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Tuesday, December 13, 1977  
Arghanayana 22, 1899 (Saka)

# LOK SABHA DEBATES

(Third Session)



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# C O N T E N T S

*No. 20, Tuesday, December 13, 1977/Agrahayana 22, 1899 (Saka)*

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## LOK SABHA

Tuesday, December 13, 1977/Agrahayana 22, 1899 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### मकरोनिया और केरली के बीच नई रेल लाइन

\*386. श्री नर्मदा प्रसाद राय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार मध्य प्रदेश में मकरोनिया और केरली रेलवे स्टेशनों को एक नई रेल लाइन द्वारा जोड़ने के प्रस्ताव पर विचार कर रही है ;

(ख) यदि हां, तो इस कार्य के कब तक पूरा किए जाने की सम्भावना है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं जबकि व्यापार की दृष्टि से यह लाइन बहुत अनिवार्य है ?

रेल मंत्री (प्रो० मधु दण्डवते) :

(क) मध्य प्रदेश में मकरोनिया और केरली रेलवे स्टेशनों को एक नयी रेल लाइन द्वारा जोड़ने का कोई भी प्रस्ताव इस समय सरकार के विचाराधीन नहीं है।

(ख) प्रश्न नहीं

(ग) धन की अत्यधिक कमी है और जो धन उपलब्ध है, वह पहले से

शुरू की गयी परियोजनाओं को पूरा करने के लिए भी पर्याप्त नहीं है।

श्री नर्मदा प्रसाद राय : अध्यक्ष महोदय, मैं आपके माध्यम से मंत्री महोदय का ध्यान आकर्षित करना चाहता हूँ कि हमने जो मकरोनिया और केरली लाइनों को एक नई रेलवे लाइन से जोड़ने की मांगें रखी हैं वह इस दृष्टि से रखी है कि इस इलाके में पांच बहुत बड़े नगर पड़ते हैं। इसलिए व्यावसायिक दृष्टि से भी यह बहुत आवश्यक है कि इस रेलवे लाइन को जोड़ा जाए। इसके साथ ही थाना में मिलिट्री का बहुत बड़ा हेडक्वार्टर है इसलिए भी यह आवश्यक है कि इस रेल लाइन को जोड़ा जाए। थाना आने जाने के लिये मिलिट्री की बहुत सी गाड़ियां चलती हैं जिसके कारण वहां की जनता को याता-यात में बहुत दिक्कत होती है, बहुत रुकावट होती है और उनके जान-माल को भी क्षति पहुंचती है। इसके साथ ही वहां परमान में एक मेला लगता है और यह एक प्रसिद्ध मेला है जो कि एक महीने तक चलता है। इस दृष्टि से भी आवश्यक है कि इस रेल लाइन को जोड़ा जाए।

प्रो० मधु दण्डवते : जो माननीय सदस्य ने जानकारी दी है उसके सम्बन्ध में मैं उनको बताना चाहता हूँ कि हमारे पास आज तक 28 नई लाइनें ऐसी हैं जिनका काम पैडिंग चल रहा है क्योंकि धनराशि की कमी है इसलिए इस रेलवे लाइन की आवश्यकता को समझते हुए भी हम माननीय सदस्य के सुझाव को नहीं मान रहे हैं। साधनों की अत्यधिक कमी के कारण जो लाइनें

हमारे पास है उन पर ही काम नहीं हो पा रहा है। अभी 13 ऐसी रेल लाइने हैं जिन पर कंवर्शन का काम जारी है। लेकिन साधनों की उपलब्धता न होने की वजह से हम लोगों की ऐसी नीति है कि जिन रेल लाइनों पर पहले से काम चल रहा है उन्हीं को पहले प्राथमिकता दें उसके बाद दूसरी रेल लाइनों के बारे में सोचें। इसलिए इस रेल लाइन के बारे में अभी विचार नहीं किया जा सकता है।

**श्री नर्मदा प्रसाद राय :** तीस वर्ष के पुराने शासन में यह सारा जिला बहुत उपेक्षित रहा है और आज तक इसमें कोई विकास कार्य नहीं हुआ। मेरा माननीय मंत्री जी से निवेदन है कि इस जिले को जोकि उपेक्षित क्षेत्र है और हरिजन सुरक्षित क्षेत्र भी है, प्राथमिकता दें और उसे रेल लाइन से जोड़ा जाए।

**प्रो० मधु दण्डवते :** मान्यवर, उपेक्षित और पिछड़े हुए इलाकों की तरफ हम जरूर ज्यादा ध्यान देंगे लेकिन ऐसे भी इलाके हैं जहां यातायात बहुत ज्यादा है, इसलिए पहले उनकी तरफ ध्यान देना होगा। इसलिए मैं समझता हूं कि इस रेल लाइन के बारे में इंतजार करना होगा और इंतजार करने में भी ताकत हो सकती है।

**श्री राघव जी :** अध्यक्ष महोदय, रेल यातायात की दृष्टि से मध्य प्रदेश सबसे पिछड़ा हुआ इलाका है। वहां उस पिछड़े हुए प्रदेश में रायसेना जिला बहुत पिछड़ा जिला है। इसलिए मैं जानना चाहता हूं कि क्या करेली से गादरवाड़ा होते हुए ओबदुल्ला-गंज रेलवे लाइन का सर्वेक्षण हुआ था? क्या इस पर रेलवे लाइन डालने का कोई प्रस्ताव मंत्रालय के विचाराधीन है? इस लाइन का सर्वेक्षण आठ-दस वर्ष

पूर्व हुआ था, क्या इसके बारे में मंत्री जी को जानकारी है? इस सम्बन्ध में आपके विभाग ने अब तक क्या किया? यह क्षेत्र धन-धान्य की दृष्टि से एवं वन सम्पदा की दृष्टि से अत्यन्त धनी क्षेत्र है लेकिन यातायात के अभाव के कारण बहुत पिछड़ा हुआ है। क्या मंत्री जी गादरवाड़ा होते हुए करेली से ओबदुल्लागंज तक रेल लाइन डालने पर विचार करेंगे?

**प्रो० मधु दण्डवते :** मान्यवर, मूल प्रश्न से इस रेल लाइन का कोई सम्बन्ध नहीं है। फिर भी मैं बताना चाहता हूं कि इस रेल लाइन का अभी तक सर्वेक्षण नहीं हुआ है।

**श्री शरद यादव :** अध्यक्ष महोदय, हरेक मंत्री यही बात कहता है कि पिछड़े हुए इलाकों के बारे में उनकी विशेष दृष्टि है। यातायात के साधनों की दृष्टि से मध्य प्रदेश हिन्दुस्तान में सबसे ज्यादा पिछड़ा हुआ है, आर्थिक दृष्टि से भी पिछड़ा हुआ है। यातायात के मामले में मध्यप्रदेश को जो सबसे ज्यादा पिछड़ा हुआ माना जाता है, क्या इस प्रदेश में जबलपुर से गोंदिया तक जो रेल लाइन छुटी है, उसको पूरा करने का काम कब शुरू करेंगे? उन्होंने बम्बई से कलकत्ता तक रेल लाइन पर गाड़ी चला दी है लेकिन जिन इलाकों में यातायात की सुविधा नहीं है, उनके बारे में वे क्या कर हैं? मैं यह पूछना चाहता हूं कि इन पिछड़े हुए इलाकों के लिए उनके पास कौन सी योजना है जिसको वे जल्दी पूरा करने वाले हैं?

**प्रो० मधु दण्डवते :** मान्यवर, सबसे पहले तो मैं यह बताना चाहता हूं कि रेलवे के विकास की दृष्टि से मध्य प्रदेश सबसे पिछड़ा इलाका नहीं है। असम और

उड़ीसा को अगर देखा जाए तो देश के आजाद होने के बाद से कोई रेल का विकास नहीं हुआ है। चंद इलाके तो ऐसे हैं जहां आजाद होने के बाद से 12 किलोमीटर से ज्यादा रेल गाड़ी नहीं चली। ऐसी हालत में, फिर भी मैं माननीय सदस्य को बताना चाहता हूं कि 28 रेलवे लाइनों का जो जिक्र हम कर रहे हैं उनमें ज्यादातर पिछड़े हुए इलाकों में हैं और इन इलाकों के लिए हमारी कौशिश है कि प्लानिंग कमिशन के जरिए जितना एलोकेशन हो उसके आधार पर हम इस काम को करें।

MR. SPEAKER: Question No. 387.

