ।

(ख) पाकिस्तान के राष्ट्रपति और प्रतिनिधिमण्डल किसी भी व्यक्ति से मिलने के लिए स्वतंत्र थे।

Compensation to be paid By Pakistan in respect of Investment on Railway lines in Occupied Territory

2402. SHRI N. K. SANGHI : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a, whether there was any discussion with the Pakistan President during the Summit talks in Simla for compensation to be paid to India for such investment on Railway lines made by India in the occupied territories which were to be returned to Pakistan as a result of the agreement; and

(b) if so, the outcome of the discussion ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) No, Sir.

(b) Does not arise.

Indo-Pak Relations with regard to trade, commerce and Air Services

2403. SHRI R. S. PANDEY : SHRI ISHWAR CHAUDHRY :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether some steps have been taken so far after the signing of the Indo-Pakistan agreement at Simla recently to normalise relations with regard to trade, commerce and air services between the two countries;

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

(c) what steps are contemplated to establish further cooperation in these spheres in the near future ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) to (c) These and other normalisation measures will be taken up when the delegations of the two sides meet. The date of such a meeting has not yet been fixed.

कब्जे में ली गई सम्पत्ति और अपहृत
किये गये व्यक्तियों की पाकिस्तान
द्वारा वापसी

2404. श्री कुलचन्द वर्मा : क्या विदेश मंत्री
यह बताने की कृपा करेंगे कि :

(क) क्या शिमला सम्झौते के बाद
सद्भावना के वातावरण में पाकिस्तान सरकार
से 17 दिसम्बर, 1971 के पश्चात भारतीय
सीमाओं से अपहृत किये गये नागरिक, पशु
और कब्जे में ली गई सम्पत्ति को वापिस करने
की मांग की गई है; और

(ख) यदि नहीं, इस बारे में विलम्ब के
क्या कारण हैं ?

विदेश मंत्रालय में उपमंत्री (श्री सुरेन्द्र-
पाल सिंह) : (क) और (ख) सीमा घटनाएं
तो, जब भी आवश्यकता हुई है, पर्रींग बैठकों के
माध्यम से द्वितीय कमाण्डर स्तर पर निपटाई
गई हैं, परन्तु 17 दिसम्बर, 1971 को पकड़े
गये एक भारतीय नागरिक के मामले पर
अन्तर्राष्ट्रीय रेडक्रास समिति के माध्यम से
पाकिस्तान सरकार से बातचीत की गई है।

Reduction in DA of Engineering
Workers in West Bengal

2405. SHRI JYOTIRMOY BOSU
SHRI DINEN BHATTACHARYA :

Will the Minister of LABOUR AND
REHABILITATION be pleased to state :

(a) whether the Engineering industry
in West Bengal has recently reduced the
amount of Dearness Allowance to be paid
to the Engineering workers;

(b) if so, the extent of this cut in
respect of the workers drawing less than
Rs. 400 per month and the grounds for
this D. A. cut.

(c) whether the attention of Govern-
ment has been drawn to wide-spread resent-
ment among the Engineering workers
against this action of the employers;
and

(d) if so, the action, if any, being
taken in this regard ?

THE MINISTER OF LABOUR AND
REHABILITATION (SHRI R. K. KHADIL-
KAR) : (a) and (b). Information is not
available;

(c) and (d). The State Government is
the "Appropriate Government" in respect
of industrial relation in the Engineering
industry and it would be for them to take
action in the matter.

Discussion Regarding Amenities
to Indian POWs in Pakis-
tan at Simla

2406. SHRI NIHAR LASKAR :
SHRI VEKARIA :

Will the Minister of EXTERNAL
AFFAIRS be pleased to state whether ques-
tion of amenities to the Indian Prisoners of
War was also taken up during the Simla
Summit ?

THE DEPUTY MINISTER IN THE
MINISTRY OF EXTERNAL AFFAIRS
(SHRI SURENDRA PAL SINGH) : while
the question of amenities to Indian Prisoners
of War was not raised during the Summit
talks at Simla, Government have constantly
pursued this matter through the Interna-
tional Committee of the Red cross which
performs the humanitarian functions under
the Geneva Conventions relating to Pri-
soners of war.

Purchase of Ammonium Sulphate
at High Price

2407. SHRI S. M. BANERJEE : Will
the Minister of SUPPLY be pleased to
state :

(a) whether last year purchases of Ammonium Sulphate were made at very high prices causing loss to the Government to the tune of several lakhs of rupees;

(b) whether the European suppliers sold Ammonium Sulphate to the Middle-Eastern countries at a price which was much lower than the price at which they sold to India and if so, the reasons therefor; and

(c) the price paid by India and that paid by the Middle Eastern countries and whether Government have made any investigation into this matter and fixed the responsibility for the loss caused to the Nation?

THE MINISTER OF SUPPLY (SHRI D. R. CHAVAN) : (a) The prices of fertilisers fluctuate from time to time depending upon the availability and the compelling demands at a particular point of time. Ammonium Sulphate was purchased last year at the prices prevailing at that time after negotiations.

(b) and (c). The price paid by India varied from \$ 13.25 to \$ 14.80 per Metric Tonne f.o.b. for the purchases made during the period from August 1971 to December 1971. No official confirmation is available regarding the actual price reportedly paid earlier that year by a Middle Eastern Country,

Resumption of Telephone and Postal Facilities with Pakistan under Simla Agreement

2408. SHRI M. S. SANJEEVI RAO :
SHRI E. V. VIKHE PATIL

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the arrangements have been finalised to resume the telephone and postal facilities envisaged under the Simla Agreement;

(b) if so, the nature thereof; and

(c) when this arrangement will be given effect to?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) to (c). The arrangements will be worked out when delegations of the two countries meet, as envisaged in the Simla Agreement. A date for this meeting has not yet been fixed.

बिहार की अन्नक खानों के अमिकों का शोषण

2409. श्रीशंकर दयाल सिंह: क्या अन्न और पुनर्वसि मंत्री यह बताने की कृपा करेंगे कि क्या सरकार को इस बात की जानकारी है कि बिहार में अन्नक की खानों की हालत दिन प्रतिदिन बिगड़ती जा रही है और इनके मालिकों द्वारा इन खानों के अमिकों का शोषण बढ़ता जा रहा है।

अन्न और पुनर्वसि मंत्री (जी. आर. के. शाहिलकर) : सरकार बिहार में अन्नक खान अमिकों की असन्तोषजनक स्थितियों से अवगत है।

Loss incurred by Gujarat Mineral Development Corporation

2410. SHRI PRABHU DAS PATEL will the Minister of STEEL AND MINES be pleased to state:

(a) whether Gujarat Mineral Development Corporation incurred a loss of Rs. 13, 76,000 during 1970-71 as against Rs. 44,82,000 during the previous year,

(b) if so the reasons therefor, and

(c) whether the Corporation had to revise the cost of the beneficiator plant from Rs. 21 crores in 1966 to Rs. 4.8 crores in 1969?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) to (c). The information is being collected from the Government of the Gujarat as the Corporation is a State Government Undertaking and will be laid on the Table of the House when received.

**Ratification of Simla Agreement
By Pakistan**

**2411. SHRI B. K. DASCHOWDHURY:
SHRI M. S. SIVASAMY :**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government had received on the 18th July, 1972 some papers of ratification from Pakistan of the Simla Agreement through Swiss Ambassador; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) and (b). On 18th July 1972 Government received through the Swiss Ambassador in New Delhi, Pakistan's Instrument of Ratification of the Simla Agreement.

India's Instrument of Ratification, duly signed by the President, was forwarded, to the Government of Pakistan through Swiss diplomatic channels on August 4, 1972.

**State Government Response to National
Arbitration Promotion Board's
Proposal on Arbitration**

2412. SHRI P. M. MEHTA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the State Governments have examined the proposal of National Arbitration Board to resolve Industrial Disputes through arbitration; and

(b) if so, the response from the States ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). The proceedings of the fifth meeting of the National Arbitration Promotion Board containing conclusions of the meeting, including the proposal to resolve industrial disputes through arbitration, were circulated to the State Governments and Union Territory Administrations on July 25, 1972 for their information and necessary action. None of the State Governments/Union Territory Administrations has so far conveyed its decision in the matter.

Indus water for Kutch

2413. SHRI DHARAMRAO AFZALPURKAR : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether there has been talks between the Prime Minister of India and the President of Pakistan regarding the question of making available part of the Indus waters to Kutch; and

(b) if so, the nature thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) No. Sir.

(b) Does not arise.

Expansion of Private Sector Aluminium Plants

2416. DR. RANEN SEN : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the private sector aluminium plants have asked for permission to expand their production;

(b) if so, the particulars of the expansion programme submitted by private sector aluminium plants; and

(c) the decision taken thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) to (c). No new application for permission to expand their existing capacity for production of aluminium has been received from the private sector companies. However, the letter of intent issued to the Indian Aluminium Company in December, 1966 for expansion of their Belgaum Smelter from 40,000 to 60,000 tonnes per annum may be converted into a regular industrial licence.

Koyana Aluminium Project

2417. DR. RANEN SEN : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the Kalyra Aluminium Project is likely to run into heavy losses when it reaches full production because of bad planning and high cost of transporting raw materials from long distance;

(b) whether experts have suggested that it would be more economical to delay the project and to change its present location rather than continue the plans and incur recurring heavy losses every year; and

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

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) (a) No, Sir.

(b) and (c). The report of the Committee set up for examination of the transportation problems of the project is awaited,

Projected demand for Aluminium

2418. **DR. RANEN SEN** : Will the Minister of STEEL AND MINES be pleased to state ;

(a) the projected demand for aluminium in the next five years; and

(b) how Government propose to meet this demand ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) The estimated demand for Aluminium during the next five years is given below :—

Year	Estimated demand in thousand tonnes
1973-74	274
1974-75	301
1975-76	332
1976-77	365
1977-78	401

(b) The present capacity for production of aluminium in the country is 178,850 tonnes per annum. Additional capacity to the extent of 251,000 tonnes per annum has been licensed/approved which will,

when installed, be sufficient to meet the above demand.

Participation of Labour in Management for Raising Production

2419. **SHRI S. M. BANERJEE** : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether participation of labour in management has been accepted as one of the foremost reasons for raising the productions in the country;

(b) if so, whether such recommendations have been sent to all the Ministries under Central Government and the State Governments, and

(c) if so, their reactions thereto ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (c) Apart from the statutory works committee, the scheme of Joint Management Councils has been in operation on a voluntary basis both in public and private sector undertakings. The Central Government have also decided to introduce a scheme for the appointment of a workers representative on the Boards of Management of some appropriate public sector undertakings. The Nationalised Banks (Management and Miscellaneous Provision) Scheme, 1970 framed under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 *inter-alia*, provides for the appointment of one Director from among the employees of the Nationalised Bank who are workmen on the Board of Directors. A scheme for the workers to hold some shares in suitable central public sector undertaking is also under consideration of the Government. The State Governments and Ministries are aware of these schemes.

National Council of Trade Unions on Industrial Relations

2420. **SHRI GIRIDHAR GOMANGO** : Will the Minister of LABOUR AND REHABILITATION be pleased to state.

(a) whether the National Council of Central Trade Unions, consisting three

Central Trade Unions bodies were studying areas of cooperation; and

(b) if so, whether they have submitted their views on the Ministry of Labour and Rehabilitation's scheme to the Industrial Relations Law to be introduced in the present session ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a). The National Council of Trade Unions has been formed with the main object of promoting understanding, cooperation and coordination in the activities of trade unions,

(b) The views expressed by Trade Union Centres and others will be taken into account in framing a Law on industrial relations, which is expected to be introduced in the next Session of Parliament.

**Indo-South Korean Talks Regarding
Reunification of Korea**

2421. **SHRI H. N. MUKHERJEE :**
SHRI C. JANARDHANAN :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Consul-General of South Korea in New Delhi had recently held talks with the officials of his Ministry;

(b) whether the Consul-General had raised the issue of Korean reunification and the talks held between the representatives of the Korea in this respect; and

(c) if so, the outcome of talks ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a). No, Sir.

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

**Use of Toxic Chemicals By U. S. A.
in Vietnam**

2422. **SHRI H. N. MUKHERJEE :**
SHRI RAJDEO SINGH :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether toxic chemicals are being used by American Forces in South Vietnam in the war against the National Liberation Forces;

(b) whether this fact has been brought to the notice of the United Nations and the member countries by the International Control Commission for Vietnam; and

(c) if so, what action is being taken by the United Nations to put a stop to use of poisonous chemicals by the United States in Vietnam ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Government have seen reports about the use of chemical weapons by the USA in Vietnam.

(b) No, Sir, The International Control Commission does not come under the U. N.

(c) Does not arise.

**Employees State Insurance Hospitals
in Tamil Nadu**

2423. **SHRI S. A. MURUGANANTHAM :** Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the number of Employees' State Insurance Hospitals in Tamil Nadu at present;

(b) how many of them are being run in rented buildings and the total monthly rent paid to the owners of these buildings; and

(c) the number of hospitals proposed to be opened in the State in the next three years ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : The Employees' State Insurance Corporation has furnished the following information :

(a) There are three Employees' State Insurance Hospitals and five Employees' State Insurance Annexes in the State of Tamil Nadu at present. In addition, three Employees' State Insurance Annexes are under construction.

(b) No hospital is being run in a rented building and as such, there is no question of payment of any rent.

(c) No new hospital is likely to be opened in the next three years.

Non-Allocation of Funds For opening New Hospitals In Tamil Nadu Under Employees' State Insurance

2424. S. A. MURUGANANTHAM: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether his attention has been drawn to the statement made by the Tamil Nadu Chief Minister on the 6th June, 1972 that the Centre has not allotted any money for opening new hospitals in the State under the Employees State Insurance Scheme, and

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

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR): (a) No.

(b) Funds for opening new Hospitals under the Employees' State Insurance Scheme are made available not by the Central Government but by the Employees' State Insurance Corporation. The Corporation has reported that in case of Tamil Nadu State, the number of beds sanctioned is 1501, as against the entitlement of 1945 beds according to the existing yard-stick. There is, therefore, no likelihood of construction of new Hospitals in Tamil Nadu State in the next five years.

Incidents of Strikes and Lock-Outs

2425 KUMARI KAMLA KUMARI: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) the name of the State in which the largest number of strikes and lock-outs occurred during the last three years;

(b) whether the number of workers in Bihar involved in labour agitation is the highest; and

(c) if so, the reasons therefore and the steps taken by Government to remove it?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) The largest number of strikes and lock outs during 1969, 1970 and 1971 were reported in Maharashtra;

(b) According to available information, this is not so;

(c) Does not arise.

Purchase of Non-Metal Helmets in 1965

2426. PROF. NARAIN CHAND PARASHAR: Will the Minister of SUPPLY be pleased to state:

(a) whether after the purchase of non-metal helmets in 1965, complaints were lodged by the users about the size of the helmets and no serious notice was taken of these complaints;

(b) whether any investigation is contemplated into the matter and whether any responsibility will be fixed for these lapses, and

(c) The period by which such an investigation would be completed?

THE MINISTER OF SUPPLY (SHRI D. R. CHAVAN): (a) to (c). Helmets were purchased on behalf of the Ministry of Home Affairs for the State Governments. Complaints were made by the State Governments to the Ministry of Home Affairs. The lapses involved in this case, in so far as the DGS&D are concerned, are being investigated and they would be completed as soon as possible.

Long Term Plan for Dandakaranya Project

2427. PROF. NARAIN CHAND PARASHAR: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) Whether the Department of Rehabilitation propose to prepare a long term plan for the Dandakaranya project regarding the rehabilitation of families in the project, and

(b) Whether any date has been fixed for the preparation of this plan and its presentation to parliament?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) (a) and (b). Pending preparation of a master plan for the Dandakaranya Region by the Town and Country Planning Organisation, the programmes for resettlement of displaced persons and area development in Dandakaranya are being taken up and executed by the Dandakaranya Development Authority according to annual plans drawn up on the basis of availability of land and resources.

The Town and Country planning Organisation have indicated that an outline plan for the Dandakaranya sub-region will take 2 years in its preparation.

**Norms for Haulage and Cultivation
Output of tractors in Dandakaranya Project**

2428. PROF. NARAIN CHAND PARASHAR : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) Whether a suitable norm for output of tractors in respect of both haulage and cultivation with regard to the Dandakaranya Project has been prescribed as desired and recommended by the Public Accounts Committee;

(b) if so, the description of this norm; and

(c) if not, the period by which the norm is likely to be prescribed ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) (a) to (c) : On the recommendation of the Public Accounts Committee in its Nineteenth Report, norms for output of tractors in respect of both haulage and cultivation have been fixed by the Dandakaranya Project Administration, after taking into account the peculiar conditions of the project area. The norms tentatively fixed are 600 hours of work (300 hours for agricultural work and 300 hours for non-agricultural work) per tractor per year. These norms are, however, being examined further in consultation with the Ministry of Agriculture.

Scheme of Power Tillers

2429. PROF. NARAIN CHAND PARASHAR : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Committee on Power Tillers have reported that the basic consideration on which the scheme of Power Tillers was introduced has not been found to be true; and

(b) if so, whether Government have fixed any responsibility for this faulty planning ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). The basic considerations on which the scheme to use Power Tillers in Dandakaranya was formulated, were as follows :—

- (1) At that time diversified cropping had not been introduced. Single cropping was being practised and, therefore, it was felt that it would not be possible for a pair of bullocks to plough the entire holding of about 6 acres allotted to a settler in Dandakaranya;
- (2) The bullock markets were not well established at that time and bullocks were not available in sufficient numbers;
- (3) It was felt, at that time, that co-operative farming or group farming would be practised by the migrants. The use of Power Tillers would have been useful in such farming;

Taking the experience of the past few years, the Committee on Power Tillers found that these premises were not holding good in that :—

- (i) With the introduction of diversified cropping patterns and staggering of various agricultural operations over the season, a pair of bullocks had been found capable of carrying out the work on the

normal agricultural holding of a settler.

(ii) The Project Administration had been making vigorous efforts to tap various cattle markets in the region and it had been possible for them to procure adequate number of bullocks for the settler families inducted each year

(iii) While group farming was practised in the Dandakakaranya only in the first year of induction of families (since individual allotment was not possible by that time) no group or cooperative farming had, in fact, been adopted by the settlers on a regular or long term basis. Hence the use of Power Tillers on group or cooperative farming basis had to be ruled out

Besides, the settlers in Dandakakaranya were not adequately mechanically minded so as to be capable of handling Power Tillers and attending to minor repairs, etc

It would be observed from the above facts, that there was no fault in planning the scheme of use of Power Tillers in Dandakakaranya. It was only after practical experience of a few years that the basic premises, on which the Scheme had originally been formulated, were found to be no longer holding good

Representation from firms requesting for supply of Tin Plates

2430. SHRI K. SURYANARAYANA : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether any representations have been received by his Ministry from the firms which have been granted C.O.B. licences for fabricating tin containers requesting for the supply of tin plates; and

(b) if so, their particulars and the action taken or proposed to be taken in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b) : A representation was received from M/s. Premier Vegetable Products Ltd., claiming to have received a C O B licence for fabricating Tin Containers, with a capacity of 1,000 Tonnes per annum, and asking for supply of Tinplates. As there is no statutory control over the distribution of Tinplate, which is looked after by the Tinplate Producers Consultative Committee, the representation was passed on to that Committee for consideration under advice to the firm

Visits by Regional Provident Fund Commissioner, Bihar

2431. SHRI R. P. YADAV : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government are aware that new coverage under the Employees Provident Funds Organisation are not taking place in the region of Bihar because the Regional Commissioner and Assistant Commissioner are not personally visiting these places and supervising the same,

(b) whether they have ever visited Palamu, where a large number of Dolomite mines are situated or the Chaibasa where China-clay Mines are located or North Bihar, where rice mills have not implemented the Employees' Provident Funds Act properly, and

(c) whether Government propose to issue orders to these officials to conduct intensive surveys for coverages etc ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : The Provident Fund authorities have reported as under :—

(a) It is not correct to say that new coverages under the Employees' Provident Funds and Family Pension Fund Act, 1952 and the Scheme framed thereunder are not taking place in the Bihar region and that the Regional/Assistant Commissioner is not visiting various establishments.

(b) Provident Fund Inspectors of the Employees Provident Fund Organisation are

entrusted with the job of Inspection/Investigation of various establishments. The Assistant/Regional Commissioner has also visited a number of establishments situated at various places as was found necessary in the interest of smooth administration and enforcement of the Act and the Scheme framed thereunder.

(c) General instructions for surveys to be conducted by officials have already been issued in this behalf.

Wage Board for Workers in Construction Industry

2432. SHRI S. M. BANERJEE : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether a final decision has been taken to appoint a wage Board for the workers employed in the Construction Industry;

(b) whether the workers, under the leadership of All India Hindustan Construction Workers Union, have decided to launch a direct action in case the Wage Board is not appointed by the end of September, 1972 and if so, the reaction of the Government; and

(c) whether the workers employed in Construction Industry in India are not covered by the Gratuity Scheme and have also not been brought under the purview of Provident Fund benefit scheme, if so, the steps taken by Government to bring them under the various provisions of the Law ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) It is not proposed to set up a Wage Board for the Construction Industries;

(b) Government are not aware of this decision;

(c) Central legislation on Gratuity has been passed by Parliament recently. It would cover the Construction Industry also. As regards the application of the Provident Fund Scheme to this industry, the matter is being considered.

Support to India's Efforts regarding Vietnam War

2433. SHRI S. M. BANERJEE : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether during his recent tour in many foreign countries in July, 1972, many countries have assured of their whole-hearted support, in India's efforts to reduce chances of further escalation of war in Vietnam; and

(b) if so, which are those countries ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) and (b). In most of the countries visited by the Minister of External Affairs in July this year, the Vietnam problem came up in the course of discussions. Deep concern was expressed by these countries over the continuing war situation in Vietnam and there was appreciation of the views expressed by India for an early end to these hostilities and for a fair and just settlement of the Vietnam problem.

Security Personnel in Rourkela Steel Plant

2434. SHRI SHYAM SUNDER MOHAPATRA : Will the Minister of STEEL AND MINES be pleased to state :

(a) the total number of security personnel in Rourkela Steel Plant,

(b) the total number out of them, who have opted for Central Industrial Security Force and absorbed in the Plant; and

(c) the time by which the remaining personnel are expected to be absorbed ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) to (c). The total number of security personnel in Rourkela Steel Plant was 878. Of these 226 opted to join the Central Industrial Security Force (C.I.S.F.). Out of the 226, 136 have been selected for absorption in C.I.S.F. and the remaining 90 have been earmarked for absorption in the plant.

Such of the Security personnel who did not opt for C.I.S.F. have been retrenched from Service with effect from 1.3.1972. Later, the Management have given re-employment to 298 out of these who had completed more than 10 years of service and were found suitable.

Quarters in Rourkela Steel Plant

2435. SHRI SHYAM SUNDER MOHAPATRA : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the cheap type of quarters in the Rourkela Steel Plant have gone below the minimum plinth area prescribed for the quarters; and

(b) if so, the time by which it is expected to be made good ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Prior to formulation of standards by the Bureau of Public Enterprises, some barrack type houses of 300 square feet plinth area were constructed at the initial stage of construction of the township.

(b) There is no proposal to make good the shortage of plinth area in these quarters. There has however been no further construction of cheap type quarters of the barrack type.

Deputationists working in Steel Plants

2436. SHRI SHYAM SUNDER MOHAPATRA : Will the Minister of STEEL AND MINES be pleased to refer to the reply given to Unstarred Question No. 751 on the 3rd August, 1972 regarding deputationists in the Steel Plant and state :

(a) the time by which the deputationists working in Steel Plants are expected to be reverted back; and

(b) the policy involved in allowing deputationists to continue working in the Steel Plants ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b). Except for appointments made by Govern-

ment in terms of the Articles of Association of the Company, it is for the authorities of Hindustan Steel Limited and Bokaro Steel Limited to secure or retain the services of Government employees on deputation having regard to their own requirements and interests. The Government have, however, already decided that members of the permanent civil services (other than those who belong to the Industrial Management Pool) on deputation or proceeding on deputation hereafter should exercise within a stipulated period, an option between permanent absorption in the service of the undertaking and reversion to the parent department. The reversion of the existing deputationists from the Central Government will, therefore, be governed by this decision. In the case of State Government employees on deputation, the matter would have to be settled by the Undertaking with the State Governments concerned.

Recommendations of Loomba Committee in Rourkela Steel Plant

2437. SHRI SHYAM SUNDER MOHAPATRA : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the Loomba Committee's recommendations have been fully implemented in Rourkela Steel Plant; and

(b) if not, the recommendations which remain to be implemented ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b). The implementation of the recommendations of the Loomba Committee is in various stages of progress.

Buildings Constructed at Dhanuskoti for repatriates from Sri Lanka

2438. SHRI SAT PAL KAPUR : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether some buildings were constructed at Dhanuskoti in Rameshwaram to receive the repatriates from Sri Lanka;

(b) whether these buildings are now lying vacant and are not put to any use; and

(c) the amount spent for the construction of these buildings and whether Government propose to utilise the buildings for any other use?

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

(c) A sum of Rs. 18.78 lakhs was sanctioned for the construction of buildings and other ancillary items like electricity, water supply, internal roads, etc.

The question of utilising these buildings is being examined in consultation with the State Government.

Release of Indian Property Captured by Pakistan during 1965

2439. **SHRI R. S. PANDEY :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government have taken up with Pakistan the question of release of Indian property confiscated by Pakistan during the 1965 Indo-Pakistan conflict; and

(b) if so, the steps taken so far and the results achieved therefrom?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) and (b). The matter has been taken up with the Government of Pakistan on a number of occasions without any positive results. The Government will however continue to pursue it.

Setting up of a Joint Council of trade Unions for workers' participation in production of I. I. S. Co.

2440. **SHRI K. BALADHANDAYUTHAM :** Will the Minister of STEEL AND MINES be pleased to state.

(a) whether the All-India Trade Union Congress has demanded that a Joint Council of Trade Unions (as in Durgapur Steel plant) should be set up in Burnpur for inducing workers' participation in Indian Iron and steel Company's production from the top to the shop level; and

(b) if so Government's decision thereon?

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

(b) This is an issue within the purview of the Plan Management.

Non-Compliance of Employee's Provident Funds Act in Public Undertakings.

2441. **SHRI RAMAVATAR SHASTRI :** Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Public Sector Undertakings have been showing a sign of non-compliance of the Employees' Provident Funds Act and the Scheme all over India; if so, the details of each such unit, in each region;

(b) whether Regional Commissioners and Assistant Commissioners do not visit Public Sector Undertakings personally and offer clarifications to them with the result that lot of mis-understanding persists regarding investment, settlement of claim and grant of loans to the members; and

(c) whether Government propose to issue instructions to the various Regional Commissioners and Assistant Commissioners to visit Public Sector Undertakings personally and check up their accounts so that marked improvement in compliance could be secured?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : The Provident Fund Authorities have intimated as under :-

(a) Information is not readily available and is being collected.

(b) and (c). No such large scale mis-understandings have been brought to notice. Establishments covered under the Employees' Provident Funds and Family Pension Fund Act, 1952 including Public Sector Undertakings are being visited by the Regional Provident Fund Commissioners and other officers as and when found necessary

in the interest of smooth administration and effective compliance by such establishments. Instructions have also been issued to all Regional Provident Fund Commissioners from time to time to take effective steps for securing compliance from Public Sector Undertakings.

Implementation of Employees' Provident Funds Act in Mysore

2442. SHRI RAMAVATAR SHASTRI : Will the Minister of LABOUR AND REHABILITATION be pleased to state;

(a) whether Government are aware that there is large scale evasion in the implementation of Employees' Provident Funds Act in the region of Mysore in such as the factories and mines have not been covered with retrospective dates when they were coverable, with the result that employees have been deprived of the benefit of membership of Provident Fund for a period ranging from 10 to 12 years;

(b) whether Government propose to reopen all such cases and cover them again with retrospective dates so that the harm done to the workers could be still undone, and

(c) the steps being contemplated in this regard ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : The Provident Fund authorities have furnished the following information:—

(a) No. Only one such case has come to the notice of the Central Provident Fund Commissioner.

(b) and (c). Suitable instructions have been issued by the Central Provident Fund Commissioner to the Regional Commissioner Mysore to ensure that the establishment is covered from the correct date, retrospectively if necessary, in accordance with the orders and instructions issued on the subject.

Introduction of Employees Provident Fund in Mica, Fireclay and China-Clay Mines in Bihar

2443. SHRI RAMAVATAR SHASTRI :

Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether Government are aware that large number of mica mines in the District of Hazaribagh and fire-clay mines in Dhanbad District and china-clay mines in the Singhbhum District have not been covered because they are inaccessible; and

(b) if so, the action taken in getting them surveyed and covered under the Employees Provident Funds Act ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b) The Provident Fund Authorities have reported that the information is being collected. It will be laid on the Table of the Sabha in due course.

Lockout in Mines of Birds Group in Hazaribagh

2444. SHRI RAMAVATAR SHASTRI : Will the Minister of LABOUR AND REHABILITATION be pleased to state

(a) whether the mines belonging to the Birds group in Hazaribagh have declared lockout;

(b) whether there was a police firing on the striking workers; and

(c) if so, the cause of the strike and actions taken in the matter ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) Yes, Saunda 'D' Colliery of Messrs Karanpura Collieries Limited in Hazaribagh was under lockout, which was lifted on 24th July, 1972;

(b) The police had to open fire on a crowd of striking workers of the Sirka Colliery and villagers;

(c) Following the arrest of the President and the Branch Secretary of the Coal Workers' Union, there was strike in Sirka Colliery. The cause of action of the strike, being a subject matter of law and order, falls within the jurisdiction of the State Government.

Effect of U.S. Economic Recession on Foreign Students

2446 SHRI JYOTIRMOY BOSU: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether his attention has been drawn to the news-item published in *The Statesman*, Calcutta, dated the 3rd July, 1972, page 7, under the caption "Foreign Students in USA hit by economic recession";

(b) if so, Government's reaction thereto; and

(c) what action, if any, is being taken on this issue?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) (a) Yes, Sir

(b) and (c) It would not be proper for Government to comment on internal economic

developments in other countries. While it is part of the duties of our Missions to look after the welfare of Indian nationals abroad, there is not much that can be done to provide assistance in situations of the type mentioned in the news item.

Earnings and Productivity of Factory Workers

2447. SHRI JYOTIRMOY BOSU: Will the Minister of LABOUR AND REHABILITATION be pleased to state the State-wise, productivity, money earnings and real earnings of factory workers drawing less than Rs 400/- per month, during 1960-61, 1968-69 and 1970-71 or 1969-70?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR): The attached statement gives the State-wise index numbers of money earnings for the years 1962, 1968, 1969 and 1970 and the index numbers of real earnings on an all-India basis for the same years. Similar information in respect of productivity is not available.

Statement

Index Number of Money Earnings of Employees in Manufacturing Industries drawing less than Rs 400/- per month by States for the years 1962, 1968 to 1970.

Sl. No.	States/Union Territories	Index Number of Money Earnings (Base 1961 = 100)			
		1962	1968	1969	1970 (P)
1	2	3	4	5	6
1.	Andhra Pradesh	104	155	177	182
2.	Assam	85	137	149	152
3.	Bihar	97	134	135	148
4.	Gujarat	105	165	164	175
5.	Himachal Pradesh	159	205	182	182
6.	Kerala	108	175	199	199
7.	Madhya Pradesh	108	148	151	158
8.	Maharashtra	106	157	167	167
9.	Mysore	93	156	155	155
10.	Orissa	103	152	174	216

1	2	3	4	5	6
11. Punjab*		110	151	189	201
12. Rajasthan		172	261	265	265
13. Tamil Nadu		107	156	165	165
14. Uttar Pradesh		109	171	176	182
15. West Bengal		106	170		94
<i>Union Territories :—</i>					
16. Andaman & Nicobar Islands		106	148	166	179
17. Delhi		110	166	181	172
All-India Index of Money Earnings.		106	160	171	175
All India Consumer Price Index Numbers (Base Shifted to 1961-100).		103	171	169	178
All-India Index of Real Earnings.		103	94	101	98

*As it existed prior to reorganisation.

(P)—Provisional.

Note—1. The figures relating to Index of Money Earnings exclude those for Railway Workshops and Groups of Industries seasonal in character consisting of Food, Beverages, Tobacco and Gins and Preserves but include Defence Installations.

2. Index Numbers of Money Earnings in respect of other States/Union Territories are not being compiled as the basic data for the year 1961 was not available.

Source : Annual Returns under the Payment of Wages Act, 1936.

Final Report of Expert Committee on Unemployment

2448. SHRI CHINTAMANI PANIGRAHI.
SHRI G. Y. KRISHNAN :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Expert Committee on Unemployment has since submitted its final report by now;

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

(c) the decisions taken thereon and the decisions taken on its earlier report ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) No.

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

Setting up of a Corporation for Utilisation of Nickel Ore in Orissa

2449. SHRI CHINTAMANI PANIGRAHI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether any progress has been made so far in setting up of a Corporation for utilisation of nickel ore found in Sukhinda area in Orissa; and

(b) if so, the main features thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL & MINES (SHRI SHAHNAWAZ KHAN): (a) and (b), The Central Government and the State Government of Orissa have agreed to set up a Corporation for the development of Sukhinda Nickel Deposits in District Cuttack, Orissa, with the former having 51% shares and latter having 49% shares in it. Action is now in hand for undertaking pilot plant scale tests before a detailed project report for the commercial exploitation of the deposit is drawn up. Steps are also being taken to appoint an Officer on Special Duty to handle liaison and coordination work between various agencies. A separate corporation will be set up after getting more detailed information about the nature and extent of this Project.

Non-Payment of Wages to Mica Mine Workers at Koderma and Jhumaritilaiya

2450. **SHRI RAJDEO SINGH:** Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether thousands of Mica mine workers at Koderma and Jhumaritilaiya are on the verge of death by starvation due to non-payment of their wages by mine owners; and

(b) if so, the steps Government have been taken in the matter?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR): (a) and (b): Information is being collected.

Pakistan's Views Re: the Role of U. N. Observers in Kashmir

2451. **SHRI RAJDEO SINGH:**
SHRI PHOOL CHAND VERMA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are aware of the Pakistani move for a continuing role for the United Nations observers in Kashmir and conflicting statements on Kashmir by Pakistani politicians in recent days;

(b) if so, whether these statements come within the breach of Simla Agreements; and

(c) the reaction of Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) Government have seen reports to this effect.

(b) and (c). Under paragraph 4 (ii) of the Simla Agreement, India and Pakistan have bilaterally agreed to respect the line of control in Jammu and Kashmir which came into effect on 17-12-1972, not to alter it unilaterally, and to refrain from the threat or the use of force in violation of it. Any statements made in contravention of this would be against the spirit of the Simla Agreement.

The UNMOGIP was established specifically with reference to the old 1949 ceasefire line which has no validity any longer. The U.N. Observers have, therefore, no role to play in Jammu and Kashmir.

Indo-Yugoslav Talks

2452. **SHRI C. JANARDHANAN:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether attention of Government has been drawn to a statement made by the Yugoslav President Tito to a banquet hosted by him in honour of the President. Shri Giri, suggesting the convening of a summit of the non-aligned countries;

(b) if so, the nature thereof; and

(c) the reaction of Government to this suggestion?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) and (b). President Tito, in his speech at the banquet given in honour of our President on July 3, 1975, had generally referred to the need for an "intensified activity by non-aligned countries" in order to continue

the positive trends in international relations. However, no specific proposal has been made for the convening of a non-aligned Summit.

(c) Government would abide by the consensus reached at the Meeting of Foreign Ministers of non-aligned Countries at Georgetown about the holding of a Non-aligned Summit Meeting.

Coal Mines Provident Fund Arrears with Coal Mine Owners

2453. SHRI C. JANARDHANAN :
SHRI R. N. SHARMA :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government are aware of the increasing default on the part of the coal mine-owners to pay their share to the Coal Mines Provident Fund;

(b) if so, the steps taken by Government to recover the arrears from the employers; and

(c) whether any prosecutions have been launched against the defaulting employers; if so, the number of cases filed so far ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : The Coal Mines Provident authorities have reported as under :—

(a) Yes.

(b) (i) Legal action by way of prosecution and recovery proceedings is generally taken against defaulting employers under the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948.

(ii) Complaints are also lodged in suitable cases under Section 406 IPC.

(iii) The State Governments of Bihar, West Bengal, Madhya Pradesh and Maharashtra have been requested to issue instructions to the certi-

ficate officers for expeditious disposal of pending certificate cases.

(iv) The State Governments of Bihar and West Bengal have been requested to appoint Certificate Officers in each State to deal exclusively with the certificate cases of the Coal Mines Provident Fund.

(v) The question of amending the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948 to provide for more deterrent penalties for non-payment of provident fund dues is under consideration of Government.

(c) Till the end of March, 1972, the following legal action to realise the arrears has been taken :—

(i) Number of prosecution filed under the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948. —3429

(ii) Number of prosecutions filed under Section 406 I. P. C. —17

(iii) Number of certificate cases filed. —3261

Interim Report of Bonus Review Committee

2454. DR. RANEN SEN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government have asked for an interim report from the Bonus Review Committee;

(b) if so, whether Government have received this report; and

(c) the recommendations made and the decisions taken on them ?

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

(b) Government have not received any interim report.

(c) Does not arise.

Oven for Metallurgical Coke invented by
Central Fuel Research Institute

2455. DR RANEN SEN :
SHRI SUKHDEO PRASAD
VERMA :

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

(a) whether a special type of oven to
make metallurgical coke has been invented
by the Central Fuel Research Institute in
cooperation with Tata Iron and Steel
Company; and

(b) If so, the salient features thereof ?

THE MINISTER OF STATE IN THE
MINISTRY OF STEEL AND MINES
(SHRI SHAHNAWAZ KHAN) : (a) The
Central Fuel Research Institute have recently
claimed to have developed a design for a
cheap, efficient and highly productive non-
byproduct recovery coke oven for production
of metallurgical coke and that based on
this design, coke oven batteries of a total
capacity of over 200,000 tonnes/year are
being set up by the Tata Iron and Steel
Company in their colliery at Sijua.

(b) The salient features, according to
the Central Fuel Research Institute, are :

(i) The productivity of the new ovens
is nearly two and a half times as
much as the conventional beehive
ovens, which will result in sharp
decrease in processing costs;

(ii) The coke is intended to be used in
the TISCO blast furnaces to meet
current coke shortage;

(iii) Unlike conventional beehive ovens,
it is possible to use a wide range
and blends of coals in these ovens
to produce foundry and/or blast
furnace coke.

Secretary of Agricultural Department's
proposal for purchase of Fertilisers

2456. SHRI MADHURYA HALDAR:
Will the Minister of SUPPLY be pleased to
state :

(a) whether per unit nutrient price of
European origin ANP fertiliser is less than
that of DAP and NPK complex fertilizer of
USA; and

(b) what facilities the Department of
Supply have to scrutinize Agriculture
Department's proposals to purchase fertiliser
from various sources ?

THE MINISTER OF SUPPLY (SHRI
D.R. CHAVAN) : (a) Generally, the price
per unit of nutrient in DAP is lower than
that in ANP, while the price per unit of
nutrient in ANP is lower than that in NPK
complex fertilizers. However, the quality
of nutrients available from ANP is inferior
to that available from DAP.

(b) It is the responsibility of the
Department of Agriculture to determine the
programme for the import of fertilizers to
be imported and the delivery schedules for
such imports. The Department of Agriculture
do not indicate the various sources
from which the fertilisers should be pur-
chased except where purchases have to be
made against the credits available from
different countries.

Captive Mines of Ores for Steel Produc-
tion by Bokaro Steel Plant

2458. SHRI BIRENDER SINGH
RAO : Will the Minister of STEEL AND
MINES be pleased to state :

(a) whether the Bokaro Steel Plant
will not have captive mines of ores for steel
production;

(b) if so, the reasons therefor; and

(c) the safeguards provided to ensure
that the Bokaro Steel Plant receives its full
requirements of ores at competitive rates ?

THE MINISTER OF STATE IN THE
MINISTRY OF STEEL AND MINES
(SHRI SHAHNAWAZ KHAN) : (a) At

the present moment, Bokaro Steel Plant has no captive sources of iron ore or manganese ore.

(b) and (c). It is not essential that every steel plant should have captive ore mines. Iron ore for the first stage of Bokaro Steel Plant will be supplied by Kiriburu Mines which are managed and operated by the National Mineral Development Corporation Limited, a public sector concern. As the expansion of Kiriburu is still not complete, iron ore fines required for Bokaro Steel Plant are now being procured from other sources. No difficulty is envisaged in ensuring adequate supply of iron ore from Kiriburu at prices fair to both NMDC and BSL. Manganese ore is now being purchased from the Minerals and Metals Trading Corporation Limited. Bokaro Steel Limited has recently acquired mining lease of certain areas for raising manganese ore and these may ultimately become the main sources of the ore.

Employees State Insurance Hospitals

2459. SHRI BHOLA MANJHI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) how many Employees State Insurance Hospitals are now functioning in the country;

(b) the total bed strength of these hospitals; and

(c) the plans to open new hospitals in the next three years ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : The Employees State Insurance Corporation has furnished the following information :

(a) At present 47 Employees State Insurance Hospitals are functioning in the country.

(b) The total bed strength of 47 Employees State Insurance Hospitals is 8,609.

(c) The Employees State Insurance Corporation has provided a sum of about Rs. 14.9 crores for the construction of

Employees State Insurance Hospitals, Annexes and Dispensaries in the next five years.

Growing Industrial Unrest in Bihar

2460. KUMARI KAMIA KUMARI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Industrial unrest is growing in Bihar at a very high speed due to exploitation of workers by the 20 big business houses;

(b) whether Government are going to appoint a Committee of Members of Parliament to look into the affairs of the 20 big business houses; and

(c) if so, the time by which it is proposed to be appointed ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (c). The Ministry of Labour have no information on this subject.

Assessment of Working of Rehabilitation Industries Corporation

2461. SHRI K. MALLANNA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government of India have made any assessment in regard to the working of rehabilitation industries Corporation, Calcutta during the last three years;

(b) whether this Corporation has been running at a loss, if so, the reasons thereof; and

(c) the steps taken by Government to improve the drawbacks ?

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

(b) Yes, Sir. The losses in the Corporation are mainly attributable to —

(i) The five handloom weaving centres taken over from the Government of West Bengal are working at

factory Units and the workers have to be given benefits according to the Factories Act as well as bonus. The products of these centres also do not enjoy the usual 5% rebate allowed to handloom products of the cooperative sector.

- (ii) Due to the geographical location of various units, the Corporation incurs considerable expenditure on transport, storage and distribution of their products.
- (iii) The Corporation has to employ displaced persons most of whom are inexperienced and have to be trained as they work. This leads to consequential inherent disadvantages.
- (iv) General recession coupled with considerable labour unrest during the past 3 years, has affected the working of the Corporation to an appreciable extent.
- (v) High wages, poor labour efficiency and productivity and high percentage of unabsorbed factory overheads also contribute to losses incurred by the Corporation.
- (vi) Heavy floods in September, 1970, completely dislocated work in Bon-Hooghly area where the Corporation's biggest industrial complex is located. Damage to materials alone resulted in a loss of Rs. 2.13 lakhs.
- (vii) Finished textile products worth Rs. 36.07 lakhs accumulated in the stocks due to difficulties explained above. The devaluation of this huge stock, and interest on capital, account for a substantial part of the losses.

(c) The Board of Rehabilitation which set up by the Government under the Chairmanship of Shri Manubhai Shah was requested *inter-alia* to advise the Government on the measures essential for placing the Corporation on a round economic footing. The Board has submitted its report. Subsequent-

ly, a Departmental Committee was set up to enquire into the working of the uneconomic Units of the Corporation with a view to locating vulnerable points and finding ways and means of improving them so as to make them commercially viable. The Committee has also submitted its report. Both these reports are now under examination in consultation with the other concerned Departments etc.

Economic Cooperation with Asian Countries

2462. SHRI K. MALLANNA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the scope for enlarging Indians trade and economic cooperation with the various countries of Asia was discussed at a meeting of the Heads of the Indian Missions in Asian countries with representatives of the Federation of Indian Chambers of Commerce and Industry on the 12th April, 1972;

(b) if so, the outcome of the talks; and

(c) Government's reaction thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDR PAL SINGH) : (a) Yes, Sir; On 13th April, 1972.