SHRI K. LAKKAPPA: As the procedure should not be wrong, I want to bring to your notice rule 41 (2)(xiv) which says that it shall not ordinarily ask for information on matters of past history. This question is regarding complaints about the last general election. It is also vague. Please see how it has been framed: It asks for "the total number of complaints (Statewise) received". On what subject? Nothing has been said in the question. So it is not precise. Therefore, it may be held over and reconsidered.

MR. SPEAKER: There is no point of order. It is in accordance with the rules.

#### Complaints Received during Lok Sabha Elections, 1977

\*387. SHRI KANWAR LAL GUPTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to lay a statement showing:

(a) the total number of complaints (Statewise) received in the last General Elections of Lok Sabha held in March, 1977;

(b) what were the major complaints made during that period and what action has been taken by the Government thereon;

(c) the details of the complaints received by the Election Commission or the Government for unnecessary interference of the Government for misusing the Government machinery and its funds, pressurising the Government Officers etc. during the elections; and

(d) what action has been taken on it?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) to (d). The required information is being collected and will be laid on the Table of the House.

श्री कंवर लाल गुप्त : मंत्री महोदय को पता है कि जब जनरल इलेक्शन हुए थे तब काफी कम्प्लेंट्स आई थीं और उसी थे सम्बन्ध में इलेक्शन ला को कुछ ही दिन पहले, इमरजेंसी के पहले और इमरजेंसी के दिनों में बदला गया था और उसमें करप्ट प्रैक्टिस की परिभाषा भी बदली गई थी। उसमें यह भी कहा गया था कि प्रधान मंत्री और स्पीकर के लिए अलग ट्रिब्यूनल होगा और इलेक्शन पेटिटिशन के बारे में ट्रिब्यूनल फैसला करेगा। मंत्री महोदय क्या बतलाएंगे कि जो आप संशोधन ला रहे हैं आपका क्या ख्याल है कि जो कुछ दिन पहले संशोधन किया गया था उसको भी आप इसमें शामिल करेंगे और जो करप्ट प्रैक्टिस की परिभाषा बदली गई थी उस पर आप पुनर्विचार करेंगे ? साथ ही प्रधान मंत्री और स्पीकर के बारे में जो व्यवस्था की गई थी उस पर भी आप पुनर्विचार कर रहे हैं ?

MR. SPEAKER: How does it arise out of this question?

SHRI KANWAR LAL GUPTA: There were certain complaints made during the elections regarding corrupt practices, and the definition of corrupt practice has been changed. That is why I want to know his views about

the amendments made in that Act regarding corrupt practice, so that such complaints may not be made later on or some action may be taken.

MR. SPEAKER: That is a long way away from the question.

श्री शान्ति भूषण : अगर मैं माननीय सदस्य के सवाल को ठीक समझ सका हूं तो उनका अभिप्राय यह है कि इलैक्शन लाज अमेंडमेंट एक्ट 1975 जो पास हुआ था और जिस में करप्ट प्रेक्टिस के बारे में बहुत कुछ संशोधन रिट्रोस्पेक्टिव इफेक्ट से किए गए थे उनके बारे में वह पूछ रहे हैं। उस कानून के बारे में सरकार विचार कर रही है, उसको रिपील करने के बारे में विचार कर रही है और मैं समझता हूं कि बहुत शीघ्र कोई निर्णय इस सम्बन्ध में ले लिया जाएगा।

श्री कंवर लाल गुप्त : अध्यक्ष महोदय, मंत्री महोदय ने ठीक ही कहा है, मैं उन्हें बधाई देना चाहता हूं वह जो अमेंडमेंट एक्ट हुआ उसके कारण से पहली प्रधान मंत्री जीत गई नहीं तो वह इलैक्शन पेटिशन नहीं जीत सकती थीं, तो मेरा दूसरा सवाल यह है कि जो गवर्नमेंट की मशीनरी के मिसयूज के बारे में आपके पास बहुत सारी शिकायतें आयी हैं और वह शिकायतें केवल इलैक्शन के दिनों में भी आयीं, इतना ही नहीं शाह कमीशन के सामने भी, विद्या चरण शुक्ल ने, इन्दिरा गांधी ने और संजय गांधी ने सरकारी मशीनरी का दुरुपयोग किया यह डोक्यूमेंटरी एवीडेंस भी आपके सामने आ गई.....

SHRI K. LAKKAPPA: I take exception to this. How is it relevant to the Question? He is bringing in all sorts of things, charges and other things.

MR. SPEAKER: I am following it. If it is irrelevant I will say so. It is

for me to decide. He is within his limits.

श्री कंवर लाल गुप्त : मैं मंत्री महोदय से वह पूछना चाहता हूं कि गवर्नमेंट मशीनरी का मिसयूज हुआ, उसकी शिकायतें आपके पास आयीं, और उसके बाद शाह कमीशन के सामने भी रेकार्ड में लिखित रूप से ऐसी एवीडेंस है जिसमें श्रीमती इन्दिरा गांधी, संजय गांधी और विद्या चरण शुक्ल ने अपने इलैक्शन के दौरान में पार्टी के लिए और अपने लिए सरकारी मशीनरी का दुरुपयोग किया। तो मैं जानना चाहता हूं कि सरकारी मशीनरी का दुरुपयोग न हो—उसमें एक यह भी था कि करोड़ों रुपया इलैक्शन में बहाया जाता है क्या सरकार इसके बारे में विचार करेगी.....

(Interruptions)

SHRI K. LAKKAPPA: How is it relevant?

MR. SPEAKER: Please read the Question; then, you say it.

SHRI K. LAKKAPPA: Why do you allow him so much time to put a supplementary.

MR. SPEAKER: It is for me to see. You are disturbing the whole House.

SHRI K. LAKKAPPA: You should regulate the proceedings.

SHRI KANWAR LAL GUPTA: There should be some remote control, if not direct control over him.

मैं जानना चाहता हूं कि सरकारी मशीनरी का मिसयूज न हो, इस तरह की जो शिकायतें आपके पास आयीं तो जो करोड़ों रुपया खर्च होता है उसको रोकने के लिए क्या सरकार इस बारे में भी विचार कर रही है कि मीटिंग्स के लिए, पोस्टर्स के लिए जो रिकग्नाइज्ड पार्टीज हैं उनके

जो कैंडीडेट हैं उनको सरकार अपनी तरफ से खर्चा दे, या उनकी मीटिंग अरेंज करे ! क्या ऐसी बात सरकार के विचाराधीन है ?

**श्री शान्ति भूषण :** मार्च 1977 में जो लोक सभा का चुनाव हुआ उस सम्बन्ध में जो शिकायतें आयीं जो कुछ इस प्रकार की थीं जैसे वोटर्स लिस्ट में बहुत सारे नाम जिनके होने चाहिए थे वह नहीं थे, कुछ इम्पॉसिबिलिटी के बारे में शिकायत आयीं, कुछ आफिशियल मशीनरी के मिसयूज की शिकायतें आयीं, कुछ डुप्लिकेट वैलट पेपर्स की शिकायतें थीं, यह सब शिकायतें इलेक्शन कमीशन को रेफर कर दी गई। इलेक्शन कमीशन को इन सारी शिकायतों की जो चीफ इलेक्टोरल आफिसर्स होते हैं स्टेट्स में उनको रेफर करना पड़ता है, उनसे भी फैक्ट्स मंगाने पड़ते हैं। तो इलेक्शन कमीशन की कोई रिपोर्ट आएगी उस पर विचार किया जाएगा, या उसके सम्बन्ध में कोई ऐसी स्थिति होगी कि कानून में रद्दो बदल करने की जरूरत है तो उस पर भी विचार किया जाएगा। जो प्रश्न माननीय सदस्य ने खासतौर से पूछा कि जो कैंडीडेट्स रुपया खर्च करते हैं इलेक्शन में तो क्या सरकार की ओर से कोई ऐसी योजना है कि उनको उस खर्च को मीट करने के लिए सरकार की ओर से मदद दी जाए ?

ऐसा एक प्रश्न सरकार के विचाराधीन है, सरकार उस पर विचार कर रही है और विचार करने के बाद, मैं समझता हूं कि एक फैसला लिया जाएगा और उस फैसले की बुनियाद पर कानून में तबदीली की जाएगी।

**MR. SPEAKER:** No. 388—Shri Madhavrao Scindia.

**SHRI K. LAKKAPPA:** You did not allow any supplementary questions.

**MR. SPEAKER:** 389—Shri Ramji Lal Suman.

(Interruptions)

**SHRI K. LAKKAPPA:** How is it that you did not allow any supplementary?

(Interruptions)

**MR. SPEAKER:** Do not record.

(Interruptions)

**SHRI K. LAKKAPPA:** \*\*

**MR. SPEAKER:** I have considered the matter.

(Interruptions)

**SHRI K. LAKKAPPA:** \*\*

**MR. SPEAKER:** I will allow very limited questions.

(Interruptions)

**MR. SPEAKER:** I am on my legs. The question was how many complaints are there about the elections. The Minister's answer is that he is going to collect the information and will place it before the House. Therefore, you had an opportunity to put larger questions. Under the rules, a questioner has two supplementaries. I have allowed only those. Otherwise this question does not arise.

(Interruptions)

**तीन एक्सप्रेस गाड़ियों का आगरा में रुकना**

**\* 389. श्री रामजी लाल सुमन :**  
क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें पता है कि तीन महत्वपूर्ण रेलगाड़ियां अर्थात् 126 अप के० के० एक्सप्रेस, 122 अप तमिलनाडु

एक्सप्रेस और 124 अप आन्ध्र एक्सप्रेस आगरा में नहीं रुकती है जो एक महत्वपूर्ण ऐतिहासिक स्थान है; और

(ख) अगर कोई विभागीय कठिनाई हो, तो क्या सरकार वहां ऐतिहासिक स्थानों को देखने के इच्छुक यात्रियों के लाभ के लिए इन रेलगाड़ियों को वहां रोकने के प्रश्न पर विचार करेगी।

रेल मंत्री (प्रो० मधु दण्डवते) : (क) जी हां।

(ख) आगरा से मद्रास की ओर जाने वाले यात्रियों के लिए तीन जोड़ी तथा हैदराबाद और केरल की ओर जाने के लिए एक एक जोड़ी गाड़ियां आगरा छावनी पर पहले से ही उपलब्ध हैं। चूँकि 122 अप तमिलनाडु एक्सप्रेस 124 अप आन्ध्र प्रदेश एक्सप्रेस तथा 126 अप कर्नाटक-केरल एक्सप्रेस गाड़ियां अन्तर्नगरीय तेज सेवाएं प्रदान करने के उद्देश्य से चलाई गई हैं, इसलिए मुख्यतः परिचालनिक कारणों से, उनके ठहराव बहुत ही सीमित रखे गए हैं। लम्बी दूरी के यात्रियों की सुविधा का ध्यान रखते हुए तथा इस बात को भी देखते हुए कि आगरा से अन्य गाड़ियां उपलब्ध हैं, इन गाड़ियों को आगरा छावनी पर ठहराने का विचार नहीं है।

SHRI C. N. VISVANATHAN: Let him read the answer in English also. We have not been able to understand. It is about Tamil Nadu Express.

MR. SPEAKER: I have no objection. He can read the English version also.

PROF. MADHU DANDAVATE: (a) Yes, Sir.

(b) Agra Cantt. is already served by 3 pairs of trains towards Madras, one pair of trains towards Hyderabad and

one pair towards Kerala for the convenience of passengers from Agra to these areas. 122 Up Tamil Nadu Express 124 Up Andhra Pradesh Express and 126 Up Karnataka-Kerala Express have been introduced to provide fast inter-city services and therefore, their stoppages have to be confined to the minimum mainly for operational purposes. Having regard to the convenience of long distance passengers and in view of the availability of alternative services at Agra, it is not proposed to provide stoppages by these trains at Agra Cantt.

श्री रामजी लाल सुमन: माननीय मंत्री जी ने बताया कि अन्य महत्वपूर्ण गाड़ियां आगरा में रुकती हैं। संभवतः माननीय मंत्री जी को आगरा के ऐतिहासिक महत्व के बारे में बतलाने की आवश्यकता नहीं है। किसी भी महत्वपूर्ण रेलगाड़ी को आगरा में न रोकना यह कम से कम आगरा के साथ अन्याय है। मैं बड़ी विनम्रता से निवेदन करना चाहता हूँ कि 126 अप के एक्सप्रेस 122 अप तमिलनाडु एक्सप्रेस और 124 अप आन्ध्र प्रदेश एक्सप्रेस गाड़ियां जहां रुकती हैं उन स्थानों की मान्यताओं को आगरा शायद उन से ज्यादा पूरा करता है। जहां तक दूरी का सवाल है माननीय मंत्री जी को ज्ञान होगा कि इन महत्वपूर्ण रेलगाड़ियों को जहां रोका जाता है उस से कम दूरी उस की है और मैं एक निवेदन और कर दूँ कि 1971 की जन-गणना के हिसाब से नागपुर को छोड़कर अन्य स्थानों की अपेक्षा आगरा की जनसंख्या अधिक है। आप देखें कि आगरा की आबादी 6 लाख 20 हजार है, एरणाकुलम की 4 लाख 40 हजार, कोयम्बटूर 3,50,000, भोपाल 3,90,000, विजयवाड़ा 3 लाख 40 हजार, सेलम 3 लाख 10 हजार, झांसी 1 लाख 90 हजार, क्विलोन 1 लाख 20 हजार और ईरोड़ 1 लाख 10 हजार। इसके अलावा

1 लाख की आबादी से कम वाले शहरों में भी ये रेलगाड़ियां रोकी जाती हैं, और आगरा जो एक ऐतिहासिक महत्व का स्थान है, उद्योग के हिसाब से, पर्यटकों के हिसाब से . . . . .

(व्यवधान)

MR. SPEAKER: Please come to the question.

श्री राम जी लाल सुमन : मैं जानना चाहता हूं कि कौन सी ऐसी मान्यताएं हैं जिनके कारण आगरा में ये रेलगाड़ियां नहीं रोकी जाती हैं क्योंकि आगरा उन समस्त मान्यताओं को पूरा करता है जिसकी वजह से रेलगाड़ियां अन्य स्थानों पर रोकी जाती हैं। मैं माननीय मंत्री जी से जानना चाहता हूं कि वह क्या हालात हैं जिन की वजह से उन छोटे छोटे स्थानों पर जहां इन गाड़ियों को रोकने की कोई आवश्यकता नहीं होती, वहां ये रोकी जाती हैं और वह कौन से ऐसे हालात हैं जिन की वजह से आगरा में ये नहीं रोकी जाती हैं? और वह दूरी भी कम है जितनी दूरी आप फरमा रहे हैं।

प्रो० मधु दण्डवते : माननीय सदस्य ने कहा है कि ताजमहल की सुन्दरता को सभी जानते हैं, मैं भी जानता हूं, उस के बारे में कोई दो राय नहीं है। लेकिन जैसा मैंने पहले बताया था, फिर बताना चाहता हूं कि यह हम लोगों का इरादा नहीं है कि दक्षिण की तरफ जाने वाले यात्रियों के लिए आगरा देखने के लिए कोई सुविधा न रहे। माननीय सदस्य शायद यह भूल गए कि मैंने यह बताया था कि 15 जोड़ी ट्रेन्स जाती हैं जिस में दक्षिण की तरफ जाने वाली गाड़ियां भी हैं, उसका ब्रेक अप भी मैं बता देता हूं। 15 पेयर्स आफ ट्रेन्स जो हैं उसमें 12 जोड़े ऐसे हैं जिनमें फास्ट मेल हैं और एक्सप्रेस ट्रेन भी हैं। इसके साथ ही साथ हमें दूसरी तरफ यह भी देखना है कि जब

15 पेयर्स आफ ट्रेन्स हम आगरा स्टेशन पर ठहराते हैं तो चन्द ट्रेन्स हिन्दुस्तान में ऐसी जरूर रहेगीं, जो फास्ट ट्रेन्स रहेगीं, सिर्फ फास्ट ट्रेन्स रहेंगीं, जिनकी रफ्तार ज्यादा रहेगी। इसकी मांग लोगों की तरफ से रही है, ज्यादातर दक्षिण की तरफ से जैसे हम ज्यादा से ज्यादा स्टेशन्स पर गाड़ी खड़ी करना चाहते हैं उसके साथ ही साथ चन्द ट्रेन्स ऐसी हों, जो ज्यादा फास्ट रहें, उत्तर से लेकर दक्षिण तक उनके ठहरने के आवसं कम हो जाय तो इन दोनों बातों में संतुलन रखने के लिए 15 पेयर्स आफ ट्रेन्स ऐसी रखी हैं जो आगरा पर ठहरेगीं और दूसरी तीन गाड़ियां, जिनका जिक्र किया गया है, फास्ट ट्रेन होने के कारण आगरा पर उनके न ठहरने का फैसला किया गया है।

श्री राम जी लाल सुमन : अध्यक्ष महोदय, मेरा निवेदन है कि अगर दक्षिण जाना हों तों दिल्ली से आंध्र प्रदेश, हैदराबाद, मिकन्दराबाद एक दिन और एक रात में पहुंचा जा सकता है लेकिन अगर आगरा से कोई जाना चाहे तो उसका सीधा मतलब है कि उसको दुगुना समय लगेगा। आगरा के लोगों को उसका कोई फायदा नहीं होता है। तो मेरा निवेदन है कि दुगुना समय जो आगरा से लगता है उसका कोई भी औचित्य नहीं है।

मेरा दूसरा निवेदन यह है कि यदि आप दूरी की दृष्टि से देखें तो यह गड़ियां नागपुर से बल्लारशाह क्यों रोकी जाती हैं? यदि स्टाफ की वजह से, तो नागपुर पर कौन सा काम असम्भव है? यह केवल 212 किलोमीटर ही तो है सेलमपुर 121 किलोमीटर दूर है और सेलमपुर से इरोड़ भी ऐसा ही है।



तो ऐसी कौन सी मान्यताएं हैं जिनकी वजह से ऐसा किया जाता है जब आगरा से जाने वाले लोग पहले दिल्ली आये और दूना समय खर्च करें इसका क्या औचित्य है ?