(b) Problems relating to expansion of India's economic ties with the region as a whole, as also with individual countries were identified and practical suggestions towards this end given by the Federation of Indian Chamber of Commerce and Industry as well as the Heads of Indian Missions, are being studied and pursued by the Government.

(c) Government feels that this is an opportune moment to make serious efforts for strengthening trade and economic co-operation between India and other Asian countries, and intends to make every effort to give concrete shape to the many useful ideas that were discussed between the Federation of Indian Chamber of Commerce and Industry and the Heads of Indian Missions.

**Rehabilitation of Families displaced
due to Establishment of Steel
Plant at Visakhapatnam**

2463. SHRI JAGANNATH MISHRA :
Will the Minister of STEEL AND MINES
be pleased to state :

(a) the total number of families to be
displaced by the establishment of steel plant
at Visakhapatnam; and

(b) the proposals to rehabilitate these
displaced persons ?

THE MINISTER OF STATE IN THE
MINISTRY OF STEEL AND MINES
(SHRI SHAHNAWAZ KHAN) : (a) At
this stage it is not possible to make a precise
assessment of the number of families likely
to be displaced by the acquisition of land
for the Visakhapatnam Steel Project, as this
would be subject to the area of land which
is finally acquired.

(b) Proposals for rehabilitation of the
persons who would be displaced will be
drawn up by the Government of Andhra
Pradesh in consultation with the Ministry
of Steel and Mines.

**Control of Ferrous and non-ferrous
Scrap Trade through M.M.T.C.**

2464. SHRI JAGANNATH MISHRA :
Will the Minister of STEEL AND
MINES be pleased to state :

(a) whether Government have decided
to control the ferrous and non-ferrous scrap
trade through the Minerals and Metals
Trading Corporation; and

(b) if so, the salient features thereof ?

THE MINISTER OF STATE IN THE
MINISTRY OF STEEL AND MINES
(SHRI SHAHNAWAZ KHAN) : (a) and
(b). At present there is no statutory control
on price or distribution of ferrous and non-
ferrous scrap trade. At present, the import
of non-ferrous scrap is arranged through
Minerals & Metals Trading Corporation and
the import of ferrous scrap is canalised
through Minerals & Metals Trading Corpo-
ration/Metal Scrap Trade Corporation.
Export of ferrous scrap is also canalised
through Metal Scrap Trade Corporation.

Ban on Entry of Indian into U. K.

2465. SHRI JAGANNATH MISHRA :
Will the Minister of EXTERNAL
AFFAIRS be pleased to state :

(a) whether Government's attention has
been drawn to the reports regarding the
refusal to the Indian parents to enter
Britain even to attend the wedding of their
sons; and

(b) if so, the reaction of Government ?

THE DEPUTY MINISTER IN THE
MINISTRY OF EXTERNAL AFFAIRS
(SHRI SURENDRA PAL SINGH) : (a) Yes,
Sir.

(b) Government naturally regret needless
hardships caused to innocent visitors to
Britain. However, in the case of Shrimati
Achro Malhi, which has been widely reported
in the press, the British view is that she
sought entry into U.K. by misrepresenting
facts. She is alleged to have told the immi-
gration officer at London airport that she
wished to settle permanently in U.K. Further-
more, her earlier application for an entry
certificate at the British High Commission
in New Delhi had been refused. She had
then changed her passport and sought entry
into UK without an entry certificate. She
claimed that she had gone there to attend
her son's marriage. The immigration authori-
ties offered to let the marriage be per-
formed in the detention centre where she
was held. The offer was declined, and
Shrimati Malhi was returned to India on
20th July, 1972.

Government would have wished to see
this case handled with greater humanity.

**कश्मीर से संयुक्त राष्ट्र प्रेक्षकों को
वापस भेजना**

2466- श्री फूलचन्द वर्मा :
श्री सुखदेव प्रसाद वर्मा :

क्या विदेश मंत्री यह बताने की कृपा
करेंगे कि :

(क) क्या सरकार ने संयुक्त राष्ट्र संघ

से कहा है कि काश्मीर से संयुक्त राष्ट्र बैंक वापस बुला लिये जायें; और

(ख) यदि हाँ, तो इसके क्या कारण हैं ?

विदेश मंत्रालय में उप-मंत्री (श्री सुरेन्द्र-पाल सिंह) (क) और (ख), भारत सरकार ने यह स्पष्ट कर दिया है कि संयुक्त राष्ट्र प्रेक्षकों की कोई आवश्यकता नहीं है। अब यह निर्णय लेना कि क्या उन्हें इस क्षेत्र से हटा लिया जाय, संयुक्त राष्ट्र का काम है।

Building of Sulphuric Acid Plant in Bhilai Steel Plant

2467. SHRI M. RAM GOPAL REDDY: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether there is a proposal to build a sulphuric acid plant at the Bhilai Steel Plant;

(b) if so, the total production capacity of the plant; and

(c) the total expenditure involved ?

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

(b) 55 Tonnes per day expressed as 100% Concentration Acid.

(c) The plant is being installed on a turnkey basis at a quoted price of Rs. 77.48 lakhs including £15,650 of foreign exchange.

Indo-Polish talks regarding I. C. C. in Vietnam

2468. SHRI C. K. CHANDRAPAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether during his recent visit to Poland he had discussion with the Polish leaders regarding the future of the International Control Commission in Vietnam; and

(b) if so, the nature thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI SURENDRA PAL SINGH): (a) Yes, Sir.

(b) These discussions are of a confidential nature and it would not be in public interest to disclose their contents.

Opening of New Embassies

2469. SHRI D. P. JADEJA : SHRI VEKARIA :

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are considering to upgrade the existing and open new Embassies in South and Central America; and

(b) if so, when and in which country ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) Yes, Sir.

(b) It has been decided to set up an Embassy in Panama. The question of opening some more Missions and upgrading others is under consideration.

Difficulties faced by Indians in Central America

2470. SHRI D. P. JADEJA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have received any complaints from Indian citizens residing in Central American countries regarding delay in passport renewals; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) No, Sir.

(b) Does not arise.

Steel Distribution Policy for Small Scale Industries

2471. G. Y. KRISHNAN : Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the present steel distribution policy of Government is not beneficial to the small scale industries, and

(b) if so, what steps Government have proposed to rectify the position?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) (a) It is not correct that the present steel distribution policy is not beneficial to the Small Scale Industries.

(b) Does not arise

Delay in completion of Sudamdih and Moindih Projects of National Coal Development Corporation

2472. SHRI MUKHTIAR SINGH MALIK : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether delay in the completion of Sudamdih and Moindih projects of National Coal Development Corporation has been reported; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) (a) Yes, Sir,

(b) The main reasons for the slow progress of the projects are the delay in receipt of vital indigenous equipment by the projects as well as a general shortage of Iron and Steel. Some imported equipment was impounded by Pakistan during the 1965 war. Difficult Geological conditions including the presence of gas & under ground hot water have also been responsible for delay in the completion of Sudamdih project. Power supply has also been subject to heavy interruptions.

Non-aligned Nations Conference

2473. SHRI MUKHTIAR SINGH MALIK : Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether there is a move to have non-aligned nations summit in the near future, and

(b) if so, the subjects proposed to be discussed in the summit and the name of the country where the summit is likely to be held?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) Yes, Sir, in 1973.

(b) The subjects to be discussed will be decided in consultations to be held to prepare for the Summit meeting. The Summit meeting is proposed to be held in Algiers.

Casual Labourers in Public Undertakings

2474. SHRI HARI KISHORE SINGH Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) the number of Casual Labour working at present in Government Undertakings,

(b) whether there is any proposal under consideration of Government to regularise these services;

(c) the number of casual labourers whose services have been regularised during the last one year, and

(d) the time by which the remaining persons will be regularised?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) (a) to (d) The information asked for relates to both the Central and State Government undertakings and is not readily available.

Import of Steel

2475. SHRI HARI KISHORE SINGH : SHRI JAGANNATH MISHRA :

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

(a) whether Government have any proposal under consideration to import steel from foreign countries;

(b) if so, the quantity and value of steel likely to be imported during the years 1972-73 and 1973-74; and

(c) the names of the countries from where the import will be made and for whom the import will be made ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) to (c) Import of steel is made by the canalising agencies/Actual Users/Registered Exporters or their nominees/Export Houses. Imports are being allowed in accordance with the Import Policy for all categories, where the material is not adequately available indigenously. The quantum of import depends upon the demand for steel, indigenous availability of steel and the availability of foreign exchange. No precise estimate of quantity and value of the steel likely to be imported during 1972-73 and 1973-74 can be given at present. However, it is anticipated that imports will be around 10 million tonnes in 1972-73 and less in 1973-74, particularly if domestic production shows substantial increases in 1972-73.

The countries from which steel is imported depend upon the source of foreign exchange and availability of right type of material. Generally steel imports are from Japan, U.K., U.S.A., USSR, Holland, Poland, Yugoslavia, Czechoslovakia, Hungary, Belgium, France, East and West Germany.

Change in the Procedure of indenting and Distribution of Iron and Steel

2476. SHRI HARI KISHORE SINGH : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government propose to revise the system of indenting and distribution of Iron and Steel in the country;

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

(c) the steps taken to regulate the distribution and sale of defective cuttings, re-rollable and other scraps ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) The

revised system of indenting and distribution was notified on 7th April, 1971. There is no proposal at present to revise it further.

(b) Does not arise.

(c) The Joint Plant Committee regulates distribution of all such materials arising at the Plants through the Stockyards of the Main Producers.

Construction of Salem Steel Plant

2477. SHRI HARI KISHORE SINGH : Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the construction work of the Salem Steel Plant has been going according to the schedule;

(b) if not, the reasons thereof; and

(c) the total amount spent so far on the construction of this plant and the time by which it will start functioning and total amount likely to be invested in this project ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Work of preliminary site preparation has already commenced at Salem.

(b) Does not arise.

(c) So far, approximately Rs. 70 lakhs have been spent on various activities including expenditure towards land acquisition. It is expected that the Plant would be commissioned by 1977-78. The total capital outlay, presently estimated by the Consultants at about Rs. 340 crores, is under examination.

Exploitation of Iron Ore of Malangtoli

2478. SHRI BANAMALI PATNAIK : Will the Minister of STEEL AND MINES be pleased to state:

(a) whether any steps have been taken to step up the exploitation of iron ore at Malangtoli; and

(b) if so, the salient features thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN): (a) and (b). A Study Group has been constituted to consider, among others, the development of Malangtoli iron ore deposits. The report of the Study Group is awaited.

Survey of Respiratory Diseases among Coal Miners in Dhanbad-Jharia Coal Fields

2479. SHRI BHOGENDEA JHA:
SHRI SUKHDEO PRASAD VERMA:

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether a survey conducted in the Dhanbad-Jharia coalfields has revealed that a majority of the coal miners develop respiratory diseases after working for certain time; and

(b) whether full report of the survey has since been received and what steps have been taken to protect the miners from such diseases?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) and (b). A respiratory morbidity survey was undertaken jointly by the Rajendra Memorial Research Institute of Medical Sciences, Patna, and the Central Mining Research Station, Dhanbad, under the guidance of Col. R. Viswanathan, Emeritus Scientist, Vallabhbhai Patel Chest Institute, Delhi. The full report of the survey is not yet available.

इस्पात नीति में सुधार

2480. श्री एम० एस० पुरती : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार की वर्तमान इस्पात नीति केवल बड़े उद्योगपतियों के लिये ही लाभप्रद है;

(ख) यदि हाँ तो क्या सरकार का विचार इस सम्बन्ध में कुछ सुधार करने का है; और

(ग) यदि हाँ, तो तत्संबंधी मुख्य-मुख्य बातें क्या हैं ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री शाहनवाज खाँ) : (क). यह कहना ठीक नहीं है कि इस्पात के वितरण की वर्तमान नीति केवल बड़े उद्योगों के लिए ही लाभप्रद है।

(ख) और (ग) प्रश्न नहीं उठते।

इस्पात संपर्कों में घाटा

2481. श्री एम० एस० पुरती : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में इस समय सरकारी तथा गैर-सरकारी क्षेत्र में कुल कितने इस्पात संयंत्र हैं तथा उनकी उत्पादन क्षमता कितनी है;

(ख) इन में से प्रत्येक को कितना घाटा हो रहा है; और

(ग) उक्त घाटे को पूरा करने के लिये सरकार ने क्या कार्यवाही की है ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री शाहनवाज खाँ) : (क). पाँच मुख्य इस्पात कारखानों की पिण्डक क्षमता निम्नलिखित सारणी में दिखाई गई है :—

	(लाख टन)
सरकारी क्षेत्र	
भिलाई	25
दुर्गापुर	16
राउरकेला	18
निजी क्षेत्र	
* इण्डियन आयरन एण्ड स्टील कम्पनी	10
टाटा आयरन एण्ड स्टील कम्पनी	20
जोड़	89

* 14-7-72 की एक अध्यादेश द्वारा सरकार ने इण्डियन आयरन एण्ड स्टील कम्पनी का प्रबन्ध अपने हाथ में ले लिया था।

(ख) वर्ष 1970-71 में इण्डियन आयरन एण्ड स्टील कम्पनी, टाटा आयरन एण्ड स्टील कम्पनी, राउरकेला और भिलाई के कारखानों को लाभ हुआ है जब कि दुर्गापुर इस्पात कारखाने को 20.40 करोड़ रुपये की हानि हुई है। वर्ष 1 71-72 में भी टाटा आयरन एण्ड स्टील कम्पनी और इण्डियन आयरन एण्ड स्टील कम्पनी को लाभ हुआ है। जहाँ तक अन्य तीन कारखानों अर्थात् भिलाई, दुर्गापुर और राउरकेला का सम्बन्ध है वर्ष 1971-72 के हिसाब-किताब को अभी अन्तिम रूप नहीं दिया गया है और सरकार का अनुमोदन प्राप्त नहीं हुआ है परन्तु वर्तमान संकेतों के अनुसार इस वर्ष इन तीनों कारखानों को हानि हुई है।

(ग) लाभशायकता लागत, उत्पादन परिमाण और मूल्यों पर निर्भर है। हिन्दुस्तान स्टील लिमिटेड ने अनुमान लगाया है कि वर्तमान कीमतों और उत्पादन लागतों के आधार पर उसके अधीन तीन सर्वतोमुखी इस्पात कारखाने लाभ कमा सकते हैं यदि उनका उत्पादन स्तर भिलाई, दुर्गापुर और राउरकेला इस्पात कारखानों की स्थापित क्षमता के क्रमशः से 84 प्रतिशत, 81 प्रतिशत और 63 प्रतिशत से बढ़ जाय तदनुसार प्रबंधक वर्ग उत्पादन को यथा-शीघ्र बढ़ाने के लिए भरसक प्रयत्न कर रहा है और इस दिशा में कई कदम उठाए गये हैं। पिछले सालों में कम्पनी की अनेक कारणों से घाटा हुआ है जिसमें क्षमता का अपर्याप्त प्रयोग, पूंजी सम्बन्धी खर्चों का अधिक होना, कुछ कारखानों में मालिक-मजदूर सम्बन्ध अच्छे न होता और मूल्य वृद्धि आदि शामिल हैं। टाटा आयरन एण्ड स्टील कम्पनी की पूंजीगत संबंधी खर्च बहुत कम हैं और उनकी क्षमता का उपयोग अधिक है।

अखिल भारतीय स्तर के धमिक संघों की सदस्य-संख्या का पता लगाने के लिए सर्वेक्षण

2482. श्री हुकम चन्द कछवाय : क्या भ्रम और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने अखिल भारतीय स्तर पर मान्यता प्राप्त प्रत्येक धमिक संघ की सदस्य-संख्या का पता लगाने के लिये कोई सर्वेक्षण किया है; और

(ख) यदि हाँ, तो उसकी मुख्य बातें क्या हैं ?

भ्रम और पुनर्वास मंत्री (श्री आर० के० साहिलकर) : (क) हाँ ही में नहीं।

(ख) प्रश्न नहीं उठता।

कोयला खानों में उत्पादन

2483. श्री हुकम चन्द कछवाय : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय देश में कोयले की कितनी खानें सरकारी क्षेत्र में हैं और कितनी गैर-सरकारी क्षेत्र में हैं; और

(ख) उनमें कोयले का वार्षिक उत्पादन कितना होता है ?

इस्पात और खान मन्त्रालय में राज्य मंत्री (श्री शम्भूनाथ झा) : (क). देश में 851 कोयला खानें हैं जिनमें से 247 पब्लिक सेक्टर और बाकी 604 प्राइवेट सेक्टर में हैं।

(ख) 1971-72 में उत्पादन 704.90 लाख टन (अनुमानित) था जिसमें से पब्लिक और प्राइवेट सेक्टरों का उत्पादन क्रमशः 252.60 लाख टन और 452.30 लाख टन था।

आयुध कारखानों के कर्मचारी संघ

2484. श्री हुसैन खं बख्तवाय : क्या कम और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि इस समय देश के विभिन्न आयुध कारखानों में अखिल भारतीय स्तर पर कुल कितने कर्मचारी संघ कार्य कर रहे हैं ?

कम और पुनर्वास मंत्री (श्री आर० के० खादिलकर) : सूचना तत्काल उपलब्ध नहीं है और एकत्र की जा रही है।

Transfers in Employees' Provident Fund Organisation

2485. SHRI MD. JAMILURRAHMAN : Will the the Minister of LABOUR AND REHABILITATION be pleased to state whether some of the Inspectors in the Employees' Provident Fund Orgainsation continue to be posted in the same city for such a long period as 17 years like in Bangalore, while other Regional Provident Fund Commissioners are transferring the Inspectors every one to two years ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : The Provident Fund authorities have reported as under :—

No Inspector in any city is working for as long as 17 years. Ordinarily, Inspectors are transferred from one city to another after a period of three years. When Inspectors continue in the same city over three years, their jurisdictions as a rule are changed in a period of about three years. Inter-regional and intra-regional transfers before three years are resorted to, as a rule, on administrative considerations.

E. P. F. and Deposits in Securities by D.M.S.

2486. SHRI MD. JAMILURRAHMAN: Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether approximately a sum of Rs. one crore has not been invested in the Central Government securities by the Delhi Milk Scheme and large number of

temporary employees have not been admitted to provident Fund membership;

(b) whether some high official visited the establishment personally, if so, on what dates he has visited and what are his reports in the matter;

(c) whether he reported the matter to the Government regarding this default; if not, the reasons therefor; and

(d) the position regarding the balance of uninvested amount and admission of temporary employees ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : The Provident Fund Authorities have reported as under:—

(a) The Delhi Milk Scheme, which is under relaxation under para. 79 of the Employees' Provident Funds Scheme, 1952, is a departmental undertaking of the Central Government and its employees are covered by the Central Government Pension-cum-Gratuity Rules. Hence, the question of investment of Provident Fund contributions in the Central Government Securities as per the standing instructions of the Government does not arise.

The part time staff working in the Depot of the Delhi Milk Scheme are not covered under the Employees' Provident Funds and Family Pension Fund Act, 1952. The other temporary employees of this establishment get all such benefits till their confirmation as are admissible to the corresponding categories of Central Government employees. The Regional authorities have asked the Delhi Milk Scheme to insure benefits equivalent to the statutory benefits in respect of employees leaving their services before confirmation.

(b) The establishment is visited by the Provident Fund Inspector regularly. A visit by Assistant/Regional Provident Fund Commissioner was not considered necessary.

(c) and (d) in view of the position stated above, the questions do not arise.

**Circulation of Seniority List to
Officers and Staff in Employees
Provident Fund Organi-
sation**

2487. SHRI MD JAMILURRAHMAN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Civil List (seniority list) has not been circulated to the Gazetted Officers and staff of the Employees' Provident Fund Organisation for the last several years, if so, when it was circulated last and the reasons why it has not been circulated since then,

(b) whether Departmental promotees have not been placed as per ratio fixed viz 50 per cent from Departmental and 50 per cent from direct recruitment through the Union Public Service Commission

(c) whether there was no promotion of Departmental candidates for several years and direct recruitment only took place and instead of placing departmental promotees at the ratio of 50 per cent to 50 per cent in seniority list, the Departmental promotees have been placed quite at the bottom of the seniority list, and

(d) the steps being contemplated to set right the irregularity by properly placing the departmental candidates ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) The Provident Fund authorities have reported as under :—

(a) No. During the last few years several Seniority Lists pertaining to the Gazetted Officers and staff were circulated.

(b) No. Departmental promotees have been placed as per ratio prescribed in the Recruitment Rules from the date of enforcement of the rotational principle.

(c) Recruitment to various cadres is being made from time to time, subject to availability of vacancies in the appropriate quotas, in accordance with the provisions of the Recruitment Rules.

(d) Does not arise.

**Coverages under Employees Provi-
dent Fund in Mysore**

2488. SHRI MD. JAMILURRAHMAN: Will the Minister of LABOUR AND REHABILITATION be pleased to state whether large number of establishment in Mysore have not been covered under the Employees Provident Fund from the dates they are actually coverable but not the contrary, they have been covered from much later date and the employers have gone scot free from the liability of the Provident Fund?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) The Central Provident Fund Commissioner has reported that one case has come to his notice and that suitable instructions have been issued to the Regional Commissioner, Mysore to ensure that the establishment is covered from the correct date, retrospectively if necessary, in accordance with orders and instructions issued on the subject

**Selection of candidates by Industries
through D. G. E. & T.
Aptitude Tests**

2489. SHRI J. MATHA GOWDER : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the details of 12 industries that have so far used the Directorate General of Employment and Training Aptitude Tests for selection of Apprentices in their organisations, and

(b) the Engineering industries and regions in which aptitude testing programme has been introduced for selecting suitable candidate apprentices under the Apprentices Act, 1961 ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) (a). A statement is attached.

(b) Any Industry desirous of using Directorate General of Employment and Training's aptitude tests for selection of apprentices is free to avail of this facility and as such the question of introduction of the programme in specific Industries and regions does not arise.

Statement

The names of establishments that have so far used Directorate General of Employment and Training's Aptitude Tests for Selection of Apprentices in their Organisation is given below :—

1. Indian Airlines Corporation.
2. Ashok Leyland, Madras.
3. The Premier Automobiles Ltd., Bombay.
4. Productivity Council, Madras.
5. Kirloskar Electric Co., Bangalore.
6. Delhi Cloth Mills, Delhi.
7. Ahmadabad Electricity Limited, Ahmadabad.
8. Mysore Kirloskar, Mysore.
9. Hindustan Aeronautics Ltd, Lucknow.

10. Bharat Electricals Ltd, Bangalore.
11. Bharat Earth Movers, Mysore.
12. Anup Engineering Ltd., Ahmadabad.

Experts assigned to D.G.E. & T.

2490. SHRI J. MATHA GOWDER : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the nationality of the three Experts assigned to D.G.E. & T. in the field of Employment Market Information, Manpower Assessment and Planning and Vocational Guidance;

(b) since when they are in their posts; and

(c) how far their expertise has helped the Government in the above-mentioned three fields ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) (a) and (b) :

Field	Nationality of Expert.	Date from which assigned and period.
(i) Employment Market Information.	Australian	From 1.4.1971 for 12 months.
(ii) Manpower Assessment and Planning.	American	From 13.7.1971 for 12 months.
(iii) Vocational Guidance.	American	From 26.7.1971 for 18 months.

(c) During their stay, the first two experts collected the requisite information, made field visits and have had discussions with the appropriate authorities and organisations. Their final reports, which would embody their recommendations, are awaited. The extent to which their expertise will be of use in improvement of these programmes could be gauged only after the reports are received by the Government of India from the International Labour Organisation and the suggestions made therein have been examined. The third expert has yet to complete his study and investigations of the existing set up and the problems in the field of Vocational Guidance.

Target of production in Public Sector Steel Plants

2491. SHRI SHRIKISHAN MODI : SHRI RAM PRAKASH :

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

(a) whether the target of production of the three Public Sector Steel plants has been run down during current year as compared to 1971-72; and

(b) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) The targets of production in respect of the public sector steel plants at Bhilai, Durgapur and Rourkela under Hindustan Steel Limited for the years 1971 and 1972-73 are indicated below :

(In 000' tonnes)

	Target for 1971-72		Target for 1972-73	
	Steel Ingots	Saleable Steel	Steel Ingot	Saleable Steel
Bhilai Steel Plant	2200	1720	2250	1790
Durgapur Steel Plant	1150	877	1000	722
Rourkela Steel Plant	1400	999	1250	890

It will be noticed that while the targets of production in the case of Bhilai Steel Plant for 1972-73 are higher than those in 1971-72, they are lower in the case of the other two Plants.

(b) The targets of production for 1972-73 are based on a realistic assessment of production possibilities taking into account technical and other constraints and, in the case of Durgapur Steel Plant, the adverse effect on production of the continuing disturbed industrial relations situation.

Chinese Communication received through
Sri Lanka

2492. SHRI SHRIKISHAN MODI :
SHRI PILOO MODI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the High Commissioner of Sri Lanka in New Delhi handed over a letter from the Chinese Prime Minister to the Prime Minister of India; and

(b) whether there is any indication that talks would be held between India and China

to normalise relations between the two countries ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURINDRA PAL SINGH) : (a) No, Sir.

(b) Does not arise.

Blackmarketing in distribution
of Steel to States

2493. SHRI ARVIND NETAM : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government of India are aware of the fact that blackmarketing is still going on in the distribution of steel in various states; and

(b) if so, what measures Government propose to take to check the blackmarketing?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) There is no statutory control on any item of iron and steel. However, some reports have been received by the Government about steel material's allotted to the actual users and consumers being sold in the open market.

(b) Regional Offices of the Iron and Steel Controller have been set up in different parts of the country and one of their functions is to check misuse of steel. The Iron and Steel (Control) Order has also been amended to provide that utilisation of steel for purpose other than those for which steel is allocated or applied for is a violation of the Control Order and this would attract the penal provisions of the Essential Commodities Act. In investigating such complaints, the assistance of the C.B.I. is also being taken in suitable cases.

Setting up of a Steel Plant in
Madhya Pradesh

2494. SHRI ARVIND NETAM :
SHRI RANA BAHADUR SINGH:

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

(a) whether Government propose to set up some more Steel Plants in the country during the Fifth Five Year Plan period; and

(b) if so, whether Government purpose to set up a steel plant in Madhya Pradesh also ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b) The preparatory work in connection with the Fifth Plan Steel development programme has been taken in hand. It is too early to indicate details at this stage. The locational advantages of suitable sites in Madhya Pradesh will, however, be kept in view.

Part-Time Training Programme for Workers through Industrial Training Institutes

2496. SHRI P.A. SAMINATHAN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the revised scheme for the part-time training programme of the existing workers for upgrading and updating their practical skill as well as knowledge is being implemented on a country-wide basis through Industrial Training Institutes as recommended by the National Council for Training in Vocational Trades in November, 1971; and

(b) if not, the reasons for the delay ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b) State Government have already been requested in April, 1972 to take necessary steps for the implementation of the revised Scheme.

Losses to Mining and Allied Machinery Corporation

2497. SHRI RAM PRAKASH : Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Mining and Allied machinery Corporation is undergoing heavy losses; and

(b) if so, the reasons thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) MAMC went into production in 1964-65, and it has been incurring losses since then. Till the end of 1971-72, the cumulative loss incurred by the Company amounted to Rs. 36.42 crores,

(b) The reasons why MAMC has been incurring continuing losses are:-

- (i) serious shortfalls in the anticipated demand of coal mining equipment for which the unit was essentially set up;
- (ii) long gestation period for engineering projects of this nature manufacturing highly sophisticated equipment;
- (iii) heavy burden of interest on loans taken from Government to meet cash losses; and
- (iv) slow build up of production due to labour problems and managerial deficiencies.

Realisation of arrears from Pakistan

2498. SHRI RAM PRAKASH : Will Minister of EXTERNAL AFFAIRS be pleased to state;

(a) the particulars of amount which Pakistan owes to India; and

(b) the steps proposed to be taken to realise this amount ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) The exact amount of Pakistan's debt on account of partition and other items has been the subject of prolonged negotiations with Pakistan. No agreed settlement has, however, been reached.

(b) The matter will continue to be pursued with the Government of Pakistan.

**Provision of Jobs to Workers Un-
employed due to Power Crisis
in Gujarat**

2499. SHRI PRABHUDAS PATEL
Will the Minister of LABOUR AND
REHABILITATION be pleased to state:

(a) whether all the workers in Gujarat who had been rendered job-less during the power crisis which had forced so many mills to close down have been provided with jobs;

(b) if not, how many labourers are still there who have not been provided with employment;

(c) how many mills are still closed; and

(d) the steps the Union Ministry is taking to absorb all the retrenched labourers?

THE MINISTER OF LABOUR AND
REHABILITATION (SHRI R. K. KHADIL-
KAR) : (a) to (b) The matter falls essentially
in the State sphere.

**Communications from African
Countries and Egypt re:
Indo-Pak Summit**

2500. SHRI PRIYA RANJAN DAS
MUNSI :
SHRI M. C. DAGA :

Will the Minister of EXTERNAL AFFAIRS
be pleased to state :

(a) whether the African countries in
general and Egypt in particular, have commu-
nicated their feelings to Government after
Indo-Pak Summit in Simla; and

(b) if so, the nature thereof?

THE DEPUTY MINISTER IN THE
MINISTRY OF EXTERNAL AFFAIRS
(SHRI SURENDRA PAL SINGH) (a) Yes,
Sir.

(a) The Indo-Pakistan Summit talks in
Simla have been generally evaluated as a
positive development which will help in the
establishment of durable peace in the sub
continent. The Arab Republic of Egypt has
also expressed, through a personal message
from the UAR President to our Prime

Minister, as also through other channels,
her appreciation of the results achieved, and
of the efforts made by India towards the
establishment of peaceful relations with
Pakistan.

**Demands of Workers of Indian Iron
and Steel Co. taken over by
Government**

2501. SHRI PRIYA RANJAN DAS
MUNSI :
SHRI INDRAJIT GUPTA :

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

(a) whether workers of the Indian Iron
and Steel Company have placed any demands
before Government after it was taken over
by Government;

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

(c) the action taken by Government in
the matter?

THE MINISTER OF STATE IN THE
MINISTRY OF STEEL AND MINES
(SHRI SHAHNAWAZ KHAN) (a)
No, Sir.

(b) and (c) Do not arise.

Compensation to Morena Panjreh Coal Fields

2502. SHRI RANABAHADUR SINGH :
Will the Minister of STEEL AND MINES
be pleased to state :

(a) whether a number of cases of pay-
ment of compensation are still pending in
regard to Morena Panjreh Coal fields; and

(b) if so, the reasons thereof and the
steps Government propose to take to expedite
payment of compensation?

THE MINISTER OF STATE IN THE
MINISTRY OF STEEL AND MINES (SHRI
SHAHNAWAZ KHAN). (a) and (b): There
is no coal field known as Morena Panjreh
Coal field in respect of which payment of
compensation is pending. An area of 99.66
acres of tenancy land in village Panjreh and
Madholi was, however, negotiated by
National Coal Development Corporation for
direct purchase from the tenants. All the

tenants except three executed sale deeds and payments were made to them. Out of the three remaining tenants, two have now furnished mutation orders and steps are being taken to make payments to these two tenants. Payment to the third tenant would be made as soon as mutation papers are received from him.

Coal Deposits in Madhya Pradesh

2503. SHRI RANABAHADUR SINGH: Will the Minister of STEEL AND MINES be pleased to state :

(a) the ratio of Coal recently discovered in the Deori Ujjain region of Sidhi District in Madhya Pradesh and how its quality compares with coal found in Morena and Mahadaiya coal fields; and

(b) the extent of this new'y discovered deposit ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) As a result of investigations carried out by the Geological Survey of India, 26.64 million tonnes of coal has been estimated in Deori-Ujjaini region of Sidhi district, Madhya Pradesh. The coal is of inferior Class III category. The quality of coal in Morwa and Mahadaiya region is Class II to Class III and is thus slightly better than in Deori Ujjaini region. Coal seam being mind in Morwa-Mahadaiya region is the Turra seam with thickness of 6 to 7 metres.

(b) Deori Ujjaini deposit has an arial extent of 10 sq. kilometres.

Geological Survey of Madhya Pradesh

2504. SHRI RANA BAHADUR SINGH Will the Minister of STEEL AND MINES be pleased to state :

(a) the present state of progress in carrying out a detailed geological survey of Sidhi and Sarguja Districts in Madhya Pradesh; and

(b) the broad findings of the present survey and how long it will take to complete this survey ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) and (b) : Systematic geological mapping over an area of 250 sq. km has been carried out in Sidhi district during 1968-69. Systematic mapping will be continued in Sidhi and also in Sarguja districts during the field season 1972-73 with a view to study the Bijawars with special reference to base metal mineralisation along the Son Narmada linement. Preliminary surveys for sillimanite carried out near Pipra have not revealed encouraging results. The bauxite occurrences from Sarguja district viz, at Jarangpai, Sitonga, Jairampat areas etc. were examined in 1969-70. Inferred reserves of about 4.5 million tonnes have been estimated. Further investigation by pitting is in progress and drilling in the area will also be taken up.

Geological mapping is expected to be completed by 1976-77. The mineral investigation is a long range programme and is expected to continue even in the Fifth Five Year Plan.

Exploitation of Sulphur Rich Coal in Assam

2505. SHRI S. C. SAMANTA : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government have prepared any plan for the commercial exploitation of sulphur-rich coal of Upper Assam; and

(b) whether Government propose to assist pilot plant level feasibility studies of converting this coal into synthetic crude ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) The Council of Scientific and Industrial Research have proposed the setting up of a pilot plant at the Central Fuel Research Institute at Jaalgora to test the feasibility of coal to oil conversion technology on which they have already been conducting researches for sometime.

(b) The matter is under consideration between the Council of Scientific & Industrial Research and the Ministry of Petroleum and Chemicals.

Cost of Imports

2506. SHRI S. C. SAMANTA : Will the Minister of SUPPLY be pleased to state :

(a) the percentage of various supplier under the Ministry which are still being imported and their value in terms of Indian rupee including freight and customs duty, if any;

(b) the time by which the Ministry thinks they shall be able to switch over to

cent-per cent indigenous supplies;

(c) the effort being made in this direction; and

(d) the reasons for the delay ?

THE MINISTER OF SUPPLY (SHRI D. R. CHAVAN) (a) the value of the total purchases, the value of the imported stores and the percentage the imported stores constitute of the total purchases made during the last three financial years are as under:—

Year	Value of total Purchases (in Rs. crores)	Value of imported stores (in Rs. crores)	Percentage the imported stores constitute of the total purchases made
1969-70	691.67	267.88	38.34%
1970-71	745.73	227.43	30.50%
1971-72 (Provisional)	1006.58	253.81	25.22%

(b) It is not possible to say when cent-per-cent switch over to indigenous supplies can be achieved.

(c) Although this Department is not directly concerned with the question of import substitution, yet all efforts are being made to locate indigenous sources of supply for stores which were hitherto being imported.

(d) Does not arise in view of the replies given to parts (b) and (c) of the Question.

लोहा और कोयला उद्योगों के लिए एक संस्था का गठन

2507 श्री चन्द्रिका प्रसाद :

श्री बनसाह प्रधान :

क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में लोहा और कोयला उद्योगों, जिनमें अत्यधिक राशि निवेश है, पर नियंत्रण करने के लिए सरकार ने कोई संस्था गठित की है; और

(ख) यदि हां, तो उसकी मुख्य बातें क्या हैं ?

इस्पात और खान मंत्रालय में राज्यमंत्री (श्री शाहनवाज खान) : (क) और (ख). संभवतः अभिप्राय इस्पात तथा कोकिंग कोयले, लोह खनिज, मैंगनीज खनिज आदि जैसे सम्बद्ध आदान उद्योगों के लिए एक होल्डिंग कम्पनी बनाने के सरकार के निर्णय से है।

होल्डिंग कम्पनी की अभी स्थापना की जाती है। सरकारी क्षेत्र में इस्पात, लोह खनिज, कोकिंग कोयले और ऊर्मसह ईटों के उपक्रमों के सभी शेयर, होल्डिंग कम्पनी के होंगे। यह कम्पनी इन उपक्रमों के कार्य में इनका योगदान भी करेगी। संयुक्त क्षेत्र की ऐसी कम्पनियों में सरकार के सभी शेयर भी इस कम्पनी के पास होंगे। यह कम्पनी सरकारी क्षेत्र के वित्तीय संस्थानों के जिनके निजी क्षेत्र की इस्पात कम्पनियों, खनिज कम्पनियों को लोह खनिज, मैंगनीज खनिज आदि विकसित हैं, ऊर्मसह कारखानों और इस्पात का उत्पादन करने वाले छोटे संयंत्रों के

के मनोनीत प्रतिनिधि के रूप में भी कार्य करेगी। यह कम्पनी अन्य बातों के साथ-साथ विकास के लिए दीर्घकालीन कार्यक्रम भी तैयार करेगी, बचत को उद्योगों के और विस्तार के लिए लगायेगी। आवश्यक प्रौद्योगिक परिवर्तनों और नवीन प्रक्रियाओं, अनुसंधान और विकास कार्यक्रमों में कारगर ढंग से धन लगायेगी और अपनी सहायक कम्पनियों में समन्वय स्थापित करेगी और उनके संचालन की देखभाल करेगी। इस कम्पनी का उद्देश्य बर्टीकल इन्टीग्रेशन द्वारा ईकानमी प्राप्त करना और कम से कम लागत से समन्वित वृद्धि सुनिश्चित करना है। और स्पॉरे तैयार किये जा रहे हैं।

चीन के अधिकार में भारतीय क्षेत्र

2508. श्री धनसाह प्रधान : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या चीन के अधिकार में भारत का कितना क्षेत्र है;

(ख) क्या ऐसा भी कोई भारतीय क्षेत्र है जिस पर पाकिस्तान ने अधिकार करके चीन को दे दिया है; और

(ग) यदि हाँ, तो इस क्षेत्र का क्षेत्रफल किसमा है तथा इसे कब दिया गया ?

विदेश मंत्रालय में उप-मंत्री (श्री सुरेन्द्र पाल सिंह) : (क). इस समय लद्दाख में करीब 14,500 वर्गमील के भारतीय इलाके पर चीन का गैर कानूनी कब्जा है।

(ख) जी हाँ।

(ग) काश्मीर में 2000 वर्गमील से कुछ अधिक भारतीय क्षेत्र पाकिस्तान ने 1963 के तथाकथित चीन सीमा समझौते के अन्तर्गत गैर कानूनी तौर पर चीन को दे दिया था।

प्रबन्ध में श्रमिकों का भाग

2509. श्री लाल जी० भाई : क्या श्रम और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) कितने प्रतिशत सरकारी उपक्रमों और वाणिज्यिक विभागों में श्रमिकों को प्रबन्ध में प्रतिनिधित्व दिया गया है; और

(ख) शेष सरकारी उपक्रमों और वाणिज्यिक विभागों में उन्हें कब तक प्रबन्ध में प्रतिनिधित्व दिया जायेगा ?

श्रम और पुनर्वास मंत्री (श्री आर० के० खाडिलकर) : (क). सरकार ने कामगारों के प्रतिनिधियों को परख के आधार पर व्यापारिक उपक्रमों को छोड़कर कुछ सरकारी उपक्रमों के प्रबन्धक बोर्डों में नियुक्त करने की एक योजना आरम्भ करने का निर्णय किया है। सर्वप्रथम इस योजना को हिन्दुस्तान एन्टीबायोटिक्स लि० पिम्परी में कार्यान्वित करने का निर्णय किया गया है।

(ख) क्योंकि योजना को परख के आधार पर आरम्भ किया जा रहा है, इसलिए कोई समय सीमा निर्धारित करना जिसमें सारे सरकारी क्षेत्र के उपक्रम इस योजना के परिचालन में लाए जाएंगे, समयपूर्व है।

बिहार में प्राइवेट कोयला खानों पर केन्द्रीय श्रम विधियों का लागू किया जाना

2510. श्री मूलचन्द ढागा : क्या श्रम और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार की श्रम विधियाँ बिहार राज्य में प्राइवेट कोयला खानों पर लागू होती हैं; और

(ख) यदि हाँ, तो वर्ष 1970 तथा वर्ष 1971 में श्रम विधियों का उल्लंघन करने पर कुल कितने चालान किये गये ?

श्रम और पुनर्वास मंत्री (श्री आर० के० खाडिलकर) : (क) जी हाँ।

(ख) सूचना एकत्र की जा रही है और यथासमय समाज की वेब पर रख दी जाएगी।

Industrial Strikes in 1971-72.

2512. **SHRI SUKHDEO PRASAD VERMA:** Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the total number of Industrial strikes in the country, State-wise, during the year 1971-72; and

(b) the number of workers involved therein ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR). (a) and (b) : The attached statement gives the available provisional information regarding the total number of strikes in the country, State-wise, and the number of workers involved in these strikes during January, 1971 to June, 1972.

Statement

Provisional information regarding the number of strikes in the country, state-wise, during January 1971 to June 1972 and the number of workers involved in these strikes.

State/Union Territory	Number of strikes	Number of workers involved.
1	2	3
1. Andhra Pradesh	141	74369
2. Assam	27	23853
3. Bihar	272	91738
4. Gujarat	172	41662
5. Haryana	54	12407
6. Himachal Pradesh	3	1767
7. Jammu & Kashmit	1	13
8. Kerala	302	21603
9. Madhya Pradesh	207	118724
10. Maharashtra	982	562202
11. Manipur	Nil	Nil
12. Mysore	125	48908
13. Orissa	21	17957
14. Punjab	21	32955
15. Rajasthan	91	23416
16. Tamilnadu	299	143033
17. Tripura	3	103

1	2	3
18. Uttar Pradesh	220	72260
19. West Bengal	336	256793
20. Andaman & Nicobar Islands	5	1257
21. Chandigarh	3	499
22. Delhi	64	25699
23. Goa, Daman and Diu	23	9203
24. Pondicherry	1	650

Automation Committee Report

2513. **SHRI SUKHDEO PRASAD VERMA**
SHRI BHOGENDRA JHA

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Automation Committee has since submitted its report; and

(b) if so, its main recommendations ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR). (a) Yes.

(b) Copies of the Report have been supplied to the Parliament Library.

Strike Notice by H.A.L. Trade Unions

2514. **SHRI M. S. SIVASAMY :** Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the representatives of all the recognised Trade Unions of HAL complex in the country gave strike notice to the managements during the month of July;

(b) whether the talks between the workers and the management had failed; and

(c) if so, the nature of the talks held and the steps taken by Government in averting the strike ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR).

(a) to (c) : The matter falls in the State sphere.

Supply of Food to Bangla Desh

2515. **SHRI C. K. JAFFER SHARIEF :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the total quantity of wheat supplied to the Government of Bangladesh after the recent Indo-Pak War;

(b) the terms and conditions of the supplies made; and

(c) the quantity of other foodgrains supplied to Bangladesh by our Government since May, 1971 and the cost and the terms and conditions of such supplies ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) and (b) : 6,50,000 tonnes of wheat have already been delivered to Bangladesh as a grant. An additional quantity of 50,000 tonnes of wheat is being supplied at the instance of UNRDO on payment by them in due course. Delivery of these additional supplies is expected to be completed by 25th August, 1972.

(c) 1,00,000 tonnes of rice valued at approximately Rs. 11.24 crores have been supplied on a grant basis. Furthermore gifts of rice from international sources which were originally meant for Bangladesh refugees in India are being diverted to Bangladesh and nearly 15,000 tonnes have already been so diverted.

Indo-Soviet Joint Commission

2516 SHRI C. K. JAFFER SHARIEF : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the terms of reference of the proposed Indo-Soviet Joint Commission; and

(b) whether it has since been set up ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) (a) The terms of reference of the proposed Indo-Soviet Joint Commission are still being negotiated between the two Governments.

(b) The Commission will be established when the agreement is finalised.

Stringent measures for implementation of Coal Wage Board Recommendations

2517 SHRI C. K. JAFFER SHARIEF : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government have decided to take drastic measures against the coal mine owners who have failed to implement the payment of wage board scale, and

(b) if so, the measures decided to be taken ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b) Yes. Government are considering proposals to secure implementation of the recommendations.

Publishing of pamphlets in "Guide to Careers" series in Regional Languages

2518. SHRI T. S. LAKSHMANAN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the pamphlets in the "Guides to Careers" series are being published in the regional languages of the country; and

(b) if so, how many publications have

been published and in what regional languages ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) Yes, by some of the States.

(b)

Regional language	No. of Publications
Gujarati	.. 13
Malayalam	... 2
Marathi	... 30
Tamil	.. 65
Punjabi	... 16 (being published)

In addition, the States of West Bengal, Assam and Orissa have also taken up the translation of these publications into Bengali, Assamese and Oriya respectively.

Most of the pamphlets in the 'Guide to Careers' series have also been published in Hindi by the Directorate General of Employment and Training.

Study tours, fellowships and vocational training by officials abroad

2519. SHRI T. S. LAKSHMANAN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the name, designation and location of two State Government officials who went on a study tour to the U.S.A. sponsored by the USAID;

(b) the name, designation and location of four Training Officers of CTIs, who availed of the fellowships under the Labour Ministry's training Programme in the USA for six months;

(c) the name, designation and location of two officers who were deputed abroad on fellowships for a period of three months under the Project for National Apprenticeship; and

(d) the name, designation and location of the State Government officer and also that of the two Officers of D.G.E. & T. who were deputed to Japan under Colombo Plan to receive vocational training ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (d). The required information is given in the statement attached.

Statement

Information relating to the years 1971 and 1972 is as follows :—

- (a) 1. Shri B.B. Patra, Deputy Director of Industries, Government of Orissa Cuttack.
2. Shri R.P. Sen Gupta, Director of Industries, Government of Tripura, Agartala.
- (b) 1. Shri K.E. Balakrishnan, Training Officer, Central Training Institute for Instructors, Madras.
2. Shri P. D. Choudhuri, Training Officer, Central Training Institute for Instructors, Madras.
3. Shri K.S. Arora, Training Officer, Central Training Institute for Instructors, Kanpur.
4. Shri H.N. Ahuja, Training Officer, Central Training Institute for Instructors, Ludhiana.
- (c) 1. Shri R. C. Srivastava, Training Officer, office of the Regional Director of Apprenticeship Training, Kanpur.
2. Shri R.M. Sinha, Technical Officer, office of the Regional Director of Apprenticeship Training, Kanpur.
- (d) 1. Shri G. D. Oliver, Inspector of Training, Government of Kerala, Trivandrum.
2. Shri V. Raskrishnan, Training

Officer, Directorate General of Employment and Training, New Delhi.

3. Shri S.A. Kelkar, Senior Instructor, Central Training Institute for Instructors, Bombay.

Officials sent abroad to render Technical Assistance

2520. SHRI T. S. LAKSHMANAN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the names and designation of the officers whose services were placed at the disposal of the I. L. O. Expert Manpower Planning and I.L.O. High Level Inter Agency Employment Mission in Iran to render technical assistance;

(b) the name and designations of the senior Officers deputed to Singapore under the Colombo Plan and the Five Junior Officers deputed to Malaysia to render technical assistance; and

(c) the names and designations of officers who attended the Regional Seminar in Bangkok in January, 1971 the seminar in Berlin on the 18th March, 1971 and the 4th Colloquium on Technical Education and Training in Manila ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) (i) Shri K.B. Sharma, Director of

Employment Exchanges, Directorate General of Employment & Training, New Delhi (Since retired).

- (ii) Shri P. Sengupta, Deputy Director of Employment Exchanges, Directorate General of Employment and Training, New Delhi.

- (b) Shri B.N. Guha Biswas, Principal, Central Training Institute for Instructors, Kanpur—Deputed to Singapore under Technical Co-operation Scheme of the Colombo Plan.

Shri S C. Paul, Junior Instructor, Central Training Institute for Instructors, Calcutta.

Shri D. Thomas Sellaraj, Senior Master, Central Training Institute for Instructors, Hyderabad.

Shri K. Vasudevan Na'r, Supervisory Instructor, Government of Kerala, Trivandrum.

Shri D. N. Chakravarty, Supervisor Instructor, Industrial Training Institute (Delhi Administration) Pusa, New Delhi.

Shri H D. Manocha, Supervisor Instructor, Industrial Training Institute (Delhi Administration, Shahadara, Delhi.

Deputed to Malaysia under the Indian Technical and Economic Cooperation Programme.

(c) : Regional Seminar in Bangkok in January, 1971.

Seminar in Berlin in March, 1971.

Shri Ishwar Chandra, Director General of Employment and Training and Joint Secretary to the Government of India.

4th Colloquium on Technical Education and Training in Manila in March, 1971.

Col. S G. Pendse, Director of Training, Directorate General of Employment and Training, New Delhi

Address by Secretary, Ministry of External Affairs regarding Simla Agreement

2521. SHRI SAMARGUHA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Secretary of the Ministry of External Affairs recently addressed a public gathering at the India International Centre on Simla Agreement;

(b) whether in that meeting he said that what leaders of Pakistan said were not important but what they did were of concern for us,

(c) whether this is the official view of Government; and

(d) whether the Secretary of the Ministry of External Affairs had been given permission to address a public gathering ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Yes, Sir.

(b) and (c). Foreign Secretary was asked whether President Bhutto's words could be relied upon and whether he would faithfully implement the Simla Agreement.

The Foreign Secretary had replied that the Simla Agreement was a solemn agreement signed by the Heads of two sovereign governments and not by two individuals. He had also stated that the success of the Agreement would depend upon the spirit and the manner in which the provisions of it were implemented and that Pakistan should be judged by her deeds rather than by the utterances in the Pakistan National Assembly. This is also the official view of the Government.

(d) Yes, Sir.

Deposits of Bauxite Ores in Chhotanagpur

2523. KUMARI KAMLA KUMARI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether deposits of bauxite ores are available in heavy quantity in Chhotanagpur; and

(b) if so, whether survey report of the Chhotanagpur regarding bauxite ores will be laid on the Table of the House ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b). Large deposits of bauxite are available in

Ranchi and Palamau districts of Chhotanagpur Division of Bihar. The Geological Survey of India had carried out a preliminary assessment of the Bauxite deposits of Chhotanagpur area of Bihar in 1943-47 and results of survey have been published in GSI Memoir Volume No 85 (1958) and in GSI Bulletin No 25(1965). The detailed exploration of bauxite deposits have been taken up in three deposits in Ranchi district since 19 9 and a preliminary survey in the Jamrapat area in South Western part of Palamau district. The work is in progress and reports will be prepared after exploration is completed.

Violation of Provident Fund rule by big Business Houses

2524. KUMARI KAMLA KUMARI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government propose to appoint a Committee of Members of Parliament to examine all the concerns of Sahu Jain, Tata, Birla Industries and all concerns of 20 Big Business Houses to see whether they have not violated the Rules of Provident Fund, and

(b) if not, the reasons therefor ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) The Provident Fund Authorities have reported that there is no such proposal under consideration

(b) No circumstances justifying constitution of a Committee have been brought to the notice of Provident Fund Authorities.

Employment and Unemployment in Bihar

2525. KUMARI KAMLA KUMARI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the total working population of Bihar who are either in Government service and semi-Government Service under Central and State Governments; and

(P) Provisional.

* Quasi-Government establishments comprise both Central-Quasi and State-Quasi establishments.

(b) the total number of unemployed persons registered with the employment exchanges ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) The available information is given in the statement attached.

(b) The number of job seekers (not all necessarily unemployed) on the live register of the Employment Exchanges in Bihar as on 30th June 1972 was 5,46,033.

Statement

(a) According to the information collected through the Employment Market Information programme of the Directorate General of Employment and Training the number of persons employed in Government service and semi-Government Service (Central and State) in Bihar was as under .

Sector	Number of persons employed (in thousands) as on 31st December 1971 (P)
Central Government	191.7
State Government	266.9
Quasi Government*	245.3
Local Bodies	154.4
Total :	858.3

Hostels for Central and Regional Labour Institutes

2526. SHRI BANAMALI PATNAIK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Hostels were constructed for the Central and Regional Labour Institutes at Bombay, Calcutta, Madras and Kanpur under very ambitious plan projects;

(b) whether these hostels are hardly being used for want of any regular planned programme for training if so, whether any steps have been taken to fix any responsibility for incurring such unnecessary and infructuous expenditure;

(c) whether there are any plans under which either these hostels are fully used and put to profitable plans or simply sold to public to fetch market prices; and

(d) the total expenditure incurred so far for construction, maintenance and other equipments and the amount so far recovered as rents ?

(d)

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) to (c). Hostels for the Central Labour Institute, Bombay and the three Regional Labour Institutes at Calcutta, Madras and Kanpur have been constructed under Plan schemes to provide residential facilities to the participants of training programmes, seminars, conferences, etc. being organised by these institutes. These hostels are being utilised by the participants of training programmes, etc. and efforts are being made to arrange more residential programmes to ensure better utilisation of the hostels. As such the questions of fixing responsibilities for incurring expenditure on their construction or their being sold to public do not arise at present.

	Construction Cost	Cost of Furnishing	Rent realised (up-to-date)
(i) Hostel attached to the Central Labour Institute, Bombay.	5,35,000 (Upto June 1972)	1,18,000	6,191 (From March 1972 to date).
(ii) Hostel attached to the Regional Labour Institute, Calcutta.	5,00,000 (appx.)	39,000	Rs.1532
(iii) Hostel attached to the Regional Labour Institute, Madras.	5,00,000 (appx.)	46,500	30,287
(iv) Hostel attached to the Regional Labour Institute, Kanpur.	5,00,000 (appx.)	26,000	Rs.2400

Trained Central Industrial Relations Machinery Officers on deputation

2527. SHRI BANAMALI PATNAIK:
Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(b) whether there has been manifold increase in the strength of the Industrial Relations Machinery during the last ten years;

(b) whether a large number of C.I.R.M. Officers have had the privilege of undergoing various trainings inside the country as well as abroad;

(c) whether a number of such trained as well as untrained officers have gone on deputations, if so, the number of persons on deputation and the extent to which it is advisable to allow such deputations beyond a certain point say ten per cent of the posts; and

(d) the specific steps proposed to be taken to ensure that services of such officers are properly utilised by the C. I. R. M.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) Consistent with the increase in work load there has been expansion in the strength of Central Industrial Relations Machinery during the last ten years;

(b) Officers of Central Industrial Relations Machinery along with other officers are considered and deputed for training both inside and also outside the country, as and when necessary.

(c) and (d). Twentyone Central Industrial Relations Machinery Officers constituting 10.24% of the cadre strength of the Central Industrial Relations Machinery are on deputation to ex-cadre posts under the Government or Public Sector Undertakings. The services of the Central Industrial Relations Machinery Officers are properly utilised.

Transfers in Central Industrial Relations Machinery

2578. SHRI BANAMALI PATNAIK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Officers of the Central Industrial Relations Machinery are generally posted at one place for a definite term of three years;

(b) whether there is no uniformity in this regard and a number of Officers are posted in Delhi for more than three to five years; and

(c) the number of Officers who have not so far been posted outside Delhi even for a short spell of three years and the steps taken to ensure that there is some uniformity at all levels for some time ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) The field officers of the Central Industrial Relations Machinery are normally kept at one place for about three years;

(b) The practice referred to at (a) above would strictly not be applicable to the Officers posted in Chief Labour Commissioner's Headquarters Office, New Delhi;

(c) Two, Both these officers are posted in Chief Labour Commissioner's Headquarters Office.

Appointments and promotions in Ministry of Labour and Rehabilitation in public interest

2529. SHRI BANAMALI PATNAIK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether a number of *ad hoc* appointments and promotions have been made in various offices under the Ministry to meet the public interest and by passing the normal rules of appointments and promotions; and

(b) the positive steps being taken to reduce such cases of *ad hoc* appointments and promotions and thus to reduce discontentment among the staff so adversely affected ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) and (b). The required information for the period from 1.7.71 to 30.6.72 is being collected and will be laid on the Table of Sabha in due course.

Merger of Research Units in Department of Labour and Employment

2530. SHRI P. VENKTASUBBAIAH : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Department of Labour and Employment and its various Attached and Subordinate Offices have established Research Units, if so, the purpose of the Labour Bureau;

(b) whether the desirability of merging various research units to coordinate their activities and reduce overlappings and duplication of work has been considered; and

(c) if so, the steps envisaged to organise a well unit Labour Research Bureau ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) to (c). The Labour Bureau is mainly engaged in the collection and compilation of labour statistics and other related studies covering working conditions, wages, industrial disputes etc. Some of the other organisations under the department also from time to time take up studies of problems relevant to their fields of competence. Care is taken to ensure that there is no overlapping or duplication of effort.

Industrial Relations Machinery

231. **SHRI P. VENKATASUBBAIAH :** Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the State Industrial Relations Machinery is handling a number of industrial disputes in the State sphere and the work is being done quite competently;

(b) whether the same machinery is capable of handling the matters falling in the Central sphere; if so, the necessity of maintaining two sets of Industrial Labour Machineries;

(c) whether the existence of two separate machineries does cause overlapping of jurisdiction under certain labour laws and the machineries can be merged to obtain all economies and for uniformity of enforcement; and

(d) whether the Central Government has obtained the views of the States in the matter; if so, with what result?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) Yes;

(b) No, Sir;

(c) and (d). There is no overlapping of jurisdiction in the two spheres. This was examined at length by the National Commission on Labour and they have not recommended the merger of the two machineries. As a result, the question of consulting the State Governments on this matter does not arise.

Indian Institute of Labour Studies

2532. **SHRI P. VENKATASUBBAIAH :** Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Indian Institute of Labour Studies has been in existence for more than eight years providing training facilities to the persons in the field of labour; if so, the number of persons trained and the expenditure incurred so far on running the institute;

(b) whether services of field officers without adequate academic qualifications and experience have been utilized to impart training and no teaching faculty has emerged out of the working of the institute for the last eight years so far; and

(c) whether Government propose to undertake proper evaluation of the working of the present Institute before elevating it to the proposed National Labour Institute as no critical study or proper evaluation of the working of the Institute has been done so far?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) The Indian Institute of Labour Studies (formerly the Central Institute for Training in Industrial Relations) has been in existence for nearly 8 years. 628 officers have been trained in the Institute and an expenditure of Rs. 22,06,542/- has been incurred in the running of the Institute, upto 30.4.1972;

(b) Services of the officers of the Industrial Relations Machinery with adequate field experience in labour administration are utilised for imparting training in the Institute. This is in keeping with its function, i.e. imparting in-service training;

(c) The Institute is not being converted into the National Labour Institute. It will only be suitably merged with it.

National Labour Institute

2533. **SHRI P. VENKATASUBBAIAH :** Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the National Labour Institute is being set up as an autonomous body, if so, the main purpose of the proposed institute;

(b) whether there are already a number of well organised institutions in the country to cater to the needs proposed to be served by the said institute; and

(c) if so, whether Government propose to pool the existing resources in public as well as private sections to run the National Labour Institute instead of starting an absolutely new institute?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) (a): The National Labour Institute has been registered as a Society under the Societies Registration Act with a view to providing for education, training, Study and research in labour subjects.

(b) and (c). There is no well-organised Institution in the country which caters to all the needs and objects to be served by this Institute. The Institute will *inter alia* collaborate with other institutions interested in similar objects and will also promote and coordinate research through its own or other agencies, including Universities and other institutions of standing.

Recommendation of Committee on Automation that no Computers should be installed except by Agreement

2534. SHRI INDRAJIT GUPTA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) when Government propose to take a decision on the recommendations of the Dandekar Committee regarding computerisation and automation;

(b) whether the Committee has unanimously made a recommendation that no computer should be installed except by agreement; and

(c) if so, whether Government has advised all employers not to proceed with their computerisation plans until Government take a final decision?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (c). The Committee has recommended that —“all use of computers by commercial and industrial establishments, whether by resort to the computer centre facilities or by installation of in-house computers should be subject to a prior agreement with the workers.” The Report is under examination by the Government. Pending Government decision on the recommendations, the model Agreement to guide employers on Rationalisation, stipulating prior consultation with the union, will operate.

Requirements of Iron and Steel in States

2535. SHRI P. NARASIMHA REDDY : Will the Minister of STEEL AND MINES be pleased to state :

(a) to what extent the current year's requirements of iron and steel is being made available to the different States;

(b) whether there has been a disproportionately heavy curtailment in supplies to Andhra Pradesh; and

(c) if so, the steps being taken to meet the full requirements of the different States?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b). Under the present distribution system there are no statewide allocations of iron and steel. Allocations of Steel are regulated by the Steel Priority Committee after taking into account the end use for which steel is required, the availability and competing demands. In view of this the question of curtailment in supplies to Andhra Pradesh does not arise.

(c) Does not arise.

Setting up of a Spong Iron Plant in Andhra Pradesh

2536. SHRI P. NARASIMHA REDDY : Will the Minister of STEEL AND MINES be pleased to state :

(a) what steps have been taken to set

up a sponge-iron plant in Andhra Pradesh; and

(b) whether in view of the growing shortage of iron and steel, Government propose to expedite this proposal?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN): (a) and (b). The question presumably refers to the proposal of the Andhra Pradesh Industrial Development Corporation to set up a Demonstration Plant at Khammam for the production of 30 000 tonnes of Sponge iron per annum. This is under consideration.

Aerial Survey of Hard Rock

2537. SHRI HARI KISHORE SINGH : Will the Minister of STEEL AND MINES be pleased to state :

(a) the achievement so far made in regard to the operating of hard rock in the country; and

(b) whether Government propose to undertake any aerial survey with the collaboration of some foreign country and if so, the name of such foreign country and the terms thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN): (a) The ground follow up work carried out on the aeronomaly intercepts thrown up by 'Operation Hardrock' have resulted in the emergence of two copper prospects in Rajasthan and one in Bihar and two prospects of lead zinc mineralisation one each in Rajasthan and Andhra Pradesh. Detailed investigations are in progress to assess their commercial possibilities.

(b) Another programme of multi-instrument airborne geophysical surveys was launched in June, 1971, in collaboration with BUREAU DE RECHERCHES GEOLOGIQUES AND MINIERES, (BRGM), Paris, a French Government organisation. Under this programme, selected areas in Rajasthan, Gujarat, Madhya Pradesh, Maharashtra and Mysore were covered, aggregating a total coverage of over 80,000 sq. kms. which involved production flying of

nearly 143,000 line km. The survey has just been completed and ground follow up work will commence shortly. There is no proposal before the Government at present, for any other aerial survey in collaboration with any foreign country.

मध्य प्रदेश में प्राकृतिक संस्थानों के बारे में सर्वेक्षण

2538. श्री श्रीकृष्ण अग्रवाल : क्या इस्पात और खान मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश के खनिज क्षेत्र में प्राकृतिक संसाधनों सम्बन्धी सर्वेक्षणों को शीघ्र पूरा करने के लिए कोई प्रस्ताव विचाराधीन है;

(ख) यदि हां, तो उसकी मोटी रूपरेखा क्या है; और

(ग) 1972-73 के दौरान धातुकर्म पेट्रोलियम तथा सम्बद्ध क्षेत्रों में कितनी परियोजनायें स्थापित की जा रही हैं?

इस्पात और खान मन्त्रालय में राज्य मन्त्री (श्री शाहनवाज खां): (क) और (ख). मध्य प्रदेश में आधार धातुओं, मैंगनीज, लौह अयस्कों, बाक्साइट और हीरकों जैसे महत्वपूर्ण खनिजों के मामले में, भारतीय भूबैज्ञानिक सर्वेक्षण द्वारा भूबैज्ञानिक अन्वेषण पहले ही आरम्भ किए गए हैं। इनमें से, समस्त ज्ञात आधार धातु प्रान्तिस्थलों के प्रारम्भिक मूल्यांकन के लिए प्राथमिकतायें निर्धारित की गई हैं ताकि अज्ञात जनक क्षेत्रों में विस्तृत समन्वेषण आयोजित किया जा सके। निम्न फास्फोरस मैंगनीज अयस्क अन्वेषणों के 1972-73 के कार्य सत्र के अन्त तक संपूरित होने और पन्ना में हीरक समन्वेषण के 1973-74 तक संपूरित होने की संभावना है। बस्तर जिले में रऊघाट में लौह अयस्कों के लिये विस्तृत समन्वेषण 1979 तक और बालाघाट जिले में बाक्साइट समन्वेषण के 1973 तक संपूरित होने की संभावना है।

(ग) भारत एल्यूमिनियम कम्पनी अमरकंटक और फुटका पहाड़ क्षेत्रों के बाक्साइट

निक्षेपों पर बाधित, कीरवा, बिलासपुर जिला में एक लाख टन प्रतिवर्ष की क्षमता का एस्पु-मिनिमम प्रदायक स्थापित कर रही है। हिन्दु-स्तान ताम्र लिमिटेड बालाघाट जिले में सालज-खण्ड ताम्र निक्षेप को विकसित करने के लिए काम उठा रही है।

Jobbery in organised sectors of Employment

2540. SHRI B. V. NAIK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government are aware of malpractices like jobbery which are rampant in organised sectors of employment like schools, colleges and economic bodies like co-operatives;

(b) whether any investigation has been made or caused by Government into the malpractices in regard to employment including recruitment;

(c) the steps Government propose to take to rationalise these procedures to afford equality of opportunity for all the citizens in the country and to prevent such malpractices; and

(d) whether any investigation team is proposed to be appointed in this connection ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) No. However, specific complaints relating to employment under Government are looked into and action taken where necessary.

(b) to (d). Do not arise.

Period of waiting for getting employment after registra- tions with Employment Exchange.

2541. SHRI B. V. NAIK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the average number of years that an unemployed person has to wait on the register of District Employment Exchange before he finds a job; and

(b) whether this waiting period has been lengthening or shortening in the past three years ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). The information sought for is not available. However, the available information relating to the numbers and period for which job seekers have been on the Live Register of the Employment Exchanges is given in the statement attached.

Statement

Year	Number on Live Register according to period (as at the end of September of each year)				
	Less than one year.	1 year or more but less than 2 years.	2 years or more but less than 3 years.	3 years or more.	Total
1	2	3	4	5	6
1969	21,01,580	7,28,471	3,46,084	2,49,123	34,25,158
1970	24,27,936	8,52,644	4,18,468	2,87,183	39,86,231
1971	26,79,420	11,44,388	5,78,038	5,27,482	49,29,328

10th Report of Committee on Review of Rehabilitation Work in West Bengal

2542. SHRI PRIYA RANJAN DAS MUNSI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Committee on Review of Rehabilitation Work in West Bengal in its 10th Report has proposed that the Central Government should give special assistance for developing fishing areas in West Bengal for the benefit of the partially rehabilitated displaced persons from former East Pakistan; and

(b) if so, the action so far taken by Government to implement the proposal ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R K KHADILKAR) (a) Yes, Sir

(b) The report is being examined in consultation with the authorities concerned.

Consultation of Geologists and Hydro-Geologists regarding transfer of Functions of Geological Survey of India

2543 SHRI PRIYA RANJAN DAS MUNSI : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether Government consulted the Geologists and Hydro-Geologists while taking a final decision to transfer some of the important functions of the Geological Survey of India, Calcutta, to other bodies, and

(b) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) (a) and (b). The Geologists and the Hydro-geologists of the Geological Survey of India were not consulted before taking the decision to transfer the Ground Water Division to the Central Ground Water Board and to set up a Mineral Exploration Corporation in the Public Sector..

For sometime Past, Government have been considering the question of reorganising the Geological Survey of India so as

to make it more efficient in the discharge of its functions. The Committee on Organisation of Scientific Research (COSR) examined the activities, functions and organisational structure of Geological Survey of India and made certain recommendations in this regard. These recommendations which were subsequently considered by the Committee on Science and Technology, became the basis for the Government decision to merge the Ground Water Wing of Geological Survey of India with the Central Ground Water Board of the Ministry of Agriculture and to set up a Mineral Exploration Corporation in the public sector to undertake the work of detailed exploration of minerals in the country.

Printing of Geological maps of India in Hyderabad

2544 SHRI PRIYA RANJAN DAS MUNSI be pleased to state :

(a) whether the printing of Geological Maps of India is proposed to be done in Hyderabad while the Cartographic Section of Geological Survey of India will remain in Calcutta and

(b) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Yes, Sir,

(b) The decision to locate the printing press at Hyderabad was taken after examining all the relevant factors the most important of which being the facility to have mutual consultation with the Survey of India Press located there.

Follow-UP action taken after Lusaka Conference

2545. SHRI DINESH SINGH. Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Heads of Governments and Heads of States meeting of non-aligned countries held in Lusaka required any follow-up action; and

(b) if so, what follow-up has been done by India so far ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) (a) Follow-up action was in general called for in the Declaration of Peace, Independence, Development, Cooperation and Democratization of International Relations adopted at Lusaka. Similar action was also envisaged in the Lusaka Declaration on Non-alignment and Economic progress, the Statement on the United Nations, the General Resolution on Decolonization, the Resolution on Namibia, the Declaration on Disarmament, etc.

(b) Efforts have been made by India to reflect the consensus arrived at in Lusaka in the various international forums in which she participates.

दिल्ली में सरकारी संस्थाओं द्वारा कर्मचारी भविष्य निधि का जमा न कर या जाना

2546. श्री अटल बिहारी वाजपेयी : क्या जन और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली क्षेत्र में सरकारी संस्थाओं के नाम क्या हैं और उनमें से प्रत्येक की ओर कर्मचारी भविष्य निधि की कितनी राशि बकाया है; और

(ख) इस सम्बन्ध में क्या कार्यवाही की गई है या करने का विचार है ?

जन और पुनर्वास मंत्री (श्री आर० के० खाडिलकर) : (क) और (ख) भविष्य निधि प्राधिकारियों द्वारा सूचना एकत्र की जा रही है। यह यथासमय सभा की मेज पर रख दी जाएगी।

Refund of provident Fund after 20 years of Service

2548. SHRI SOMCHAND SOLANKI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government are aware of the demand by Labour Associations for refund of Employees' Provident Fund after 20 years of service to the labourers; and

(b) if so, the reaction of Government to this demand ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) The National Labour Organisation, Ahmedabad has represented that Provident Fund accumulations might be paid to the members of the Employees Provident Fund after 20 years of service and members seeking repayment might also be allowed to continue as members without any qualifying period.

(b) The proposal is under consideration.

Bonus Demand by Municipal Corporation Employees

2549. SHRI SOMCHAND SOLANKI : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government are of the fact that the employees in the administration of Municipal Corporation and Local Self-Government have raised demand for bonus scheme, for workers as in the textiles and other factories; and

(b) the reaction of Government to give bonus to such employees ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) Some demands to this effect have come to the notice of Government.

(b) Government have no intention at present of amending the Payment of Bonus Act to cover these employees.

Implementation of Recommendations of Second Conference on Safety in Mines

2550. SHRI R. N. SHARMA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether certain recommendations made in the Second Conference on Safety in Mines held in 1966 have not so far taken concrete shape and have not been implemented;

(b) if so, the broad outlines of the recommendations;

(c) the reasons for delay and the dates by which each one of them is likely to be implemented; and

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

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): (a) to (d). A statement giving the information is laid on the Table of the House. [*Placed in Library See No. LT—3409/72*]

Registered members of Coal Mines Provident Fund

2551. SHRI R. N. SHARMA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the number of registered members of the Coal Mines Provident Fund as on the 31st December, 1971;

(b) the number of live members;

(c) the reasons for difference in the two numbers; and

(d) the steps taken by Government to increase the number of live members and the outcome thereof?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): The Coal Mines Provident Fund authorities have reported as under:—

(a) 13,19,918.

(b) 3,70,590.

(c) The registered membership denotes the total number of workers enrolled as members of Fund excluding those who have already withdrawn their provident fund, whereas the live membership denotes the number of members who have been actually contributing during the currency period. Reasons for the difference between the two figures are as follows :—

(i) Members who have ceased to be employed and who have claimed their refund but whose claims are still pending are included in the registered membership but not in the live membership ;

(ii) Members who have ceased to be employed but have not so far claimed refund of their provident fund are included in the registered membership but not in the live membership ;

(iii) An old member who, on transfer to another coal mine does not disclose his previous membership is allotted a fresh account number and is treated as a new member. The registered membership etc. includes such duplicate/triplicate account numbers of some of the live members.

(d) 1. The following steps have been taken to increase live membership of the Fund :—

(i) Special investigation in coal mines where membership of the fund is disproportionately low in comparison to their respective employment strength has been taken up to detect evasion in the matter of enrolment of new members.

(ii) Inspectors of the Coal Mines Provident Fund have been notified as Inspectors for the purposes of section 48 of the Indian Mines Act, 1952 so that they may exercise more thorough checks over attendance records to prevent evasions in enrolment.

(iii) A suggestion made by the Administrative Reforms Department that the qualifying period of 45/60 days should be counted from the date a person joins colliery service for the first time and should be deemed to have completed at the end of the month in which the total attendance rises to the prescribed level is under consideration.

2. As a result of steps already taken, live membership of the Fund is increasing.

Leave and Financial assistance to Sick Coal Miners

2552. SHRI R. N. SHARMA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether diseases like Pneumoconiosis, silicosis are occupational diseases contracted by local miners by working in the mines but they are not given leave with pay by the mine owners for treatment for these diseases;

(b) whether Government have made any arrangement to give financial assistance to the workers for undergoing treatment; and

(c) if so, the financial assistance given ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) Pneumoconiosis and silicosis are occupational diseases. No special leave with wages is allowed under Mines Act for their treatment. However, annual leave with wages, as admissible, can be availed of for the purpose as well.

(b) No. Miners affected by these diseases are, however, entitled to free treatment from the Hospitals of the Mines Labour Welfare Fund Organisations.

(c) Does not arise.

बिहार के चम्पारन जिले में लोहे और इस्पात की कम सप्लाई

2553. श्री विजयसि मिश्र : क्या इस्पात और आग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बिहार के चम्पारन जिले में लोहे की सप्लाई अपर्याप्त है;

(ख) यदि हां, तो क्या कम सप्लाई के कारण उसके मूल्यों में वृद्धि हो रही है; और

(ग) यदि हां, तो लोहे की पर्याप्त सप्लाई सुनिश्चित करने के लिए सरकार का क्या योजना बनाने का विचार है ?

इस्पात और आग मंत्रालय में राज्य मंत्री (श्री साहनबाबु झा) : (क) और (ग). बिहार के चम्पारन जिले में लोहे और इस्पात की अपर्याप्त सप्लाई के बारे में कोई अभ्यावेदन प्राप्त नहीं हुआ है। इस समय कच्चे लोहे की उपलब्ध संतोषजनक है किन्तु इस समय इस्पात की बहुत सी किस्मों की उपलब्ध मात्रा से कम है तथा इस कमी का प्रभाव देश के विभिन्न

भागों में (बिहार का चम्पारन जिला भी शामिल है) अनुभव किया जा रहा है। फिर भी, उपलब्ध उत्पादन का अधिकतर भाग वास्तविक उपभोक्ताओं को विनियमित मूल्यों पर सीधा सप्लाई किया जा रहा है।

बिहार के चम्पारन जिले में शरणाधियों को आवंटित भूमि

2554. श्री विजयसि मिश्र : क्या अन्न और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने पूर्वी बंगाल से भागे हुए शरणाधियों के प्रत्येक परिवार को, जो बिहार के चम्पारन जिले में रह रहे हैं, पांच-पांच एकड़ भूमि दी है;

(ख) क्या उन्हें जमीन गिरवी रखने और बेचने का कोई अधिकार नहीं है;

(ग) यदि हां, तो क्या बिहार के चम्पारन जिले में रहने वाले शरणाधियों ने या तो जमीन गिरवी रख दी है या बटाई पर दी है जैसे लाल सरैया फार्म आदि के मामले से पता चलता है; और

(घ) इस सम्बन्ध में सरकार की क्या प्रतिक्रिया है ?

अन्न और पुनर्वास मंत्री (श्री आर० के० झाडिलकर) : (क) पुनर्वास योजनाओं के अधीन बिहार सरकार ने भूतपूर्व पूर्वी पाकिस्तान से आये विस्थापित कृषक परिवारों को खेती करने के लिए 4 से 5 एकड़ भूमि एलाट की थी।

(ख). जब तक कि वे एलाट की गई भूमि के ब्याज सहित ऋणों का पूरा भुगतान नहीं कर देंगे, उन्हें भूमि गिरवी रखने या बेचने का कोई अधिकार नहीं होगा।

(ग) और (घ) कुछ मामलों में विस्थापित व्यक्तियों ने भूमि गिरवी रख दी है या बटाई पर दे दी है। इस प्रकार के मामलों में अवश्य रूप से गिरवी रखी गई भूमि को वापस

लेने के लिए बुद्धियों तथा स्थानीय लोगों की सहायता से बम्पारन के जिला मजिस्ट्रेट कार्यवाही कर रहे हैं। यदि यह कार्यवाही सफल नहीं होगी तो राज्य सरकार कानूनी कार्यवाही करेगी।

Grievances of Trade Apprentices

2555. SHRI INDRAJIT GUPTA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether Government are aware of the genuine grievances of Trade Apprentices on the score of nonabsorption in regular employment after completion of their apprenticeship periods, inadequacy of stipends, and irregularity in payment of stipends;

(b) whether in view of the acute unemployment situation, Government propose to ensure job opportunities for such trained apprentices; and

(c) whether the Apprenticeship Act is going to be amended to improve the conditions of the trainees?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). Under the Apprentices Act, 1961, it is not obligatory on the part of the employer to offer employment to the apprentices on completion of apprenticeship training. However, majority of the successful apprentices find jobs after completion of training though not necessarily all in the same establishment in which they have been trained. It is expected that the number of job opportunities will increase substantially as a result of the implementation of the development schemes under the Fourth Plan and the special employment programmes started since 1970-71.

The question of increase in the rates of stipend was considered and the same have been increased by Rs. 20/- p. m. in all cases in August, 1971. No complaints of inadequacy of stipends have been received thereafter. The stipends to apprentices by the 10th of each month and no complaints regarding irregularity in payment have been received.

(c) It is proposed to amend the Apprentices Act, 1961 so as to bring within its purview engineering graduates and diploma holders, to provide reservation of training places for Scheduled Caste and Scheduled Tribe candidates and to remove certain practical difficulties faced in the actual implementation of the Act.

Non-celebration of Republic Day by Indian Commission at Hong Kong

2556. SHRI INDRAJIT GUPTA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether no function to celebrate the Republic Day on January 26th, 1972 was held by the Indian Commission at Hong Kong resulting in discontent among the Indian citizens there;

(b) if so, the reasons for the non-observance of this National Day; and

(c) government's reaction in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Republic Day on 26th January, 1972, was celebrated by the Indian Commission at Hong Kong. As a measure of economy, no public Reception was held. However, a seminar on the subject "India as I see it" was organised by the India Association with the assistance of the Commission.

(b) Does not arise.

(c) Does not arise.

Closure of Indian Libraries in Nepal

2557. SHRI P. K. DEO : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the total number of reading rooms and libraries which India is maintaining in Kathmandu and other parts of Nepal; and

(b) the number of libraries and reading rooms closed down there?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) The total number of libraries being main-

tained by India in Nepal was six. Out of them, one is located in Kathmandu and five were in other parts of Nepal namely, Pokhara, Dhankuta, Nepalganj, Palpa and Birganj. No reading room is being maintained by India anywhere in Nepal.

(b) The five libraries maintained at Pokhara, Dhankuta, Nepalganj, Palpa and Birganj have been closed down.

Condition of Public Sector Aluminium Projects

2558. SHRI P.K. DEO : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the attention of Government has been drawn to a report published in the *Economic Times* of the 22nd June, 1972 stating that the public sector aluminium projects are in a muddle; and

(b) if so, the reaction of Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Yes, Sir,

(b) The public sector aluminium projects are not in a muddle as made out in the report.

Seminar of Employment

2559. SHRI M.M. JOSEPH : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether any seminar on employment was held in July, 1972 in New Delhi;

(b) if so, the nature of discussions held; and

(c) the decisions arrived at ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) Government are not aware of any such seminar.

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

Unemployed Graduates from Delhi Rural Areas registered with Employment Exchanges

2560. SHRI DALIP SINGH : Will the

Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the number of Graduates coming from Rural areas of Delhi who have got their names registered with the Employment Exchanges in Delhi as on the 30th June, 1972; and

(b) how many of them have been provided with suitable services ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : (a) and (b). Information in respect of graduates coming from Rural areas is not available separately. However, the information about the total number of registered job-seekers is given below :

1. Total number of graduates (including Post-graduates) on the Live Register as on 30th June, 1972. ... 22, 51
2. Total number of graduates (including Post-graduates) placed in employment during January to June, 1972. ... 1,169

Increase in Prices of Steel by Firms Manufacturing Special Type of Steel

2561. SHRI PRABODH CHANDRA : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether it has come to the notice of Government that some firms who are manufacturing special types of steel are arbitrarily raising the prices every six months; and

(b) if so, the steps Government propose to take to stop this ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b). Prices of alloy and special steels are not controlled in order to encourage and develop their production in the country.

Representative Meeting of Public and Private Sector Firms at Ranchi

2562. SHRI B.K. DASCHOWDHURY : Will the Minister of STEEL AND MINES be pleased to state :

(a) whether the problems pertaining to the manufacture of equipments for the steel industry were discussed at a representative meeting of public and private sector firms at Ranchi on the 29th July, 1972;

(b) if so, the discussions held and decisions arrived at; and

(c) the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Yes, Sir

(b) The discussion, *inter-alia*, related to maximization of indigenous production of plant and equipment manufacture in a coordinated and concerted manner, to meet the future requirements of steel production, standardization of equipment, import substitution, coordination between steel plants, HEC and private sector manufacturing units.

(c) It has been decided that a Cell should be constituted by HEC to coordinate preparation of tenders, undertake inspections and monitor progress of manufacture of equipment. It has also been decided that manufacturing drawings would be made available by HEC to the various units and for this purpose, assistance of the two main Engineering Associations in the country would be taken.

Transfer of Ropeways Scheme under Coal Board to Bharat Coking Coal

2563. SHRI PURUSHOTTAM KAKODKAR :
SHRI SHRIKISHAN MODI

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

(a) whether Government have decided that the two Ropeways Scheme in the Jharia coalfield which are under the charge of the Coal Board are to be transferred to Bharat Coking Coal; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) and (b).

There is a proposal for transfer of 'D' & 'F' Ropeways to the Bharat Coking Coal Ltd as send from these Ropeways is mostly consumed by the collieries under them.

Nationalisation of Tata Iron and Steel Company

2564. SHRI PURUSHOTTAM KAKODKAR :
SHRI P. GANGADEB :

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

(a) whether Government propose to nationalise Tata Iron and Steel Company; and

(b) if so, the main features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) No, Sir

(b) Does not arise.

Taking over of Coal Washeries by Bharat Coking Coal

2565 SHRI P. M. MEHTA :
SHRI K. LAKKAPPA

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

(a) whether Government have decided that Bharat Coking Coal will take over four coal washeries which were hitherto under the charge of Hindustan Steel Limited; and

(b) if so, the reasons therefor?

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

(b) As a result of one of the recommendations made by the Technical Committee on Coal Washeries (1972) that with the nationalisation of coking coal mines, there should be a better coordination in the functioning of the coal production and coal washing units, it was felt that for efficient functioning, washeries should be owned and managed by the collieries themselves.

**Recommendation of National Committee
of Science and Technology to boost
Steel Production in Durgapur**

**2565. SHRI P. GANGADEB :
SHRI SHRIKISHAN MODI :**

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

(a) whether Pilot plan in Durgapur to boost steel production has been recommended by the National Committee on Science and Technology; and

(b) if so, how for this plan will help to boost the steel production ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) No, Sir.

(b) Does not arise.

**उत्तर प्रदेश में बलिया में 'मिनी' स्टील
प्लांट की स्थापना**

2567. श्री अश्विका प्रसाद : क्या इस्पात और खान मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या सरकार का विचार उत्तरप्रदेश में बलिया में 'मिनी' स्टील प्लांट स्थापित करने का है; और

(ख) यदि हा तो उसकी मुख्य बातें क्या हैं ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां) . (क) और (ख) उत्तर प्रदेश में बलिया में विद्युत भट्टी द्वारा स्लैब से इस्पात पिण्ड, बिलेट बनाने का कारखाना खोलने का सरकार को कोई प्रस्ताव नहीं है। फिर भी प्रति वर्ष 100,000 टन इस्पात बिलेट बनाने के लिए उत्तर प्रदेश राज्य औद्योगिक विकास निगम लि०, कानपुर को एक आशय पत्र पहले ही दिया जा चुका है। अब तक राज्य सरकार ने यह नहीं बताया है कि यह कारखाना कबोका खोलेगा।

**Supply of Goods by Small Scale
Industries to DGS & D**

2568. SHRI SATPAL KAPUR : Will the Minister of SUPPLY be pleased state :

(a) the number of small scale industries registered with the Directorate General of Supplies and Disposals as on the 30th June, 1972, for the supply of goods to the Central Government;

(b) the total quantity of goods procured by the Directorate General of Supplies and Disposals indigenously during the last three years upto 30th June, 1972,

(c) the percentage of goods purchased from these small scale industries during the same period, and

(d) the steps Government propose to take to encourage the small scale industries and cooperative units in the matter of procurement of their products ?

THE MINISTER OF SUPPLY (SHRI D. R. CHAVAN) (a) As on the 30th, June 1972, 8.1 small scale units were registered with the DGS & D

(b) and (c) Information on value of purchases from 1st April, 1972 to 30th June, 1972 is not yet available. However, the total purchases made from the indigenous sources during the last three years ending 31st March, 1972, together with the percentage of purchases made from small Scale Industries, are furnished below :—

	Total value of stores indigen- ously purchased	Percentage of purchases from SSI Units.
1969-70	Rs. 430.79 crores	7.41%
1970-71	Rs. 518.30 crores	8.22%
1971-72	Rs. 752.77 crores	11.44%

(d) Directorate General of Supplies & Disposals makes purchases on the basis of the lowest technically acceptable offers after calling for competitive quotations. With view to encourage the small scale industries, in the case of certain items where offers are received both from large scale units as well as small scale units, the small scale units

are accorded an appropriate price preference upto a maximum of 15% on tender to tender basis, the actual quantum of preference being decided on the merits of each case. Taking into consideration the nature of stores and capability of small scale units to successfully handle them, 192 items as per statement laid on the Table of the House (Placed in Library See No LT3410/72), have been exclusively reserved for purchase from the small scale industries. Other things being equal, cooperative units in the small scale sector are given preference over other small scale units.

Production in Indian Iron and Steel Company

2569. SHRI S. R. DAMANI :
SHRI MURASOLI MARAN :

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

(a) whether, after Government's take over of IISCO, studies have been made of the problems which caused a steep fall in its production, and

(b) if so, the main features thereof and the remedial measures adopted to step up production to normal levels ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) Yes, Sir. It was found that the immediate problems hampering production in IISCO were (a) shortage of coke and coke oven out of unsatisfactory state gas arising of coke ovens. (b) bad condition of cranes and ground-chargers in the S.M.S. (c) non-availability of material handling equipment.

(b) For immediate improvement of production, arrangements are being made for procurement of coke from other producers. Arrangements for the use of furnace oil in different production units in substitution of gaseous fuels is being expedited. Procurement of engineering spares and equipment is being arranged for on a top priority basis. Arrangements have also been made to procure steel ingots from Durgapur Steel Plant to utilise the Rolling Mill capacities at Burnpur. Coal Tar is being obtained from the Durgapur Projects Ltd.,

the Durgapur Steel Plant and the Bokaro Steel Plant to step up steel production at Burnpur.

No 5 coke Oven Battery, which was shut down years ago, has been put into operation with effect from 20-7-72. This has resulted in the additional production of about 200 tonnes of Blast Furnace Coke per day and has added somewhat to the availability of Gaseous Oven Gas and Coal Tar.

Other measures that have been taken to increase production to normal level are the following :—

- (i) Emergency and hot repairs to No. 7, 8 and 9 Coke Oven Batteries.
- (ii) Revival of No. 6 Coke Oven Battery at present shut down, soon after No. 5 Battery starts performing satisfactorily.
- (iii) Arrangements have been finalised for procurement of 2 Boilers to eliminate the chronic shortage of steam in the Burnpur Works.
- (iv) Additional Locomotives are being obtained to facilitate the traffic arrangements within the Works.
- (v) Steps are being taken for renovation of oven Machines.
- (vi) Steps are being taken for reconditioning of cranes and other equipment.
- (vii) Arrangements are being made for the expeditious procurement of additional Bulldozers, Loaders, Dumpers etc.