प्रो० मधु दण्डवते : मैं माननीय सदस्य का ध्यान इस बात की ओर खींचना चाहता हूं कि जिन तीन गाड़ियों का वे जिक्र कर रहे हैं उसमें एक तमिलनाडु एक्सप्रेस है वह ट्राई-वीकली है, हफ्ते में तीन बार चलती है, दूसरी गाड़ी आंध्र प्रदेश एक्सप्रेस है वह हफ्ते में दो बार चलती है। आर तोसरी गाड़ी कर्नाटक केरल एक्सप्रेस है जो हफ्ते में दो बार चलती है इस तरह से रोजाना चलने वाली कोई गाड़ी नहीं है। दक्षिण की ओर से लगातार यह मांग रही है कि आप दक्षिण को ज्यादा फास्ट ट्रेन्स नहीं देते हैं, कृपया इन गाड़ियों की रफ्तार कम मत कीजिए, ज्यादा स्टेशन्स मत बढ़ाइये क्योंकि हम जल्दी पहुंचना चाहते हैं। इस बात को दृष्टि में रखकर यह फैसला किया गया है।

SHRI M. SATYANARAYAN RAO: I would like to know whether the Hon. Minister will reconsider the request in regard to the Kerala-Karnataka Express and the Tamilnadu Express which are not stopping at Kazi-pet and Warrangal at present. I raised this point several times and it has been replied to also but I would once again request him to reconsider it because, if they do not stop there, they are of no use to the people of Hyderabad and to the whole Telengana area. So in view of my request and that of several other Members, will the Minister reconsider the matter?

PROF. MADHU DANDAVATE: As far as such problems are concerned I am always prepared to reconsider them.

SHRI R. V. SWAMINATHAN: Although the running time from Madras

to Delhi is 29 hours, the Tamilnadu Express actually reaches its destination two hours before time. In view of this is there a proposal to reduce the running time of the Tamilnadu Express?

PROF. MADHU DANDAVATE: This is a suggestion for action (not for inaction) and I will consider it.

### मध्य प्रदेश को पैराफिन मोम का आबंटन

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\* 390. श्री रामेश्वर पाटीदार :  
श्री गोविन्द राम मिरी :

क्या पेट्रोलियम तथा रसायन और उर्बरक मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1976 में मध्य प्रदेश को राज्य में अधिष्ठापित क्षमता का 10 प्रतिशत से भी कम पैराफीन मोम का कोटा आबंटित करने के क्या कारण हैं ;

(ख) क्या राज्य की आवश्यकता को ध्यान में रखते हुए सरकार का विचार मध्य प्रदेश को कोटे का पुनः आबंटन करके उसे बढ़ाने का है ; और

(ग) यदि हां, तो कब तक ?

पेट्रोलियम तथा रसायन और उर्बरक मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र) :  
(क) से (ग) : विवरण सभा पटल पर रख दिया गया है।

### विवरण

राज्यों को पैराफीन मोम का वार्षिक आबंटन किसी विशेष वर्ष में मोम की कुल संभावित उपलब्धता और प्रत्येक राज्य की इस मद की विगत में खपत क्षमता के आधार पर किया जाता है राज्य में मोम-आधारित उद्योगों की संस्थापित क्षमता के आधार पर नहीं किया जाता है। देश में पैराफीन मोम की मांग में वृद्धि होती रही है, जब कि असम आयल कम्पनी

को डिग्बोई शोधनशाला में उत्पादन, जो कि देश में पैराफीन मोम के उत्पादन का मुख्य साधन है, एक सा गया है। इस उत्पाद की देशीय उपलब्धता को पूरा करने के लिए, पैराफीन मोम के सारणी बद्ध आयात की व्यवस्था करने के लिए वर्ष 1977-78 की आयात नीति को संशोधित कर दिया गया है। सार्वजनिक क्षेत्र में नये एककों की स्थापित करके पैराफीन मोम की उत्पादन क्षमता में जब तक वृद्धि नहीं हो जाती, आशा है कि तब तक पैराफीन मोम के आयात से इस मद की कमी समाप्त हो जायेगी तथा वास्तविक रूप से इस का उपयोग करने वालों के लिए पैराफीन मोम की उपलब्धता में सुधार होगा।

**श्री रामेश्वर पाटीदार :** अध्यक्ष महोदय, मध्य प्रदेश में पैराफीन मोम के उत्पादन की दृष्टि से 1976 में मध्य प्रदेश का जो पैराफीन मोम केन्द्रीय सरकार की ओर आर्वांटेड किया गया वह बहुत कम है। जिस प्रकार से मध्य प्रदेश में

आपात काल स्थिति के दौरान ज्यादातया बढ़ती जा रही थी उसी अनुपात में इसका आर्वांटन भी कम किया गया। मैं माननीय मंत्री जी से जानना चाहता हूँ कि मध्य प्रदेश को इस वर्ष पैराफीन मोम का आर्वांटन बढ़ाया जायेगा ?

**श्री जनेश्वर मिश्र :** अध्यक्ष महोदय, सवाल पूछा गया है कि मध्य प्रदेश में जो पैराफीन मोम की इंस्टाल्ड कैपेसिटी है उससे आर्वांटन कम किया गया तो हमारा मंत्रालय किसी राज्य में पैराफीन मोम इस्तेमाल करने वालों को प्रत्यक्ष रूप से कोई कोटा आर्वांटेड नहीं करता बल्कि विभिन्न राज्यों, संघ क्षेत्रों, को प्रति वर्ष भारत सरकार द्वारा इस आधार पर मोम एलाट किया जाता है कि सारे देश के लिए उस वर्ष कितना मोम उपलब्ध है तथा पिछले वर्ष व वर्षों में किस राज्य ने अपने कोटे का कितना माल उठाया।

इस हिसाब से मध्य प्रदेश के बारे में मैं बतला दूँ—

सन्	जो एलाट हुआ	जो उठाया गया
	टन	टन
1973 . . . . .	915	565
1974 . . . . .	750	654
1975 . . . . .	600	648
1976 . . . . .	598	565.8
1977 . . . . .	898	सितम्बर तक 431 टन

इन आंकड़ों को देखते हुए हम समझते हैं कि कोटा घटाया नहीं गया है।

**श्री रामेश्वर पाटीदार :** अध्यक्ष महोदय, मध्य प्रदेश में 293 इकाई निजी क्षेत्र में कार्य करती है। उन की आवश्यकता 598 मीट्रिक टन की है। पिछले दिनों

देश में जो क्रॉन्ति आई, उस हिसाब से सभी क्षेत्रों में नई स्फूर्ति पैदा हुई है और लोग नये जोश से कार्य करना चाहते हैं। आज मध्य प्रदेश को अधिक पैराफिन-मोम की जरूरत है, इस लिए उस की आवश्यकता को देखते हुए आर्वांटेड करना चाहिए।

**श्री जनेश्वर मिश्र :** मैंने पहले बतलाया है कि भारत सरकार के पास कितना पैराफिन-मोम उपलब्ध है। उस के आंकड़े इकट्ठे करने के बाद ही हम किसी स्टेट को एलाट करते हैं और मध्य प्रदेश को तो इस साल बिना उस के कहे 300 टन अधिक एलाट किया गया है।

**श्री प्रोबिन्द राम मीरी :** अध्यक्ष महोदय, मैं माननीय मंत्री जी से जानना चाहता हूँ कि मध्य प्रदेश की तुलना में अन्य प्रान्तों को कितना पैराफिन-मोम दिया जाता है ?