Supply of raw material to Bokaro Steel Plant

2570. SHRI MURASOLI MARAN :
Will the Minister of STEEL AND MINES be pleased to state :

(a) whether a Committee of officers has been set up recently to enquire into the question of short supply of raw materials to the Bokaro Steel plant; and

(b) if so, the major findings and recommendations of the Committee ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) :

(a) A Committee was set up by the Government in October, 1971 to :

- (i) review the arrangement for the supply of iron ore to Bokaro Steel plant, as an interim measure and on a long term basis and to suggest sources, and
- (ii) review and make recommendations regarding the linkages of coal washeries for supply of coal to Bokaro Steel Plant at its different stages,

(b) The Committee's report is expected to be received shortly

Scheduled Castes and Scheduled Tribes Staff in Indian Bureau of Mines

2571. SHRI A. S. KASTURE : Will the Minister of STEEL AND MINES be pleased to state :

(a) the category-wise staff strength of Indian Bureau of Mines as on the 1st January, 1972 and the number of employees belonging to Scheduled Castes and Scheduled Tribes,

(b) whether the reservation quota for Scheduled Castes and Scheduled Tribes has

been maintained, if not the reasons therefor; and

(c) the steps Government proposes to take to fulfil the shortfall ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN): (a) A statement giving the information is enclosed.

(b)&(c) Shortfall in respect of posts reserved for Class I & II categories is due to non-availability of suitable candidates belonging to Scheduled Castes/Tribes even after open advertisement. Nevertheless these posts will be referred to Union Public Service Commission for selection of Scheduled Castes and Scheduled Tribes candidates. In regard to Class III & Class IV posts reserved vacancies are notified to the President, Depressed Class League, Bombay and to the local Associations of Scheduled Castes and Scheduled Tribes. The posts had also been advertised during the last 2 years and even before. In spite of these efforts, the Scheduled Castes and Scheduled Tribes candidates for the posts requiring Technical and Scientific qualifications are not available. Efforts will continue to be made to recruit Scheduled Castes and Scheduled Tribes candidates against these posts by carrying forward the reservation, wherever required according to standing Government instructions on the subject.

Statement

S. No.	Category of posts	Filled up posts as on 1.1.72	Of the filled how many		How many carry forward vacancies reserved for S/C. S/T are available on date	
			S/C	S/C	S/T	S/T
1.	Class. I	87	4	1	11	4
2.	Class II	29	3	—	1	—
3.	Class II (Non-gazetted)	3	—	—	—	—
4.	Class. III	469	59	19	29	11
5.	Class. IV	180	58	9	—	2*

*Since joined after 1.1.1972.

South-East Asian Collective Security

2572. DR. H. P. SHARMA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether some of the South East Asian countries are forming themselves into a group for collective security under the aegis of the U. S. A.; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) No such development has come to the notice of the Government.

(b) Does not arise.

Modification of Labour Laws

2573 DR. H. P. SHARMA Will the Minister of LABOUR AND REHABILITATION be pleased to state the decisions taken to modify the labour laws in the light of the Gajendragadkar Commission Report ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : It has been decided to amend the Plantations Labour Act for extending its application, reducing the maximum weekly hours of work, and provision of creches in plantations employing less than 50 women workers. The question of amending some other labour laws e.g. the Payment of Wages Act, the Industrial Disputes Act, and the Trade Unions Act is also being considered.

Amendment of Labour laws to include employees drawing upto Rs. 1600 among workers

2574. SHRI D. K. PANDA Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether a demand has been voiced by the national trade union centres and the workers organisations to include the employees drawing upto Rs. 1600 per month among the workers by amending the Central Labour Laws; and

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

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b) Government have not received any demand to this effect. However, at the 29th Session of the Standing Labour Committee, held in July 1970, the workers' representatives urged for a wage ceding of Rs. 1600/-per month for coverage of employees under the Industrial Disputes Act, 1947. Their views as well as those expressed by the employers' representatives in this regard are under Government's consideration.

Jammu and Kashmir Central Labour Union demands to Raise minimum wage in Public Undertakings

2575. SHRI D. K. PANDA Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Jammu and Kashmir Central Labour Union in its recent resolution has urged Central Government to raise the minimum wage of employees in all public undertakings to Rs. 200 per month, and

(b) if so, Governments reaction to this demand ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) and (b). Government has no information on the subject.

Unemployment Insurance Scheme

2576 SHRI D. K. PANDA : Will the Minister of LABOUR AND REHABILITATION be pleased to state the ment broad features of the proposed Unemployment Insurance Scheme ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : Details of the Unemployment Insurance Scheme have not yet been worked out as no decision about its introduction has so far been taken.

कर्मचारी राज्य बीमा निगम के व्ययसालों का ब्यवस्था रहित निर्वाण

2577. श्री विजय कुमार शास्त्री : क्या धन और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कर्मचारी राज्य बीमा निगम द्वारा देश के विभिन्न भागों में बनाए गए अस्पताल योजना रहित है और उनके निर्माण के लिए विभिन्न स्थानों का चुनाव अचित वय से किया गया है;

(ख) क्या निगम के कर्मचारियों की संख्या को ध्यान में रखते हुए स्थान का चुनाव नहीं किया गया है और इससे असन्तुलित स्थिति पैदा हो गई है; और

(ग) इन अस्पतालों के निर्माण में श्रवर्ती और अनावर्ती खर्च कितना है ?

भूम और पुनर्वास मंत्री (श्री आर० के० शाहिलकर) : कर्मचारी राज्य बीमा निगम ने निम्नलिखित सूचना भेजी है :—

(क) चूंकि कर्मचारी राज्य बीमा योजना के अन्तर्गत डाक्टरों देख-रेख सम्बन्धी व्यवस्था का सांविधिक दायित्व राज्य सरकारों का है, इसलिए आवश्यक कार्यवाही, जिसमें योजना बनाना, जगह का चुनाव करना और अस्पताल-निर्माण करना शामिल है, उन्हीं के द्वारा की जाती है और उन्हीं की सिफारिशों पर कर्मचारी राज्य बीमा प्रायोजनायें स्वीकृत की जाती हैं।

थोड़े से ऐसे मामले हैं, जिनमें कर्मचारी राज्य बीमा अस्पतालों के निर्माण के लिए चुने गए केन्द्रों के औद्योगिक विकास में वैसी प्रगति नहीं हुई जैसी कि इन प्रायोजनाओं को स्वीकृत करते समय आशा की गई थी।

(ख) किसी अस्पताल के निर्माण के लिए स्थान का चयन करते समय उस केन्द्र में योजना के अन्तर्गत आए हुए कर्मचारियों की संख्या और साथ ही आस-पास के ऐसे क्षेत्रों के कर्मचारियों को ध्यान में रखा जाता है जिनकी आवश्यकता प्रस्तावित अस्पताल द्वारा आसानी से पूरी हो सकती है। कुछ राज्यों में थोड़ा सा असन्तुलन हुआ है क्योंकि पलंगों का माप-वण्ड जो कि मूल रूप से 11 पलंग प्रति हजार कर्मचारी निर्दिष्ट

हुआ था, घटाकर 4 पलंग प्रति हजार कर्मचारी किया गया है। जहां कहीं संभव है, असन्तुलन की ठीक करने के लिए पर्याप्त कदम उठाए गए हैं।

(ग) प्रश्न नहीं उठता।

Taking over of Hindalco

2578. SHRI BHOLA MANJHI :
DR. RANEN SEN :

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

(a) whether the U. P. Government have requested the Centre to take over Hindalco, Birla's aluminium factory in Mirzapur District; and

(b) if so, the decision taken thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAHNAWAZ KHAN) : (a) No, Sir.

(b) Does not arise.

बिहार में एल्युमिनियम सन्तुलन की स्थापना

2579. श्री कमल मिश्र मधुकर : क्या इस्पात और खान मंत्री यह बताने की कृप करेंगे कि :

(क) क्या सरकार का ध्यान इस तथ्य की ओर दिलाया गया है कि बिहार सरकार के उद्योग मंत्री ने बिहार की विधान सभा में यह स्वीकार किया है कि बिहार में बिजली की दरों के अधिक होने के कारण वहां एल्युमिनियम संयंत्र स्थापित नहीं किया जा सका, यद्यपि बिहार में बकसाइट की बहुतायत है, जो कि एल्युमिनियम के कारखाने के लिए अत्यावश्यक है; और

(ख) यदि हां, तो उस पर सरकार की क्या प्रतिक्रिया है ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री शाहनावाज खां) : (क) जी नहीं।

(ख) प्रश्न नहीं उठता है।

12.35 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE****REPORTED SMUGGLING OF FOREIGN
WATCHES, ETC., BY SOME EUROPEAN
CONSULAR OFFICIALS IN CALCUTTA**

SHRI VIKRAM MAHAJAN (Kangra) : Sir, I call the attention of the Minister of External Affairs to the following matter of urgent public importance, and request that he may make a statement thereon :

"The reported regular smuggling of foreign watches, cameras and other valuable restricted items into India for sale by a section of Consular officials representing European countries in Calcutta and steps taken by Government in this regard."

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): Two cases of smuggling of contraband item by members of the Consular Corps in Calcutta were detected recently. They were immediately brought to the attention of the Heads of their respective Missions in New Delhi. As a result, both the persons have already been sent back from India. The contraband goods in both the cases were seized by the Government.

Necessary steps continue to be taken to prevent and detect such cases.

SHRI VIKRAM MAHAJAN : Sir, India has become a paradise for smugglers and our ports have become smuggling dens. Calcutta and Bombay top the list.

Gold is being smuggled diamond is being smuggled. Luxury goods like record players, watches and cameras are smuggled. Some people in every class are involved in smuggling and to top it all, we have certain personnel of the diplomatic corps who are involved in this racket.

Recently, in the Hindustan Times dated 3rd August, there was a news item to the effect that crores of rupees worth of foreign watches and cameras and other restricted items of value are being regularly smuggled into India for sale by a section of consular officials; the contraband material is impor-

ted through the privilege of inspection-free clearance.

No., in the present state of affairs, my questions are : has any effort been made to modify this law so that those who are involved in the smuggling are tried by the ordinary law of the land.

Secondly, how many businessmen and traders have been arrested, who are connected with these foreign personnel and what is the number and in which parts of the country they have been caught.

Thirdly, what steps are the Government taking to prevent smuggling by the diplomatic corps in future ?

SHRI SWARAN SINGH : With regard to the first question, there is no proposal to modify the law, because we have subscribed to the Vienna conventions, and if the members of the diplomatic corps are contravening the law, then we can inspect the consignments. Actually, the consignments in two cases which I have mentioned, were inspected and contraband articles were confiscated.

I have no information about any businessmen having been arrested in smuggling cases, because that will be a wider question. We got these two consignments, and in these two cases, the consignments were actually inspected, and the contraband articles were confiscated. They are Government property now.

About the steps to be taken, I would not like the hon. Member to press us to divulge the steps because the very object that we intend to secure will be defeated if they are disclosed. The steps that we have taken have enabled us recently to detect two consignments, and the fact that these consignments have been detected and the articles have been confiscated, itself, I hope will put the fear of God and law into the minds of these people, at any rate, of the diplomatic corps who might be indulging in this type of activities.

श्री बलराम ब्रसाल भुसिया (बस्ती) : क्या मंत्री जी बतायेंगे कि कब से यह स्मuggling चल रही है ?

श्री स्वर्ण सिंह : यह बड़ा कठिन प्रश्न है मेरे लिये कहना कि कब से यह चल रहा है।
(Interruptions). They were detected for the first time. How long that was going on, I cannot say.

SHRI ANANT PRASAD DHUSIA :
What was the amount involved in this ?

SHRI SWARAN SINGH : There two consignments which we have detected were quite substantial. Goods worth Rs. 23 lakhs were involved.

श्री सत्यपाल कपूर (पटियाला) : अब जहाँ तक मिनिस्टर साहब के स्टेटमेंट का ताल्लुक है उस में सिर्फ इस केस के बारे में बतलाया गया है बाकी आज हमारे मुल्क में यह बात किसी से छिपी हुई नहीं है कि मुल्क के किसी हिस्से में जो भी स्मगलर गुड्स चाहिए वह मिल सकते हैं। इस में कस्टम वाले भी शामिल रहते हैं और इन्वेन्सी वाले भी लोग करते हैं, नहीं करते हैं, वे भी करते हैं क्योंकि इस में पकड़े गये लेकिन सारे मुल्क में आज स्मगलर सिप्रेट चाहिए, स्मगलर व्हिस्की चाहिए, जापानी कपड़ा चाहिए, कैमरा चाहिए, ब्लेड चाहिए, गरज जो भी चीज चाहिए हर एक चीज मिलती है और जितनी अधिक तादाद में चाहिए उतनी अधिक तादाद में वह मिलती है। सवाल यह है कि आज एक स्कैंडल पकड़ा गया, डिप्लोमैटिक कोर के कुछ आदमी इस में इनवाल्व्ड थे...
(स्वबचान)

मेरा कहने का मतलब यह है कि मिनिस्ट्री आफ एक्सटर्नल एफेयर्स, मिनिस्ट्री आफ फोरैन ट्रेड, कामर्स मिनिस्ट्री और होम मिनिस्ट्री आदि इस मामले के ऊपर आपस में बैठकर सोच विचार करें कि इस मुल्क में करोड़ों रुपये का मांस नेपाल के बोरडर से आता है, समुद्र के जरिए आता है वह किस ढंग से आता है और यह कि उस को किस तरीके से कंट्रोल करना है ? इस मुल्क की एकोनोमी पर उस का बहुत बुरा असर पड़ रहा है जिसे कि हमें रोकना है।

दूसरी बात मैं यह पूछना चाहता हूँ कि किस मुल्क के एम्बेसी एटचेंड इनवाल्व्ड थे, किस मुल्क के डिप्लोमैटिक कोर के लोग इस में इनवाल्व्ड थे जिन से कि यह माल पकड़ा गया, जो लोग पकड़े गये और जोकि इस काम को करते थे उन के बारे में मंत्री महोदय बतलायें कि वे कौन थे ?

SHRI SWARAN SINGH: With regard to the proposal made by the hon. Member I should like to thank him; it is a good proposal and I shall request my colleague the Finance Minister to take note of this. About his second question I have purposely not given the names of the countries to whom these two diplomats belonged and I should appeal to the hon. Member not to press me to do so. In one case the consignment itself was abandoned in the sense that the person in whose name the consignment was sent said: I have nothing to do with it and we had to open it in the presence of the officer of the customs department and other respectable persons and contraband goods valued 18 lakhs were found in that consignment. But he disclaimed any connection with it. These are the types of difficulties that we face in such cases.

SHRI NIHAR LASKAR (Karimganj): We have drawn attention to this fact because we are all concerned at the way smuggling is increasing. Government had also come out with a statement that unauthorised use of foreign exchange is to the extent of Rs. 240 crores. They asked certain committees to go into this and they have given certain recommendations also. Would the Government implement those recommendations or think of other ways to stop this?

SHRI SWARAN SINGH: I am sure that my colleague the Finance Minister is fully seized of this matter.

12.43 hrs.

PAPERS LAID ON THE TABLE

INDUSTRIAL DISPUTES (CENTRAL)
(AMENDMENT) RULES, 1972

THE MINISTER OF LABOUR AND REHABILITATION (SHRI B. K. KHADILKAR): I beg to lay on the Table a copy of

the Industrial Disputes (Central) (Amendment) Rules, 1972 (Hindi and English versions) published in Notification No. G.S.R. 795 in Gazette of India dated the 1st July, 1972, under sub-section (4) of section 38 of the Industrial Disputes Act, 1947. [Placed in Library. See No. LT-3406/72]

**NOTIFICATION, UNDER PASSPORTS ACT, 1967
AND EXTRADITION ACT, 1962.**

**THE DEPUTY MINISTER IN THE
MINISTRY OF EXTERNAL AFFAIRS
(SHRI SURENDRA PAL SINGH):** I beg to lay on the Table:—

- (1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 24 of the Passports Act, 1967:—
 - (i) G.S.R. 285 (E) published in Gazette of India dated the 25th May, 1972
 - (ii) G.S.R. 286 (E) published in Gazette of India dated the 25th May, 1972
 - (iii) The Passports (Second Amendment) Rules, 1972, published in Notification No. G.S.R. 317 (E) in Gazette of India dated the 21st June, 1972 [Placed in Library. See No. LT-3407/72]
- (2) A copy each of the following Notifications (Hindi and English versions) under section 35 of the Extradition Act, 1962:—
 - (i) G.S.R. 34 (E) published in Gazette of India dated the 20th January, 1972 extending the provisions of the Extradition Act, 1962 to the United Kingdom of Great Britain and Northern Ireland.
 - (ii) G.S.R. 35 (E) published in Gazette of India dated the 20th January, 1972 extending the provisions of the Extradition Act, 1962 to the Republic of Singapore.

- (iii) Erratum to the Hindi version of the above notifications published in Gazette of India dated the 1st March, 1972 [Placed in Library. See No. LT- 3408/72]

MESSAGES FROM RAJYA SABHA

SECRETARY : Sir, I have to report the following messages received from the Secretary of Rajya Sabha :—

- (i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 14th August, 1972, agreed without any amendment to the Diplomatic Relations (Vienna Convention) Bill, 1972, which was passed by the Lok Sabha at its sitting held on the 9th August, 1972."
- (ii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Victoria Memorial (Amendment) Bill, 1972 which has been passed by the Rajya Sabha at its sitting held on the 14th August, 1972."

**VICTORIA MEMORIAL (AMENDMENT)
BILL**

AS PASSED BY RAJYA SABHA

SECRETARY : Sir, I also lay on the Table of the House the Victoria Memorial (Amendment) Bill, 1972, as passed by Rajya Sabha.

12.45 hrs.

**CENTRAL SALES TAX (AMENDMENT)
BILL**

- (i) REPORT OF SELECT COMMITTEE

**SHRI DHARAMRAO AFZALPUR-
KAR (Gulbarga) :** I beg to present the

[Shri Dharamrao Afzalpurkar]

Report of the Select Committee on the Bill further to amend the Central Sales Tax Act, 1956.

(ii) EVIDENCE

SHRI DHARAMRAO AFZALPURKAR : I beg to lay on the Table a copy of the Evidence (Volumes I & II) given before the Select Committee on the Bill further to amend the Central Sales Tax Act, 1956.

WILD LIFE (PROTECTION) BILL*

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF. SHER SINGH) : Sir, I beg to move for leave to introduce a Bill to provide for the protection of wild animals and birds and for matters connected therewith or ancillary and incidental thereto.

MR. SPEAKER . The question is : "That leave be granted to introduce a Bill to provide for the protection of wild animals and birds and for matters connected therewith or ancillary and incidental thereto."

The motion was adopted

PROF. SHER SINGH I introduce the Bill.

SEEDS (AMENDMENT) BILL*

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHAB P. SHINDE) : I beg to move for leave to introduce a Bill to amend the Seeds Act, 1966.

MR. SPEAKER : The question is

"That leave be granted to introduce a Bill to amend the Seeds Act, 1966."

The motion was adopted

SHRI ANNASAHAB P. SHINDE : I introduce the Bill.

12.47 hrs.

CONSTITUTION (THIRTIETH AMENDMENT) BILL

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) : Sir, I beg to move :

"That the Bill further to amend the Constitution of India be taken into consideration."

The Bill proposes to amend the Article 133(1) of the Constitution in order to do away with the value of the subject matter of dispute as a criterion for exercise of the appellate jurisdiction of the Supreme Court in civil matters.

The minimum limit of Rs. 20,000/- mentioned in clause (a) of Article 133(1) was fixed in 1950 at the time of passing of the Constitution. In 1969 it was felt that in view of the change in the value of the rupee, the limit was too low and the jurisdiction of the Supreme Court should not be invoked unless a larger amount was involved. A Bill proposing to raise this limit to Rs. 1 lakh was introduced in 1969 in the Rajya Sabha. The then Law Commission was consulted about the Bill and the Commission even at that time felt that it was some what inappropriate that cases whether fit or unfit for consideration of the Supreme Court should be allowed to go to the Court merely on the basis of the value of the property in dispute. The Law Commission then took the view that appeal should lie only on a Certificate of fitness granted by the High Court under clause (c) of Article 133(1) and that clauses (a) and (b) may be deleted. The Bill, however, was passed by the Rajya Sabha in August 1970. The Bill lapsed as the Lok Sabha was since then dissolved.

The Law Commission was thereafter again consulted. In its 44th Report, the Commission recommended that an appeal should lie to the Supreme Court only if the High Court certifies that the case is a fit one for appeal to the Supreme Court. According to the Law Commission, the valuation test discriminated unfairly between

the rich litigant and the poor. Litigation should normally end in the High Court and only exceptional circumstances should justify recourse to the Supreme Court.

Before the matter could be processed further, I re-considered the matter again and thought it fit to refer the question to the newly constituted Law Commission under the Chairmanship of Dr P. B. Gajendragadkar. The new Law Commission has recommended that the right of appeal should be available only in cases where the High Court certifies that the case involves a substantial question of law of general importance and that in the opinion of the High Court the said question needs to be decided by the Supreme Court.

Each case decided by the High Court should not go by way of appeal to the Supreme Court and a line has to be drawn to indicate in what type of cases, an appeal should lie. But to draw this line merely on the value of the property irrespective of the merits of the appeal would not have been a rational approach apart from the fact that it discriminated unfairly between the rich and the poor.

According to the proposed amendment, if the case really involves a substantial question of law of general importance, then the High Court can certify the same irrespective of the value consideration and no case would be prejudiced if the valuation test is completely done away with. The Chief Justice of India was also consulted by the Law Commission and the Commission has stated in its report that the Chief Justice personally approved the changes proposed.

As Hon'ble Members would have noticed the Bill also has incorporated transitional provisions. The Law Commission has recommended that the proposed amendment should not apply (a) to any appeal pending in the Supreme Court on the date of its commencement and (b) to any judgment, decree or final order by the High Court in respect of which a certificate under the unamended article has already been obtained though an appeal has not been filed in the Supreme Court on such certificate and that the amendment should apply to any judgment, decree or final order which was pronounced or passed before or after the date of commencement of the amendment,

if it has arisen in a civil proceeding commenced in the High Court or any lower court before the said date.

Broadly speaking, the object of the proposed amendment is (1) to remove the abnoxious discrimination based merely on the value of the property and to give to the rich and the poor litigant an equal chance of going to the Supreme Court in appeal; (2) to remove the unnecessary burden on the highest Court of appeal caused on account of appeals coming to it merely on the value of the property irrespective whether the appeal had merit in it or not; and (3) to give finality to the judgments of the High Courts in matters which do not involve substantial questions of law of general importance and which questions in the opinion of the High Court need not be decided by the Supreme Court.

Sir, I commend that the Bill be taken into consideration.

SHRI SHYAMNANDAN MISHRA (Begusarai) : Sir, may I raise a point of order, particularly of propriety ? Is it proper to refer to any opinion given by the Chief Justice of India ? Would it not pre-empt the discussion and the consideration of this matter ? Should it be mentioned ? Sir, I would seek your views on this matter.

MR SPEAKER : It is mentioned in the context of the Law Commission.

SHRI SHYAMNANDAN MISHRA : If the highest judiciary has given an opinion in this matter, what is the use of having a discussion in the House now onwards ?

MR SPEAKER : After all, we are amending the Constitution when so many things are said. We have been doing it in the past. Though we are immune, in spite of that, we do not show any disrespect to the judiciary. At the same time, we have been referring to many things without any idea of showing disrespect.

Now motion moved :

"That the Bill further to amend the Constitution of India be taken into Consideration."

[Mr. Speaker]

Since this is a Constitution Amendment Bill, there will be recording of votes and the special majority of not less than fifty per cent of the total members and two-thirds of the members present and voting is necessary. We will have the voting at 3 O' Clock.

SHRI SOMNATH CHATTERJEE (Burdwan) While supporting this amendment Bill,.....

MR SPEAKER : So, it is a non-controversial Bill.

SHRI SOMNATH CHATTERJEE : A controversy was embodied in the Constitution in 1950 and not now. Now that controversy is being ended. This was an anomaly that unfortunately crept into the Constitution in the year 1950. It seems that we have followed the legacies of the British days when, in the Civil Procedure Code of this country, which was framed in 1908, the appeal to the Privy Council was allowed on the basis of the valuation test. This was one of the, if I may say so, invidious discriminations that has been embodied in the Constitution in the year 1950. when the Supreme Court should have been constituted only for the purpose of laying down uniform laws in this country to be followed by all the different High Courts in India and for general application to the citizens.

Therefore, we are happy that the irrational standard which has been laid down in the Constitution is now being got rid of. Instead of valuation test, now the test to be applied is that the subject-matter should justify the scrutiny by the highest court in the country.

So far as valuation test is concerned, I find, at least in countries where the common law is practised, namely, in England in House of Lords, the Supreme Court in USA, no valuation test is being followed there. Also, in France, West Germany and Russia, there is no valuation test. The real test is the importance of the subject-matter which should be brought before the highest court in the country.

So far as some of the aspects are concerned—we are experiencing it every day—in view of the recent appointments and the fall in the general standard

in the High Court judiciary, it may be that in all cases we cannot shut out an appeal to the highest court in the country specially in matters of article 226 which govern fundamental rights of the citizens of the country. We have been having various types of decisions specially in cases of service matters where questions of dismissals are involved, where the public service is concerned and where industrial relations are concerned. Till now, we find that there has been considerable uncertainty in the law that has been laid down in different High Courts of the country. Because this valuation test has not been made applicable to many cases under article 226 of the Constitution, there was difficulty. Always an approach was made that the valuation test is not satisfied and the courts were not satisfied that the cases were fit cases of appeal to the Supreme Court. Therefore, we would have liked, in certain cases, it should have been as a matter of right that recourse could be taken to the Supreme Court of India. In cases of service matters, particularly, in cases of wrongful dismissals either from the Government service or from private service and in cases of industrial relations, industrial disputes, it should have been as a matter of right that recourse can be taken to the Supreme Court of India.

There is another matter to which I wish to draw the attention of the hon. Minister. So far as the Supreme Court is concerned, undoubtedly, we want that it should be taken recourse to as a last resort, as the hon. Minister. himself pointed out. We want that the Supreme Court should lay down certain laws which should be made applicable all over the country uniformly. But in various cases which even involve substantial questions of law, there is great difficulty for ordinary people to approach the Supreme Court because of the costs involved. The hon. Minister himself said that there is a discrimination between the poor and the rich because the valuation test is there. The valuation test is going. But even if the valuation test has gone, in cases which involve substantial questions of law, the recourse can only be taken to the Supreme Court provided the High Court grants a certificate or the Supreme Court grants leave to appeal under article 136 of the Constitution.

We know from our daily experience that in very many cases, say, for example, the case of *habeas corpus*, the case of industrial tribunal awards, where directly appeals are being filed in the Supreme Court under article 136, the litigants and trade unions are having great difficulty because of lack of resources. Mr. Gokhale has the experience of the Supreme Court. How many trade unions or employees who had to go before the court could be properly represented? On one side, we have seen Mr. Gokhale, Mr. Daphtary, the great luminaries of the Bar appearing for the employers. So far as employees are concerned, who are there to represent them? They can hardly go to any competent lawyers because of lack of resources. We are thinking so much about the people that they should have access to the Supreme Court of India for redressal of their grievances, that such a law should be laid down as would uniformly apply to all the people of the country and that any section of people should not get any extra benefit under the Constitution of this country, but what are you providing for the poor people for the poor litigants? Therefore, it is essential in particular cases like dismissal cases in service matters, matters relating to industrial.....

MR. SPEAKER : The hon. Member may continue his speech after Lunch.

The hon members may please note that the voting shall be at 3 00 p. m.

We adjourn for lunch to reassemble at 2.00 P.M.

13 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re : assembled after Lunch at Fourteen of the Clock

[MR. DEPUTY SPEAKER in the Chair.]

SHRI SAMAR GUHA (Contd) : Sir, there is a report in this morning *Hindustan Times* about the Freedom Fighters. We wanted them to come to Delhi, we wanted to honour them but they ran away as fast as they could in a mood of regret. This is the report appeared in the *Hindustan Times* today. There is a picture also. It says :

"Hungry Heroes in back seats get 'Tamra Pars' from chosen 27. Sir, I went to see them off yesterday night. Some of them shed tears. This is the report of the paper :

"It looked like a refugee camp. A group of old—some of them infirm—people sat huddled together on torn and dirty mattresses spread on the floor in a small dingy room."

They had no food...(Interruptions) Sir, this is not a Party matter. Not only this, in the front row of the Diwan-e-Aam the officials and the Children sat and the freedom fighters were given the back seats,

Sir, it was a very novel idea to honour the freedom fighters. It was really a sacred idea, but it was executed so shabbily, so disgracefully. I would request the Government to go into this matter and who were the officers asked to look after the arrangements for their food and lodging. That should be looked into and the Government should apologise to the freedom fighters (Interruptions)

MR. DEPUTY SPEAKER : No more place.

SHRI S. M. BANERJEE (Kanpur) : We gave a call attention notice. There is a strike going on by 75,000 cement workers throughout the country. I only wanted you to convey our feelings to Shri Raj Bahadur.

He is there. Let the Labour Minister make a statement on the strike by 75,000 cement workers throughout the country. It will impede cement production in the country.

SHRI JAGANNATHRAO JOSHI (Shajapur) rose.

MR. DEPUTY SPEAKER : No. please. Mr. Somnath Chatterjee.

SHRI SAMAR GUHA : I hope the Minister of Parliamentary Affairs has taken note of it and something should be said about it. Some of the old Members we sent to see them off. They actually shed tears...

MR. DEPUTY SPEAKER : Order, please. You have made a submission. It is on record. It is for the Government to take note of it.

Mr. SOMNATH CHATTERJEE.

14.04 hrs.

CONSTITUTION (THIRTIETH AMENDMENT) BILL—Contd.

SHRI SOMNATH CHATTERJEE : As I was submitting a large section of people found it difficult to approach the Supreme Court due to lack of resources and funds. It is essential that some scheme for providing legal aid is established by the Government.

In those cases where poor people are involved, they find the greatest difficulty. They are shut out from coming before the Supreme Court for lack of funds, especially in cases where service matters are involved, in cases of dismissals, in cases of industrial disputes, etc. etc. Special provisions should be made for providing legal aid to them. I believe, this is one of the principles which should be adopted by a welfare State. Legal aid should be made available to the ordinary people, to the poor people, who cannot afford to come to the courts on their own resources.

There is another point which I wish to bring to the attention of the hon. Minister and this is about the provision for security as to costs. There is a provision for paying Rs. 2,000 as deposit for filing an appeal in all cases excepting criminal cases. This requirement is placing considerable strain on the ordinary litigants to pursue their appeals before the Supreme Court. The Minister may say this is a matter which should be left to the discretion of the Supreme Court. We wish that these are provided in suitable legislation. In certain cases court fees are to be paid. In all cases security for costs should not to be taken; it is not incumbent that such security should be provided at all. So far as the Supreme Court appeals are concerned it is very essential that this requirement should be done away with.

So far as the ordinary, people the poor people, of this country are concerned, they should not be thought of only during the elections. Sir, let us not insult the poor people of the country. Let them not be used as pawns during the election time only. Let us do something so that they can feel that there is a proper approach made on the part of the Government. So far as the

question of litigation is concerned, certainly, Supreme Court appeals should be on the basis that there should be no discrimination and proper provision should be made giving full opportunities to the ordinary people of the country to come on appeals to the Supreme Court.

One of the reports of the Law Commission mentions about arrears in the courts. Even in the Supreme Court, between 1963 and 1970, about five thousand cases remained to be disposed of. There are a thousand cases accumulating in the Supreme Court year by year. In the Statement of Objects and Reasons we find that the amendment of the Article accordingly would curtail the number of appeals which are filed in the Supreme Court merely on the valuation test being satisfied without any merit in them. So far as frivolous appeals are concerned, to the extent, they could be done away with, we support this. But merely making a provision that valuation test need not be fulfilled will not solve the problem of arrears. For this difficult problem coming up before the supreme Court, a different approach is necessary. A proper approach should be made, taking into consideration the Code of Civil Procedure and other procedural laws. Adequate steps should be taken to get rid of these arrears. The Supreme Court should be the watch-dog for the common people of the country so that their fundamental rights are protected from executive tyranny. We want that the Supreme Court should be allowed to play its part. The High Courts should also be given proper opportunities to play their part. In the High Courts, so far as the judicialist and ard is concerned, there has not been a rise, if not an actual fall. These matters should be looked into from various points of view. There should be an integrated approach. Piecemeal legislations will not solve the problem. With these words, I support the Bill.

श्री अर० बी० बड़े (सरगोन) : उपाध्यक्ष महोदय, यह एक ऐसा उदाहरण है कि हम संविधान के संशोधन की सपोर्ट करते हैं और हम चाहते हैं कि इस प्रकार के संशोधन माने जाने चाहिए। जब तक हम संविधान के संशोधनों को अपोज करते बाये हैं, लेकिन यह भी संशोधन समझा है, उस को भी और तेरी पार्टी सपोर्ट करते

हैं। इस बिल के जो आनजीक्टस आपने दिये हैं उनमें आपने कहा है:

"The valuation is not a rational yardstick for a right to appeal."

मैंने देखा है कि डिस्ट्रिक्ट एण्ड सेशन जज के यहां जब केस का फैसला हो जाता है तो उस के बाद वह हाई कोर्ट में अपील में जाता है। हाई कोर्ट में भी जब उस पर फैसला हो जाता है उस के बाद जो पैसे वाले हैं वे ही सुप्रीम कोर्ट में जाते हैं। जो गरीब आदमी हैं वे सुप्रीम कोर्ट में नहीं जा सकते हैं। दिल्ली की चमक बमक देख कर जैसा कम्प्रोमाइज चाहते हैं वैसा कम्प्रोमाइज हो जाता है। इससे गरीब आदमियों को बहुत मुश्किल हो जाती थी। उन के लिए अपील करना तो बहुत ही मुश्किल हो जाता है। यह जो पैसे की याबं स्टिक रली गई है यह नहीं होनी चाहिए। पहले से यह याबं स्टिक चली आ रही है। पहले भी जब इस तरह के बिल को लाया गया था तब कहा गया था कि बीस हजार की लिमिट न रखकर एक लाख रख दी जाए। मैं पूछना चाहता हूँ कि एक लाख की लिमिट भी क्यों रहे। यह पैसे वालों की दुनिया नहीं है, गरीबों की भी यह दुनिया है। मुकदमे इससे बहुत लम्बे चले जाते हैं। उसका नतीजा यह होना है कि छोटे आदमी पक जाते हैं, उनको किसी के यहां से मदद नहीं मिलती है, जब कि पैसे वाले सब व्यवस्था कर लेते हैं। इस वाम्ने यह जो याबं स्टिक है इसको खत्म होना चाहिये था। पैसे वाला याबं स्टिक नहीं रहना चाहिये था। जो बीस हजार वाली लिमिट रही थी और कहा था कि बीस हजार के ऊपर होगा तो अपील हो सकती है, इसको जो आपने निकाल निकाल दिया है, ऐसा करके आपने बहुत अच्छा किया है।

कानूनी प्वाइंट्स जो हैं उनको ध्यान में रखना चाहिए और उन पर निर्णय लेना चाहिये, यह ठीक है। उस पर अब तक निर्णय पीछे पड़ जाता था और पैसे वाले ही अपील कर देते थे और केस खसला रहता था। जिस कि सोचना

बटर्जी जी ने कहा है और जैसे 44वीं और 45वीं रिपोर्ट में जो ला कमीशन की है उन में दिया हुआ है छः हजार केसिस अब तक पैडिंग है और उन पर निर्णय नहीं हो पाया है। फिर हाई कोर्ट में भी बहुत केसिस पड़े रहते हैं। इस वास्ते कहीं पर तो फुल स्टाप होना चाहिये। इसी उद्देश्य से ला कमीशन ने अपनी रिपोर्ट में कहा है:

"In considering what limit should be assigned to the power of appealing, our leading maxim is, that it is the interest of the commonwealth to have an end of law suits. No man has a right to unlimited draughts on the time and money of the public in order to get his private affairs settled as he wishes. The State's duty is discharged when it has provided such a reasonable amount of attention and skill and honesty as will satisfy reasonable men that their causes have been decided erroneously or otherwise, on the merits, and according to the best ability of the Judges."

इस प्रकार का जजमेंट हाई कोर्ट का हो गया और कोई किसी ला प्वाइंट पर सुप्रीम कोर्ट में जाना चाहता है तो उसके लिए उसको सर्टिफिकेट हाई कोर्ट से मिले तब वह जा सकता है, यह एक सही बात है।

बाकी जो देश हैं वहां क्या परिस्थिति है, उसका भी ला कमीशन ने अपनी रिपोर्ट में त्रिक किया है। उसने कहा है कि इस प्रकार का वैल्युएशन वहां नहीं रहता है।

"We have looked at the laws of some other countries to ascertain if there are comparable provisions for appeals to the highest court of the land. In England, an appeal to the House of Lords needs leave from the court of appeal or from the House itself. Conditions in India are, of course, not the same as in England, but the English experience is valid to show that such an arrangement can work without difficulty. Some countries like Australia, Canada, and Switzerland still retain the valuation test for

[श्री आर.बी. बड़े]

appeals to the highest Tribunal, while in other countries like France, West Germany, USA and USSR, the value of the subject-matter is not relevant."

कैपिटलिस्ट कंट्रीज में भी वैल्युएशन रिलेवेंट नहीं है। ऐसी अवस्था में हमारे यहां यह क्यों रिलेवेंट होना चाहिये। इसको जो निकाल दिया है यह ठीक किया है। हाई कोर्ट से सर्टिफिकेट लेने के बाद ही अपील हो सके, यह ठीक है। इस से गरीब आदमी को भी बहुत फायदा मिलेगा।

इलैक्शन पंटीशंस में भी आप देखें कि सात बाठ हजार रुपया खर्च करके सुप्रीम कोर्ट में अपील हो सकती है। इतना खर्च करने के बाद जो बकील की फीस होती है वह पांच सौ हजार रुपया रोज होती है। इसके बारे में भी एडवोकेट्स कमेटी में मामला चल रहा है और यह मामला भी चल रहा है कि लीगल एड देनी चाहिए या नहीं देनी चाहिये। इसकी तरफ भी ध्यान दिया जाना चाहिये।

अभी जो एमेंडमेंट आप लाए हैं ला कमीशन की रिपोर्ट के आधार पर इसको हम सपोर्ट करते हैं। हम समझते हैं कि यह एक राईट स्टेप है। आपने गरीबी हटाने का नारा दिया है। गरीबी हटाने की दिशा में आपने यह एक एक्टिव स्टेप लिया है। इसलिए मैं इसको सपोर्ट करता हूँ।

SHRI JAGANNATH RAO (Chattrapur): I rise to support the Bill which is a wholesome measure which seeks to remove the valuation test as a criterion for invoking the jurisdiction of the Supreme Court.

This Bill is based on the principle that all are equal before the law. The Constitution speaks of a new order based on social justice and equality. The disparities between the rich and poor are being now sought to be removed. This Bill is really welcome in the sense that the 'valuation test' viz., that the value of the subject-matter of the dispute in the court of first instance or that

final order involves some claim respecting property of a like amount before it is appealable to the Supreme Court is now being removed and the only criterion that is now imposed is that the case should involve a substantial question of law of general importance and it is a fit case in the opinion of the High Court to be decided by the Supreme Court. Thereby an invidious distinction which now exists between the rich and poor is being removed. The rich man has the right to go to the Supreme Court because the value of the subject-matter of the dispute is Rs. 20,000, whereas the poor, however valid his right be, is denied this right because the money value of the case is less than Rs. 20,000. The amendment ensures that the rich and poor are equally treated and there is no discrimination against the poor. This will lead to a healthy practice in future.

This Bill will be on the same analogy as sec. 100 of the Civil Procedure Code which deals with second appeals to the High Court only on a point of law. A further appeal to the Supreme Court is in the nature of a second appeal. It should only be substantial questions of law of general importance that should be the guiding principle attracting the jurisdiction of the Supreme Court.

This amendment has come at a time when we are now set on a big programme of narrowing the disparity between rich and poor and build a new order based on the solid foundation of social justice and equality. Therefore, the House should welcome it. I am glad that all sections of the House have welcomed the measure. I also extend my welcome to it.

Shri Somnath Chatterjee referred to the question of legal aid to the poor. He himself is a lawyer appearing in the High Court of Calcutta and the Supreme Court. Has he appeared for a poor litigant without charging fee?

SHRI SOMNATH CHATTERJEE: Yes. I have never appeared for an employer.

SHRI JAGANNATH RAO: I am glad. But how many lawyers are there who have done so? Therefore, it is for the lawyers themselves to evolve a code.

SHRI SOMNATH CHATTERJEE : Everybody cannot afford it. It is very difficult.

SHRI R. D. BHANDARE: Let him not deal with individuals.

SHRI JAGANNATH RAO Because he referred to it, it is a valid question.

SHRI SOMNATH CHATTERJEE: Why does he not ask Government to frame rules?

SHRI JAGANNATH RAO: How can Government do it? Let the lawyers themselves evolve a code. Let there be a panel in the Supreme Court, the High Courts, District Courts. There are Bar associations. Let them in turn appear for the poor litigant without accepting fee. This is the only way in which legal aid to the poor can be organised. It is not for Government to prescribe it. The poor litigant has the facility in *forma pauperis*. He cannot go to the High Court or Supreme Court. You cannot also compel a lawyer to argue for him free. Therefore it is for eminent lawyers well placed in life to evolve a code of conduct and a system for affording legal aid to the poor.

I think the Law Commission also has recommended in one of its reports on this matter. I believe in the new provision that is being inserted in the Code of Criminal Procedure which is being amended there is reference to legal aid to the poor. These are provisions which Government also are thinking of.

This Bill is in the right direction, is least controversial and does not need much debate. I support it wholeheartedly.

SHRI A.K. SEN (Calcutta-North-West): Mr. Deputy-Speaker, Sir. I am very happy that this measure has been brought and an anomaly which is the creation of olden days is sought to be removed. Those were the days when the ultimate court of appeal was the Privy Council in England. The valuation test was a very important test and certain rights of appeal were conferred as a matter of course depending upon the value of the subject-matter of litigation. That criterion is completely antiquated and when the Constitution adopted it, I am sure it adopted it more by the pressure of tradition than by

considerations of the merit of the matter. I am glad that the Law Minister has now sought to implement the recommendations of the Law Commission on the question.

I am a little unhappy—though possibly, practically it may not make much difference—about the deletion of the fitness clause in article 133. But I have no doubt that when the courts interpret this provision, they will consider fitness on the ground of public importance and on sound questions of law. Therefore, possibly, when the interpretation is evolved by the courts, there will not be much difference and fitness will still remain a very important criterion for justifying appeals to the Supreme Court.

I support wholeheartedly Mr Somnath Chatterjee's plea for legal aid to the poor. In no civilised country does the legal profession except in a haphazard manner, extend legal aid to the poor. If it has to be done on an effective and rational basis, it can only be done where a proper scheme for legal aid to the poor is evolved by the State. A Scheme was evolved by the Law Ministry a long time ago—

SHRI INDRAJIT GUPTA (Alipore) : Have a ceiling on lawyer's fees.

SHRI A. K. SEN : It is already there because the Government is the biggest partner for all handsome fees. Ceiling will be meaningless because that ceiling is already there by the Income-tax law. Therefore. You will find that really there is a ceiling upon lawyers' income like all other incomes. That is the reason why in many cases the top lawyers do not accept fees in deserving cases. It has been a tradition always with good lawyers to extend their help to poor litigants. I say this in answer to Mr. Jagannath Rao's remark that many lawyers do cases free for poor litigants at least on some occasions.

SHRI ISHAQUE SAMBHALI (Amroha): Very few.

SHRI A. K. SEN : I can tell you at least from the High Court where I come from and Shri Somnath Chatterjee comes from, it has been the tradition of the Bar to extend help to poor litigants.

SHRI M. RAM GOPAL REDDY (Nizamabad) : Was he your client at any time ?