**श्री जनेश्वर मिश्र :** वे आंकड़े भी मैं आप को सुना देना चाहता हूँ — मैं इस समय 1976 की फिगर्स बतलाऊंगा —

राज्य	एलाट हुआ	उठाया गया	
		टन	टन
महाराष्ट्र . . . . .	9529		9450
गुजरात . . . . .	803		796
मध्य प्रदेश . . . . .	598		565
गोआ , दमण, दिऊ . . . . .	138		136.2
वस्ट बंगाल . . . . .	8316		8297
बिहार . . . . .	1334		1250

MR. SPEAKER: If the list is very long, you should lay it on the Table of the House.

**श्री रामनरित :** अध्यक्ष महोदय, जो पैराफिन-मोम लोगों को दिया जाता है, उस में बड़ी गड़बड़ी की जाती है, ऐसे लोगों को बाट दिया जाता है, जो कैण्डलज बनाने वाले हैं, जिन से सरकार से को कोई इन्कम नहीं होती है। मैं सरकार से जानना चाहता हूँ—क्या सरकार कोटा बांटते वक्त ऐसी इन्स्ट्रक्शन्ज देगी, जिस से सरकार को एक्साइज ड्यूटी और सेलज टैक्स का रुपया भी मिल सके ?

**श्री जनेश्वर मिश्र :** यह सुझाव है, इस पर विचार किया जाएगा।

**श्री निर्मल चन्द्र जैन :** अध्यक्ष महोदय, यह जो आवंटन है, यह या तो जन-संख्या के आधार पर हो सकता है

या मांग के आधार पर हो सकता है। जहां तक आवंटन का सवाल है, मध्य प्रदेश के लिए 1976 में 598 टन था और 1977 में 898 टन का आवंटन है। इसलिए यह सिर्फ मांग पर निर्भर नहीं करता लेकिन मांग होने के बावजूद भी उस को ठीक ढंग से आवंटित नहीं किया जाता, बांटा नहीं जाता। इसलिए मैं मंत्री महोदय से स्पष्ट रूप से यह पूछना चाहूंगा कि 898 टन जो अभी आवंटित किया गया है यह 1976 से करीबन 200 टन ज्यादा है, तो क्या अगले वर्ष इस से और ज्यादा आवंटित करने की प्रक्रिया अपनाई जाएगी ?

**श्री जनेश्वर मिश्र :** अध्यक्ष महोदय, मैंने पहले ही निवेदन किया है कि पैराफिन मोम जो हिन्दुस्तान में उपलब्ध होता है, उस के आधार पर ही राज्यों को एलाट किया जाता है और जितना मोम वे उठाते

हैं, उस आधार पर भी उन को यह मोम दिया जाता है और मध्य प्रदेश को 898 टन एलाट हुआ है। अगर भारत सरकार के पास पैराफिन मोम की ज्यादा उपलब्धि हुई और जितना उन को एलाट किया गया है वह सारे का सारा मोम मध्य प्रदेश उठा लेता है, तो उन को ज्यादा पैराफिन मोम देने के लिए जरूर विचार किया जाएगा।

DR. VASANTA KUMAR PANDIT:

The hon. Minister has kindly told us that amongst the norms for allotment of paraffin wax, one is the availability of production another is the upliftment in the previous year. Will the hon. Minister now seriously consider including the installed capacity also as one of the main criteria. For the last five years continuously less allotment is being made to Madhya Pradesh and because of this some of the installed capacity in the State is lying idle. So, intalled capacity also should be one of the main criteria on which allotment percentage should be finalised. Therefore, will the government review the entire situation in the light of the installed capacity and allot more paraffin wax required by Madhya Pradesh?

श्री जनेश्वर मिश्र : अध्यक्ष महोदय, देश में क्योंकि पैराफिन मोम का अभाव है, इसलिए इंस्टाल्ड कैपेसिटी के आधार पर एलोटमेंट की बात नहीं सोची जा सकती है।

वर्ष 1977-78 के दौरान अत्यधिक तीव्र गति से चलने वाली रेल गाड़ियां चलाने का प्रस्ताव

\* 391. श्री एम० ए० हनान अलहाज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार वर्ष 1977-78 के दौरान अत्यधिक तीव्र गति से चलने वाली (सुपरफास्ट) रेल गाड़ियां चलाने का है; और

(ख) यदि हां, तो तत्सम्बन्धी व्यौरा क्या है और नई रेलगाड़ियों को कब से चलाने की सम्भावना है ?

रेल मंत्री (प्रो० मधु दण्डवते) : (क) जी नहीं। लेकिन सप्ताह में दो बार चलने वाली 59/60 हावड़ा बम्बई गीतांजली एक्सप्रेस को सप्ताह में तीन दिन चलाने के बारे में विचार किया जा रहा है।

(ख) प्रश्न नहीं उठता।

श्री एम० ए० हनान अलहाज : अध्यक्ष महोदय, मैं आप के माध्यम से मंत्री महोदय से जानना चाहता हूं कि आजकल जो कई फास्ट ट्रेनें हैं, उनकी गति पहले के मुकाबले में धीमी हो रही है, इसका कारण क्या है ?

प्रो० मधु दण्डवते : गाड़ियों की रफ्तार के बारे में कई निश्चित सिद्धान्त, आधार तय किये गये हैं। जब रफ्तार तय की जाती है, तो जिस ट्रेक पर गाड़ी चलती है, वहां के ट्रेक की परिस्थिति कैसी है, ट्रेकिंग कंडिशन कैसी हैं, यह सब देख कर गाड़ी की रफ्तार तय की जाती है। कई जगहों पर ट्रेक की कंडिशन अच्छी होने की वजह से रफ्तार बढ़ाई गई है और कई जगहों पर ट्रेक की कंडिशन अच्छी न होने की वजह से रफ्तार कम करनी पड़ी है लेकिन जो सुपर फास्ट ट्रेन्स हैं उन की रफ्तार कम से कम 100 किलोमीटर और ज्यादा से ज्यादा 105, 110 किलोमीटर रही है।

श्री एम० ए० हनान अलहाज : जो बहुत इम्पोर्टेंट ट्रेन्स हैं, जिन की गति कम हो रही है, उस बारे में कुछ नहीं बताया और दूसरी बात यह है कि जो फास्ट ट्रेन्स हैं, उनकी गति बढ़ाने के लिए आप कोई विचार कर रहे हैं ?

**प्रो० मधु दण्डवते :** मान्यवर, जो मूल प्रश्न पूछा गया और जो वह पूरक प्रश्न पूछा गया है, वह दूसरा है और मूल प्रश्न में यह नहीं आता है। अगर आप की इजाजत हो, तो मैं इसका जवाब दे दूँ। यह जो प्रश्न पूछा गया है, उस का मूल प्रश्न से कोई ताल्लुक नहीं है।

**SHRI V. ARUNACHALAM:** So far no super-fast train is running between Madras and Tirunelveli. Will the Minister consider introduction of a super-fast train between Madras and Tirunelveli?

**PROF. MADHU DANDAVATE:** At present there is no desire to introduce any new super-fast train.

As far as the present position is concerned as I had told sometime ago, already a number of trains have been introduced and to-day the position is that whatever superfast trains are there, we are first trying to improve the amenities. To give a concrete illustration, on the 4th of November we have introduced the Geetanjali Express starting from Bombay and going to Calcutta. On this train we are giving almost all the first-class facilities to passengers for ordinary second-class fare. We are giving three tier berths with added cushions in every compartment. We are giving water reservoirs made up of stainless steel. Disinfectant water is there. At the same time we are having landing library. We are having a pantry car to supply hard food.

As far as these amenities are concerned, I have given an assurance during the Budget proposals and I am repeating to-day again-henceforward all the long distance trains will be of Geetanjali type in which many facilities given to first class passenger will be available at a second class fare.

**SHRI SAUGATA ROY:** Is the hon. Minister aware that super-fast surcharge is charged on many trains

which are called fast but they are actually slow? Does the Minister propose to abolish super-fast surcharge on such trains?

**PROF. MADHU DANDAVATE:** You cannot anticipate the Budget proposals.

**श्री लखन लाल कपूर :** अध्यक्ष महोदय, मैं मंत्री जी से जानना चाहता हूँ कि क्या यह उनकी जानकारी में है कि असम पहुंचने के लिए कोई सुपर फास्ट ट्रेन नहीं है। क्या मंत्री जी ब्रह्मपुत्र वेली तक जल्दी से जल्दी पहुंचने के लिए निकट भविष्य में कोई सुपर फास्ट ट्रेन चलाने की योजना रखते हैं? यदि हां, तो क्या इस सुपर फास्ट ट्रेन का नाम वे ब्रह्मपुत्र वैली रखेंगे?