SHRI A. K. SEN : He is welcome provided he has a moral claim ! (*Interruptions*). That, of course, is a matter not purely confined to the Supreme Court. It assumes rather an important proportion while we come to the Supreme Court because it is easier for a litigant to approach the Headquarters for the high court, though it is also expensive there, but for people to come all the way to the Supreme Court, pay securities and so on, is difficult. The cost of printing paper-books becomes sometimes prohibitive. Of course, fortunately, the trade unions who represent the employees take up the burden and mollify the effect of it, but in many cases, I know personally, it works hardship for poor litigants particularly in respect of litigation in the Supreme Court.

14. 23 hrs.

SHRI K. N. TIWARI in the Chair

One hon. Member has rightly said that the cost of living in a hotel nowadays has become prohibitive for many people and to engage a lawyer here adds to the cost considerably. I think the Law Minister will rake up the old file and find out the old scheme worked out by his own Ministry at one time. It was thrown to the cold storage because the then Finance Minister thought that it was immoral to subsidise litigation. And I failed to convince him—(*Interruption*).

SHRI S. M. BANERJEE (Kanpur) : My suggestion is that the lawyer's fee should not be more than Rs. 51 a day.

SHRI A.K. SEN : That is very good. I think the same limitation should be proportionately borne by everybody including Members of Parliament. There is no difficulty about it. That is a different matter. We are now talking of legal aid to the poor and this is a rational system adopted by every civilised country. I can tell you that the cause of law has become so popular in countries like England after the system of legal aid to the poor was worked out with success and law courts were no longer barred to poor litigants. In our times, when we were students, I remember the terrific complaints which used to be made against the high cost of litigation which barred poor litigants from seeking redress. Today the whole system has been so changed

and the legal profession has also benefited by moderate fees. At the same time a poor litigant in every case including divorce cases gets justice before courts of law. What was once an anathema for the poor litigant has now become useful in order to get redress for his grievances. This is a system which has been adopted in every country; it was worked out here and was recommended by a series of conferences one after the other and the small expenditure that was needed to finance such a scheme would be worthwhile undertaking. We may start from the Supreme Court and go down to the lowest levels of our judicial system. With these words I have great pleasure in supporting this very welcome measure.

SHRI D.K. PANDA (Bhanjanagar) : This Bill is long overdue. It has come at a time when hundreds of appeals are piled up in the Supreme Court. I understand that 1967 appeals have been taken up in 1972. It causes hardship not only to the poor people and the common man but also middle-class people. This long pendency causes trouble.

We have been demanding from the Government during the budget session that there should be a comprehensive scheme to see that the benefits of laws and constitutional amendments made here reach the common man; otherwise all that remained a dead letter as the benefits of this legislation did not flow to the man in the street. We tabled a number of cut motions and amendments on the above lines but they were never replied to, nor were they looked into. They were brushed aside and some answers were given which had nothing to do with reality.

We find that the cost of litigation is also going higher and it is beyond the power of normal people to have access to the Supreme Court. The cost of the paper-book is so high that the poor man is unable to afford it.

Similarly, the poor man should not be called upon to pay the paper book cost in small matters. Stamp duty and court fees also are rising high and the poor litigant is the hardest hit. While supporting this Bill, I demand that there should be a comprehensive scheme for putting a ceiling on the income of the lawyers who are earning

fabulously and necessary amendments should be made so that the poor man is able to defend himself. Government should also arrange for the legal defence of poor litigants who have got in their case a substantial question but are unable to take it to the Supreme Court because of financial difficulties.

This is an important Bill no doubt and I welcome it. It also highlights the importance of the Supreme Court. It relieves the Supreme Court of needless appeals and it will be now confined to a field that it can decide important questions of law which become the law of the land. For this purpose, it is of utmost importance that the confidence and integrity and independence of the Supreme Court should be strengthened. But I am sorry to bring to the notice of this House that something has been discussed about favouritism and nepotism in the very corridors of the Supreme Court as to how the Law Ministry is functioning.

SHRI A K SEN This is bad.

MR. CHAIRMAN What has been discussed in some corridor does not become authentic here. If you mean to say that the Supreme Court or High Court judges are acting under the influence of the Law Ministry, you should not say that. (*Inter-ruptions*)

SHRI D K PANDA Even in the case of the Newspaper Control Order, which was the concern of the entire nation and which was passed to defend the freedom of expression of the smaller papers, who was engaged to defend that order? It was Mr. Nariman.

MR. CHAIRMAN : How is it relevant? Who is engaged and who is not engaged is the business of Government. How does it come within the purview of this discussion?

SHRI S.M. BANERJEE : What was wrong with the Attorney General? When the Government's order was challenged, the Attorney General should have been engaged.

MR. CHAIRMAN : You cannot rise like this. Always you are in the habit of

getting up like that.

SHRI A.K. SEN Mr. Chatterjee will confirm that Mr. Nariman did a magnificent job.

SHRI D.K. PANDA : The members should take serious note of the fact that some very important and responsible Congress MPs have written to the Prime Minister asking why the Attorney General or Solicitor General was not even being consulted in this case. On the other hand, one Shri Nariman was appointed. **

SHRI R D BHANDARE (Bombay Central) : Sir, on a point of order. During the course of the speech, the hon. Member mentioned **. That ought to be deleted.

MR. CHAIRMAN That is true. No such statement should be made against a person who is not present in the House.

SHRI S M BANERJEE Sir, I rise on a point of order. According to Shri Bhandare, Shri Panda has mentioned a particular name. According to the ruling you have just now given, a person who is not here should not be mentioned because he cannot defend himself. This morning we had been mentioning President Nixon. Is that also improper? Further, Shri Nariman is the Assistant Solicitor General. Can we not mention his name?

MR. CHAIRMAN . I am not allowing it in the record.

SHRI D K PANDA . I have mentioned only bare facts in the House. **

MR. CHAIRMAN Do not repeat it when I have not allowed it.

SHRI D K PANDA : If the fountain of justice is to be maintained as pure as purity itself, in the greater cause of the nation why should not the Attorney General or the Solicitor-General be consulted and why should they not be engaged. Hon. Members are well aware of the fact that when the Tatas and Birlas were in the process of defending the privy purse case, not only the Attorney-General and Solicitor General but also the present hon. Ministers, Shri Mohan Kumaramangalam and Shri

**Expanded as ordered by the Chair.

[Shri D. K. Parda]

Gokhale were appointed to defend the cause of the nation, because it was a big case against the government by the rajas in the privy purse case.

Now, with regard to the same case at least, those two persons could have been engaged. I would also draw the attention of the House to another thing, that Shri Palkhivala.....

MR. CHAIRMAN : I am not allowing (Interruptions)

SHRI D. K. PANDA :who is really very competent, who is a very capable person—absolutely there is no doubt—was appointed.....

SHRI INDRAJIT GUPTA : He is complimenting Mr. Palkhivala.

SHRI D. K. PANDA : Without hearing me, why should there be any prenotation ? He is a very capable person. He was also the spoke man of vested interests in all those three cases, the bank nationalisation case, the privy purses case and the newspaper control order case. Now, he has been appointed in the international court to defend the Government of India. How far is it really desirable to send such a man who has been representing the vested interests all through his life, specially in those three famous cases, and those very people who are also in league with outside vested interests ? Can he defend our nation's cause in the international court ? Certainly not. Here also, I say, the hon. Minister is answerable to it.

Lastly, suppose hundreds of amendments come. How can we maintain and preserve the fountain of peace, the fountain of integrity, unless the cases are properly defended also ? As far as the Newspaper Control Order is concerned, it pertains to the portfolio of our Prime Minister. If at all we are defeated in that case **

Who will be responsible at that time ? Therefore, I demand of this Ministry, in spite of these amendments, why was the Attorney-General not consulted ? I also call upon the Prime Minister to place the

letter which was addressed by some of the very responsible Supreme Court Bar members who are also Parliament Members on the Table of the House for discussion to do justice to the case.

With these words, I support the Bill.

MR. CHAIRMAN : Shri R. D. Bhandare.

SARI SHYAMNANDAN MISHRA : Then, we may have to go beyond 3 O'Clock. This is a very important Constitution amendment.

MR. CHAIRMAN : My difficulty is this. If the Members confine themselves to the subject-matter of the Bill, I do not think, they will take much time of the House. Because they have either not read the Bill or they have not come prepared, they are talking of things which are not necessary and relevant to the Bill. I would request the Members to confine themselves to the Bill. Mr. A. K. Sen spoke to the point. We have to take the vote at 3 O'Clock. But, I think, there are many Members to speak and all will have to be accommodated. I would request you to restrict your observations to the subject-matter of the Bill.

SHRI R. D. BHANDARE (Bombay Central) : I rise to support this Bill with all the strength at my command. This Bill seeks to achieve two objectives : the first is that it seeks to do away with the value of the suit which is now the basis for the right to appeal; the second is that, by doing this, the Law Minister is of the view, the litigation, the number of matters or cases on appeal, would be reduced from the file of the Supreme Court. These are the two objectives with which this Bill has been brought forward.

14.46 hrs

[Mr. Speaker in the Chair]

While speaking on the Bill, even extraneous matters were brought in. The first extraneous matter was regarding legal aid. We have a Bill, sent to the Joint Select Committee, wherein we are discussing the legal aid to the poor and the needy.

To my great surprise, after going through the scheme as has been incorporated in the Advocates Bill, I find that there is so much lacunae left in that scheme that the whole scheme ought to be recast. Two points must be borne in mind: one, is that the responsibility to give legal aid to the poor and the needy must rest with the Bar Council; the second Point which I would like to suggest in this connection is that the Government must come forward to constitute a fund from which the advocates who would appear for the needy and the Poor should be paid.

Another point was raised regarding the lawyers fee. I do not know whether my friends have really understood the basic principle which governs the relationship between the client and the lawyer. So long as property is the concept of the base of the society, then the sanctity of the contract will necessarily step in. (*Interruptions*) I would like it, provided all the parties are prepared to abolish private property. What I was suggesting was this. So long as the concept of private property is there, along with it the sanctity of the contract steps in. Therefore, under what law can we prevent the relationship based on fees between the client and the lawyer? Therefore, my advice to my friends is that they should not talk of a matter which has no basis, which has no relevance, so far as this Bill is concerned.

SHRI S. M. BANERJEE: Am I to understand that you want that to be continued?

SHRI R. D. BHANDARE: You destroy the base; and the whole top will be destroyed.

I would now like to refer to the last sentence which was uttered by my hon. friend, Shri Panda. He says, if there is a litigation going on in the Supreme Court and if the Government is defeated, then he used a terminology which was not befitting to the dignity of the House, to the dignity of the Member and to the dignity of the hon. Prime Minister. He said that if the Government was defeated. **

SHRI S. M. BANERJEE: He said it because the Portfolio of Information and

Broadcasting is headed by the Prime Minister. There is nothing unparliamentary. Please do not impute motives to what he said.

SHRI R. D. BHANDARE: I am not imputing motives. It is not befitting to the dignity of the hon. Member; it is not befitting to the dignity of the House it is not befitting to the institution of Parliamentary democracy under which the Prime Minister is the Leader of the Party, of the Majority and therefore of the House and of the nation. I therefore, submit, that that sentence should be deleted.

SHRI D. K. PANDA: It was not my intention; I did not use it in that sense. It is a matter which pertains to the portfolio held by the Prime Minister.

MR. SPEAKER: That is not an expression in good taste. I was not here then.

SHRI D. K. PANDA: I did not use it in that sense. (*Interruptions*)

MR. SPEAKER: Order please. will he kindly sit down? He may not have intended something, but the expression evidently seems like that. It is not in good taste. It will be deleted.

Now, Shri Shyamnandan Mishra.

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Speaker, Sir. I have no hesitation in saying that, broadly, one would like to agree with this measure. In principle particularly there is nothing objectionable about it. In fact, the way in which the financial magnitude of the subject matter as the basis for appeal is sought to be abrogated, it is to be welcomed by all of us.

That does not mean that one should deprive oneself of closer scrutiny so far as this measure is concerned. There is no doubt about one point—and this has been repeatedly emphasised by hon. Members. that right to appeal on financial qualification gives scope for very very trivial and relatively smaller matters going up before the Supreme Court. Financial qualification alone is enough in some cases; merit does not matter. Therefore, to that extent that this is done away with, I welcome this measure.

[Shri Shyamnandan Mishra]

May I submit that, in seeking to do away with Art. 133(1)(c) we are throwing away the baby with the bathwater. I think, hon. Members are clear in their minds as to what Art. 133(1) (c) implies. That means, the High Court could give a certificate of fitness which has wider dimension, wider horizon that concerns not only the question of law, but of general importance.

Whatever qualification you might add to it, it means a matter substantially of law. General importance being added to it does not widen the horizon to the extent that it was in Article 133(1) (c). In my opinion Art 133(1) (c) is sought to be restricted. Clearly, the object or the intention of the Constitution was to grant this right of appeal, as basic right--the right to go on appeal to the Supreme Court. We must take all care to see that this basic right of appeal is not restricted in a manner so as to make it ineffective. I am clearly of the opinion that the recommendation contained in the forty-fourth report of the Law Commission is preferable to the recommendation made in the forty-fifth report of the Law Commission.

Before I go to examine the provisions of the Bill in greater detail, may I repeat what I implied through the point of order that I raised only this morning? I would like to express my doubts whether it was proper, in the first instance, to have consulted the Chief Justice of India in this matter. I would like to go on record, so far as this matter is concerned. It is the Supreme Court of India which will ultimately have to decide what scope is left for entertaining appeals after this amendment. Secondly, I have my doubts whether the name of the Chief Justice of India should have been used in the manner in which this is sought to be done. Thirdly, I also wonder whether the Chief Justice of India would like that his name should have been mentioned up in this manner, which might have the effect of overawing the Members and preempting the discussion on this subject in this honourable House.

Coming to the provisions of the Bill, I would submit, that the Bill, as proposed, may be inconsistent with the Fundamental Rights guaranteed to the minorities, and

also with the general right to appeal to the Supreme Court in defence of Fundamental Rights.

Since it is proposed that only in cases involving substantial question of law of general importance, an appeal shall lie to the Supreme Court, it takes away substantially the right which is of a wider nature as embodied in Art. 133(1) (c) of the Constitution. It is clear that the question of 'fitness' in Clause (c) has no connection with a substantial question of law being involved. That is very clear. In the paragraph that is added to art. 133, it is clearly mentioned that there would be other cases involving question of substantial law. It does not relate to the question of law so far as 133(1) (c) is concerned. The intention of Art. 133(1)(c) is to cover those cases which would affect the interests of a large number of people and which are of general importance. How are those cases to be covered, if you are going to base it completely on the question of law? That is a matter to be gone into very closely.

I would like to refer to cases relating to religious rights of the minorities, the right to take out procession on a particular day, control and management of religious shrines, endowments and so on. How are these cases going to be covered if you are going to base it completely on question of law, of general importance? This is something which requires much greater consideration.

15 hrs.

A point has been made that under Art. 136, the Supreme Court has an unfettered right to entertain appeals. In *Ratilal Versus Ranchodbhai*, the Supreme Court held that in an appeal by special leave from the decision of a High Court under Section 115 of the C. P. C., the powers of the Supreme Court were circumscribed by limitation placed on the powers of the High Court under Section 115. On technical ground the Supreme Court could grant special leave but it could not grant special leave with regard to a matter of substance. There was no remedy available to the appellant. You cannot say therefore that under Art. 136 remedy is available to any person to go to the Supreme Court. I think that it would be much better if the Law Minister confined himself to the recommendation made by the Law Commission in its Forty-fourth Report.

The only change that occurred in the Law Commission was that there was some change in the personnel; there was a new chairman of the commission, but it may be that some other members remained. But one does not quite see the justification for altering the recommendation of the Law Commission as contained in its 44th report.

So, I would like the hon. Minister to consider even at this stage whether it would not be possible to conform to the recommendations in the 44th report instead of seeking to restrict the horizon of appeal as is sought to be done through the new amendment. The new amendment is restrictive and it might very adversely affect the rights of the minorities in particular and also the general right of appeal to go to the Supreme Court, which to my mind is a basic constitutional right.

SHRI DINESH CHANDRA COSWAMI (Gauhati) : I welcome this Bill which brings forth a change in the procedure relating to appeals to the Supreme Court. It is a wholesome proposition that the valuation test has been done away with. The only argument that could be advanced in favour of the valuation test is that a man who has a greater stake or the subject-matter of whose dispute relates to a greater amount of money and, therefore involves a greater stake, should be given a right of appeal to the highest court of the land. But if one makes a close scrutiny one would find that this argument is absolutely illusory because the question whether property is really valuable to an individual or not is dependent on the valuation of the property. For a man who is a millionaire, a property worth Rs. 20,000 may be of much less value. But in case of another man who is a poor man, even a property worth Rs. 5000 would be of much greater value and there will be much at stake for him. Therefore, I am glad that the artificial valuation test which had been laid down in the Constitution has been done away with, and I fully welcome it.

But by this amending Bill, not only has this been done, but a change of procedure has also been effected. A new cause has been added which says that only those cases will be allowed to go to the Supreme Court by way of leave of appeal, which involve substantial questions of law of gene-

ral importance and where in the opinion of the High Court, such question needs to be decided by the Supreme Court. I have got no objections to the proposition that only those cases which involve substantial questions of law should go to the Supreme Court. But I have got my grave doubts whether the High Court will grant leave on coming to the finding that the case is one which needs to be decided by the Supreme Court. For, the word 'needs' connotes a certain amount of compulsion. The High Court, after adjudicating upon a case may say that this is a case which is fit for going to the Supreme Court or it is desirable that the Supreme Court should give the final opinion in the matter, but I have my grave doubts whether the High Court will certify that it is a case which needs to go to the Supreme Court.

In the 45th report, the Law Commission has laid down four or five propositions in order that a case may be referred to the Supreme Court. For example, cases where there should be uniformity of Central law or State law should in the ultimate analysis be decided by the Supreme Court; secondly, even on a point of law which has been decided by the Supreme Court, the High Court may feel that there is scope for further reconsideration, and in such cases, leave should be granted so that the case can go to the Supreme Court. If the wording of the Bill remains as such that only when the High Court is of the opinion that the question needs to be decided by the Supreme Court will the High Court be entitled to grant leave, then suppose there is a case where there is a standing pronouncement by the Supreme Court; the High Court may legitimately feel that the judgment of the Supreme Court needs reconsideration, but when there is a judgment of the Supreme Court which under article 141 of the Constitution amounts to law, how can they say that it is a case which needs to be decided by the Supreme Court? In view of the fact that the word 'needs' connotes a certain sense of compulsion, I feel that it would have been better if the earlier recommendation of the Law Commission that a certificate to the effect that the case is a fit one for appeal to the Supreme Court should, be enough should have been maintained.

I support the Bill. At the same time I want to add one thing that it is unfortu-

[Shri Dinesh Chandra Goshwami]

nate that some controversial matters have been dragged into this debate and the names of certain persons were dragged in who had no opportunity to defend themselves here. One hon. Member said that if a particular law is declared *ultra vires* by the Supreme Court.**

Many of the laws which are passed by us are declared *ultra vires* by the Supreme Court. Does it mean.**

AN HON. MEMBER : That has been deleted.

SHRI DINESH CHANDRA GOSWAMI : I am sorry. I leave it there.

I fully support the Bill and hope the Law Minister will also consider whether the word 'needs' may not have an adverse effect on the right of appeal in those cases where even the Law Commission feels that leave of appeals should be allowed.

SHRI G. VISHWANATHAN (Wandiwash) : I agree with the object of the Bill that the amount or valuation of the subject-matter in dispute should not be the basis or qualification to file an appeal before the Supreme Court. All of us agree that there should be no discrimination between rich and poor before a court of law, especially before the Supreme Court. If we agree that to get justice is very costly, to get justice from the Supreme Court is still costlier. A poor man will have to engage a lawyer by paying fat fees and if he comes from a distant place, to maintain himself in Delhi is also very very costly. People like us who come from the south will have to travel 1500-2000 miles to file cases before the Supreme Court. You know how costly it is for us to come all the way from the south and stay in Delhi. Hence if you accept the principle that justice in the Supreme Court should not be costly, Government should think of measure whereby there can be a Bench of the Supreme Court sitting in the South. They may select any place, Trivandrum, Bangalore, Madras or Hyderabad. But there should be a separate Bench of the Supreme Court in the south.

The Minister has stated in the statement of objects and reasons that the Bill would curtail the number of appeals filed in the Supreme Court merely on the ground of the satisfaction of the valuation test. I have my own doubt about it, because even in small cases where the amount is small substantive questions of law may be involved which may have to come to the Supreme Court.

Any way, being a Bill which remove the discrimination between rich and poor as the statement of objects and reasons says, I support the measure.

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) : I am very grateful to hon. Members for having wholeheartedly supported the proposed amendment. In the course of the discussion, many points which were relevant and which contained useful suggestions were made. I am very grateful for that. Quite so many others things were also said which have really nothing to do with the proposed amendment. Therefore, I propose to be very brief in dealing with some major points which go directly to the question whether the measure which is brought is a proper measure or not.

It was generally agreed that the basis on which the present right of appeal rests, namely, valuation of property has always been a basis which led to discrimination between the poor litigant and the rich litigant, could never be justified. As one hon. member rightly said, this is a legacy of the past which the Britishers left in the old Civil Procedure Code and which when the Constitution was framed in 1950 we almost bodily incorporated. It is true that in many of the other countries, including countries which are now socialist, the basis of valuation of property for the right of appeal to the highest court has already been taken away. Therefore, I do not think there is, or can be, any dispute that this measure was overdue. I am glad that we have been able to bring it before the House for consideration on this occasion.

It was said that while doing so, we should automatically have provided for a

right of appeal in certain cases. It was suggested that in service matters and in labour matters there should have been an appeal as of right. Let us not assume in making this argument that in all service and labour matters there is merit. Out There are matters and matters. There are service matters wherein there is great merit. I am sure that in such cases even under the proposed provision, those matters will be able to come to the Supreme Court. In labour matters, the same would apply. Now, the hon. Member who is himself a very eminent lawyer and who made the suggestion, referred to the right of appeal being taken away. It is really not taken away, because article 136 and article 32 of the Constitution are yet left untouched. As hon. Members know, most of the service matters which come to the Supreme Court are either on appeal in writ petitions under article 225 filed in the high court or are by way of petitions under article 32 relating to article 14 or article 16. That right still remains. It is not at all affected by the present amendment. All that the present amendment seeks to do is this. Now, in the present-day circumstances, my own feeling is that it was never justified even in the past, but even in the present-day circumstances, to say that merely because a person has property worth so much, the appeal should lie, is not proper. At that time, it was Rs. 20,000 and sometimes, it was thought that it should be raised to Rs. 1 lakh. But the question is not that of Rs. 20,000 or Rs. 1 lakh but it is one of principle, the principle being that the highest court should be approached as of right not only because the person claims to have property valued at a certain level, but on other grounds. The experience of the courts, and of those who have functioned as lawyers and judges, has consistently been that appeals which came to the Supreme Court on the basis of this so-called automatic right of appeal, based on property, have invariably failed, because there was no merit in them and the courts which had gone into this had come to the conclusion; merely because the property value was more an appeal of necessity arose in the Supreme Court on a certificate being granted by the high court, and so much time was taken and so much money was spent by the parties, with the result that 90 or 95 per cent of the appeals ultimately

resulted in failure. Therefore, I am grateful to the hon. Members for accepting that the principle underlying this Bill is a correct principle.

I entirely agree and I am grateful to the hon. Members for referring to an allied matter, which is also an important matter, namely, the matter relating to making a provision on a comprehensive basis for a scheme for legal aid to the poor. There can be no two opinions on this issue. I am glad to tell the House that a comprehensive scheme for legal aid is at present being worked out. In fact, some provisions were made in the Advocates (Amendment) Act which is now before the Joint Committee. I found that the provision was in the nature of an eye-wash, because it only tried to say that something for legal aid was being done. In fact, it contained nothing and it would not have enabled anybody to get legal aid from that scheme. I had occasion to say it in the Committee, and I did not want to come before the House and put something in the name of legal aid which really is not legal aid. I would like to come before the House with a comprehensive scheme of legal aid, not in respect of the High Courts or the Supreme Court only. Because, the real stage where legal aid is necessary is the stage where the litigation starts, and that is, at the taluka level, namely, the bottom level where the people are helpless and are at the mercy of some unscrupulous lawyers or some other people who are interested in fostering litigation. Therefore, there can be no two opinions that it is the duty of the Government to go into the question very carefully and bring a comprehensive scheme for legal aid.

I agree that there is a great accumulation of cases. That was also one of the points referred to by my friend Shri Chatterjee and other hon. Members. Now, I never claim and I possibly cannot claim that the present amendment is the be-all-and-end-all of or that we want to do for curtailing accumulation or the backlog of cases in the Supreme Court and in the other courts. I agree, as some hon. Members said, that an integrated approach has to be made to the problem. I am glad to mention before this House that this question is being attacked at several levels. The evil of accumulation of arrears is being attacked

(Shri H. R. Gokhale)

on several levels. This is only one small step which will touch only the burden in the Supreme Court in respect of the appeals.

I had occasion to tell this House at an earlier time that the Civil Procedure Code was really the basis for dilatory procedure in civil cases and for undue cost. It is at present under close examination. Not that we are going to make merely minor changes in it here and there, as was sought to be done earlier, but we propose to bring a basic and radical change in procedure so that the procedural delays are cut and the costs are reduced. That is not absent in the minds of the Government, and we are considering that matter. Apart from that, even the necessity of increasing the judge strength has been engaging the attention of the Government for the last few months. Wherever a proposal came from the States requiring additional judges in view of the arrears, I did not remember a single case in which the Central Government had rejected such a proposal. In fact I have myself written to the Chief Ministers of the States to make a review of the strength in their respective High Courts and make proposals for additional judges in their High Courts. That again is not the end of the matter.

My friend Mr. Ashok Sen and Mr. Mishra said that it would have been better if clause (c) of article 133 had been left as it was. I know that in the 44th report that was the suggestion. In my opening remarks I said that in spite of that, I reconsidered the matter. The language used in the article 'fit for appeal to the Supreme Court' seems very simple. It may appear as if the High Court can consider every case and say whether a case is fit or not for being taken to the Supreme Court. At least lawyer Members know that this expression has almost become a phrase of art; it has come in for interpretation in a number of cases right from the Privy Council in the old days to the Supreme Court. The Supreme Court later on said that although the language was wide, it meant really cases involving substantial question of law and then it said, substantial question of law involving public or private importance.

I do not mind public importance because that is a paramount thing. We want them to go. But, let us come to a matter of private importance. I have two cases in mind. One was that of a zamindar in the old days. If I am not mistaken it was a case from Bihar. He went to the Supreme Court against his tenant on a litigation in which the stake involved was Rs. 400. The argument before the court was this. It is not a matter of public importance and it is not a case for appeal to the Privy Council. The High Court accepted that position. The Privy Council reversed it and said : 400 or 200 is not the question; what is important is that this matter is of private importance.

Now, a dispute over a will where I might quarrel with my friend Asok Sen saying I am the heir and he says he is the heir affects him and me. The world at large has nothing to do with it. Still it is capable of being taken to the Supreme Court under article 133 (c). Do we really intend that those disputes which do not affect the public should be taken to the Supreme Court, even though they might be confined to disputes purely inter se between two individuals or two parties?

I explained the three underlying objectives of this measure. One was to remove discrimination between the poor and the rich. The second was to see that at a certain stage you reach finality over some matters. Even the highest courts are not infallible. So we accept the judgment of the highest court as final. I do not suggest that there is anything wrong in saying that matters which are not of public importance and which do not involve questions of law of public importance which do not really need to be decided by the Supreme Court should reach finality at the High Court level. That is the principal reason why it was said in the proposed amendment an appeal must involve a question of law of general importance; it should be general as well as important which needs to be taken to the Supreme Court.

There is a reason for it. Because, suppose there are conflicting judgments in various High Courts. A citizen does not know what is the law. Uniformity in judicial pronouncements is the essence of any systematic judiciary. Therefore it can be a matter

which needs to be taken to the Supreme Court.

SHRI SHYAMNANDAN MISHRA : The hon. Law Minister was pleased to say that it would be a matter both of law and general importance. It does not read like that here. It says : substantial question of law of general importance. It does not widen the scope.

SHRI H. R. GOKHALE : It does not widen. The intention was that; disputes on facts howsoever substantial they may be which could be certified as a fit case for appeal to the Supreme Court are exactly what are intended to be obviated by this amendment. That is where it is intended that the High Court should be the final court of appeal. If there is a substantial question of law of general importance, the High Court will certify that it will go to the Supreme Court for a final decision. Somewhere we have to accept some finality.

SHRI SHYAMNANDAN MISHRA : How is a matter relating to religious ceremony going to be covered by law ?

SHRI H. R. GOKHALE : If it is a matter of religious ceremony, it can be a matter of general importance.

SHRI SHYAMNANDAN MISHRA : It would be a matter of general importance but not a matter of general importance concerning law.

SHRI H. R. GOKHALE : Sir, are we arguing a case in a court of law ?

MR. SPEAKER : No counter arguments should be there. After all, there are legal interpretations.

SHRI H. R. GOKHALE : These matters are ultimately left for interpretation by courts. This provision will come in for interpretation by the Supreme Court and various High Courts. I am not giving any interpretation. I am just giving the background underlying the proposal for amendment of the Constitution.

Then it was said that the Law Commission consulted the Chief Justice of India, who had personally expressed the view that this is a necessary amendment. Far from showing any disrespect to the Supreme

Court, in fact this was one step which was taken which showed great respect to the Supreme Court.

SHRI SHYAMNANDAN MISHRA : Have I said that it shows disrespect to the Supreme Court ? In fact, what I say is that Supreme Court would suffer if too much respect and attention is paid to it, as you are doing.

MR. SPEAKER : In your speech later you said, his name was used for over-awing the members. If the opinion of the Chief Justice can be quoted as over-awing us, I think we can be over-awed by many other factors. I do not see any harm in his name being mentioned out because that is used by the Law Commission.

SHRI SHYAMNANDAN MISHRA : I have not used the word "disrespect".

MR. SPEAKER : You have not. Why do you lose your temper ? I see frowns on your forehead always. I request you to speak in a normal manner and in a patient manner. Why do you frown at us ? We are all amenable ..

SHRI SHYAMNANDAN MISHRA : In fact, it is the Chair which is not proving to be considerate.

MR. SPEAKER : If you do it once in a while, it is all right, but not every time.

SHRI SHYAMNANDAN MISHRA : In fact, the Chair has to show more Consideration to the Hon e.

MR. SPEAKER : I deliberately avoid looking at you because of your frown.

SHRI SHYAMNANDAN MISHRA : You must tell him that he should not interpret me like that.

MR. SPEAKER : I have said that you did not say it. Why do you quarrel over it ?

SHRI H. R. GOKHALE : Some might say that the powers of the Supreme Court were being curtailed because of this amendment. It has been the practice all along—the previous Law Commission also consulted the Chief Justice and the Present Law Commission also consulted the Chief Justice

[Shri H. R. Gokhale]

because this was a matter which affected the Jurisdiction of the Supreme Court. Therefore, it was a courtesy which has always been extended in the past. Even then, the Law Commission has said that the Chief Justice personally expressed his opinion that this measure was very necessary. This does not disable the Supreme Court, when the matter comes before the Supreme Court, to interpret this particular draft which we have put and which has been accepted by the House in the way it likes. Therefore, I am unable to agree with this view that we should not, even in matters where we are dealing with the jurisdiction of the Supreme Court, consult the Chief Justice of India.

SHRI SHYAMNANDAN MISHRA :
We cannot agree with this view.

SHRI H. R. GOKHALE : Many other points have been mentioned which really do not pertain to the main question. But some kind of aspersions were cast and I think it is necessary to refer to only a few of them.

I come to a recent case which was argued in the Supreme Court relating to the Press Bill. Here I need not be apologetic about it at all. I may mention as a matter of fact that this case started here in the Supreme Court, if I am not wrong, on the 19th of July. The court itself reopened after the vacation on the 17th of July. The Attorney-General of India who would normally have been briefed, was away outside India and had not returned till the 14th or 15th of July. The new Solicitor-General had not taken charge till the 17th of July. The preparation in a case of this nature had to be made at least a month or six weeks before the case actually came for hearing because the instructions had to be obtained from the department for filing the affidavit containing the entire view of the government. The law officer who was available at that time and who, in my view, was one of the best lawyers in the country, dealt with this matter and prepared the affidavit, and I am very proud to say that he did an excellent job in the court. Even those who came and complained to me earlier—I am talking of those members of the bar, some of whom are supposed to

have made a complaint—even those who originally expressed a doubt about the capacity of this gentleman, later on they came and told me "We are sorry, we had not heard him earlier in a matter like this and that is why we complained". One thing to which I must plead guilty is that he is young; I cannot help it. But it is a fact that he is one of the best lawyers in the country today. Go to any member of the Supreme Court bar and he will tell you what an excellent job has been done by this gentleman.

I do not want to talk about the merits of the case because the judgment is yet to come. Various opinions appear in the papers, some said to be for the favour and some said to be against the Government. But that is not a matter in which I should express any view because the whole matter is *sub judice*. All I can say is that I had been in touch with this case from the very beginning and I can say with the fullest sense of responsibility that the case, under the circumstances, was entrusted to the best of our law officers. This was the only point which I wanted to deal with. I thank the hon. Members for supporting this Bill.

MR. SPEAKER : Before I put the Constitution (Thirtieth Amendment) Bill to the vote of the House I have to inform you that his being a Constitution (Amendment) Bill, the voting has to be by Division. Let the Lobbies be cleared.

The Lobbies have been cleared.

The question is :

"That the Bill further to amend the Constitution of India, be taken into consideration."

The Lok Sabha divided :

Division No. 2] **AYES** **(15.33)**

Achal Singh, Shri
Afzalpurkar, Shri Dharamrao
Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ahmed, Shri F. A.
Alagesan, Shri O. V.
Ambesh, Shri
Ansari, Shri Ziaur Rahman
Appalaaidu, Shri
Arvind Netam, Shri

Austin, Dr. Henry
 Awdhesh Chandra Singh, Shri
 Azad, Shri Bhagwat Jha
 Aziz Imam, Shri
 Baluguna, Shri H. N.
 Bajnai, Shri Vidya Dhar
 Haladhandayutham, Shri K.
 Balakrishniah, Shri T.
 Banamali Babu, Shri
 Banera, Shri Hamendra Singh
 Banerjee, Shri S. M.
 Banerji, Shrimati Mukul
 Barman, Shri R. N.
 Barua, Shri Bedabrata
 Barupal, Shri Panna Lal
 Basappa, Shri K.
 Basumatari, Shri D.
 Besra, Shri S. C.
 Bhagat, Shri H. K. L.
 Bhagirath Bhanwar, Shri
 Bhandare, Shri R. D.
 Bhargava, Shri Basheshwar Nath
 Bhatia, Shri Raghunandan Lal
 Bhattacharvya, Shri Dinan
 Bhattacharyya, Shri Jagdish
 Bhattacharyya, Shri Chapalendu
 Bhausa, Shri B. S.
 Bhuvarahan, Shri G.
 Bist, Shri Narendra Singh
 Brahmanandji, Shri Swami
 Buta Singh, Shri
 Chakleshwar Singh, Shri
 Chandra Gowda, Shri D. B.
 Chandra Shekhar Singh, Shri
 Chandrappan, Shri C. K.
 Chandrashekhappa Veerabasappa,
 Shri T. V.
 Chandrika Prasad, Shri
 Chatterjee, Shri Somnath
 Chaturvedi, Shri Rohan Lal
 Chaudhari, Shri Amar Singh
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri Yeshwantrao
 Chavda, Shri K. S.
 Chawla, Shri Amar Nath
 Chellachami, Shri A. M.
 Chhotey Lal, Shri
 Chhuttan Lal, Shri
 Chittibabu, Shri C.
 Choudhary, Shri B. E.
 Choudhury, Shri Moinul Haque
 Daga, Shri M. C.
 Dalbir Singh, Shri
 Dalip Singh, Shri
 Darbara Singh, Shri
 Das, Shri Anadi Charan

Das, Shri Dhanidhar
 Dasappa, Shri Tulsidas
 Daschowdhury, Shri B. K.
 Deb, Shri Dasaratha
 Deo, Shri S. N. Singh
 Deshmukh, Shri K. G.
 Deshmukh, Shri Shivaji Rao S.
 Dhamankar, Shri
 Dhandapani, Shri C. T.
 Dhamgaj Singh, Shri
 Dharma, Shri Mohan
 Dhusia, Shri Anant Prasad
 Diresb Singh, Shri
 Dixit, Shri G. C.
 Dixit, Shri Jagdish Chandra
 Doda, Shri Hiralal
 Dube, Shri J. P.
 Dumada, Shri L. K.
 Dutta, Shri Biren
 Dwivedi, Shri Nageshwar
 Engti, Shri Biren
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Gangadeb, Shri P.
 Garcha, Shri Devinder Singh
 Gautam, Shri C. D.
 Gavit, Shri T. H.
 Ghosh, Shri P. K.
 Gill, Shri Mohinder Singh
 Giri, Shri V. Shanker
 Godara, Shri Mani Ram
 Godfrey, Shrimati M.
 Gogoi, Shri Tarun
 Gohain, Shri C. C.
 Gokhale, Shri H. R.
 Gomango, Shri Giridhar
 Gopal, Shri K.
 Goswami, Shri Dinesh Chandra
 Govind Das, Dr.
 Gowda, Shri Pampan
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hansda, Shri Subodh
 Hari Kishore Singh, Shri
 Hari Singh, Shri
 Hashim, Shri M. M.
 Hazra, Shri Manoranjan
 Ishaque, Shri A. K. M.
 Jadeja, Shri D. P.
 Jamilurrahman, Shri Md.
 Janardhanan, Shri C.
 Jeyalakshmi, Shrimati V.
 Jha, Shri Chiranjib
 Jharkhande Rai, Shri
 Jitendra Prasad, Shri
 Joarder, Shri Dinesh

Joshi, Shri Jagannathrao
 Joshi, Shri Popatlal M.
 Joshi, Shrimati Subhadra
 Kadam, Shri Dattajirao
 Kadannappalli, Shri Rameshchandran
 Kader, Shri S. A.
 Kahandole, Shri Z. M.
 Kailas, Dr.
 Kakodkar, Shri Purushottam
 Kakoti, Shri Robin
 Kale, Shri
 Kamakshajiah, Shri D.
 Kamala Prasad, Shri
 Kamble, Shri T. D.
 Kamla Kumari, Kumari
 Kapur, Shri Sat Pal
 Karan Singh, Dr.
 Kasture, Shri A. S.
 Kaul, Shrimati Sheila
 Kavde, Shri B. R.
 Kedar Nath Singh, Shri
 Khadilkar, Shri R. K.
 Kinder Lal, Shri
 Kiruttinan, Shri The
 Kisku, Shri A. K.
 Kotoai, Shri Liladhar
 Kotrashetti, Shri A. K.
 Krishnan, Shri M. K.
 Kumaramangalam, Shri S. Mohan
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Lakshmikanthamma, Shrimati T.
 Lakshminarayanan, Shri M. R.
 Lambodar Baliyar, Shri
 Laskar, Shri Nihar
 Lutfai Haque, Shri
 Madhukar, Shri K. M.
 Mahajan, Shri Vikram
 Mahajan, Shri Y. S.
 Mahata, Shri Debendra Nath
 Majhi, Shri Gajadhar
 Majhi, Shri Kumar
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Mallanna, Shri K.
 Mallikarjun, Shri
 Mandal, Shri Jagdish Narain
 Mandal, Shri Yamuna Prasad
 Manoharan, Shri K.
 Marak, Shri K.
 Melkote, Dr. G. S.
 Mirdha, Shri Nathu Ram
 Mishra, Shri Bishnu
 Mishra, Shri G. S.
 Mishra, Shri Jagannath
 Mishra, Shri L. N.

Mishra, Shri Shyamandan
 Misra, Shri S. N.
 Modak, Shri Bijoy
 Modi, Shri Shrikishan
 Mody, Shri Piloo
 Mohammad Yusuf, Shri
 Mohan Swarup, Shri
 Mohapatra, Shri Shyam Sunder
 Mohsin, Shri F. H.
 Muhammed Khuda Bukhsh, Shri
 Munsli, Shri Priya Ranjan Das
 Murthy, Shri B. S.
 Nahata, Shri Amrit
 Naik, Shri B. V.
 Nanda, Shri G. L.
 Negi, Shri Pratap Singh
 Oraon, Shri Tuna
 Pahadia, Shri Jagannath
 Painula, Shri Paripoornanand
 Palodkar, Shri Manikrao
 Panda, Shri D. K.
 Pandey, Shri Damodar
 Pandey, Shri Krishna Chandra
 Pandey, Shri Narsingh Narain
 Pandey, Shri R. S.
 Pandey, Shri Sudhakar
 Pandeya, Dr. Laxminarain
 Pandit, Shri S. T.
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Paokai, Haokip, Shri
 Parashar, Prof. Narain Chand
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri P.
 Paswan, Shri Ram Bhagat
 Patel, Shri Arvind M.
 Patel, Shri Natwarlal
 Patel, Shri Ramubhi
 Patil, Shri Anant Rao
 Patil, Shri C. A.
 Patil, Shri E. V. Vikhe
 Patil, Shri Krishnarao
 Patil, Shri S. B.
 Patil, Shri T. A.
 Patnaik, Shri Banamali
 Patnaik, Shri J. B.
 Peje, Shri S. L.
 Pillai, Shri R. Balakrishna
 Prabodh Chandra, Shri
 Pradhan, Shri Dhan Shah
 Pradhan, Shri K.
 Purty, Shri M. S.
 Qureshi, Shri Mohd. Shafi
 Radhakrishnan, Shri S.
 Raghu Ramiah, Shri K.
 Rai, Shrimati Sahodrabai

Raj Bahadur, Shri
 Rajdeo Singh, Shri
 Raju, Shri P. V. G.
 Ram, Shri Tulmohan
 Ram Dhan, Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramji Ram, Shri
 Ramshekhar Prasad Singh, Shri
 Ram Singh Bhai, Shri
 Rana, Shri M. B.
 Ranabahadur Singh, Shri
 Rao, Shrimati B. Radhabai A.
 Rao, Shri J. Rameshwar
 Rao, Shri Jagannath
 Rao, Dr K. I.
 Rao, Shri K. Narayana
 Rao, Shri M. Satyanarayan
 Rao, Shri Nageswara
 Rao, Shri P. Ankineedu Prasada
 Rao, Shri Pattabhi Rama
 Rao, Shri Rajagopala
 Rao, Dr V K. R. Varadarsaja
 Rathia, Shri Umed Singh
 Raut, Shri Bhola
 Ravi, Shri Vayalar
 Ray, Shrimati Maya
 Reddi, Shri P. Antony
 Reddy, Shri K. Kodanda Rama
 Reddy, Shri K. Ramakrishna
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Bayapa
 Reddy, Shri P. Ganga
 Reddy, Shri P. Narasimha
 Richhariya, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roy, Shri Bishwanath
 Roy, Dr. Saradish
 Rudra Pratap Singh, Shri
 Sadhu Ram, Shri
 Saha, Shri Ajit Kumar
 Salve, Shri N. K. P.
 Samanta, Shri S. C.
 Sambhali, Shri Ishaque
 Saminathan, Shri P. A.
 Sanghi, Shri N. K.
 Sankata Prasad, Dr.
 Sant Bux Singh, Shri
 Saikar, Shri Sakti Kumar
 Satish Chandra, Shri
 Satyanarayana, Shri B.
 Savant, Shri Shankarrao
 Savitri Shyam, Shrimati

Sayeed, Shri P. M.
 Sen, Shri A. K.
 Sen, Dr. Ranen
 Sen, Shri Robin
 Sethi, Shri Arjun
 Sezhiyan, Shri
 Shafce, Shri A.
 Shahnawaz Khan, Shri
 Shailani, Shri Chandra
 Shakra, Shri Maha Deepak Singh
 Shambhu Nath, Shri
 Shankar Dayal Singh, Shri
 Shankar Dev, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Dr. H. P.
 Sharma, Shri Madhoram
 Sharma, Shri Nawal Kishore
 Sharma, Shri R. N.
 Sharma, Dr. Shankar Dayal
 Shashi Bhushan, Shri
 Shastri, Shri Viswanathayan
 Shastri, Shri Raja Ram
 Shastri, Shri Shebpujan
 Shenoy, Shri P. R.
 Sher Singh, Prof.
 Shinde, Shri Annasahab P.
 Shiva Candika, Shri
 Shivanath Singh, Shri
 Shukla, Shri B. R.
 Shukla, Shri Vidya Charan
 Siddayya, Shri S. M.
 Siddheshwar Prasad, Shri
 Singh, Shri Vishwanath Pratap
 Sinha, Shri Dharam Bir
 Sinha, Shri Nawal Kishore
 Sinha, Shri R. K.
 Sinha, Shri Satyendra Narayan
 Sokhi, Shri Swaran Singh
 Sonar, Dr. A.G.
 Stephen, Shri C.M.
 Subramaniam, Shri C.
 Sudarsanem, Shri M.
 Sunder Lal, Shri
 Surendra Pal Singh, Shri
 Swamathan, Shri R.V.
 Swamy, Shri Sidrameshwar
 Swaran Singh, Shri
 Swaminath, Shri Tej Singh
 Tadarakar, Shri V.D.
 Tayyab Hussain, Shri
 Towari, Shri Shankar
 Thakur, Shri S. B.
 Thakur, Shri Kishanrao
 Tiwari, Shri G.
 Tiwari, Shri D.N.

Tiwary, Shri K.N.
 Tombi Singh, Shri N.
 Tula Ram, Shri
 Tulsiram, Shri V.
 Ulkey, Shri M.G.
 Ulaganambi, Shri R.P.
 Unnikrishnan, Shri K.P.
 Vekaria, Shri
 Venkatasubbaiah, Shri P.
 Venkateswamy, Shri G.
 Verma, Shri Balgovind
 Verma, Shri Sukhdeo Prasad
 Vikal, Shri Ram Chandra
 Virbhadra Singh, Shri
 Viswanathan, Shri G.
 Yadav, Shri Chandrajit
 Yadav, Shri Karan Singh
 Yadav, Shri N P.
 Yadav, Shri R.P.

NOES

*Bheeshmadev, Shri M.
 *Mehta, Dr. Mahipatray
 *Oraon, Shri Kartik
 *Patel, Shri Prabhudas

MR. SPEAKER : The result** of the division is :

Ayes—366; Noes—4

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

MR. SPEAKER : We now take up clause consideration of the Bill. We take up Clause-by-Clause 2. There is an amendment No. 1 by Shri B.V. Naik Is he moving it ?

SHRI B.V. NAIK (Kanara) : I am not moving it.

MR. SPEAKER : That is not moved.

I will now put clause 2 to the vote of the House. We will follow the same procedure. The Lobbies are already cleared.

The question is :

“That clause 2 stand part of the Bill”

The Lok Sabha divided :

Division No. 3] AYES [15.36 hrs.

Achal Singh, Shri
 Afzalpurkar, Shri Dharamrao
 Aga, Shri Syed Ahmed
 Agrawal, Shri Shrikrishna
 Ahirwar, Shri Nathu Ram
 Ahmed, Shri F.A.
 Alagesan, Shri O.V.
 Ambesh, Shri
 Anand Singh, Shri
 Ansari, Shri Ziaur Rahman
 Appalanaidu, Shri
 Arvind Netam, Shri
 Austin, Dr. Henry
 Awdhesh Chandra Singh, Shri
 Azad, Shri Bhagwat Jha
 Aziz Imam, Shri
 Bahuguna, Shri H.N.
 Bajnai, Shri V dya Dhar
 Baladhandayutham, Shri K.
 Balakrishnan, Shri T
 Banamali B bu, Shri
 Banera, Shri Hamendra Singh
 Banerjee, Shri S. M.
 Banerji, Shrimati Mukul
 Barman, Shri R.N.
 Barua, Shri Bedabrata
 Barupal, Shri Panna Lai
 Basappa, Shri K.
 Basumatari, Shri D.
 Besra, Shri S.C.
 Bhagat, Shri H.K.L.
 Bhagirath Bhanwar, Shri
 Bhandare, Shri R.D.
 Bhargava, Shri Bhasheshwar Nath
 Bhatia, Shri Raghunandan Lal
 Bhattacharyya, Shri Dinen
 Bhattacharyya, Shri Jagadish
 Bhattacharyya, Shri Chapalendu
 Bhaura, Shri B S
 Bheeshmadev, Shri M.
 Bhuvaraman, Shri G.
 Bist, Shri Narendra Singh
 Brahmanandji, Shri Swami
 Buta Singh, Shri

*Wrongly voted for 'NOES'.

**The following Members also recorded their votes for AYES :

Dr. Jivraj Mehta, Sarvasri D.D. Desai. K. Lakkappa, Tarkeshwar Pandey, T. Sohan Lal, Vasant Sathe, J.G. Kadam, Anand Singh, K. Veeriah, Murapoli Maran, S.A. Muruganatham, Kartik Oraon, Prabhudas Patel, M. Bheeshmadev and Dr. Mahipatray Mehta.

Chakreshwar Singh, Shri
 Chandra Gowda, Shri D. B.
 Chandra Shekhar Singh, Shri
 Chandrappan, Shri C. K.
 Chandrashekharappa Veerasasappa,
 Shri T. V.
 Chandrika Prasad, Shri
 Chatterjee, Shri Somnath
 Chaturvedi, Shri Rohan Lal
 Chaudhari, Shri Amarsinh
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri Yeshwantrao
 Chavda, Shri K. S.
 Chawla, Shri Amar Nath
 Chellachami, Shri A. M.
 Chhotey Lal, Shri
 Chhuttan Lal, Shri
 Chittibabu, Shri C.
 Choudhary, Shri B. E.
 Choudhury, Shri Moinul Haque
 Daga, Shri M. C.
 Dalbir Singh, Shri
 Dalip Singh, Shri
 Darbara Singh, Shri
 Das, Shri Anadi Charan
 Das, Shri Dharnidhar
 Dasappa, Shri Tulsidas
 Daschowdhury, Shri B. K.
 Deb, Shri Dasaratha
 Deo, Shri S. N. Singh
 Desai, Shri D. D.
 Deshmukh, Shri K. G.
 Deshmukh, Shri Shivaji Rao S.
 Dhamankar, Shri
 Dhandapani, Shri C. T.
 Dharamraj Singh, Shri
 Dharia, Shri Mohan
 Dhusia, Shri Anant Prasad
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Dixit, Shri Jagdish Chandra
 Doda, Shri Hiralal
 Dube, Shri J. P.
 Dumada, Shri L. K.
 Dutta, Shri Biren
 Dwivedi, Shri Nageshwar
 Engti, Shri Biren
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Gangadeb, Shri P.
 Garcha, Shri Davinder Singh
 Gautam, Shri C. D.
 Gavil, Shri T. H.
 Ghosh, Shri P. K.
 Gill, Shri Motilal Singh
 Giri, Shri V. Shankar

G dora, Shri Mani Ram
 Godfrey, Shrimati M.
 Gogoi, Shri Tarun
 Gohain, Shri C. C.
 Gokhale, Shri H. R.
 Gomango, Shri Giridhar
 Gopal, Shri K.
 Goswami, Shri Dinesh Chandra
 Govind Das, Dr.
 Gowda, Shri Panpan
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hansda, Shri Subodh
 Hari Kishore Singh, Shri
 Hari Singh, Shri
 Hashim, Shri M. M.
 Hazra, Shri Manojanjan
 Ishaque, Shri A. K. M.
 Jadeja, Shri D. P.
 Jamilurrahman, Shri Md.
 Janardhanan, Shri C.
 Jeyalakshmi, Shrimati V.
 Jha, Shri Chiranjib
 Jharkhande Rai, Shri
 Jitendra Prasad, Shri
 Joarder, Shri Dinesh
 Joshi, Shri Jagannathrao
 Joshi, Shri Popatlal M.
 Joshi, Shrimati Subhadra
 Kadam, Shri Dattajirao
 Kadam, Shri J. G.
 Kadannappalli, Shri Ramachandran
 Kader, Shri S. A.
 Kahandole, Shri Z. M.
 Kailes, Dr.
 Kakodkar, Shri Parushottam
 Kakoti, Shri Robin
 Kale, Shri
 Kamakshatah, Shri D.
 Kamala Prasad, Shri
 Kamble, Shri T. D.
 Kamla Kumari, Kumari
 Kapur, Shri Sat Pal
 Karan Singh, Dr.
 Kasture, Shri A. S.
 Kaul, Shrimati Sheila
 Kavde, Shri B. R.
 Kedar Nath Singh, Shri
 Khadilkar, Shri R. K.
 Kinder Lal, Shri
 Kiruttinan, Shri Tha
 Kisku, Shri A. K.
 Kotaki, Shri Liladhar
 Kotrahar, Shri A. K.
 Krishnan, Shri M. K.
 Kulkarni, Shri Raja

Karamangalam, Shri S. Mohan
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Lakkappa, Shri K.
 Lakshmikanthamma, Shrimati T.
 Lakshminarayanan, Shri M. R.
 Lambodar Baliyar, Shri
 Laskar, Shri Nihar
 Lutfai Haque, Shri
 Madhukar, Shri K. M.
 Mahajan, Shri Vikram
 Mahajan, Shri Y. S.
 Mahata, Shri Debendra Nath
 Majhi, Shri Gajadhar
 Majhi, Shri Kumar
 Malaviya, Shri K. D.
 Malhotra, Shri J. J.
 Mallanna, Shri K.
 Mallikarjun, Shri
 Mandal, Shri Jagdish Narain
 Mandal, Shri Yamuna Prasad
 Manoharan, Shri K.
 Maran, Shri Murasoli
 Mehta, Dr. Jivraj
 Mehta, Dr. Mahipatray
 Melkote, Dr. G. S.
 Mirdha, Shri Nathu Ram
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mishra, Shri Jagannath
 Mishra, Shri L. N.
 Mishra, Shri Shyamnandan
 Misra, Shri S. N.
 Modak, Shri Bijoy
 Modi, Shri Shrikishan
 Mody, Shri Piloo
 Mohan Swarup, Shri
 Mohapatra, Shri Shyam Sunder
 Mohsin, Shri F. H.
 Muhammed Khuda Bukhsh, Shri
 Murthy, Shri B. S.
 Muruganantham, Shri S. A.
 Nahata, Shri Amrit
 Naik, Shri B. V.
 Nanda, Shri G. L.
 Negi, Shri Pratap Singh
 Nimbalkar, Shri
 Oraon, Shri Kartik
 Oraon, Shri Tuna
 Pabdia, Shri Jagannath
 Painuli, Shri Paripoornanand
 Palodkar, Shri Manikrao
 Panda, Shri D. K.
 Pandey, Shri Krishna Chandra
 Pandey, Shri Narsingh Narain
 Pandey, Shri R. S.

Pandey, Shri Sudhakar
 Pandey, Shri Tarakeshwar
 Pandeya, Dr. Laxminarain
 Pandit, Shri S. T.
 Pangrahi, Shri Chintamani
 Pant, Shri K. C.
 Paokai Haokip, Shri
 Parashar, Prof. Narain Chand
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri P.
 Paswan, Shri Ram Bhagat
 Patel, Shri Arvind M.
 Patel, Shri Natwarlal
 Patel, Shri Prabhudas
 Patel, Shri Ramubhai
 Patil, Shri Anantao
 Patil, Shri C. A.
 Patil, Shri E. V. Vikhe
 Patil, Shri Krishnarao
 Patil, Shri S. B.
 Patil, Shri T. A.
 Patnaik, Shri Banamali
 Patnaik, Shri J. B.
 Peje, Shri S. L.
 Pillai, Shri R. Balakrishana
 Pradhan, Shri Dhan Shah
 Pradhani, Shri K.
 Purty, Shri M. S.
 Qureshi, Shri Mohd. Shafi
 Radhakrishnan, Shri S.
 Raghu Ramaiah, Shri K.
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Rajdeo Singh, Shri
 Raju, Shri P. V. G.
 Ram, Shri Tulmohan
 Ram Dhan, Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramji Ram, Shri
 Ramshekhar Prasad Singh, Shri
 Remsingh Bhai, Shri
 Rana, Shri M. B.
 Ranabhadur Singh, Shri
 Rao, Shrimati B. Radhabai A.
 Rao, Shri J. Rameshwar
 Rao, Shri Jagannath
 Rao, Dr. K. L.
 Rao, Shri K. Narayana
 Rao, Shri M. Satyanarayan
 Rao, Shri P. Ankinedu Prasad
 Rao, Shri P. P. Rama
 Rao, Shri Rajagopal
 Rao, Dr. V. K. R. Varadaraja

Rathia, Shri Umed Singh
 Raut, Shri Bhola
 Ravi, Shri Vayalar
 Ray, Shrimati Moya
 Reddi, Shri P. Antony
 Reddy, Shri K. Kodanda Rami
 Reddy, Shri K. Ramakrishna
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Bayapa
 Reddy, Shri P. Ganga
 Reddy, Shri P. Narasimha
 Reddy, Shri P. V.
 Richhariya, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roy, Shri Bishwanath
 Rudra Pratap Singh, Shri
 Sadhu Ram, Shri
 Saha, Shri Ajit Kumar
 Salve, Shri N. K. P.
 Samanta, Shri S. C.
 Sambhali, Shri Ishaque
 Saminathan, Shri P. A.
 Sanghi, Shri N. K.
 Sangliana, Shri
 Sankata Prasad, Dr.
 Sant Bux Singh, Shri
 Sarkar, Shri Sakti Kumar
 Sathe, Shri Vasant
 Satish Chandra, Shri
 Satyanarayana, Shri B.
 Savant, Shri Shankerrao
 Savitri Shyam, Shrimati
 Sayeed, Shri P. M.
 Sen, Shri A. K.
 Sen, Dr. Ranen
 Sen, Shri Robin
 Sethi, Shri Arjun
 Sezhiyan, Shri
 Shafee, Shri A.
 Shahnawaz Khan, Shri
 Shailani, Shri Chandra
 Shakya, Shri Maha Deepak Singh
 Shambhu Nath, Shri
 Shankar Dayal Singh, Shri
 Shankar Dev, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Dr. H. P.
 Sharma, Shri Madhoram
 Sharma, Shri Nawal Kishore
 Sharma, Shri R. N.
 Sharma, Dr. Shankar Dayal
 Shashi Bhushan, Shri
 Shastri, Shri Viswanarayan
 Shastri, Shri Raja Ram

Shastri, Shri Sheop tan
 Shenoy, Shri P. R.
 Sher Singh, Prof.
 Shinde, Shri Annasaheb P.
 Shiva Candika, Shri
 Shivanath Singh, Shri
 Shukla, Shri Vidya Charan
 Siddayya, Shri S. M.
 Siddheshwar Prasad, Shri
 Singh, Shri Vishwanath Pratap
 Sinha, Shri Dharam Bir
 Sinha, Shri Nawal Kishore
 Sinha, Shri R. K.
 Sinha, Shri Satyendra Narayan
 Sokhi, Shri Swaran Singh
 Sonar, Dr. A. G.
 Stephen, Shri C. M.
 Subramaniam, Shri C.
 Sudarsanam, Shri M.
 Sunder Lal, Shri
 Surendra Pal Singh, Shri
 Swaminathan, Shri R. V.
 Swamy, Shri Sidrameshwar
 Swaran Singh, Shri
 Swatantra, Shri Teja Singh
 Tarodekar, Shri V. D.
 Tayyab Hussain, Shri
 Tewari, Shri Shankar
 Thakre, Shri S. B.
 Thakur, Shri Krishnarao
 Tiwari, Shri R. G.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tombi Singh, Shri N.
 Tula Ram, Shri
 Tulsiram, Shri V.
 Ukey, Shri M. G.
 Ulaganambi, Shri R. P.
 Unnikrishnan, Shri K. P.
 Vekaria, Shri
 Venkatasubbaiah, Shri P.
 Venkateswamy, Shri G.
 Verma, Shri Balgovind
 Verma, Shri Sukhdeo Prasad
 Vikal, Shri Ram Chandra
 Virbhadr Singh, Shri
 Viswanathan, Shri G.
 Yadav, Shri Chandrajit
 Yadav, Shri Karan Singh
 Yadav, Shri N. P.
 Yadav, Shri R. P.

NOFS

NA

MR. SPEAKER : The result* of the division is :

AYES—375; NOES—nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted

Clause 2 was added to the Bill

MR. SPEAKER : Clause 3.

SHRI S. M. BANERJEE : The lobbies should be cleared once again. Otherwise there will be the impression, “जबरदस्ती बोट करा रहे हैं।”

MR. SPEAKER : We shall do it at the final stage again.

Even before that, I got your opinion about lobbies being closed already. You said, ‘closed’. If anybody had said that the lobby should be cleared, I would not have objected to it.

No amendment is moved to Clause 3.

The question is;

“That Clause 3 stand part of the Bill.”

The Lok Sabha divided :

Division No.-4] AYES [15.38 hrs.

Achal Singh, Shri
Afzalpurkar, Shri Dhasamrao
Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ahrwar, Shri Nathu Ram
Ahmed, Shri F. A.
Alagesan, Shri O. V.
Ambesh, Shri
Anand Singh, Shri
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Arvind Netam, Shri
Austin, Dr. Henry
Awdhesh Chandra Singh, Shri
Azad, Shri Bhagwat Jha
Aziz Imami, Shri

Bahuguna, Shri H. N.
Bajpai, Shri Vidya Dhar
Balachandrayutham, Shri K.
Balakrishnaiah, Shri T.
Banamali Babu, Shri
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Banerji, Shrimati Mukul
Barman, Shri R. N.
Barua, Shri Bedabrata
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Bera, Shri S. C.
Bhagat, Shri H. K. L.
Bhagirath Bhanwar, Shri
Bhandare, Shri R. D.
Bhargava, Shri Basheshwar Nath
Bhatia, Shri Raghunandan Lal
Bhattacharyya, Shri Dinen
Bhattacharyya, Shri Jagadish
Bhattacharyya, Shri Chapalendu
Bhaura, Shri B. S.
Bheeshmadev, Shri M.
Bhuvarahan, Shri G.
Bist, Shri Narendra Singh
Brahmanandji, Shri Swami
Buta Singh, Shri
Chakreshwar Singh, Shri
Chandra Gowda, Shri D. B.
Chandra Shekhar Singh, Shri
Chandrapan, Shri C. K.
Chandrashekharaappa Veerabasappa,
Shri T. V.
Chandrika Prasad, Shri
Chatterjee, Shri Somnath
Chaturvedi, Shri Rohan Lal
Chaudhari, Shri Amarsinh
Chaudhary, Shri Nitiraj Singh
Chavan, Shri D. R.
Chavan, Shri Yeshwantrao
Chavda, Shri K. S.
Chawla, Shri Amar Nath
Chellachami, Shri A. M.
Chhotey Lal, Shri
Chhuttan Lal, Shri
Chittibabu, Shri C.
Choudhary, Shri B. E.
Choudhury, Shri Moynul Haque
Daga, Shri M. C.
Dalbir Singh, Shri
Dalip Singh, Shri
Darbara Singh, Shri

*The following Members also recorded their votes for ‘AYES’ :

Sarvashri priya Ranjan Das Munsai Moizuddin Yusuf T. Sohan Lal, Damodar Pandey, K. Veeriah and Dr. Saradish Roy

Das, Shri Anadi Charan
 Das, Shri Bhawanidhar
 Dasappa, Shri Tulsi Das
 Daschowdhury, Shri B. K.
 Deb, Shri Dasaratha
 Deo, Shri S. N. Singh
 Desai, Shri D. D.
 Deshmukh, Shri K. G.
 Deshmukh, Shri Shivaji Rao S.
 Dhamankar, Shri
 Dhandapani, Shri C. T.
 Dharamgaj Singh, Shri
 Dharla, Shri Mohan
 Dhruva, Shri Anant Prasad
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Dixit, Shri Jagdish Chandra
 Doda, Shri Hiralal
 Dube, Shri J. P.
 Dymada, Shri L. K.
 Dutta, Shri Biren
 Dwivedi, Shri Nageshwar
 Engti, Shri Biren
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Gangadeb, Shri P.
 Garcha, Shri Devinder Singh
 Gautam, Shri C. D.
 Gavit, Shri T. H.
 Ghosh, Shri P. K.
 Gill, Shri Mohinder Singh
 Giri, Shri V. Shanker
 Godara, Shri Mani Ram
 Godfrey, Shrimati M.
 Gogoi, Shri Tarun
 Gokain, Shri C. C.
 Gokhale, Shri H. R.
 Gomango, Shri Giridhar
 Gopal, Shri K.
 Goswami, Shri Dinesh Chandra
 Govind Das, Dr.
 Gowda, Shri Pampan
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Hansda, Shri Seepodh
 Hari Kishore Singh, Shri
 Hari Singh, Shri
 Hashim, Shri M. M.
 Hazra, Shri Manoranjan
 Ishaque, Shri A. K. M.
 Jadeja, Shri D. P.
 Jamilurrahman, Shri Md.
 Janardhanan, Shri C.
 Jayalakshmi, Shrimati Y.
 Jha, Shri Chiranjib
 Jharkhande Raj, Shri

Jitendra Prasad, Shri
 Joarder, Shri Dinesh
 Joshi, Shri Jagmna (cra.
 Joshi, Shri Popatlal M.
 Joshi, Shrimati Subhadra
 Kadam, Shri Dattajirao
 Kadam, Shri J. G.
 Kadannappalli, Shri Ramachandran
 Kader, Shri S. A.
 Kahandole, Shri Z. M.
 Kailas, Dr.
 Kakodhar, Shri Purushottam
 Kakoti, Shri Robin
 Kale, Shri
 Kamakshiah, Shri D.
 Kamala Prasad, Shri
 Kamble, Shri T. D.
 Kamla Kumari, Kumari
 Kapur, Shri Sat Pal
 Karan Shgh, Dr.
 Kasture, Shri A. S.
 Kaul, Shrimati Sheila
 Kavde, Shri B. R.
 Kedar Nath Singh, Shri
 Khadilkar, Shri R.K.
 Kinder Lal, S. ri
 Kisku, Shri A. K.
 Kottoni, Shri Liladhar
 Kotrashetti, Shri A. K.
 Krishnan, Shri M. K.
 Kulkarni, Shri Raja
 Kumaramangaiam, Shri S. Mohan
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Lakkappa, Shri K.
 Lakshmikanthamma, Shrimati T.
 Lakshshminarayanan, Shri M R
 Lambodar Baliyar, Shri
 Laskar, Shri Nihar
 Lutfal Haque, Shri
 Mahajan, Shri Vikram
 Mahajan, Shri Y. S.
 Mahata, Shri Debendra Nath
 Majhi, Shri Gajadhar
 Majhi, Shri Kumar
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Malianna, Shri K.
 Mallikarjun, Shri
 Mandal, Shri Jagdish Narain
 Mandal, Shri Yamuna Prasad
 Manoharan, Shri K.
 Maran, Shri Murali
 Mehta, Dr. Mahatray
 Melkote, Dr. G. S.
 Miodha, Shri Nathan Ram

Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mishra, Shri Jagannath
 Mishra, Shri L. N.
 Mishra, Shri Shyamnandan
 Misra, Shri S. N.
 Modak, Shri Bijals
 Modi, Shri Shrikishan
 Mody, Shri Piloo
 Mohammad Yusuf, Shri
 Mohan Swarup, Shri
 Mohapatra, Shri Shyam Sunder
 Mohsin, Shri F. H.
 Muhammed Khuda Bukhsh, Shri
 Muns, Shri Priya Ranjan Das
 Murthy, Shri B. S.
 Muruganantham, Shri S. A.
 Nahata, Shri Amrit
 Naik, Shri B. V.
 Nanda, Shri G. L.
 Negi, Shri Pratap Singh
 Nimbalkar, Shri
 Oraon, Shri Kartik
 Oraon, Shri Tuna
 Pahadia, Shri Jagannath
 Painuli, Shri Paripoornand
 Palodkar, Shri Manikrao
 Panda, Shri D. K.
 Parndey, Shri Krishna Chandra
 Pandey, Shri Narsingh Narain
 Pandey, Shri R. S.
 Pandey, Shri Sudhakar
 Pandey, Shri Tarkeshwar
 Pandeya, Dr. Laxmunarain
 Pandit, Shri S. T.
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Paokai, Haokip, Shri
 Parashar, Prof. Narain Chand
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri P.
 Paswan, Shri Ram Bhagat
 Patel, Shri Arvind M.
 Patel, Shri Natwarlal
 Patel, Shri Prabhudas
 Patel, Shri Ramubhai
 Patil, Shri Anantao
 Patil, Shri C. A.
 Patil, Shri E. V. Vikhe
 Patil, Shri Krishnarao
 Patil, Shri S. B.
 Patil, Shri T. A.
 Patnaik, Shri Banamali
 Patnaik, Shri J. B.
 Pate, Shri S. L.
 Pillai, Shri R. Balakrishna

Pradhan, Shri Dhanu Shah
 Pradhani, Shri K.
 Purty, Shri M. S.
 Qureshi, Mohd. Shafi
 Radhakrishnan, Shri S.
 Raghu Ramaiah, Shri K.
 Rai, Shrimati Sahodrabai
 Raj, Bahadur, Shri
 Rajdeo Singh, Shri
 Raju, Shri P. V. G.
 Ram, Shri Tulmohan
 Ram Dhan, Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramji Ram, Shri
 Ramshekhar Prasad Singh, Shri
 Ramsingh Bhai, Shri
 Rana, Shri M. B.
 Ranabhadur Singh, Shri
 Rao, Shrimati B. Radhabai A.
 Rao, Shri J. Rameshwar
 Rao, Shri Jagannath
 Rao, Shri K. Narayana
 Rao, Shri M. Satyanarayan
 Rao, Shri Nageswara
 Rao, Shri P. Ankmeedu Prasada
 Rao, Shri Pattabhi Rama
 Rao, Shri Rajagopala
 Rao, Dr. V. K. R. Varadaraja
 Rathia, Shri Umed Singh
 Raut, Shri Bhola
 Ravi, Shri Vayalar
 Ray, Shrimati Maya
 Reddi, Shri P. Antony
 Reddy, Shri K. Kodanda Rami
 Reddy, Shri K. Ramakrishna
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Bayapa
 Reddy, Shri P. Ganga
 Reddy, Shri P. Narasimha
 Reddy, Shri P. V.
 Richhariya, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roy, Shri Bishwanath
 Roy, Dr. Saradish
 Rudra Pratap Singh, Shri
 Sadau Ram, Shri
 Saha, Shri Ajit Kumar
 Salve, Shri N. K. P.
 Samanta, Shri S. C.
 Sambhali, Shri Ishaque
 Saminathan, Shri P. A.
 Sanghi, Shri N. K.
 Sengilana, Shri

Sankata Prasad, Dr.
 Sant Bux Singh, Shri
 Sarkar, Shri Sakti Kumar
 Sathe, Shri Vasant
 Satish Chandra, Shri
 Satyanarayana, Shri B.
 Savant, Shri Shankerrao
 Savitri Shyam, Shrimati
 Sayeed, Shri P. M.
 Sen, Shri A. K.
 Sen, Dr. Ranen
 Sen, Shri Robin
 Sethi, Shri Arjun
 Sezhiyan, Shri
 Shafee, Shri A.
 Shah Nawaz Khan, Shri
 Shakyas, Shri Maha Deepak Singh
 Shambhu Nath, Shri
 Shaakar Dayal Singh, Shri
 Shankar Dev, Shri
 Shankaranand, Shri
 Sharma, Shri A. P.
 Sharma, Dr. H. P.
 Sharma, Shri Madhohari
 Sharma, Shri Nawal Kishore
 Sharma, Shri R. N.
 Sharma, Dr. Shankar Dayal
 Shashi Bhushan, Shri
 Shastri, Shri Viswanarayan
 Shastri, Shri R. Ja Ram
 Shastri, Shri Sheopujan
 Shenoy, Shri P. R.
 Sher Singh, Prof.
 Shinde, Shri Annasaheb P.
 Shiva Candika, Shri
 Shivnath Singh, Shri
 Shukla, Shri B. R.
 Shukla, Shri Vidya Charan
 Siddayya, Shri S. M.
 Siddheshwar Prasad, Shri
 Singh, Shri Vishwanath Pratap
 Sinha, Shri Dharam Bir
 Sinha, Shri Nawal Kishore
 Sinha, Shri R. K.
 Sinha, Shri Satyendra Narayan
 Sohan Lal, Shri T.
 Sokhi, Shri Swaran Singh
 Sonar, Dr. A. G.
 Stephen, Shri C. M.
 Subramaniam, Shri C.
 Sudarsanam, Shri M.
 Sunder Lal, Shri
 Surendra Pal Singh, Shri

Swaminathan, Shri R. V.
 Swamy, Shri Sidrameshwar
 Swaran Singh, Shri
 Swatantri Shri Teja Singh
 Tarodekar, Shri V. D.
 Tayyab Hugsain, Shri
 Tewari, Shri Shankar
 Thakre, Shri S. B.
 Thakur, Shri Krisnarao
 Tiwari, Shri R. G.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tombi Singh, Shri N.
 Tula Ram, Shri
 Tulsiram, Shri V.
 Ukey, Shri M. G.
 Ulagaambi, Shri R. P.
 Unnikrishnan, Shri K. P.
 Veeriah, Shri K.
 Vekaria, Shri
 Venkatasubbainh, Shri P.
 Venkatswamy, Shri G.
 Verma, Shri Balgovind
 Verma, Shri Sukhdeo Prasad
 Vikal, Shri Ram Chandra
 Vibhadra Singh, Shri
 Viswanathan, Shri G.
 Yadav, Shri Chandrajit
 Yadav, Shri Karan Singh
 Yadav, Shri N. P.
 Yadav, Shri R. P.

NOES

NIL

MR. SPEAKER : The result* of the division is : Ayes 377; Noes Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

Clause 3 was added to the Bill.

MR. SPEAKER : The question is :

"That Clause 1 stand part of the Bill."

The Lok Sabha divided.

*The following Members also recorded their votes for 'AYES' :

Sarvabhai Chandra Shailani, Damodar Pandey, T. Kiruthinan and Kirishna Chandra Halder.

Division No. 5] **AYES** [15.40 hrs.

Achal Singh, Shri
 Afsalpurkar, Shri Dharamrao
 Age, Shri Syed Ahmed
 Agrawal, Shri Shrikriahna
 Ahirwar, Shri Nathu Ram
 Ahmed, Shri F. A.
 Alagesan, Shri O. V.
 Ambesh, Shri
 Anand Singh, Shri
 Ansari, Shri Ziaur Rahman
 Apranaidu, Shri
 Arvind Netam, Shri
 Austin, Dr Henry
 Awdhesh Chandra Singh, Shri
 Azad, Shri Bhagwat Jha
 Aziz Imam, Shri
 Bahuguna, Shri H. N.
 Bajpai, Shri Vidya Dhar
 Beladhandayutham, Shri K.
 Balakrishnaiah, Shri T.
 Banamali Babu, Shri
 Banera, Shri Hamendra Singh
 Banerjee, Shri S. M.
 Banerji, Shrimati Mukul
 Barman, Shri R. N.
 Barua, Shri Bedabrata
 Barupal, Shri Panna Lal
 Basappa, Shri K.
 Basumatari, Shri D.
 Besra, Shri S. C.
 Bhagat, Shri H. K. L.
 Bhagirath Bhauwar, Shri
 Bhandare, Shri R. D.
 Bhargava, Shri Basheshwar Nath
 Bhattacharyya, Shri Dinan
 Bhattacharyya, Shri Jagadish
 Bhattacharyya, Shri Chopalendu
 Bhaura, Shri B. S.
 Bheeshmadev, Shri M.
 Bhuvarahan, Shri G.
 Bret, Shri Narendra Singh
 Brahmanandji, Shri Swami
 Bute Singh, Shri
 Chakleshwar Singh, Shri
 Chandra Gowda, Shri D. B.
 Chandra Shekhar Singh, Shri
 Chandrapan, Shri C. K.
 Chandrashekharappa Veerabasappa,
 Shri T. V.
 Chandrika Prasad, Shri
 Chatterjee, Shri Somnath
 Chaturvedi, Shri Rohan Lal
 Chaudhari, Shri Amarsinh
 Chaudhary, Shri Nitiraj Singh

Chavan, Shri D. R.
 Chavan, Shri Yeswantrao
 Chadaa, Shri K. S.
 Chawla, Shri Amar Nath
 Chellachami, Shri A. M.
 Chhotey Lal, Shri
 Chhuttan Lal, Shri
 Chittibabu, Shri C.
 Choudhary, Shri B. E.
 Choudhury, Shri Moinul Haque
 Dalbir Singh, Shri
 Dalip Singh, Shri
 Darbara Singh, Shri
 Das, Shri Anadi Charan
 Das, Shri Dharnidhar
 Dasappa, Shri Tulsidas
 Daschowdhury, Shri B. K.
 Deb, Shri Dasaratha
 Deo, Shri S. N. Singh
 Desai, Shri D. D.
 Deshmukh, Shri K. G.
 Deshmukh, Shri Shivaji Rao S.
 Dhandapani, Shri C. T.
 Dharamgaj Singh, Shri
 Dharis, Shri Mohan
 Dhusia, Shri Anant Prasad
 Dinesh Singh, Shri
 Dixit, Shri G. D.
 Dixit, Shri Jagdish Chandra
 Doda, Shri Hiralal
 Dube, Shri J. P.
 Dumada, Shri L. K.
 Dutta, Shri Biren
 Dwivedi, Shri Nageshwar
 Engti, Shri Biren
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Gangadeb, Shri P.
 Garcha, Shri Devinder Singh
 Gautam, Shri C. D.
 Gavit, Shri T. H.
 Ghosh, Shri P. K.
 Gill, Shri Mohinder Singh
 Giri, Shri V. Shanker
 Godara, Shri Mani Ram
 Godfrey, Shrimati M.
 Gogoi, Shri Tarun
 Gohin, Shri C. C.
 Gokhale, Shri H. R.
 Gomango, Shri Giridhar
 Gopal, Shri K.
 Goswami, Shri Dinesh Chandra
 Govind Das, Dr.
 Gowda, Shri Ponnappa
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Helder, Shri Krishna Chandra

Pansda, Shri Subodh
 Hari Kishore Singh, Shri
 Hari Singh, Shri
 Hashim, Shri M. M.
 Hazra, Shri Manoranjan
 Ishaque, Shri A. K. M.
 Jadeja, Shri D. P.
 Jamilurrahman, Shri Md.
 Janardhanan, Shri C.
 Jeyalakshmi, Shrimati V.
 Jha, Shri Chiranjib
 Jharkhande Rai, Shri
 Jitendra Prasad, Shri
 Joarder, Shri Dinesh
 Joshi, Shri Jagannathrao
 Joshi, Shri Popatlal M.
 Joshi, Shrimati Subhadra
 Kadam, Shri Dattajirao
 Kadam, Shri J. G.
 Kadannappalli, Shri Ramachandran
 Kader, Shri S. A.
 Kahandole, Shri Z. M.
 Kailas, Dr.
 Kakodkar, Shri Purushottam
 Kakoti, Shri Robin
 Kale, Shri
 Kaniakshaiiah, Shri D.
 Kamala Prasad, Shri
 Kamble, Shri T. D.
 Kapur, Shri Sat Pal
 Karan Singh, Dr.
 Kasture, Shri A. S.
 Kaul, Shrimati Sheila
 Kavde, Shri B. R.
 Kedar Nath Singh, Shri
 Kinder Lal, Shri
 Kiruttinan, Shri Tha
 Kisku, Shri A. K.
 Kotoki, Shri Liladhar
 Kotreshetti, Shri A. K.
 Krishnan, Shri M. K.
 Kuikarni, Shri Raja
 Kumaramangalam, Shri S. Mohan
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Lakkappa, Shri K.
 Lakshmikanthamma, Shrimati T.
 Lakshminarayanan, Shri M. R.
 Lambodar Baliyar, Shri
 Laskar, Shri Nihar
 Lutfal Haque, Shri
 Madhuker, Shri K. M.
 Mahajan, Shri Vikram
 Mahata, Shri Debendra Nath
 Majhi, Shri Gajadhar
 Majhi, Shri Kumar

Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Mallanna, Shri K.
 Mallikarjun, Shri
 Mandal, Shri Jagdish Narain
 Mandal, Shri Yamuna Prasad
 Manoharan, Shri K.
 Marak, Shri K.
 Maran, Shri Murali
 Mehta, Dr. Jivraj
 Mehta, Dr. Mahipatray
 Melkote, Dr. G. S.
 Mirdha, Shri Nathu Ram
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mishra, Shri Jagannath
 Mishra, Shri L. N.
 Mishra, Shri Shyamnandan
 Modak, Shri Bijoy
 Modi, Shri Shrikishan
 Mody, Shri Piloo
 Mohammad Yusuf, Shri
 Mohan Swarup, Shri
 Mohapatra, Shri Shyam Sunder
 Mohsin, Shri F. H.
 Muhammed Khuda Bukhsh, Shri
 Munsri, Shri Priya Ranjan Das
 Murthy, Shri B. S.
 Muruganantham, Shri S. A.
 Nahata, Shri Amrit
 Naik, Shri B. V.
 Nanda, Shri G. L.
 Negi, Shri Pratap Singh
 Nimbalkar, Shri
 Oraon, Shri Kartik
 Oraon, Shri Tuna
 Pahadia, Shri Jagannath
 Painuli, Shri Paripoornanand
 Palodkar, Shri Manikrao
 Panda, Shri D. K.
 Pandey, Shri Damodar
 Pandey, Shri Kr'shna Chandra
 Pandey, Shri Narsingh Narain
 Pandey, Shri R. S.
 Pandey, Shri Sudhakar
 Pandey, Shri Tarkeshwar
 Pandeya, Dr. Laxminarain
 Pandit, Shri S. T.
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Paokai, Haokip, Shri
 Parashar, Prof. Narain Chaud
 Parmar, Shri Bhaljibhai
 Partap Singh Shri
 Parthasarathy, Shri P.
 Paswan, Shri Ram Bhagat
 Patel, Shri Arvind M.

Patel, Sri Natwarlal	Richhariya Dr. Govind Das
Patel, Shri Prabhudas	Rohatgi, Shrimati Sushila
Patel, Shri Ramubhai	Roy, Shri Bishwanath
Patil, Shri Anantrao	Roy, Dr. Saradish
Patil, Shri C.A.	Rudra Pratap Singh, Shri
Patil, Shri E. V. Vikhe	Sadhu Ram, Shri
Patil, Shri Krishnarao	Saha, Shri Ajit Kumar
Patil, Shri S. B.	Salve, Shri N. K. P.
Patil, Shri T. A.	Samanta, Shri S. C.
Patnaik, Shri Banamali	Sambhali, Shri Ishaque
Patnaik, Shri J. B.	Saminathan, Shri P. A.
Peje, Shri S. L.	Singhi, Shri N. K.
Pillai, Shri R. Balakrishana	Sangliana, Shri
Prabodh Chandra, Shri	Sinkata Prasad, Dr
Pradhan, Shri Dhan Shah	Sint Bux Singh, Shri
Pradhani, Shri K.	Sirkar, Shri Sakti Kumar
Purty, Shri M. S.	Sitish Chandra, Shri
Qureshi, Shri Mohd. Shafi	Sityanarayana, Shri B.
Radhakrishnan, Shri S	Savant, Shri Shankerrao
Raghu Ramaiah, Shri K	Savitri Shyam, Shrimati
Rai, Shrimati Sahodrabai	Sayeed, Shri P. M.
Raj Bahadur, Shri	Sen, Shri A. K.
Rajdeo Singh, Shri	Sen Dr Ranen
Raju, Shri P. V. G.	Sen, Shri Robin
Ram, Shri Tulmohan	Sethi, Shri Arjun
Ram Dhan, Shri	Sezhiyan, Shri
Ram Prakash, Shri	Shafec, Shri A
Ram Sewak, Ch.	Shanawaz Khan, Shri
Ram Surat Prasad, Shri	Shailani, Shri Chandra
Ram Swarup Shri	Shakya, Shri Maha Deepak Singh
Ramji Ram Shri	Shambhu Nath, Shri
Ramshekhar Prasad Singh, Shri	Shanbar Dayal Singh
Ramsingh Bhai, Shri	Shankar Dev, Shri
Rana, Shri, M. B.	Shankaranand, Shri B.
Ranabahadur Singh Shri	Sharma, Shri A. P.
Rao, Shrimati B. Radhabai A	Sharma, Dr. H. P.
Rao, Shri J. Rameshwar	Sharma, Shri Madhoram
Rao, Shri Jagannath	Sharma, Shri Nawal Kishore
Rao, Dr. K. L.	Sharma, Shri R. N.
Rao, Shri K. Narayana	Sharma, Dr. Shankar Dayal
Rao, Shri M. Satyanarayan	Shashi Bhushan, Shri
Rao, Shri P. Ankmeedu Prasada	Shastri, Shri Viswanarayan
Rao, Shri Pattabhi Rama	Shastri, Shri Raja Ram
Rao, Shri Rajgopal	Shastri, Shri Sheopujan
Rao Dr V. K. R. Varadaraja	Shenov, Shri P. R.
Rathia, Shri Umed Singh	Sher Singh Prof
Raut, Shri Bhola	Shinde, Shri Annasaheb P.
Ravi, Shri Vavalar	Shiva Candika, Shri
Ray, Shrimati Maya	Shivnath Singh, Shri
Reddi, Shri P. Antony	Shukla, Shri B. R.
Reddy, Shri K. Kodanda Ram	Shukla, Shri Vidya Charan
Reddy, Shri K. Ramakrishna	Siddhayya, Shri S. M.
Reddy, Shri M. Ram Gopal	Siddheshwar Prasad, Shri
Reddy, Shri P. Bayapa	Singh, Shri Vishwanath Pratap
Reddy, Shri P. Ganga	Sinha, Shri D. aram Bir
Reddy, Shri P. Narasimha	Sinha, Shri Nawal Kishore
Reddy, Shri P. V.	Sinha, Shri R. K.

Sinha, Shri Satyendra Narayan
 Sohan Lal, Shri Shri T.
 Sokhis Shri Swaran Singh
 Sonar, Dr. A. G.
 Stephen, Shri C. M.
 Subramaniam, Shri C.
 Sudrasanam, Shri M.
 Sunder Lal, Shri
 Surendra Pal Sal Singh, Shri
 Swaminathan, Shri R. V.
 Swamy, Shri Sidrameshwar
 Swaran Singh, Shri
 Swatantra, Shri Teja Singh
 Tarodekar, Shri V. D.
 Tayyab Hussain, Shri
 Thakre, Shri S. B.
 Thakur, Shri Krishnarao
 Tiwari, Shri R. G.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tombi Singh, Shri N.
 Tula Ram, Shri
 Tulsiram, Shri V.
 Ukey, Shri M. G.
 Ulaganambi, Shri R. P.
 Unnikrishnan Shri K. P.
 Veeriah, Shri K.
 Vekaria, Shri
 Venkatasubbaiah, Shri P.
 Venkatswamy, Shri G.
 Verma, Shri Balgovind
 Verma, Shri Sukhdeo Prasad.
 Vikal, Shri Ram Chandra
 Virbhadra Singh, Shri
 Viswanathan, Shri G.
 Yadav Shri Chandrajit
 Yadav, Shri Karan Singh
 Yadav, Shri N. P.
 Yadav, Shri R. P.

NOES

Nil

MR. SPEAKER : The result of the division is : Ayes—376

Noes—Nil.

The motion is carried by a majority of the total membership of the House and b

a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

Clause 1 was added to the Bill.

MR. SPEAKER : There will be a voice vote on the Enacting Formula.

SHRI S.M. BANERJEE : I suppose, it will not be challenged in the Supreme Court.

MR. SPEAKER : Even for Clause 1, we have done it only by way of abundant caution. For this innocent thing, I do not think anybody like him will go to the court.

SHRI PILOO MODY (Godhra) : Nobody takes him seriously, Sir.

MR. SPEAKER : The question is :

“That the Enacting Formula and the Title stand part of the Bill.”

The motion was adopted.

The Enacting Formula and the Title were added to the Bill.

MR. SPEAKER : Before we go to the final voting, I would very much like that the doors be opened. The Members who are left out can come in.

SHRI H.R. GOKHALE : Sir, I beg to move :

“That the Bill be passed.”

MR. SPEAKER : Let the Lobbies be cleared.

The Lobbies have been cleared.

The question is :

“That the Bill be passed.”

The Lok Sabha divided. :

Division No. 6] AYES

[15.46 hrs.