**प्रो० मधु दण्डवते :** सुपर फास्ट ट्रेन चलाने के बारे में माननीय सदस्यों से या संस्थाओं से जो भी सुझाव आयेंगे उन सब का सर्वेक्षण कराया जाएगा और कुछ सिद्धान्त तय करके उन पर कोई निर्णय लिया जाएगा।

**डा० रामजी सिंह :** जैसा मंत्री जी ने कहा कि सुपर फास्ट ट्रेन में वे फर्स्ट क्लास की सुविधाएं प्रदान करेंगे तो मैं उनसे जानना चाहता हूँ कि क्या वे अगले दस वर्ष तक सभी जगहों के लिए सुपर फास्ट ट्रेन्स की व्यवस्था कर सकेंगे और उनमें फर्स्ट क्लास की सुविधाएं दे सकेंगे?

**प्रो० मधु दण्डवते :** अलग अलग फेजिज में इस काम को शुरू किया जाएगा। आगे चल कर लांग डिस्टेंस ट्रेन्स क्लासलेस ट्रेन्स होंगी। अगर यह सदन पैसे का इंतजाम करा दे तो जिस रफ्तार से हम अब चल रहे हैं उस से भी अधिक रफ्तार से हम आगे बढ़ सकते हैं।

**SHRI A. BALA PAJANOR:** The Minister is saying that he is increasing conveniences for the passengers on super fast and express trains. I do not know whether the Minister is aware of the fact that certain express trains take five hours to reach 100 miles. For example Madras-Pondicherry Express leaves Pondicherry at 6 O'Clock in the morning and reaches Madras at 10.45. I do not know in which way it helps the passengers to come in a fast train. Is the Minister aware of such facts? I am afraid that many of the amenities that are promised in Parliament are not properly executed. In the timings given in the time table is the Minister aware that 4½ hrs. are given for a distance of 100 miles? I do not know how it is called an express train.

**PROF. MADHU DANDAVATE:** The standard of express train on different routes varies in the sense—the condition of the track and the gauge of the track. I am sympathetic to the grievances that he has already given in writing and many other hon. members have given in writing. I would like to take the House in confidence. There are two types of difficulties that are coming up. Some Members of this House sent a communication demanding that the number of stops and halts on a particular route should be increased. If we try to increase the halt, because of acceleration and retardation it is necessary that we have to bring down the average speed of the train. If average speed comes down the time of journey increases. If speed is to be increased that can be done by cancelling certain halts. So, there has to be some sort of balance between these things and I can assure the House that genuine grievances will be taken note of and attended to.

#### **Proposal for a Unit of Hindustan Insecticides Limited in West Bengal**

\*394. **SHRI CHITTA BASU:** Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have received any proposal for setting up a

unit of 'Hindustan Insecticides Limited' in West Bengal; and

(b) the reaction of the Government thereto?

**पेट्रोलियम तथा रसायन और उर्वरक  
मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र) :**

(क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

**SHRI CHITTA BASU:** Is it a fact that the Government of West Bengal, Deptt. of Industries, have sent an elaborate note regarding the need for setting up a unit for the development of pesticides in West Bengal under public sector. Three major States, Bihar, West Bengal and Orissa in the eastern region together account for 40 per cent of the total cultivable land. But there is no scope for them to have adequate supply of insecticide. Therefore there is large scale damage to crop. The West Bengal Government has made it clear that the necessary infrastructure and facilities for setting up of the insecticides factory are available there. Having regard to all these things will the Minister reconsider the entire issue and decide about setting up Insecticide Manufacturing Unit there under the public sector?

**श्री जनेश्वर मिश्र :** मैं नहीं जानता कि वैंस्ट बंगाल सरकार ने क्या प्रोपोजल भेजा है । लेकिन भारत सरकार को इस तरह का कोई प्रोपोजल प्राप्त नहीं हुआ है, इतना मैं कह सकता हूँ ।

**SHRI CHITTA BASU:** In answer to Q. No. 393, the Minister has given a list of multinational organisations producing insecticides. When multinationals are there why not the Government of India consider the setting up of State Government unit for its manufacture under the public sector? Is it the policy of the Government to invite the multinationals in preference to public sector units in the country?

**श्री जनेश्वर मिश्र :** जिन मल्टी-नेशनल की लिस्ट को आपने पढ़ा है प्रीवियस क्वेश्चन की, ये पहले से यहां चल रही हैं, इनको हमने न्यौता नहीं दिया है। भारत में कीट नाशक दवाओं के कारखाने चलाने के लिए ज्वायंट वेंचर स्टेट गर्वनमेंट्स के साथ मिल कर सेंट्रल गर्वनमेंट चलाना चाहती है। इसके लिए सभी राज्य सरकारों को लिखा गया है कि वे अपने प्रोपोजल भेजें। अभी तक इस तरह का कोई प्रोपोजल नहीं आया है। अगर आएगा, ऐसी प्रस्तावना आती है, तो उस पर जरूर विचार किया जाएगा।

**श्री ओम प्रकाश त्यागी :** पिछले सवाल में यह कहा गया है कि इस इंसेक्टिसाइड्स के क्षेत्र में दस मल्टीनेशनल काम कर रहे हैं। मैं एक प्रिसाइज सवाल पूछना चाहता हूं। भारत में ये जो मल्टीनेशनल कंपनियां काम कर रही हैं क्या सरकार का इनका भारतीयकरण करने का कोई विचार है या नहीं है, और अगर नहीं है, तो क्यों नहीं है?

**श्री जनेश्वर मिश्र :** कीट नाशक दवाओं के लिए जो बहुराष्ट्रीय कंपनियां उत्पादन कर रही हैं उनके राष्ट्रीयकरण की कोई प्रस्तावना सरकार के पास नहीं है।

**SHRI K. LAKKAPPA:** Mr. Speaker, Sir, my friend, Shri Chitta Basu put a question to which the hon. Minister replied that that did not arise. But, he referred to previous question No. 393 wherein there is a mention that these multi-national companies of U.S.A., Japan, West Germany and Switzerland are operating in India in the manufacture of insecticides. My question is: West Bengal Government is asking for a unit on the public undertaking side. But Government has not even got the philosophy of encouraging the public undertakings in the manufacture of insecticides and the relevancy is that recently Shri Raj

Narain paid a visit to U.K. and there, he, having taken the hospitality of one of the companies of U.K. entered into an agreement. By that, possibly, we allow the multi-nationals to operate even in the manufacture of DDT to kill mosquitoes in this country. I want to know from him whether it is a fact that the present Government, in spite of the pressure as also the request of the State Government to start a unit in the public undertakings side prevented it thereby allowing the multi-nationals to operate in this country?

By the visit of Shri Raj Narain to UK and by having entered into an agreement with a U.K. company, is not the company scuttling the entry of a unit in the public sector undertaking to manufacture the insecticides? If so, why is this Government taking a stepmotherly attitude even though the attitude of this Government is to nurse the public sector units? When the technical knowhow is available in India in manufacture of the insecticides, why do you allow the multi-nationals to operate here?

**श्री जनेश्वर मिश्र :** मैंने पहले ही कहा अध्यक्ष महोदय, कि वैंस्ट बंगाल सरकार से हमें कोई भी प्रस्तावना नहीं मिली है कीट नाशक दवाओं का कारखाना चलाने के लिए ताकि उस पर विचार किया जा सके। जिन मल्टीनेशनल कंपनियों की बात माननीय लाकप्पा साहब ने की है ये कंपनियां जनता पार्टी की सरकार दिल्ली में बनी उसके पहले भारत में खुल चुकी थीं, और पिछली सरकार ने भारत के सीने पर इन बहु-राष्ट्रीय कंपनियों को लादा था। माननीय सदस्य ने डी० डी० टी० के बारे में जरूर कहा है कि क्या डी० डी० टी० भी

मल्टी नेशनल कम्पनियां बनाती हैं। तो मैं इतना ही कह सकता हूँ कि इस समय डी० डी० टी० केवल भारत की जो एच० आई० एल० कम्पनी है वहीं बनाती है, और भारत में इतना डी० डी० टी० पैदा होता है कि सारे के सारे मच्छर, यहां तक कि कांग्रेसी मच्छर भी, साफ़ किये जा सकते हैं। ... (व्यवधान)

MR. SPEAKER: Shri Lakshmi Narain Naik.

SHRI K. LAKKAPPA: Mr. Speaker, Sir, he has not answered my question. That was about the multi-national corporations operating in India in the manufacture of DDT. (Interruptions).

SHRI MOHD. SHAFI QUERESHI: Sir, I rise on a point of order. (Interruptions).

SEVERAL HON. MEMBERS: rose.