Achal Singh, Shri
 Afzalpurkar, Shri Dharamrao

*The following Members also recorded their votes for AYES’.

Sarveshri Raghunandan Lal Bhatia, Dhamanker, Y. S. Mahajan, Shankar Tewari
 Vasant Sathe and Kumari Kamla Kumari.

Aga, Shri Syed Ahmed
 Agarwal, Shri Shrikishna
 Ahirwar, Shri Nathu Ram
 Ahmed, Shri F. A.
 Alagesan, Shri O. V.
 Ambesh, Shri
 Anand Singh, Shri
 Ankincedu, Shri Maganti
 Ansari, Shri Ziaur Rehman
 Appalanaidu, Shri
 Arvind Netam, Shri
 Austin, Dr. Henry
 Awdhesh Chandra Singh, Shri
 Azad, Shri Bhagwat Jha
 Aziz Imam, Shri
 Bahuguna, Shri H. N.
 Rajpai, Shri Vidya Dhar
 Baladhandayutham, Shri K.
 Balakrishnaiah, Shri T.
 Banamali Babu, Shri
 Banera, Shri Hamendra Singh
 Banerjee, Shri S. M.
 Banerji, Shrimati Mukul
 Barman, Shri R. N.
 Barua, Shri Bedabrata
 Barupal, Shri Panna Lal
 Basappa, Shri K.
 Basra, Shri S. C.
 Bhagat, Shri H. K. L.
 Bhagirath Bhanwar, Shri
 Bhandare, Shri R. D.
 Bhargava, Shri Basheshwar Nath
 Bhatia, Shri Raghunandan Lal
 Bhattacharyya, Shri Dinan
 Bhattacharyya, Shri Jagadish
 Bhattacharyya, Shri Chapalendu
 Bhausa, Shri B. S.
 Bheeshmadev, Shri M.
 Bhuvarahan, Shri G.
 Bist, Shri Narendra Singh
 Brahamanandji, Shri Swami
 Bula Singh, Shri
 Chakleshwar Singh, Shri
 Chandra Gowda, Shri D. B.
 Chandra Shekhar Singh, Shri
 Chandrappen, Shri C. K.
 Chandrashekharaappa Veerabaisappa,
 Shri T. V.
 Chandrika Prasad, Shri
 Chatterjee, Shri Somnath
 Chaturvedi, Shri Rohan Lal
 Chaudhari, Shri Amarsingh
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Yeshwantrao
 Chawda, Shri K. S.
 Chawla, Shri Amar Nath

Chellachami, Shri A. M.
 Chhotey Lal, Shri
 Chhuttan Lal, Shri
 Chittibabu, Shri C.
 Choudhary, Shri B. E.
 Choudhury, Shri Moinal Haque
 Daga, Shri M. C.
 Dalbir Singh, Shri
 Dalip Singh, Shri
 Darbara Singh, Shri
 Das, Shri Anadi Charan
 Das, Shri Dharnidhar
 Dasappa, Shri Tulidas
 Daschowdhury, Shri B. K.
 Deb, Shri Dasaratha
 Deo, Shri S. N. Singh
 Desai, Shri D. D.
 Deshmukh, Shri K. G.
 Deshmukh, Shri Shivaji Rao S.
 Dhamankar, Shri
 Dhandapani, Shri C. T.
 Dharamraj Singh, Shri
 Dharia, Shri Mohan
 Dhusia, Shri Anant Prasad
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Dixit, Shri Jagdish Chandra
 Doda, Shri Hira Lal
 Dube, Shri J. P.
 Dumada, Shri L. K.
 Dutta, Shri Biren
 Dwivedi, Shri Nageshwar
 Engt, Shri Biren
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Gangadeb, Shri P.
 Garcha, Shri Devinder Singh
 Gautam, Shri C. D.
 Gavit, Shri T. H.
 Ghosh, Shri P. K.
 Gill, Shri Mohinder Singh
 Giri, Shri V. Shanker
 Godara, Shri Mani Ram
 Godfrey Shriman M.
 Gogoi, Shri Tarun
 Gohain, Shri C. C.
 Gokhale, Shri H. R.
 Gomanga, Shri Giridhar
 Gopal, Shri K.
 Goswami, Shri Dinesh Chandra
 Govind Das, Dr.
 Gowda, Shri Pampas
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hamed, Shri Subodh
 Hari Krishna Singh, Shri

Hari Singh, Shri
 H. Shim, Shri M. M.
 Hazis, Shri Manoranjan
 Jhaque, Shri A.K.M.
 Jadeja, Shri D. P.
 Jamilurrahman, Shri Md.
 Janardhanan, Shri C.
 Jeyalakshmi, Shrimati V.
 Jha, Shri Chiranjib
 Jharkhande Rai, Shri
 Jendra Prasad Shri
 Joarder, Shri Dinesh
 Joshi, Shri Jagannathrao
 Joshi, Shri Popatlal M.
 Joshi, Shrimati Subhadra
 Kadam, Shri Dattajirao
 Kadam, Shri J. G.
 Kadannappalli, Shri Ramachandran
 Kader, Shri S. A.
 Kahandole, Shri Z. M.
 Kailas, Dr.
 Kakodhar, Shri Purushottam
 Kakoti, Shri Robin
 Kale, Shri
 Kamakshaiah, Shri D.
 Kamala Prasad, Shri
 Kamble, Shri T.D.
 Kamla Kumari, Kumari
 Kapur, Shri Sat Pal
 Karan Singh, Dr.
 Kasture, Shri A.S.
 Kaul, Shrimati Sheila
 Kavde, Shri B. R.
 Kedar Nath Singh, Shri
 Khadilkar, Shri R. K.
 Kunder Lal, Shri
 Kiruttinan, Shri Tha
 Kisku, Shri A. K.
 Kotoki, Shri Li'adhar
 Kotrahetti, Shri A. K.
 Krishnan, Shri M. K.
 Kulkarni, Shri Raja
 Kumaramargalam, Shri S. Mohan
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Lakkappa, Shri K.
 Lakshmi Kantamma, Shrimati T.
 Lakshminarayanan, Shri M.R.
 Lambodar Ballyar, Shri
 Laskar, Shri Nilhar
 Lutfal Haque, Shri
 Madhukar, Shri K. M.
 Mahajan, Shri Vikram
 Mahajan, Shri Y. S.
 Mahata, Shri Debendra Nath
 Mahesh, Dr. Sarojini
 Majhi, Shri Gendhar

Majhi, Shri Kama
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Mallikar, Shri K.
 Mallikarjun, Shri
 Mandal, Shri Jagdish Narain
 Mandal, Shri Yashu Prasad
 Manoharan, Shri K.
 Maran, Shri Muresoli
 Mehta, Dr. Jivraj
 Mehta, Dr. Mahipatray
 Melkote, Dr. G. S.
 Mirdha, Shri Nathu Ram
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mishra, Shri Jagannath
 Mishra, Shri L. N.
 Mishra, Shri Shyamandan
 Mishra, Shri S. N.
 Modak, Shri Bijoy
 Modi, Shri Shikshan
 Mohammad Yusuf, Shri
 Mohan Swarup, Shri
 Mohapatra, Shri Shyam Sunder
 Mohsin, Shri F. H.
 Muhammed Khuda Bukhsh, Shri
 Muni, Shri Priya Ranjan Das
 Murthy, Shri B. S.
 Muruganantham, Shri S. A.
 Nahata, Shri Amrit
 Naik, Shri B. V.
 Nanda, Shri G. L.
 Negi, Shri Pratap Singh
 Nimbalkar, Shri
 Oraon, Shri Kartik
 Oraon, Shri Tuna
 Pahadia, Shri Jagannath
 Panuli, Shri Paripoornanand
 Palodkar, Shri Manikrao
 Panda, Shri D. K.
 Pandey, Shri Damodar
 Pandey, Shri Krishna Chandra
 Pandey, Shri Narsingh Narain
 Pandey, Shri R. S.
 Pandey, Shri Sudhakar
 Pandey, Shri Tarakeswar
 Pandey, Dr. Laxminarain
 Pandit, Shri S. T.
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Paokai, Haokip, Shri
 Parahar, Prof. Narain Chand
 Parmar, Shri Bhajibhai
 Parthap Singh, Shri
 Parthasarathy, Shri P.
 Paswan, Shri Ram Bhagat
 Patel, Shri Arvind M.

Patel, Shri Natwarlal
 Patel, Shri Prabhudas
 Patel, Shri Ramubhai
 Patil, Shri Anantrao
 Patil, Shri C. A.
 Patil, Shri E. V. Vikhe
 Patil, Shri Krishnarao
 Patil, Shri S. B.
 Patil, Shri T. A.
 Patnaik, Shri Banamali
 Patnaik, Shri J. B.
 Peje, Shri S. L.
 Pillai, Shri R. Ba'akrishna
 Prabodh Chandra, Shri
 Pradhaa, Shri Dhan Shah
 Pradhani, Shri K.
 Purty, Shri M. S.
 Qureshi, Shri Mohd, Shafi
 Radhakrishnan, Shri S.
 Raghu Ramaiah, Shri K.
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Rajdeo Singh, Shri
 Raju, Shri P. V. G.
 Ram, Shri Tulmohan
 Ram Dhan, Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramji Ram, Shri
 Ramshekhar Prasad Singh, Shri
 Ram Singh Bhai, Shri
 Rana, Shri M. B.
 Ranabhadur Singh, Shri
 Rao, Shrimati B. Radhabai A.
 Rao, Shri J. Rameshwar
 Rao, Shri Jagannath
 Rao, Dr. K. L.
 Rao, Shri K. Naryana
 Rao, Shri M. Satyanarayan
 Rao, Shri Nageswara
 Rao, Shri P. Ankineedu Prasada
 Rao, Shri Pattabhi Rama
 Rao, Shri Rajagopala
 Rao, Dr. V. K. R. Varadaraja
 Rathia, Shri Umed Singh
 Raut, Shri Bhola
 Ravi, Shri Vayalar
 Ray, Shrimati Maya
 Reddi Shri P. Antony
 Reddy Shri K. Kodanda Rami
 Reddy, Shri K. Ramakrishna
 Reddy, Shri M. Ram Gopal
 Reddy Shri P. Bayapa
 Reddy, Shri P. Ganga

Reddy, Shri P. Narasimha
 Reddy, Shri P. V.
 Richhariya, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roy, Shri Biahwanath
 Ray, Dr. Saradish
 Rudra Pratap Singh, Shri
 Sadhu Ram, Shri
 Saha, Shri Ajit Kumar
 Salve, Shri N. K. P.
 Samanta, Shri S. C.
 Sambhali, Shri Ishaque
 Saminathan, Shri P. A.
 Sanghi, Shri N. K.
 Sangliana, Shri
 Sankata Prasad, Dr.
 Sant Bux Singh, Shri
 Sarkar, Shri Sakti Kumar
 Sathe, Shri Vasant
 Satish Chandra, Shri
 Satyanarayana, Shri B.
 Savant, Shri Shankerrao
 Sayeed, Shri P. M.
 Sen, Shri A. K.
 Sen, Dr. Ranen
 Sen, Shri Roben
 Sethi, Shri Arjun
 Sezhiyan, Shri
 Shafce, Shri A.
 Shahnawaz Khan, Shri
 Shailani, Shri Chandra
 Shakya, Shri Maha Deepak Singh
 Shambhu Nath, Shri
 Shankar Dayal Singh, Shri
 Shankar Dev, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Dr. H. P.
 Sharma, Shri Madhoram
 Sharma, Shri Nawal Kishore
 Sharma, Shri R. N.
 Sharma, Dr. Shankar Dayal
 Shashi Bhushan, Shri
 Shastri, Shri Viswanarayan
 Shastri, Shri Raja Ram
 Shastri, Shri Sheopujan
 Shenoy, Shri P. R.
 Sher Singh, Prof.
 Sninde, Shri Annasaheb P.
 Shiva Chandika, Shri
 Shivnath Singh, Shri
 Shukla, Shri B. R.
 Shukla, Shri Vidya Charan
 Siddayya, Shri S. M.
 Siddheshwar Prasad, Shri
 Singh Shri, Vishwanath Pratap
 Sinha, Shri Dharan Bis

Sinha, Shri Nawal Kishore
Sinha, Shri R. K.
Sinha, Shri Satyendra Narayan
Sohan Lal, Shri T.
Sokhi, Shri Swaran Singh
Sonar, Dr. A. G.
Stephen, Shri C. M.
Subramaniam, Shri C.
Sudarsanam, Shri M.
Sundar Lal Shri
Surendra Pal Singh, Shri
Swaminathan, Shri R. V.
Swamy, Shri Sidrameshwar
Swaran Singh, Shri
Swatantra, Shri Teja Singh
Tarodekar, Shri V. D.
Tayyab Hussain, Shri
Tewari, Shri Shankar
Thakre, Shri S. B.
Thakur, Shri Krishnarao
Tiwar, Shri R. G.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tombi Singh, Shri N.
Tula Ram, Shri
Tularam, Shri V.
Uikey, Shri M. G.
Ulaganambi, Shri R. P.
Unnikrishnan, Shri K. P.
Veeriah, Shri K.
Vekaria, Shri
Venkatasubbaiah Shri P.
Venkatswamy, Shri G.
Verma, Shri Balgovind
Verma, Shri Sukhdeo Prasad
Vikal, Shri Ram Chandra
Virbhadra Singh, Shri
Viswanathan, Shri G.
Yadav, Shri Chandrajit
Yadav, Shri Karan Singh
Yadav, Shri N. P.
Yadav, Shri R. P.

NOES

Mody, Shri Piloo

MR. SPEAKER : The result of the division is : Ayes—384; Noes—1

SHRI K. MANOHARAN (Madras North): Sir, he has supported all the clauses of the Bill but at the final stage, of course; he has voted against.

MR. SPEAKER : He might have pressed the wrong button.

So, the result of the division is : Ayes—384; Noes—1.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted

15.48 hrs.

INCOME-TAX (AMENDMENT)
BILL—Contd.

MR. SPEAKER : Now, we move on to the next item—Item No. 12—Income-tax (Amendment) Bill. Shri Baladhandayutham to continue his speech.

I may also tell the House that the time allotted is almost finished.

SHRI K. BALADHANDAYUTHAM (Coimbatore) : Yesterday, I was referring to socioeconomic objectives as elaborated by the Minister. I referred to that because I welcome this amendment not because it will achieve the socio-economic objective, and whether it will achieve the socio-economic objective or not is not a matter for discussion. We have been following this policy of taxation even with regard to direct taxes in the last 25 years in the hope that it will do away with the disparity in income and will achieve socio-economic justice.

15.49 hrs.

[SHRI SEZHIYAN in the Chair]

I now find that it has not achieved the purpose. So, let us not indulge in platitudes. Where the question of taxation is concerned, restricted to this, the Bill means more income and more revenue for the exchequer and it will also, as Mr. Saive was explaining yesterday, do away with the inequity between two types of assesses.

When I come to the Bill itself, I am surprised at the fact that exemption is being contemplated for those cases where the court has decreed in their favour. My first objection to this exemption clause is based upon the following principle. The Supreme Court in its field is entitled to interpret the law. Supreme Court is not concerned with the socioeconomic objectives or with the purpose of the Bill; the Supreme Court can

[Shri Baladhandayutham

interpret the law as it is. So, the field of legislating and achieving socio-economic objectives is left to Parliament. So, Parliament is supreme in its sphere and the Supreme Court is supreme in its sphere. As such, when the Supreme Court has found a lacuna in the Bill and interprets it, the Parliament accepts the interpretation of the law; Parliament accepts the judgment of the Supreme Court in this case and wants to achieve the objective or the purpose for which this taxation was contemplated. To achieve this purpose, Parliament wants to amend the law. So, Parliament is here concerned with the amendment to suit their objective. While doing so, there is no question of courtesy or gesture to the Supreme Court. We thank the Supreme Court for having interpreted the law, and based upon their judgment, we are bringing about a change in the law by means of this amendment. Therefore, I do not see why we should exempt those cases where judgment has been given.

It would also mean another thing. I am afraid that it would also be unfair to the other persons. There are many people who have not gone to the court. If exemption is given only to those persons who have gone to the court, then it means that they are very clever and they are a fortunate lot and they are litigation-minded and therefore they can get the advantage. So, by means of this provision, Government seem to prefer and condiment the people who are litigation-minded. The whole Income-tax Act has been put into shame because of the numberable cases that have been taken to the High Court and the Supreme Court, and the Government have not been able to collect the arrears. I feel that it would be unfair to discriminate between those who went to the court and those who did not go to the court.

I am opposed to this exemption clause even from the point of view of practical experience. If this exemption clause is passed, tomorrow, again the Supreme Court may intervene and say that it is discriminatory, because there are two types of assesses, one who went to the court and won the case and the other who did not go to court. This discrimination between an

assessee who has gone to the court and an assessee who has not gone to the court may be construed as discrimination under the Constitution because there are two types of of assesses. So, from the point of view of practical experience, from the point of view of fairness and from the point of view of equality before law, from the point of view of the sphere with which it is concerned, this will not stand scrutiny.

Further, when we are having retrospective effect, we must be fair to all. Either we should not have retrospective effect and we should say that the old cases are gone, whether paid or not paid and Government are not going into those cases now or we should be fair to all. Since, whoever Government are going into the past cases, I would submit that they must cover all the cases and not give exemption to any particular class.

In general, I welcome this Bill, but I would submit that there must be an end to this process of going on amending as and when something is found wrong or some lacuna is found. Government must come forward with a simple comprehensive Bill on income-tax which will be intelligible to the ordinary man and which can be enforced more easily and which will not bring in all the complications of law and also drag in auditors who will go on giving ideas about how to circumvent the law by using every small word here or there. Government must attempt to bring forward a very comprehensive and simple Bill with regard to income-tax.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : This is a very simple Bill, and except Shri R. V. Badi, all sections of the House have supported this Bill. The reasons for bringing forward this Bill before the House have been explained in the statement that I have placed before the House and the necessity for the Ordinance that was issued has also been explained there.

There are only two or three points pertaining to the Bill on which I should like to reply. During the course of the discussion, of course the whole gamut of income tax law was gone through, also the question of arrears, the Wanchoo Committee Report, evasion of tax and various other matters.

These have been discussed from time to time in the House. The House is also aware that Government are considering the recommendations of the Wanchoo Committee report and vary expeditious steps are being taken to finalise their decisions on the recommendations so that whatever loopholes are there are plugged.

Shri Baladhandayutham raised the question of exemption. Cl. 5 specifically provides that the new provision will not apply to the assessment of an assessee for a particular assessment year where before the commencement of Ordinance the Supreme Court has on an appeal in respect of the assessment of the assessee for that year held that wealth tax paid by the assessee is deductible in computing the total taxable income for that year. The reason for giving this exemption is that these taxpayers had gone to the Supreme Court and obtained a verdict and we wish that the sanctity of the decision of the Supreme Court should be respected. We have also been advised by the Law Ministry that it would be equitable if these exemptions to one or two firms which had gone to the Supreme Court were given.

In a previous decision, in the case of *Jamnadas vs the Commissioner of Income Tax*, the Bombay High Court had observed as follows :

"They took the trouble to prefer the appeal, they took the trouble to prosecute it, they incurred cost and they succeeded in getting a judgment from the Supreme Court. A possible view also was that the judgment of the Supreme Court should be respected, as it should always be respected by the legislature of the land, and although they dealt with future cases, Parliament perhaps did not intend that actual judgment delivered by the Supreme Court in a particular reference before them should be altered or modified by the law that the Legislature was passing".

On this basis, there exemptions have been included in the Bill.

As the hon. member pointed out, the main object of the Bill is that the socio-economic policies pursued by Government, the fiscal strategy they adopt should be used

to see that wealth and income above a particular ceiling become non-productive. This would have been defeated if the decision of the Supreme Court had not been honoured. I Commend the Bill to the acceptance of the House.

MR. CHAIRMAN : The question is :

"That the Bill further to amend the Income-tax Act, 1961, and to provide for barring, in the computation of total income in respect of certain assessment years prior to the assessment year 1962-63, deduction of amounts paid on account of wealth-tax, be taken into consideration".

The motion was adopted

MR. CHAIRMAN : There are no amendments. The question is :

"That clauses 2 to 6 stand part of the Bill".

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1 the Enacting Formula and the Title were added to the Bill.

SHRI K. R. GANESH : I move :

"That the Bill be passed".

MR. CHAIRMAN : Motion moved :

"That the Bill be passed".

16 hrs.

श्री शिव नाथ सिंह (भुवनेश्वर) : एजेंडामैन के बारे में मैंने सोचा था कि मंत्री महोदय जो जवाब देंगे उससे हमें संतोख होगा। उन्होंने जो जवाब दिया है वह वही है जो उन्होंने इस बिल को इंट्रोड्यूस करते समय दिया था। इस जवाब में उन्होंने कोई नई बात नहीं कही। उन्होंने कहा कि सुप्रीम कोर्ट की जजमेंट को मान्य करने के लिए हमने एजेंडामैन रखी है। दूसरी बात उन्होंने यह कही कि जो बादमी सुप्रीम कोर्ट में चले गए उनको कुछ राहत मिलती चाहिए। ये दोनों ही बातें हमें अपील नहीं करती। सुप्रीम कोर्ट ने एक जजमेंट दे दिया। जब उस जजमेंट को मान्य हम नहीं करेंगे तो

[श्री शिवनाथ सिंह]

है। जजमेंट के खिलाफ हम यहाँ एपेल्स कर रहे हैं। यह तो सुप्रीम कोर्ट के जजमेंट को आनर करने वाली बात नहीं है। सुप्रीम कोर्ट की जजमेंट को आनर करे, लेकिन उसको वही आनर किया जा सकता है, जहाँ कि वह हमारी भावना के अनुकूल हो। लेकिन इस बिल में जो एग्जेंप्शन रखा गया है, उसके बारे में मुझे डायड है। और माननीय सदस्यों ने भी इस बारे में शंका प्रकट की है। सुप्रीम कोर्ट के दो जजमेंट हैं : एक तो ट्रांस्फॉर्मर टैरिफियम प्राइवेट्स लिमिटेड के केस में और दूसरा इंडियन एलुमिनियम के केस में। मेरे मन में शंका पैदा होती है कि ऐसे कितने केस हैं जो सुप्रीम कोर्ट के जजमेंट से कवर होंगे और इस प्रोवाइजो के तहत एग्जेंप्शन हो जायेगे। हो सकता है कि और भी बहुत से केस हो। सुप्रीम कोर्ट ने इंडियन एलुमिनियम के केस में जो जजमेंट दिया है, वह पहले जजमेंट से भिन्न है। सवाल यह है कि कहीं मन्त्री महोदय इंडियन एलुमिनियम के केस को एग्जेंप्शन देने के लिए तो यह प्रोवाइजो नहीं रख रहे हैं। कहा गया है कि जो लोग सुप्रीम कोर्ट में गये और जिन्होंने खर्च किया, उन को राहत मिलनी चाहिए। मैं इस सिद्धान्त के खिलाफ हूँ। सुप्रीम कोर्ट में वे लोग जाते हैं, जिन के पास पैसा है और जो लाखों रुपये खर्च कर सकते हैं। यह सिद्धान्त सही नहीं है कि जिनके पास पैसा है और जो लिटिगेशन माइंड के हैं, केवल उन्हीं को एग्जेंप्शन दिया जाये। मन्त्री महोदय को चाहिए कि इस पर्टि-कुलर एसेसमेंट यीअर में जिस जिस का एसेसमेंट था, उन सब को एग्जेंप्शन कर दिया जाये। लेकिन उन सब से वसूल किया जा रहा है और जिन्होंने सुप्रीम कोर्ट से अपने हक में डिफेंस हासिल कर ली, उनको एग्जेंप्शन दिया जा रहा है। मैं यह जानना चाहता हूँ कि इस बिल के तहत कितने कितने इंडिविडुअल केस को एग्जेंप्शन मिलेगा। कहीं इंडियन एलुमिनियम को सेफगार्ड करने के लिए तो वह एग्जेंप्शन नहीं रखा जा रहा है ?

SHRI K. R. GANESH : There is no question of safeguarding the Indian Aluminium Co. or anybody else. I have given the reasons in the Statement of Objects and Reasons. We have explained why the ordinance was necessary. we have said that it would have involved a tremendous administrative problem and the loss of a tremendous amount of revenue. As I indicated, the sanctity of the decision of the Supreme Court had also to be preserved and taken into consideration. It was also the view of the Law Ministry that it should be done.

There are only two assesseees who will come under this exemption. One is Indian Aluminium and the other is the Standard Vacuum Oil Co. The total estimated revenue involved is Rs. 3 lakhs to Rs. 4 lakhs.

The further points that the hon. Member has raised have already been answered.

SHRI SHIVNATH SINGH : Only two companies are exempted. Why this exemption and discrimination ?

SHRI K. R. GANESH : I have replied to that. I may not have been able to convince him, but I have given him the Judgment to the high court, and it is the sanctity of the Supreme Court which is being preserved and which is being respected.

SHRI SHIVNATH SINGH : Only for two cases you are putting this proviso.

MR. CHAIRMAN : Order, order. I shall put the motion to the vote. The question is—

“That the Bill be passed.”

The motion was adopted.

16.04 hrs.

PUBLIC DEBT (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : I beg to move :

“That the Bill further to amend the Public Debt Act, 1944, be taken into consideration.”

The Public Debt Act was enacted in 1944 to regulate the administration of public Debt of the Central Government and the securities issued by them. The Act was amended in 1949 to be applied to the administration of the public debt of the governments of the erstwhile provinces of India and the securities issued by them. It was further amended in 1956 so as to apply it to the public debt of the erstwhile Part B States except Jammu and Kashmir. Section 1 (s) of the Act, as amended, provided that the Act applies to Government securities issued, whether before or after the commencement of the Act, by the Central Government or the State Governments other than the Government of Jammu and Kashmir.

The Reserve Bank is statutorily responsible for the management of the public debt of the Central Government and the State Governments. The Government of Jammu and Kashmir, which had not raised any public loan in the past, proposes to enter the market from this year for augmenting resources for financing its development outlays. As a uniform law for the administration of government securities is both essential and convenient, the State Government have requested that the provisions of the Public Debt Act be made applicable to the Public debt of the Jammu and Kashmir Government and the securities to be raised by it. The Public debt of the State falls under the State list. The Jammu and Kashmir Legislative Council and the Jammu and Kashmir Legislative Assembly have passed resolutions in pursuance of article 252 (1) of the Constitution empowering Parliament to amend the public Debt Act with a view to make its provisions applicable to the securities issued by the Government of Jammu and Kashmir and to its public debt.

The Bill seeks to amend the Public Debt Act of 1944 for this purpose.

This is a very small and non-controversial measure. There are only five clauses. Of these four are intended to provide for the application of the Public Debt Act to the securities to be issued by the Government of Jammu and Kashmir.

Opportunity has also been taken to substitute sub-clause (3) of section 28 of the

Public Debt Act relating to laying of copies of rules made under the Act on the Table of both Houses of Parliament on the lines approved by the Committee on subordinate legislation of both Houses of Parliament. Sir, I move.

MR. CHAIRMAN : Motion moved :

"That the Bill further to amend the Public Debt Act, 1944, be taken into consideration."

SHRI DASARATHA DEB (Tripura East): The aim of the Bill is to extend the Public Debt Act of 1944 to the State of Jammu and Kashmir. So far this Act did not operate in Jammu and Kashmir. This Bill seeks to set this position right. A political decision to that effect has been taken. Kashmir had been treated on a separate footing and was free from the operation of certain clauses of the Constitution. Now this Act is sought to be extended to that State and a political decision has been taken to that effect. This Bill is a commendable one and I support it.

At the same time I want to point out that it is time to put a moratorium on foreign debt, particularly American debts. Americans have in the recent past showed sufficient hostility towards India. American funds, especially Ford Foundation funds are creating havoc in our cultural life. They have been influencing our educational institutions. Our cultural and political life would be polluted if that was allowed to continue. That is why while supporting this Bill I request the Government to take certain measures and to declare a moratorium on foreign debts, particularly American debts.

श्री कमल सिंह मजुमदार (केसरिया): सभापति महोदय, इस बिल के लिए मंत्री महोदय ने कहा है कि यह बिना विवाद का है। हम भी समझते हैं कि यह एक ऐसा बिल है जिस में विवाद की जरूरत नहीं है और इस लिहाज से हम इस क समर्थन करते हैं। इस बिल को ला कर मंत्री महोदय ने एक बहुत छोटा सा काम किया है जो बहुत ओवर-ड्यू था। काश्मीर भारत का अविभाज्य अंग है और उस को भी वे तमाम सुविधाएँ मिलनी चाहिए जो और राज्यों को देते हैं। इस लिहाज से यह बिल प्रशंसनीय है

[श्री कमल सिन्धु मधुकर]

और इस बिल का स्वागत होना चाहिए। लेकिन साथ ही हम बात पर भी आप का ध्यान होना चाहिए जब कि आप समाजवाद की बात लगातार दिन और रात करते हैं तो ध्यान धीजिये यहाँ पर ऐसी बहुत सी एजेंसीज हिन्दुस्तान में हैं जो विदेशी पैसों का विभिन्न तरीकों से इस्तेमाल कर के आप के जीवन को, आप की समाज रचना को और आप की राजनीति को भी प्रभावित करती हैं, यह आप जानते हैं और सारे देश के बातावरण को जो सही ढंग से आ जाना चाहिए उस में वह बाधक होती हैं। इस लिए मैं चाहूँगा कि जैसे यह बिल आप लाए हैं वैसे ही ऐसे बिल और लाएं जिन के जरिए फारेन मनी या ब्रिटिश साम्राज्यवादी और दूसरी साम्राज्यवादी शक्तियों के जरिए जो पैसा यहाँ हिन्दुस्तान में इस्तेमाल होता है जिस के जरिए समूचे देश की राजनीति पर असर डाला जाता है, वह खत्म किया जाय। ऐसा बिल भी अगर आप लाते तो ज्यादा अच्छा होता। इसलिए जैसे यह एक अच्छा काम आप ने किया है वैसे ही उसे भी कीजिए और भाषासन दीजिए इस हाउस में कि हम ऐसे कदम उठाने जा रहे हैं जिन से विदेशी शक्तियाँ जो हिन्दुस्तान की राजनीति में काम कर रही हैं उन के वह हथकण्डे नाकामया कर दिए जाएं। यह कदम आप को अवश्य उठाना चाहिए। इन्हीं शब्दों के साथ मैं यह समझता हूँ कि यह बिल निर्विवाद है और मैं इस का समर्थन करता हूँ।

SHRI K. NARAYANA RAO (Bobilli) : Sir, this is a simple, non-controversial Bill. Regarding the issue of debts by States, I submit a liberal attitude should be taken. We have been hearing that the States owe a lot of debts to the Reserve Bank with the result that their creditworthiness has been very much curtailed. In this context, I submit that the financial position of the States is very inelastic. So far as the Central Government is concerned, though the Constitution lays down that Parliament may prescribe a maximum limit to its borrowing, I do not think any maximum limit has been prescribed by Parliament. The Central

Government has borrowed a lot of money from outside at a marginal rate of interest. But the rate at which Reserve Bank gives money to the State Governments is much more than the interest at which the Centre borrows money from outside, I suggest that the State Governments should be given loans at the same interest and not at higher rate of interest.

With these words, I support the Bill.

SHRI C. T. DHANDAPANI (Dharampuram) : Sir, I support this Bill and I want to say a few words about the financial resources of State Governments. Last year, the Central Government raised loans to the tune of Rs. 600 crores. But the State Governments including Electricity Boards have raised only Rs. 400 crores. This shows that the State Governments have to raise funds for their own programmes according to their own needs. In the case of Jammu and Kashmir, it is very late. If this Bill has been introduced long back, the subsidy we are giving to that State could have been reduced. So, this Bill is long overdue and is affecting the public exchequer also. I request the Government to extend other facilities to the State of Jammu and Kashmir.

With these words, I support the Bill.

SHRI K.R. GANESH : Sir, I am thankful to hon. members for the support they have given to this Bill. As I said, this is a non-controversial Bill. Members have raised questions about moratorium and other matters, with which this particular Bill is not concerned. These problems have been discussed in this House often and various steps are being taken so that internal resources are mobilised and self-sufficiency attained.

The hon. member of the DMK said this Bill has come very late. Probably he is not aware that it was for the Jammu and Kashmir Government to decide. Under the Constitution, it is the State legislature which has to pass a resolution to come under the Public Debt Act. The Kashmir Government only recently decided to come under this, and we have taken the first opportunity to see that this Bill is placed before the House.

For the benefit of the hon. Member I may mention that Kashmir is a backward State to which the Central Government is giving its fullest support. The Fourth Plan of Jammu and Kashmir was fixed at Rs. 158.4 crores of which the Central assistance was Rs. 145 crores. Thus, over 90 per cent of the State Plan outlay is financed entirely by the Central assistance. The current year's Plan outlay is Rs. 36 crores out of which Central assistance is Rs. 32 crores. According to the budget estimates of this year, the revenue receipt of the State is Rs. 102.21 crores and revenue expenditure Rs. 107.52 crores, leaving a deficit on revenue account of Rs. 5.31 crores. The overall deficit is Rs. 2 crores which is expected to be covered by additional taxation and improvement in tax collection. With these words, I commend the Bill for the acceptance of the House.

MR. CHAIRMAN : The question is :

"That the Bill further to amend the Public Debt Act, 1944, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN : Since there are no amendments, I will put all the clauses to the vote together. The question is :

"That clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

Clause 1, the Enacting Formula, the preamble and the Title were added to the Bill.

SHRI K.R. GANESH : I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : Motion moved.

"That the Bill be passed."

डा० लक्ष्मीनारायण पांडेय (मद्रास) : सभापति महोदय, इस बिल के सम्बन्ध में कुछ विशेष नहीं कहना है। यद्यपि हमने अभी कुछ दिन पहले ही सर्वोच्च न्यायालय के अधिकार क्षेत्र को जम्मू काश्मीर तक बढ़ाया और दूसरे भी अधिनियम और बिल भी वहाँ पर प्रस्तुत हुए जिनके द्वारा

उनके अधिकार क्षेत्र को बढ़ाया जम्मू काश्मीर तक वहाँ की उन्नति और प्रगति की दृष्टि से। लोक न्याय विधान के बारे में वहाँ की विधान सभा ने अपना संकल्प पारित कर इच्छा व्यक्त की और उसके अनुसार हमारी सरकार इन प्रावधानों को वहाँ लागू करने जा रही है। इस के सम्बन्ध में एक ही निवेदन करना चाहूँगा कि अच्छा हो यदि हम इस प्रकार अधिनियमों की सीमा बढ़ाकर वहाँ लागू करने की स्थिति लाने के बजाये प्रथम वहाँ के संकल्पों के बाद विधेयक लाकर विधानों में संशोधन करने के बजाये हमारे संविधान में जो वर्तमान धारा 370 है उसको समाप्त कर दे तो समान रूप से सारे बिल और सारे अधिनियम जो भी प्रचलित हैं वहाँ भी लागू हो सकते हैं और उसमें किसी प्रकार की कोई कठिनाई नहीं होगी। इतना ही मुझे इस बिल के सम्बन्ध में कहना है।

जहाँ तक इस बिल का सम्बन्ध है यह उस राज्य की प्रगति की दृष्टि से और वहाँ की जनता की भलाई की दृष्टि से आवश्यक था, उपयोगी था और मैं इसका समर्थन करता हूँ।

SHRI K.R. GANESH : As the House is aware, and as has been discussed in this House many times, the special provisions of article 370 are there. Still, as the hon. Member knows, progressively many of the provisions of the Constitution have been extended to the State of Jammu and Kashmir. A new climate has emerged in that State, a new temper is there in the country, and it is with the co-operation of the people and Government of the State of Jammu and Kashmir and the people of India that this matter will finally be decided.

MR. CHAIRMAN : The question is :

"That the Bill be passed."

The motion was adopted.

16.20 hrs.

TAXATION LAWS (AMENDMENT) BILL

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : Mr. Chairman Sir, I beg to move :

[Shri Yeshwantrao Chavan]

"That the Bill further to amend the Income-tax Act, 1961, the Wealth-tax Act, 1957 and the Gift-tax Act, 1958, as reported by the Select Committee, be taken into consideration."

Sir, the Taxation Laws (Amendment) Bill, 1971 was introduced in this House on the 12th August, 1971 and was referred to the Select Committee on the 17th November, 1971. The Report of the Committee was presented to this House by its chairman on the 10th May, 1972. The Committee held 13 sittings, scrutinised a number of memoranda and representations received from various individuals, professional associations, trade organisations, etc. and also heard evidence of various individuals, associations, etc. I would like to heartily congratulate the Select Committee on the thoroughness with which it has dealt with this important Bill.

The Bill, as it has emerged from the Select Committee, has undergone improvements in several directions. The Select Committee has spelt out the reasons for the changes made by it. I do not, therefore, propose to take the time of the House by going over the entire ground again. I would, however, like to explain the objects of the Bill and the main changes recommended by the Select Committee.

As Hon'ble Members are aware, the device of understanding the sale price of immovable properties in sale deeds is being widely used for evading taxes. The consideration paid in 'white money' is recorded in the transfer deed and 'black money' is passed in cash under the counter. This enables the purchaser to utilise his untaxed income and reduce his liability in respect of stamp duty. The seller is able to avoid his liability for capital gains tax and obtain funds for investment outside the books of account or for the purposes of lavish personal expenditure. One of the principal objects of the Bill is to counteract tax evasion through this device by empowering the Central Government to acquire immovable properties, including agricultural lands, at prices which correspond to those in sale deeds. The Bill also contains provisions for improving the administrative set up and arrangements for valuation of buildings,

lands and other assets for purposes of the direct tax laws and for bringing about better regulation and discipline over non-official valuers. Finally, in order to discourage *benami* holdings of property with a view to tax evasion, the Bill seeks to make provision in the Income-tax Act debarring persons from enforcing their claim in a court of law to any property held in a *benami* name, unless they have disclosed the same before tax authorities.

I would now deal with some of the important changes made by the Select Committee in the provisions relating to acquisition of immovable properties. Under the provisions in the Bill as introduced, immovable property could be acquired only in cases where the property was transferred by way of sale. It would, therefore, have been possible to circumvent the provisions for acquisition of property by effecting the transfer in the form of exchange, that is, by paying the consideration for the transfer partly in cash and partly in kind or wholly in kind. The Select Committee has, therefore, recommended that transfer of immovable property by way of exchange should also be brought within the ambit of the provisions in the Bill. The change suggested by the Committee is, indeed, very desirable and I would commend its acceptance by the House.

Under the Bill as introduced, the expression "immovable property" was defined to cover only buildings or lands or any rights therein. The Committee is of the view that this definition is somewhat narrow in its scope and may not cover transfer of a part of a building or composite transfers of land, building, machinery, plant, etc. In order to ensure that the provisions relating to acquisition of immovable property are not defeated by transferring only a part of a building or by making composite transfers of land, building, plant, machinery etc., the Committee has proposed an enlargement of this definition so as to cover such cases also. Here again, the change suggested by the Committee plugs a lacuna in the Bill and is to be welcomed.

Under a special rule of evidence contained in the Bill, it had been specifically provided that where the property has been transferred for an apparent consideration which is less than its fair market value,

it shall be presumed, unless the contrary is proved, that the consideration for such transfer as agreed to between the parties has not been truly stated with the object of tax evasion by the transferor or the transferee. The Committee is of the view that in order to ensure effective operation of the provisions in the Bill, it would be necessary to modify and strengthen this special rule of evidence. The Committee has accordingly recommended that where the fair market value of any property exceeds the consideration for its transfer as declared in the deed by more than 25% of such consideration, this should be deemed to be conclusive proof of the fact that the consideration for the property has not been truly stated in the instrument of transfer. The other presumption, namely, that the understatement in the value of the property was made with the object of facilitating tax evasion will, however, remain rebuttable. I am in respectful agreement with the views of the Committee. I believe that unless the rule of evidence is modified and strengthened in the manner recommended by the Committee, the provisions in the Bill may fail to secure the desired objective. I, therefore, whole-heartedly commend the acceptance of the changes proposed by the Committee in this behalf.

While the Committee has suggested various measures for ensuring the effective operation of the provisions in the Bill, it has also recommended certain safeguards to protect the legitimate interests of the citizens against possible misuse of powers of acquisition. The Committee has accordingly proposed that the competent authority should record his reasons in writing before initiating acquisition proceedings and that these proceedings should not be initiated unless he has reason to believe that the fair market value of the property exceeds its apparent consideration by more than 15% of such consideration. Further, with a view to enabling the parties to determine the period of limitation for initiating proceedings for acquisition of property with greater certainty the Committee has proposed that the period of limitation should be reckoned from the end of the month in which the instrument of transfer is registered and not with reference to the date of receipt of requisite information from the registering officer or the transferee. The Committee also felt that the period of limitation for

filing objections against the initiation of acquisition proceedings was not adequate and has accordingly suggested an extension of this period. Another very important change made by the Committee is in regard to appeals against orders of acquisition made by the competent authority. Under the provisions in the Bill as introduced, an appeal against such orders could be preferred to the Central Board of Direct Taxes. The Committee is of the view that such appeals should not lie to an administrative body, but to a Judicial and independent forum. The Committee has, therefore, recommended that appeals against the orders of the competent authority should lie to the Income-tax Appellate Tribunal. While the decision of the Income-tax Appellate Tribunal would be final in regard to questions of fact, the parties concerned would have the right to file an appeal to the High Court on any question of law arising from the order of the Appellate Tribunal. I am inclined to think that the modifications suggested by the Select Committee would be widely welcomed as providing adequate safeguards for the fair and impartial administration of the provisions in the Bill.

I would now briefly refer to some of the points raised by the two Hon'ble Members in their Minutes of Dissent. Under the provisions in the Bill, proceedings for acquisition can be initiated only in cases where the fair market value of the transferred property exceeds twenty-five thousand rupees. Shri Baladhandayutham has proposed the removal of this condition on the ground that this will provide a loophole for circumventing the provisions in the Bill through piecemeal transfers of immovable properties in parts not exceeding twenty-five thousand rupees in value. The removal of this condition will, however, unduly extend the scope of these provisions and generate enormous work in scrutinising a large number of transactions in respect of immovable properties of even very small values. The suggestion made by the Hon'ble Member is, therefore, not feasible on administrative considerations. Government will, however, keep a close watch on transactions of immovable properties and if it is noticed that the provisions of the Bill are being circumvented in any manner, necessary corrective action will be taken. I am also unable to agree with the suggestion of the Hon'ble Member

[Shri Yeshwantrao Chavan]

that there should be no time-limit for the initiation of acquisition proceedings. The acquisition of immovable property is a drastic step and it is only fair that the buyer of the property should know within a reasonable time whether Government propose to take over his property under the provisions in the Bill. I will, however, like to allay the apprehensions of the Hon'ble Member by assuring him that Government will take suitable administrative steps to ensure that proceedings for acquisition of immovable property are initiated, wherever necessary, within the period of limitation and do not get barred due to negligence or collusion. The Hon'ble Member has also suggested the deletion of the provision for the payment of a solatium of 15% over and above the consideration stated in the transfer deed. He has observed that this provision has been retained on the "flimsy argument" of abundant caution to meet possible risk of challenge to the constitutionality of the proposed legislation. I really fail to understand how the Hon'ble Member can regard a matter affecting the constitutional validity of the whole legislation as a flimsy ground.

Hon. Member Shri Piloo Mody has made two points. He has observed that the expression "fair market value" should be clearly defined and the criteria and guidelines for its determination laid down in unambiguous terms. Under the provisions in the Bill, the expression "fair market value" in relation to immovable property transferred has been defined as the price that the property would ordinarily fetch on sale in the open market on the date of execution of the instrument of transfer. This definition is broadly on the lines of the definition of this term contained in the other direct tax laws and has come to have a definite and well-understood connotation. It is also not possible to lay down in the law any rigid set of criteria for ascertaining the fair market value which will necessarily have to be determined on the facts and circumstances of each case by applying well-established principles of valuation. The other point made by the Hon'ble Member is that a provision should be made in the Bill to enable a seller to get an advance ruling from the Income-tax Department as to the fair market value of the property

proposed to be transferred. The suggestion is not practicable as it would require the setting up of a vast administrative machinery at enormous cost to deal with numerous requests for the prior clearance of agreements for transfers of immovable properties. The honest citizen has, however, nothing to fear because if properties are transferred at the correct fair market value, I am sure, there will be no occasion for the competent authority to initiate acquisition proceedings under the proposed provisions. To sum up, therefore, I am unable to commend for acceptance the suggestions made by the two Hon'ble Members in their Minute of Dissent.