SHRI K. LAKKAPPA: Shri Kanwar Lal Gupta put all sorts of questions. I only want a categorical answer to my question. (Interruptions)

MR. SPEAKER: The Question Hour is over.

SHRI VAYALAR RAVI: He must withdraw his words.

MR. SPEAKER: I will go through the matter. I will go into the proceedings.

(Interruptions)

SHRI A. BALA PAJANOR: Sir, I have heard the English translation and as far as the English translation is concerned the Minister has said that he will utilise the pesticides to abolish Congress mosquitoes. The hon'ble Minister made these remarks during the Question Hour. It does not behave him and he should not make such a remark in the House....

SHRI GAURI SHANKAR RAI: There is nothing unparliamentary.

(Interruptions)

MR. SPEAKER: I adjourn the House for fifteen minutes.

12.05 hrs.

(The Lok Sabha adjourned till twenty minutes past twelve of the clock)

## WRITTEN ANSWERS TO QUESTIONS

### Firing on the Crew of Mughalsarai-Lucknow Passenger Train

\*388. SHRI MADHAVRAO SCINDIA:

SHRI R. V. SWAMINATHAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that two crew members of Mughalsarai-Lucknow Passenger train were injured on November 17, 1977 by firing by some anti-social elements;

(b) if so, whether railway administration suspect some sabotage in this regard; and

(c) if so, facts thereof?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE):

(a) Yes, Sir. This incident took place on 18-11-1977 and not on 17-11-1977.

(b) and (c). This incident could have resulted in a serious mishap to the train.

उदयपुर और अहमदाबाद के बीच रात्रि गाड़ी चलाने का प्रस्ताव

\*392. श्री भानु कुमार शास्त्री :  
क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार उदयपुर और अहमदाबाद के बीच इन स्थानों के ऐतिहासिक, धार्मिक तथा पर्यटक महत्व को देखते हुए रात्रि गाड़ियां चलाने का है; और



(ख) यदि हां, तो कब तक ?

रेल मंत्री (प्रो० मधु दण्डवते) : (क)  
जी हां।

(ख) अप्रैल, 1978 से अहमदाबाद और उदयपुर के बीच रात के समय एक गाड़ी चलाने के प्रस्ताव पर विचार किया जा रहा है।

### Multi-National Companies Manufacturing Insecticides

\*393. SHRI AHMED M. PATEL: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of multi-national companies in India who are manufacturing insecticides;

(b) whether the raw material used for manufacturing insecticides is being imported; and

(c) if so, the names of the countries from whom imported and through which agency?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) The names of the companies having more than 40 per cent foreign equity, engaged in the manufacture of pesticides are as follows:—

1. Alkali Chemical Corporation Ltd.
2. Cyanamid (India) Ltd.
3. Bayer (India) Ltd.
4. Ciba Geigy of India Ltd.
5. Indofil Chemicals Ltd.
6. Hoechst Pharmaceuticals Ltd.
7. Sandoz (India) Ltd.

8. Union Carbide of India.

9. BASF (India) Ltd.

10. Monsanto Chemicals of India Ltd.

(b) Some of the raw materials required in the manufacture of technical grade pesticides and some technical grade pesticides, which are not available indigenously, are being imported.

(c) These are imported from U.S.A., West Germany, Switzerland, U.K. and Japan. These are mostly imported directly by the companies concerned.

### Expansion of Madras Refineries

\*395. SHRI P. K. KODIYAN: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Chairman of the Public Sector Madras Refineries has in a statement ruled out the possibility of the expansion of the refineries; and

(b) if so, the details and reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). The Chairman, Madras Refineries Limited held a Press Conference at Madras on 16th November, 1977. In reply to a specific question whether the Refinery was contemplating expansion of its capacity from 2.67 million tonnes to 3 million tonnes, the Chairman stated that such limited expansion would not be economical and, therefore, could not be justified. In the context of the Five Year Plan 1978-83, an Industry Group is being set up to study the economics of the various proposals, including that of the Madras Refinery, for increasing the refining capacity and make recommendations.

**Proposal to create Industrial Judicial Service, Labour Benches in High Courts and Free Legal Aid to Employees**

\* 396. SHRI VASANT SATHE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are considering any proposal for creation of an industrial judicial service, setting up of labour benches in High Courts and making legal aid free to poor employees going to the High Courts and Supreme Court; and

(b) if so, what is the reaction of the Government to the above proposals?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b). The Government is not considering any proposal for the creation of an Industrial Judicial Service. Regarding setting up of Labour Benches in High Courts, it is for the Chief Justices of the High Courts to consider the matter, keeping in view the pendency of cases relating to labour matters. A Committee appointed by Government under Shri Justice V. R. Krishna Iyer submitted in 1973 a Report on Processual Justice to the People, one chapter of which related to legal aid for the working class. The Ministry of Labour thereafter appointed a group of officers in February 1975 to work out the details arising out of the aforesaid chapter. This group kept its report in abeyance, awaiting the report of the Committee consisting of Shri Justice P. N. Bhagwati, Judge, Supreme Court, as Chairman and Shri Justice V. R. Krishna Iyer, Judge, Supreme Court, as member and appointed to go into the broader question of providing legal aid to the poor. The latter Committee has recently submitted its report. Government have yet to take a view in the matter.

2985—LS—2.

भारतीय तेल निगम में अनुसूचित जातियों तथा अनुसूचित जन जातियों के लिए पदों का आरक्षण

\* 397. श्री महो लाल : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 7 जुलाई, 1977 को अपने मंत्रालय की अनुदानों की मांगों का उत्तर देते हुए उन्होंने आश्वासन दिया था कि तत्पश्चात अनुसूचित जातियों तथा अनुसूचित जन जातियों के व्यक्तियों के लिए 50 प्रतिशत पद तब तक आरक्षित रखे जायेंगे जब तक उनके आरक्षित कोट के पद न भरे जायें ;

(ख) यदि हां, तो उसके बाद भारतीय तेल निगम के विपणन प्रभाग, तेलशोधक कारखाना प्रभाग और चेयरमैन के कार्यालय में कुल कितने व्यक्ति नियुक्त किए गए हैं और उनमें अनुसूचित जातियों और अनुसूचित जनजातियों के कितने व्यक्ति श्रेणीवार और पदवार नियुक्त किए गए तथा उन प्रभागों में नियुक्त किए गए कुल कर्मचारियों/अधिकारियों की तुलना में उनकी श्रेणीवार तथा पदवार प्रतिशतता क्या है; और

(ग) आरक्षित कोटे के पद अब तक न भरे जाने के क्या कारण हैं और वे पद कब भरे जायेंगे ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र) : (क) जी, हां ।

(ख) और (ग). अपेक्षित सूचना एकत्र की जा रही है तथा सभा पटल पर रख दी जायेगी ।

### महाराष्ट्र में नई रेल लाइनों का निर्माण

\*398. श्री केशव राव घोंडगे : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) महाराष्ट्र राज्य में कितनी नई रेल लाइनों का निर्माण किया जायेगा ;

(ख) कितनी लम्बी मीटर गेज लाइन को ब्राड गेज लाइन में बदला जायेगा ;

(ग) राज्य सरकार ने केन्द्रीय सरकार से कितनी नई रेल लाइनों के निर्माण तथा कितनी मीटर गेज लाइन को ब्राड गेज लाइन में बदलने के लिए सिफारिश की है; और

(घ) उस पर केन्द्रीय सरकार की क्या प्रतिक्रिया है ?

रेल मंत्री (प्रो० मधु दण्डवते) : (क) वाणी से चनाका तक और वसई रोड से दिवा तक दो नई रेल लाइनों के निर्माण का काम प्रगति पर है।

(ख) मनमाड-पुरली-वैजनाथ मीटर लाइन (लम्बाई 35.4 कि० मी० ) को बड़ी लाइन में बदलने का अनुमोदन किया जा चुका है।

(ग) और (घ). महाराष्ट्र सरकार से 6 नई लाइनों के निर्माण करने और दो लाइनों के आमाम परिवर्तन सम्बन्धी परियोजनाओं के बारे में सिफारिशें प्राप्त हुई थीं। राज्य सरकार द्वारा सिफारिश की गई इन 8 परियोजनाओं में से, दो परियोजनाओं पर काम चल रहा है और एक परियोजना से सम्बन्धित निर्माण के बारे में अनुमोदन किया गया है। चार परियोजनाओं के सम्बन्ध में सर्वेक्षण हो चुका है और एक परियोजना के सम्बन्ध में अर्थात् अमरावती को मुख्य लाइन पर

लाने का काम प्रगति पर है। इन परियोजनाओं के सम्बन्ध में निर्णय संसाधनों के उपलब्धता पर निर्भर करेगा।

### Retrenchment of Labourers

\*399. SHRI K. PRADHANI: Will the Minister of RAILWAYS be pleased to state:

(a) whether any retrenchment was made amongst the labourers who were working in the Bhadrak-Kapilas Road and Cuttack-Paradip doubling projects recently; and

(b) if so, the reasons thereof?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) and (b). On completion of the Cuttack-Paradip New Line Project, 1100 casual labourers became surplus and their retrenchment was, therefore, unavoidable. But the same is being done in a phased manner to enable as many of them as possible to get absorbed elsewhere. Besides, the discharged men are encouraged to join a Labour Cooperative Society which has been awarded a contract on the nearby Jakhapura-Daitari construction project in Orissa.