The Bill also seeks to make provisions for the reference of the valuation of any capital asset or property by the assessing authority to a Valuation Officer. With a view to avoiding any arbitrariness on the part of the tax authorities in making such references, the Committee has recommended the spelling out of certain guidelines on the basis of which such references may be made. The guidelines suggested by the Committee would provide a salutary check on the exercise of the discretion by the tax authorities and I would, therefore, commend their acceptance.

The Select Committee has recommended several other changes which constitute a distinct improvement over the provisions in the Bill as originally introduced. I would, however, not tire the Hon'ble Members by going into the details of these changes. The objects behind the proposals in the Bill are laudable. The Bill constitutes a significant step forward in our fight against tax evasion and I earnestly hope that it will receive full support from all sections of the House. With these observations, Sir, I move

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Income-tax Act, 1961, the Wealth-tax Act, 1957 and the Gift-tax Act, 1958, as reported by the Select Committee, be taken into consideration."

SHRI VIRENDRA AGARWAL (Moradabad): Mr. Chairman, black money is a growing menace and it has greatly harmed the national economy. If it is analysed, then one can say that it has

become a source for immorality. The Wanchoo Committee, while analysing it, has described black money that it puts integrity at a discount and placed a premium on vulgar and ostentatious display of wealth. There are no two opinions in this country that all efforts must be made both by the State and the people to check black money. We should not only check black money, but we should see that the factors responsible for its further generation are brought under control.

While taking all these measures, we should also see that as a nation, we do not reduce ourselves into a Police State.

Sir, I support this Bill, particularly the objectives inherent in this Bill. It is a noble objective, and, as the hon. Finance Minister said, it is a laudable objective. I agree, we must do everything possible to unearth black money in this country.

The hon. Minister has said that the Select Committee has done its best to improve it in so many ways. Unfortunately still there are many loopholes, or I may call, certain lacuna, in this Bill. It was pointed out repeatedly that it will grant sweeping powers to the tax administrative machinery and these powers would be unparalleled in the history not only of this country but of any part of the world. Secondly, it would open up the doors of corruption to an extent which would be far greater than what we are going through now. Thirdly, it would certainly give a set-back to the building activity. While we as a nation are committed to guarantee basic minimum to the people and while we want that the housing activity is encouraged in every possible manner, and that as a nation we should give the basic minimum to the people, I feel, this measure may bring the building activity to a standstill. There is a backlog of twelve million houses; we need at least four million houses every year. I wish to submit that this measure should be implemented without in any way impeding the building activity in the country.

I congratulate the Finance Minister in that he has accepted the concept of a Tribunal in the Select Committee and that has certainly given an impression that there

would be a fairdeal to all, including those who indulge in black money.

The limit in this Bill is Rs. 25,000. It has been suggested repeatedly that the value should be raised to Rs. 50,000. The hon. Finance Minister does not think it practical and proper. He has argued that it need not be reduced either. I had an impression that the hon. Finance Minister would agree to remove this limit of Rs. 25,000. I would propose, Sir, that this limit of Rs. 25,000 should go and there should be no limit whatsoever. The Finance Minister feels that the temper of the nation is that they would not agree to raise this figure. I hope he will agree with us. This fair market value is a very doubtful phenomenon. I really do not know how the tax experts or the tax machinery would evaluate the fair market value, and I fear whether it would really not open the flood-gates of corruption in a big way. For the last twenty years, laws are being made and amended in such a large number of ways that we see that the tax evasion is growing every year. Let Government go into the whole disease and find out why our tax laws are not able to check black money in the country. I feel that so long as shortages in the market continue to grow, nobody and no law on earth would be able to check black money.

The Wanchoo Committee has very rightly said that it is the tax rates which are known to be the highest in the world which are largely responsible for creating black money in this country. Therefore, I would urge the Finance Minister to go into the disease and find out how we can really check black money.

It has been pleaded that the best thing would be to accept the concept of auction, because the moment a property is auctioned everybody would know exactly what the fair market value is. But that was not accepted for many reasons. But now there is the question of constitutional validity, and as also pointed out by the hon. Minister, both the Finance Minister and the Law Minister are satisfied that this law will not relate to the acquisition of property and therefore, we must satisfy article 31(2). If that is to be satisfied, then the proposed aquisition must be for a public purpose. This cannot be expropriation but on payment of compen-

[Shri Virendra Agarwal]

sation. The question is whether these two tests are satisfied. When the property is acquired by Government or by the State, what will the State do with the property? That question has remained unanswered. If the property is acquired by the State or utilised for public purposes, then, of course it can be justified.

This Bill deals only with one aspect of black money while so many other aspects of black money have remained out of the scope of this Bill. I would plead with the Finance Minister that they should bring forward a comprehensive Bill which would cover all aspects of black money, whether it be property or trade or anything else so that the nation knows that those who hold black money would be treated as criminals and they cannot be spared. Unless Government brings forward a comprehensive and a detailed Bill, I do not think that we can go very far on this question.

Ultimately, the solution for checking black money does not lie in these measures. These are temporary in nature. The ultimate solution lies in the sort of economic policies that we are to pursue in this country, whether those economic policies are such as would produce honest and efficient men or corrupt, dishonest and inefficient men.

I feel that so long as we do not consider the Wanchoo Committee's recommendations in detail and bring forward suitable measures, we shall not be able to achieve the laudable objectives.

With these words, I support the Bill.

SHRI B. R. SHUKLA (Bahraich): I extend my wholehearted support to the provisions of this very radical measure which would prevent effectively the tax evasion practised by a very large number of assesses in this country.

Black money is no doubt a very widespread phenomenon in this country, and various measures have been suggested from time to time to put an end to the increasing menace of black money. I think that the present measure is one of the effective ways to curb the operation of black money

and at the same time to bring in more money to the coffers of Government by acquiring the property which such tax-dodgers acquire by malpractices and by misuse of the law.

One of the ways is that a person who has acquired a property for an apparent consideration which is less than 15 per cent of the fair market price of it has to lose that property under this Bill. Now the point has been raised by one hon. member that it might open the floodgates of corruption. Whenever a power is given to a certain authority or officer, there is always an inherent danger of its misuse. But that is not valid argument for not conferring powers on that authority. Where there is power there is apprehension of its misuse. How the misuse is to be curbed or prevented is a matter to be considered at the administrative level. The point we are concerned with is whether the measures we are going to adopt in the shape of this Bill are the proper once or not.

I would illustrate how this Bill is going to be very effective. A person has got Rs. 40 lakhs or a crore of rupees. He is not disclosing it. At the same time, he does not want that this unaccounted money undisclosed to the assessing authority should remain idle or unproductive. So he enters into a shady transaction with another person and acquires a property the market value of which is Rs. 40 lakhs or Rs. 1 crore. But he does not want to show that amount in the transfer deed. Therefore, he shows a price far below it. Thereby he shows to the authorities that he has invested an amount which is only an apparent consideration, not the real amount which is much more than the apparent value mentioned in the deed.

In his budget speech, the hon. Finance Minister said that at least once he is going to believe the dishonest man, take his statement at its face value as mentioned in the transfer deed and pay him something more to acquire the property that is, 15 per cent more. Although I agree with the object set out in the Bill, I am afraid the Bill may be struck down on the ground of constitutionality either in the High Court or the Supreme Court. My reasons are as follows. Under art. 31, no person shall be

deprived of his property save by authority of law which provides for the payment of compensation and also provides that it is going to be acquired or requisitioned for a public purpose. Under this Bill, two conditions are satisfied, namely that, the property is going to be acquired by the authority of law and secondly compensation is also going to be whether it is going to be provided for. But I doubt acquired for a public purpose because the very objective of the Bill is to acquire property for checking evasion of tax. So the objective does not state that it is going to be acquired for a public purpose.

AN HON. MEMBER : Public purpose.

SHRI B. R. SHUKLA : It may be for a public purpose. In every measure you say that it is for a public purpose. Whenever we pass any law for the benefit of the public, by presumption and implication, it is of course said that it is for a public purpose but when you say in your objectives that this measure is going to be passed in order to curb the menace of tax evasion, that may be indirectly a public purpose, but not, as I consider it, it is a public purpose. So, I have suggested an amendment which may come in due course of time. Last year, we had adopted another amendment to the Constitution, and that is, article 31C. That article says that if the legislature, that is, Parliament, declares in that very enactment that this is a measure to be enacted in order to secure the State policy as contained in article 39 (b) and (c), then the validity of the measure shall not be questioned in a court of law. Therefore, my submission is that though, as my friend says, the provisions of this Bill fully ensure that the property is to be acquired for a public purpose, we must have a law which is still more foolproof by putting down that declaration contained in article 31C so that there may not be any further room for contention by the party interested in defeating the provisions of the law.

I would also go to the extent of saying that the time limit for initiating the proceedings is very limited. That is in respect of the six months period. Supposing a clerk in a certain office has slept over the matter and the proceeding has not been initiated within six months, what happens?

Properties worth lakhs would be involved in such cases. A petty official may get away or ignore the rule, and a huge, decent sum may be taken as bribe to see that the provisions of the Act are defeated in their purpose. My submission, therefore, is that the period of six months should be extended to at least three years, so that the assessing authorities who are responsible for the implementation of the provisions get a sufficient time to initiate the proceedings, because such a limited period of six months is not enough to properly implement the provisions of this law.

There is another feature of this Bill. Supposing the proceedings for acquisition have not been started or the property is not acquired for some reason or the other, but the apparent consideration falls short of the fair market value. What should be done? My submission is that the law of income-tax and wealth-tax should take care of the such situations. What is to be done? The difference between the fair market value and the apparent consideration should be deemed as undisclosed income of the assessee and it should be added to his income and in the cases of an assessee who is liable to wealth-tax, the difference should be deemed to be the capital asset of that assessee. Therefore, the appropriate provisions of the gift-tax, wealth-tax and income-tax laws should apply and the provisions with regard to penalty and forfeiture should be applicable to such cases where the property for some reason or the other is not acquired under the provisions of this law.

It has been argued by an hon. Member that the whole economic system should be created in such a way where only honest persons should live. My submission is that criminals and tax-evaders and tax-dodgers have been co-existing for a very long time. Howsoever idealistic society may be created, and howsoever idealistic laws may be enacted such persons, whatever may be their percentage, will remain.

In order to check their activities these laws have been enacted. I should not be misunderstood because I am voicing a different opinion on certain points. My only purpose is that law should be effective

[Shri B. R. Shukla]

there should be no room for any tax evader to defeat the provisions of law by taking a matter to the highest court in this country.

This is my submission. I only submit that if my suggestions are found worthwhile they may be incorporated in this Bill

SHRI DASARATHA DEB (Tripura east): It seems that this Bill has been brought forward with the intention of dealing effectively with the tax evaders. I do not think that the Bill as it is would be able to check tax evaders. We know the pernicious effect of black money on Indian economy. It is one of the interesting characteristics of the capitalist economy India is silently building up capitalist economy though there is a tall talk of socialism. The pernicious effects of black money had not been arrested in these years but it is encouraged more and more.

A Bill with stringent measures is long-overdue to deal with black money but I am sorry to say that the form in which this Bill had been placed even after consideration by the Select Committee is disappointing and it will not serve the desired purpose. It cannot arrest the operation of black money, rather black money will be in operation in full swing in the Indian economy. If you want to stop tax evasion the first and foremost thing would have been to declare demonetisation. Otherwise you cannot catch tax evaders. This Government is unwilling to demonetise. It seems that the Government is out to have only some propaganda, some eye-wash.

It is obvious that the party which is largely dependent for its survival on the mercy of big-money bags, the tycoons of black money in India cannot be expected to declare demonetisation or to take steps against their monarchs and lords. The ruling party subsists on black money and they expect to fill their coffers for winning elections. The present Bill is a gesture or attempt to hoodwink the public by saying that they are going to arrest tax evasion.

In the Bill the definition of the term 'immovable property' is very much defective. Housing co-operative societies have been

left out of the purview of the Bill on the plea that the transfer is not of flats but of shares. The hon. Member Shri Baladayudham has raised this question in his minutes of dissent and I quite support him. He is quite correct. According to my opinion, housing co-operatives should have been brought within the purview of the Bill.

This Bill is confined to acquisition of immovable property in certain cases. But all properties under-valued in assessment in order to evade tax should be acquired. Otherwise, under the pretext of the so-called "under-valued", tax evasion will continue and such evaders will go on unpunished because the provisions of this Bill cannot touch their hairs.

17 hrs.

It has not been made legally obligatory to acquire any property transferred simply because it is less than fair market value of the property. This provides sufficient loopholes. The Government under the pretext of this provision may spare some people from being brought under the operation of this law if such persons are their favourites. Any transferred property, simply because it is less than the fair market value for an apparent consideration should not be left out of the scope of this provision of the Bill and such a property should be acquired. It should be made binding on the Government by law to enforce this legislation in letter and spirit. Otherwise, the tax-evaders will go unpunished.

Only property exceeding Rs. 25,000 is taken into consideration for being acquired. Section 269 (c) (1) of chapter XX contemplates that any property of a fair market value exceeding Rs. 25,000 only can be liable for initiation of proceedings for the acquisition of such property, transferred for an apparent consideration, less than the market value by 15 per cent. This will leave loopholes and the property may be transferred piecemeal. People who want to evade this legislation can do so by transferring his property in parts, in such a manner that each part is of the market value of less than Rs. 25,000. You see the case of land. Before the ceiling came into force, they fragmented their land and transferred it in such a way that they still keep the entire

property intact though in different names. In this case also it will happen, because people are clever enough to evade this law. You are giving them ample opportunity to transfer their property piecemeal and they will not be touched by this Bill. That is why I oppose it.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : This matter was gone into very extensively by the Select Committee and the definition of "property" has been expanded to take care of the apprehensions he has expressed.

SHRI DASARATHA DEB : I am not questioning the wisdom of the Select Committee, but I differ from their judgment. What the hon. minister says is not there in the Bill. Hence the words 'exceeding Rs. 25,000' must be removed from this Bill.

The provision for not taking any action after the expiry of six months of the registration of transfer is a defect. This is very surprising and funny. If within 6 months any proceeding has not been instituted against that person who transfers the property, he will not be brought under the purview of this Act. The b.g. people have sufficient money. They can corrupt the particular officer who is dealing with the case and with his collusion defraud the government of its due. In the mean while, the time will elapse. So, people will be able to evade these taxes. That is why I say that this provision must go and there should be no time limit. If at all there is any time-limit, it should be three years and not six months. Because, six months are not sufficient to start a proceeding against a person. To provide that no proceedings shall be instituted after the expiry of six months of the registration of the transfer of property, coupled with lack of any provision to deal with want of delays, again opens out the way for evading this legislation. Therefore, I fully agree with the suggestion made by Shri Balachandrayutham.

Then the provision that compensation has to be paid fifteen per cent in excess is also unwarranted. Why do you want to give compensation to those people who wanted to evade the taxes? Why should any mercy be shown to the accused, to the culprit?

Some people say that it may lead to complications and they may go to the court. If the judiciary comes in the way, it should be stopped by suitable legislation. After all, we have enacted so many legislation just to avoid intervention by the judiciary. So, this compensation clause should not be there.

Then, the term "fair market value" is confusing. There must be some guidelines. Otherwise, it will depend upon the sweet will or mercy of the officer assessing the value or the market price, and the government will be the loser.

SHRI K. R. GANESH: If only in the Select Committee the hon. Member had seen to it that his representative in the Committee had strengthened the views held by a section of the members of the Select Committee, many of the problems which he is raising would have been solved.

MR. CHAIRMAN: But that does not preclude him from expressing his views.

SHRI K. R. GANESH: I am only pointing out that all these points were discussed in the Select Committee in all seriousness. Many views were expressed in the Select Committee; Government themselves had some views in the matter as a result of the experience gained in the implementation of the Act. So, I am only saying that a little more seriousness will help us to have better laws.

SHRI DASARATHA DEB: It is true that my representative was there. Even if it was not raised in the Committee, that does not preclude my raising it here.

So, this particular clause is highly objectionable and our party cannot support this.

Thirdly, even if we pass this Bill, we cannot stop blackmoney. As I said in the beginning, the first and foremost task which you have to attend to is demonetisation. Then, at least, you may get some money. Otherwise, you cannot get it. . . .

SHRI K. R. GANESH: That money has gone into these channels; that money is not available.

SHRI DASARATHA DEB: You will get it. It will come out in the open market.

[Shri Dasaratha Deb]

With these words, I conclude my speech.

SHRI G. VISWANATHAN (Wandiwash): Mr. Chairman, Sir, this is a Bill which is the outcome of the Interim Report of the Wanchoo Committee. Though we are to see the outcome of the Wanchoo Committee Report, we are yet to see the Interim Report of the Wanchoo Committee. Sir, as a Member of the Select Committee, you also wrote to the Minister that a copy of the Interim Report of the Wanchoo Committee should be circulated at least to the Members of the Select Committee which was not done by the Government in its own wisdom. Now, fortunately, Mr. Joytrimoy Bosu has given us a copy of the Interim Report of the Wanchoo Committee. I do not know whether it is authoritative or not. It is upto the Government to challenge it.

As far as the Bill is concerned, I am in complete agreement with the object of the Bill, that is, to counter evasion of tax through under-statement of the value of immovable property, to check the circulation of black money and to curb the practice of *benami* holding of property with a view to evade tax. But to wipe out black money, we have to see that black money in circulation is prevented and also, in future, the creation of black money should also be prevented. For that, I suggest, an effective way and that will be that all the payments which we make, say, for example, above Rs. 100 or Rs. 200, should be paid only by cheques or drafts. That is to say, all the liquid cash should go through the bank. Only then we can wipe out black money from circulation.

Another positive way that I would like to suggest is this. At present, our income-tax rate is so high as expressed by the Wanchoo Committee—it is 97.75 per cent that a man who earns some income would like to evade tax and keep something for himself. I think, the Government must seriously consider the suggestion of the Wanchoo Committee to bring down the highest rate of tax but, at the same time, enforce the law very vigorously and strictly.

Now, I come to the main question, namely, the constitutional validity of this

Bill which has been discussed in the Select Committee in a very lengthy way. When one of the leading lawyers of the country, Mr. Setalvad, appeared before the Committee, he argued that, in pith and substance, this Bill is not a law relating to taxation but is a law relating to acquisition of property and hence, it must apply with the constitutional requirements, namely, article 31(2) of the Constitution. It reads:

"No property shall be compulsorily acquired or requisitioned save for a public purpose."

Mr. Setalvad argued that if it is going to be held that it is not a law of taxation but a law of acquisition of property, then "public purpose" should be established. But the Law Minister, Mr. Gokhale, argued before the Committee that it is not a law relating to acquisition of property and that it is only a law relating to taxation. He said :

"A taxation law may not impose a tax but may provide for the machinery to plug loopholes."

Hence, he said that it is not a question of acquisition and, even if it is considered as a law relating to acquisition, he said that the public purpose will be the stopping of tax evasion and the curtailment of black money. That will constitute a public purpose.

Again, it has been argued that under Entry 42 of the Concurrent List read with Entry 82 of the Union List, the Union Government is empowered to acquire property throughout the country.

It has also been argued by the Law Department that the public purpose has been defined as :

"The phrase, whatever else it may mean must include a purpose, that is an object or aim, in which the general interest of the community, as opposed to the particular interest of individuals, is directly and vitally concerned."

"Hence, the presence of the element of general interest in the Bill must be regarded as public purpose."

They have also referred to the Constitutional provision article 31(5)(b)(i), that 'Nothing in Clause (2) shall affect the provisions of any law which the State may hereafter make for the purpose of imposing or levying any tax or penalty' and they say that the provision is a precautionary measure and will protect the Bill as far as this is concerned. I think, the Supreme Court may not agree with this far-fetched argument. Once it is held that this particular law is a law relating to the acquisition of immovable property, we will have to establish that there is a public purpose for this acquisition. Hence, the Law Secretary was wise enough to suggest—and he agreed with my view and suggested—inclusion of a provision in the Bill to the effect that the property acquired will be used for a certain specific public purpose. I do not know why the Government did not agree with the Law Secretary and have not included any or some of the public purposes in the Bill. Hence, I have my own doubts that, if it is challenged, it may not withstand in the Supreme Court.

Another point that I would like to emphasize is getting prior clearance for a purported sale. This has been taken up in the Select Committee. If there are innocent buyer and seller, they can get prior clearance; after entering into the agreement, they can apply to the competent authority and if the competent authority says that there is nothing wrong and they can go through the sale, they can go through the sale and they can, without attracting the sword of Damocles, namely, acquisition of property, enjoy the property as a whole. The Law Secretary is inclined to agree with this view.

Finally, as the members have already pointed out, this is no doubt a drastic power which is going to be vested in the officials. As has been pointed out already, there is a tremendous scope for corruption in this Bill because we are going to deal with lakhs and lakhs of rupees worth of property, whether it is house or landed property. Government should be aware of this and should take precautionary measures while implementing this measure.

With these words, I support this Bill.

SHRI K. BALADHANDAYUTHAM
(Coimbatore): The Bill on amendment of

Taxation Laws is based upon the interim report of the Direct Taxes Inquiry Committee given by Mr. Wanchoo. It was not wise on the part of the Government to have given the privilege to a member to leak the interim report.

17.19 hrs.

[SHRI K.N. TIWARY *in the Chair*]

It was still more unwise for the Finance Minister to have attempted to explain as to why the interim report was not published or released to the public or placed before the House. Even if he had remained silent on that account, he would have been wiser. By trying to explain or give reasons for not publishing the report—which were not convincing to us—he has also created more suspicion, and it has become a matter of questioning everywhere—not only by the members of the House but even by the Press which had to comment that the reasons given by the Minister were unconvincing. Now why do I take up this Interim Report? It is because this Bill is based on the Interim Report. One of the recommendations made in the Interim Report is being sought to be implemented here in this Bill. But, of all the recommendations made in the Interim Report this is one of the smallest recommendations. The other two recommendations are more important and particularly, demonetisation was really one of the most effective ways of dealing with black money.

The second one also, with regard to ceiling, if the report, as leaked out by the Member is true, with regard to ceiling on cash one can keep with himself, can be very effective. This is only dealing with the matter in piecemeal and this particular recommendation, however welcome and however good a step in the right direction, is not adequate.

So, at the outset, I want to say that this is a very piece-meal legislation. The Bill is very much restricted in its scope and as such, it is not going to be very effective.

Now, this is a Bill on evasion of taxes. I want to go on record that if a Bill on tax evasion should proceed against further evasion, a Bill which is against tax evasion

[Shri K. Baladhandayutham]

should not lend itself to evasion. That is why I brought forth my three suggestions. . .

SHRI DINEN BHATTACHARYYA
(Serampore) : Double scope for evasion.

SHRI K. BALADHANDAYUTHAM :

So I suggested that the stipulation with regard to the minimum amount and the stipulation with regard to the minimum time for initiation of proceedings can be deleted. But the Finance Minister, while introducing the Bill, seems to be convinced that there is some point in what I said that with regard to the minimum there is scope for evasion by dividing the property and disposing it off piecemeal and with regard to the minimum period also collusion is possible that officials and, especially, big sharks are capable of and have got the means to influence and corrupt officials so that the period stipulated may elapse and they may go scot-free. Now, this is our apprehension. But the Minister was trying to convince the House that with regard to the minimum amount, that is, Rs. 25,000 regarding valuation of property, if it is not there, there will be too many cases and administrative difficulty was the plea taken by the Finance Minister. If it is only the question of administrative difficulty, is it not possible for the Government to initiate policy that the Department need not go into cases which are below the value of Rs. 25,000 and only concentrate upon those properties which are above that? You can have a policy, but if you put it in the Bill, then it becomes a handle for those who can evade and who want to evade. But, if it is a policy, you can provide against it and at the same time, see that there is no administrative difficulty because of accumulation of so many cases to be dealt with. There, I appeal to the Finance Minister even now to deal with the question as a matter of policy and not as the letter of the law as part of the Bill.

With regard to the minimum period also, if they want to see that people who have had some transactions are not anxious about what is going to happen to them and in order to ease their mind you want to provide a minimum period, I would suggest that you can administratively enforce this. You see that the Department acts in time and every

case is apprehended within six months and proceedings are initiated within six months. It is one thing for you to bring about the efficiency in the executive and another thing to give this loophole and if the period of six months elapses, then can get away with it and go scotfree.

With regard to the second provision also, they can make... ..

श्री लाल जी बाई (उदयपुर) : सभापति महोदय, सदन में गणपूर्ति नहीं है।

MR. CHAIRMAN : The bell is being rung

Now, there is quorum. The hon. Member may continue.

SHRI K. BALADHANDAYUTHAM : Sir, the claim of the Government has been that this Bill is a Bill of penalty, —that is, that the property that is acquired, is acquired as a 'penalty' for people who evade taxes. It is not odd, Sir, that in a Bill of penalty, you reward the guilty with a solatium of fifteen per cent? With regard to this very matter, I raised an objection and I gave out my dissent but this was dismissed very casually by the Finance Minister, on flimsy grounds. It was pleaded before the Select Committee that the Courts may hold that this is a discriminatory Bill, if the acquisition is done under Land Acquisition Act, they have to pay a solatium of 15 per cent and if this Bill acquires property without paying that solatium, the Court may hold it discriminatory. This was the plea advanced; this was the argument, which I may respectfully submit, a flimsy, argument, —which was advanced, based upon which the Select Committee was persuaded to accept the 15 per cent solatium, but otherwise, the consensus was and continues still to be that we need not reward the guilty by paying 15 per cent solatium. Anyway, the consensus in the House, I am sure is this, that if this 15 per cent solatium could be avoided, that would be welcome. Nobody is keen that this 15 per cent should be paid. What is the plea? The plea is only the constitutionality on the point of discrimination. My point is, if you pay 15 per cent and acquire the property, after all the difference between the market value and the apparent consideration has to be only 20 or 25 per cent. You acquire

property; you pay 15 per cent more. You acquire property at market value very nearly. Where is the penalty? Penalty is supposed to be the black-money exchanged under the table.

If this is the way it is going to be a deterrent, only if you acquire the property by succession, it is not going to solve the problem. I can understand if this Bill includes all immovable property which is assessed under less than the market value for payment of taxes. In that case I can understand this Bill. But what happens is, this is only a piecemeal attempt. It is only a deterrent; it wants to prevent the passing of black-money at the table, while selling of the property or the buying of the property takes place. In a Bill of this nature which has to act as a deterrent, the deterrent can be there only if it frightens the man away from entering into these transactions. But we find that Government are going to pay apparent consideration plus 15 percent. Apart from the amount that they pay, they are going to pay solatium also as if it is an ordinary or normal transaction and there is no penal aspect about it. I submit that this is not conducive to the objective. I would strongly urge that this clause under which Government would be paying a solatium should be deleted. I would like Government themselves to come forward with an amendment, or else accept the amendment which I have tabled for dealing with this aspect at least, because this is Bill which is attacking black money and transactions in black money and it is for the first time that acquisition of property by Government is being resorted to as a matter of penalty for tax evasion.

It has been argued that this is not acquisition for a public purpose. I submit that it is not a Bill for acquisition for a public purpose, but it only a Bill of taxation. If it is a law of taxation which contains a penal provision, then I think that the provision regarding solatium should go. If that particular clause is not deleted, I feel that the Bill will become a very normal Bill and it will not be a deterrent and this provision will vitiate the very principle of this Bill and will also defeat its very purpose.

In conclusion, I would say only this that this is only a piecemeal legislation and is a very restricted one. However restricted

it may be, I welcome this Bill because it is a step in the right direction. However, I would submit that this Bill is a half-hearted one, and in its implementation, there are going to be so many difficulties. I am also afraid of corruption which has been referred to by my hon. friend Shri G. Viswanathan from the DMK.

To prevent corruption on the part of a valuer, there is a provision to the effect that a valuer who is found guilty of wilfully wrong valuation shall be imprisoned or fined. I tried my hardest to see that it was only imprisonment, because where offices are concerned, they should be above board, and they should be above reproach and suspicion, and at least in the case of the valuers whose word is going to be taken seriously in dealing with properties, we thought that the clause must be more stringent and it must at least put the fear of God into them that if they deal with the matter casually or if they do it for other considerations, they will be dealt with very strongly by the law of the land. But that provision also is not there.

Ultimately, while welcoming this Bill, I would like to urge upon Government that there must be a comprehensive Bill dealing with the entire question of black money which would prevent black money in any form.

For that purpose, even now, I would like the interim report of the Wanchoo Committee to be published and placed on the Table of the House. I want the Wanchoo Committee's full report to be discussed in this House, and when a comprehensive Bill is brought forward, these things can become a part of that measure. Tackling this problem in a piecemeal way would not solve the problem effectively. Again, it would become one of the measures which would be disregarded and circumvented and made a mockery of by those who are continuing to accumulate black money.

With these words, I welcome this Bill and support it but I would like the amendments which I have referred to be accepted by Government, and if the Bill is passed with those amendments, it would take us in the right direction for dealing with black money.

SHRI K. NARAYANA RAO (Bobilu) : This is a meaningful measure which has introduced three novelties into the tax structure of this country. The three novelties are to detect and prevent the under-mentioning of the capital assets in the returns submitted to the income-tax authorities, secondly to prevent the purchasing of properties for an amount less than the market value and thirdly to see that black money is not invested in *benami* transactions.

So far as the three laudable objectives are concerned, there is no dispute about them and there is no difference of opinion also. But on certain details, the differences are bound to be there.

In this context, I would like to point out that there is a provision which says that when there is transfer of property for which the market value is more by 15 per cent, then the income-tax authorities can initiate proceedings and acquire the property for the consideration mentioned in the registration deed.

So this will, to my mind, operate as a salutary deterrent I would put it no more than that. It will be a deterrent on the man who sells and on the man who purchases. It is more a deterrent on the person who receives the property for a consideration shown in the document registering the deed as only an apparent consideration, not the real amount, because he knows that there is the possibility of Government acquiring it at the value which is mentioned in the document plus 15 per cent solatium. As I said, this is a double deterrent, both on the seller and on the buyer. To that extent, the amendment is meaningful and novel also.

Then comes the question of *benami* transactions. The Bill provides that if any person claims in a court of law about the property, unless he has shown the income from this in his income tax return, he cannot have a cause of action in the court. That way, it is not possible for anyone to engage in a *benami* transaction so as to get away from the tax net. From the point of nicety also, there is everything to commend this provision.

But there are certain issues which have been raised, not only here but in the Select

Committee, of which I was not a member. One of the points raised, which has considerable force in it is, whether this enactment, particularly the transfer part of it, would be attracted by art. 31 (2).

There are three things involved under this article. One is that no person shall be deprived of his property without the authority of law. Secondly, there should be no acquisition or deprivation of private property save for a public purpose. Here comes the difficulty. There are two things. Is it necessary to take it that whatever property is compulsorily acquired must be used for a public purpose, that is to say, it should be used directly by Government? The point is whether the use which is to be put of it is to be viewed as a public purpose or whether the acquisition is to be for a public purpose or not.

I would like to illustrate the point to make myself clear. Suppose a particular piece of land is required for the purpose of construction of a school or a building or an industry. Government compulsorily acquire the land and give it to somebody else who puts up the school or industry. The Government do not directly do it.

So the concept of 'public purpose' must be viewed widely. Once you accept that wide connotation, there is no difficulty about it. Even otherwise, suppose you say that public purpose is to be construed as a purpose for which that property is to be utilised, then it can be covered, though it is not meant for a public purpose in the sense that it is used for a public purpose. The sum and substance, the direct result, of this particular acquisition is that it has nothing to do with that part, but it is more for the purpose of penal action against tax evasion. If you accept this, I do not think either way the matter will be open to doubt.

Coming to certain criticisms of the Bill, one related to the minimum amount of Rs. 25,000, mentioned by my hon. friend. The point here, as he also correctly stated, is that it is more as a deterrent that it is meant. And when you look at these transactions, the problem of administration is also there. The administrative problems are there. How are we going to manage each property.

unless it is property of a high magnitude? The administrative problems are there. Take, for instance, the property of Rs. 10,000 which is acquired. For that, we have to spend Rs. 10,000. So, if small properties are not going to be acquired for obvious reasons, and when you look at the problem in its proper perspective, when properties are compulsorily acquired for a public purpose, the administration of these things will itself become a big problem. I can understand the minimum, but there are two other things which agitate my mind along with that of other friends. About that also, I have tabled some amendments.

As the hon. Minister rightly stated, in the original Bill, the period of six months is to be counted from the time the information is got from the registration office to the income-tax department. It is good. But now they have substituted the provision and said that the period of six months shall be from the date of registration in the registrar's office. The original provision was meaningful in the sense that there was a period of six months after the income-tax authorities received the information. Now, that period is also further reduced by virtue of certain alterations in the wordings in the Bill. It is everybody's knowledge, how the department works. Of course, the hon. Minister gave us an assurance that he would see that all these things would be expedited, but if only he goes to the lower level, he can see what types of devices are adopted to see that a particular thing does not go into the desk.

My submission, therefore, is this. When once your basic objective is to achieve a certain thing, why amend the original provision? Nothing is going to happen. I submit that a period of one year would be meaningful, because, after the registration, the matter is to go to the concerned authorities, and the concerned income-tax authority has to verify whether this particular property is there and whether the amount mentioned in the sale-deed is in excess of 15 per cent of the market value or not. For the satisfaction of the authority, certain enquiries have to be made and only then, can come to the conclusion that the particular property mentioned in the document exceeds or is less than 15 per cent of the market value. Therefore, my submission is

that the Government has to accept that there must be at least one year. Let us all be fair enough to see that whatever we do, we should not have any limitation. Anyway one year is substantial.

Similarly, about 15 per cent, actually, what is happening? When will the initiation of the proceedings for the acquisition of property take place? What is the guideline? The guideline is, when the market value is more than 15 per cent of the amount mentioned in the sale-deed, then alone, the proceedings have to take place. If the amount is below that, no proceedings can take place. If the competent authority comes to the conclusion that the market value of the particular property is about 16 per cent that is, the property is more than what is mentioned in the document, what is the point in paying 15 per cent? Or, let it be just 15.1 per cent. What does one get out of it? Apart from the percentage, what is the tremendous amount of expenditure, by virtue of this thing, that is involved here?

Now, you are having what are called value-officers.

AN HON. MEMBER : Valuers. (*Interruptions*)

SHRI K. NARAYANA RAO : You are having a new system by having value-officers. This is the first time that they are introducing, apart from the registered valuers, what are called value officers. You have to maintain them. There is litigation; and thereafter, even for the properties you acquire, you do not know the use thereof.

Sometimes the money stands idle on that particular property until you put it to beneficial use. Therefore, paying fifteen per cent, the logic or the legality of it is not understandable. I submit: let it be below 15 per cent. Instead of 15, I have asked for 12 per cent in my amendment. With these remarks, I welcome this Bill and support it.

SHRI C. M. STEPHEN (Muvattupuzha) : As could be expected, I rise to support this Bill. I have no doubt that the basic policies which motivated the drafting of this Bill will receive general acceptance from all sections of the House, though some amendments may be moved. I want to remind the House that this measure was

[Shri C. M. Stephan]

contemplated by the Finance Minister even in 1971 as is evidenced by his observations in the Budget speech in May 1971:

"Undervaluation of property has been one of the means of evading wealth tax, capital gains tax and some other duties. It has also been an important avenue for the circulation of black money. This practice could be greatly discouraged if Government had the power to acquire properties at prices that correspond to what is recorded in the saledeeds. Accordingly we propose to move a Bill during the current session to acquire the power. I hope it would not be considered dishonourable to take an honest man at his ownword."

An attempt has been made to make out as though this step was proposed by the Wanchoo Committee. I quoted the budget speech of the Finance Minister only to emphasise the fact that the step was contemplated long before Wanchoo committee ever thought of it. Anyway it is now taking concrete shape.....(Interruptions.) I am not here opposing the dissenting note of Mr. Baladhandayutham; I am in sympathy with some of the propositions he has been propounding.

As was cogently pointed out, this measure being a penalty measure, the solatium that can be granted has got to be minimum. The money that is going to be paid but concealed under the transfer deed will be more for the purpose of protecting the transferee than for the purpose of protecting the transferor. False deeds are taking place so that black money could find a place for investment. To increase the value to the extent of 15 per cent may defeat the purpose of the Bill considerably. Once it is conceded that the property is worth really more than what is spent not in the deed, what should be done? We proceed when we assume that it is at least 25 per cent less than the real value. Therefore, it is conceded that the value of the property is higher than the figure spelt out in the deed. Therefore, it may not be constitutionally viable if an attempt is made to take over the property without paying what may appear to be a reasonable compensation

What is spelt out in the deed will be good enough, but if constitutionally that is not possible, something more may have to be done. It is in that spirit that this amount has been spelt out. Even there, there is sufficient discouragement for the investor. We step in when the margin is 25 per cent. 15 per cent is the solatium we are giving. He is losing 10 per cent. But 25 per cent is the minimum margin. Actually it may be more. So, the transferee will be losing substantially even if 15 per cent is given. Therefore, it has to be conceded that a solatium will have to be stipulated if it is to stand constitutional scrutiny. Whether it should be 15 or 10 or 12 per cent is a matter of minor judgment. Once an assessment is made that he has really paid money more than what is evidenced by the sale deed, there will certainly be further proceedings against him, asking him where from he got the money and so on. This may be just the beginning of further proceedings against that man. There is no doubt that this is an effective, well-intentioned step of going ahead to net in black money. This was contemplated even $1\frac{1}{2}$ years back.

The next point raised by Baladandayutham was this 6 months period. The Finance Minister in his opening speech has dealt with that. I do not say there is no force in the argument of Mr. Baladpandayutham, but there is the other aspect of the matter. supposing the transferer for the purpose of concealing his income and making a profit out of the value of the property, sells it, and supposing I purchase it in a *bona fide* manner at a bargained price, should there not be some certainty for me to possess that property? If the Damocles sword is hanging over me all the time, would I care to work and improve that property? To a certain extent, for a certain period, this uncertainty can continue. But it should not be for all time to come. So, a time has to be stipulated. Whether it should be 6 or 9 or 12 months is again a matter of detail. The important matter is whether a time stipulation must be there or not. I feel it has got to be there. If the Government could on its own come to the House with a legislation asking for power to take over a property almost around the price which is spelt out in the transfer deed, the *bona fides* and earnestness which prompted the Government to do so will certainly enable the

Government to come before the House again if they find that this six months' period is too short and persons are escaping from the net. The important point is, an earnest effort is being made to face this malady of black money. Much has been said about the interim report. I do not know why so much noise is being made about it. What is contained in the interim report, that broad proposition is already there. Even in 1971 this was spelt out clearly. It is not as if some new big discovery has been made by some body and so repeatedly demand is being made and much noise is made about a discussion here. It would say that in the interests of the general dignity of the House it is better not discuss it here. That would be the path of sanity, even though incessantly, repeatedly *ad nauseam* demands are made for its discussion.

Three propositions were put forth. They are being implemented. There is no hide and seek about it. Does anybody think that the government, as it is constituted today, does not want to fight black money? It has got to fight black money if it wants to exist, if it wants to implement its policy. It is a question of "To be or not to be". Certainly, the government which is in charge of the administration of the country today, is much more anxious, much more earnest, much more subjectively interested in fighting black money, because if it fails to fight black money then it will not be able to achieve the economic reconstruction of the country. So, let no one come forward as the champion of the fight against black money. If that demand is pressed too much, there will be a microscopic enquiry which will reveal things which will not be palatable even to those persons who make that demand. Therefore, let us forget all that.

Now this provision has been brought forth. I must compliment the government for giving concrete statutory shape to the promise which was spelt out in the first speech made on the floor of the House. Defects, deficiencies and shortcomings have got to be detected by experience. It has got to be done step by step; a forward move has got to be made. But when we make the move, we also have got to be careful that

the move is not scuttled by judicial scrutiny. Secondly, in our enthusiasm we should not forget the necessity of giving a sense of security to people who are purchasing property because it may result in deliberate abandonment of purchase of property if insecurity conditions prevail. Although there is quite a lot of sense in what Shri Baladhandayutham said, we have to approach the proposition from these two angles and these two points of view have to be given their own weight and they have got to be supported. With these observations, I support the Bill whole-heartedly.

श्री सतगल कपूर (पटियाला) : चेयरमैन साहब, मैं मिनिस्ट्री आफ फाइनेंस और चव्वाण साहब को इस बिल के लाने के लिए मुबारकबाद पेश करता हूँ। वाचू कमीशन के रिपोर्ट के सिलसिले में यह एक बहुत स्वस्टेन्शल-स्टेप है, ठोस कदम है ब्लैक मनी को खत्म करने के लिए एक बहुत बड़ा कदम है। जहाँ तक हमारे मुल्क में ब्लैक मनी का ताल्लुक है, प्राइवेट सेक्टर में उसको जिस तरह से बिल्ड किया है, जिस तरह से वे लोग ब्लैक मनी के सिर पर हमारे मुल्क की सारी एकानमी को बस्ट्राय करने का एटेम्प्ट करते हैं, जिस तरह से इन-डायरेक्ट-वे में छाने की कोशिश करते हैं, जिस तरह से हमारी तमाम स्कीमों को अपने ढंग से, अपने अन्दाज से फेल करने की कोशिश करते हैं, उस लिहाज से इस बिल का यहाँ पर आना बहुत जरूरी था।

आज कीमतों का सवाल आता है, राइजिंग प्राइस का सवाल आता है, उसके पीछे भी ब्लैक मनी को पैदा करने वाले लोग, प्राइवेट सेक्टर के अलम्बरदार, प्राइवेट सेक्टर के हिमायती नजर आते हैं। इस बिल के जरिये उस तरफ एक ठोस कार्यवाही की गई है। इस बिल के अन्दर साफ तौर पर पर हम कब्ज़ देखते हैं—हम सब को मालूम है, अभी हमारे जनसंघ के भाई विरेन्द्र अप्पलाल बोले थे, उन्होंने बिल के बारे में कहा कि वह इस बिल को सपोर्ट करना चाहते हैं, लेकिन जब उन्होंने अपनी

[श्री सतपा न कपूर]

तजवीजें दीं, वे तमाम तजवीजें ऐसी थीं, जिनसे यह बिल नाकारा हो जाये... (व्यवधान) ...

18 hrs.

कभी यह है कि ट्राइब्युनल बन जाये, प्रापर्टी की प्रइस बज नुकरर करे, प्रापर्टी दो लाख की लै और उसको कम्पेन्सेशन बीस लाख दिया जाये—यही आप चाहते हैं। आज सारा जो बर्कमनी का काम है वह इसी स्प्रिट को सपोर्ट करता है। आज प्रापर्टी खरीदी किसी कीमत पर जाती है और जो किसी कीमत पर की जाती है। इस लेबुना को यह बिल पकड़ता है। इस बिल का मेन प्रकसद ही यही है। हमारे बीरेन्द्र अग्रवाल ने यहाँ पर यह कहा है कि एक ट्राइब्युनल हो जाये—बसेंस एषारिटी, बैल्यूयस की जगह पर और वह फैसला करे कि इस प्रापर्टी की प्रसली कीमत क्या है। अगर यह तजवीज मान ली जाये, एक जूडिशियल एषारिटी बन जाये तो फिर सरकार हर बात में कार्ट में जाये। उससे

तो इस बिल का प्रकसद ही खत्म हो जाता है। इसलिए मैं समझता हूँ यह बिल एक कम्पेन्सेशन बिल है, बहुत ठीक है और इस प्रत्यक्ष में ऐसी बिल लाने बहुत जरूरी है। और भी इस किस्म के बिल यहाँ पर लाने चाहिए ताकि इस मुल्क से बर्कमनी को खत्म किया जा सके। मैं फिर एक बार इस बिल को सपोर्ट करता हूँ।

MR. CHAIRMAN : The hon. Minister he may speak tomorrow.

SHRI YESHWANTRAO CHAVAN : I will be in possession of the House when reply tomorrow.

MR. CHAIRMAN : The House stands adjourned to meet again at 11 A. M. tomorrow.

18.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, August 18, 1972 [Sra vana 27, 1894 (Saka)