### Cost of construction of submarine Pipelines

\*400. SHRI D. D. DESAI: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to refer to the reply given to Unstarred Question 245 regarding submarine pipelines from Bombay High to the coast on the 15th November, 1977 and state:

(a) the actual cost of construction of submarine pipelines for transporting Bombay High Oil through various alternative routes like Bombay High—Uran, Bombay High—Trombay and Bombay High—Diu; and

(b) whether further concentration of industries using Bombay High oil and gas in Bombay region is advisable

as against development of more backward regions if the oil and gas are routed through Diu-Viramgam?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA):** (a) After very careful consideration, taking all techno-economic etc. aspects into account, the decision arrived at has been that the most cost effective and suitable alignment for the pipelines for transportation of Bombay High and North Bassein crude oil and associated gas is *via* Bassein and Uran to Trombay and detailed cost estimates were worked out for this alignment only. As per latest estimates, the cost of the pipelines upto Trombay is expected to be of the order of Rs. 184 crores exclusive of customs duties, engineering and construction supervision. About 50 per cent of this cost is apportionable to the oil pipeline.

(b) The crude oil is to be processed in the coastal refineries namely Bharat Petroleum Corporation Limited, Cochin Refineries Limited and Caltex Limited as well as in the inland refineries at Koyali and Mathura. An alternative alignment of the oil pipeline would not alter the proposed allocation of the Bombay High crude oil to the refineries. The most expeditious utilisation of gas is in the manufacture of nitrogenous fertilizer at the Trombay units of the Fertilizer Corporation of India (FCI) and in two fertilizer plants to be set up south of Bombay. A project study has been undertaken for the laying of a submarine gas pipeline from South Bassein to Gujarat, which on its way, will be inter-connected with the gas pipeline from Bombay High so that the flow of associated gas as well as non-associated gas towards Maharashtra and Gujarat can be regulated according to the requirements of the two States. In undertaking this study, the need to avoid concentration of industries in any one area has been kept in view.

### **Fertilizer Plants in Rewa**

**\*401. SHRI C. K. CHANDRAPAN:** Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are likely to have second thoughts on the two giant sized fertilizer plants proposed to be set up at Rewa; and

(b) if so, the details and reasons thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA):** (a) No, Sir.

(b) Does not arise.

### **Conversion of Bangalore-Mysore line into Broad Gauge**

**\*402. SHRI C. K. JAFFER SHARIEF:** Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a survey was conducted by his Ministry for the conversion of Bangalore-Mysore railway line into broad gauge;

(b) if so, whether it is also a fact that the earlier surveys were not favourable but the latter ones had indicated better traffic potential; and

(c) if so, the details regarding the final policy of Government in this regard?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) and (b). Yes, Sir.

(c) No decision has yet been taken on the construction of the project.

### **जयपुर और उदयपुर के बीच सुपर एक्सप्रेस गाड़ी चलाने का प्रस्ताव**

**\*403. श्री लालजी भाई :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार उदयपुर में पर्यटन के महत्व को देखते हुए जयपुर और

उदयपुर के बीच एक सुपर एक्सप्रेस गाड़ी चलाने के प्रस्ताव पर विचार कर रही है; और

(ख) यदि हां, तो तत्सम्बन्धी रूपरेखा क्या है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). जयपुर और उदयपुर के बीच सुपर एक्सप्रेस चलाने का कोई प्रस्ताव इस समय विचाराधीन नहीं है।

#### **First Class and Air-Conditioned Class Complimentary Passes**

\*404. SHRI K. MALLANNA: Will the Minister of RAILWAYS be pleased to state:

(a) whether some first class and air-conditioned class complimentary passes were issued during the last six months;

(b) whether some current passes for these classes were cancelled during last six months and if so, the details thereof; and

(c) the number of currently valid complimentary passes for the air-conditioned first class together with the names of persons and organisations to which they have been issued?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE):

(a) Yes, Sir.

(b) Yes, Sir. A statement is laid on the Table of the House. [Placed in Library. See No. LT-1339/77].

(c) Only one to Shri Kaka Saheb Kalelkar, with his Secretary.

**Malpractices indulged in by Shri L. S. Darbari, Director, Vigilance, Ministry of Commerce**

3597. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware that Shri L. S. Darbari, Director, Vigilance,

Ministry of Commerce after retirement from Ministry of Railways has taken over as Adviser to some large Industrial Houses and is also working as a contactman having free access to the officers in Udyog Bhawan and other Secretariats;

(b) whether Government's permission to take up these assignments after his retirement from Central Government service was obtained by him; and

(c) if so, the nature of the application made and permission granted?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Intimation was received on 4th August 1977 from Shri L. S. Darbari, ex-Director (Intelligence), Railway Board, who finally retired on completion of his period of re-employment on 31st March 1977, that he had taken up part-time consultancy work with Messrs Vaishali International Pvt. Ltd. Regd. Office, Apartment No. 2, Yashwant Place, Chanakya-puri, New Delhi, on an *ad hoc* consultation fee of Rs. 1,000/- per mensem. As Shri Darbari did not seek the permission of the Government before taking up this assignment, his failure in that regard has been brought to his notice and he has been asked to comply with the requirements under the extant orders of the Government. His reply is still awaited.

#### **Joint Representations by SMs/ASMs of Central Railway**

3598. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the joint representations by all SMs/ASMs of Central Railway against stoppage of illegal interpolation in SMs category have been received; and

(b) if so, the action taken by the Government to stop illegal practices of interpolation, causing serious resentments amongst this category?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) A representation from Station Masters' Association, Jhansi, has been received recently.

(b) The earlier orders were that posts in grades upto Rs. 250-380 (AS) should be exclusively reserved for SMs/ASMs. With the revised scales of pay after the IIIrd Pay Commission, the Central Railway administration propose to preserve the channel of promotion for SMs/ASMs in their own category upto grade Rs. 550-750 (RS). Guards will be given avenue into Yard SMs/ASMs Group upto grade Rs. 455-700 (RS) and thereafter staff in this grade will look for promotion to grade Rs. 550-750 (RS) on the Traffic side, where the SMs/ASMs in grade Rs. 455-700 (RS) will also join. This revised channel is being discussed with organised labour before being finalised.

#### **Labourers Employed for Parcel Handling at Allahabad Station**

3599. SHRI PUNDALIK HARI-DANWE: Will the Minister of RAILWAYS be pleased to state:

(a) the details of complaints received from labourers employed for parcel handling work at Allahabad Station during the last two years regarding termination of their services and other type of victimization together with action taken thereon;

(b) whether on recent complaint dated 7th November, 1977 addressed to Divisional Superintendent, Allahabad and copies to others, the State Minister for Petroleum and Chemicals Shri Janeshwar Misra, intervened in the matter and directed the Divisional Superintendent for immediate necessary action to restore the services of poor porters; and

(c) if so, what action has been taken against the Society for illegal termination of services of porters in terms

of the agreement and the date from which they have been taken back on duty?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) During the two years period from October, 1975 to October, 1977 five complaints from the parcel handling workers against the Railway Station Porters Cooperative Labour Contract Society Ltd., Allahabad were received. The main points of grievances were:—

(i) Non-payment of fair wages by the Society.

(ii) Violation of hours of working by the Society.

(iii) Termination of the services of the labourers by the Society.

For the above lapses, the Society was fined Rs. 100\$-. The issue regarding short payment of wages to the workers is under further examination of the Railway Administration and has also been taken up by the Labour Enforcement Officer (Central) with the Society. The Society has started paying its labourers at the rate of Rs. 5.50 per labour per day from September 1977. The Society has also taken back most of the workers on duty.

(b) Shri Janeshwar Mishra, Minister of State for Petroleum, Chemicals and Fertilizers forwarded a complaint dated 4th November, 1977 from five porters. This was received in the office of the Divisional Superintendent, Northern Railway, Allahabad on 7th November, 1977.

(c) On enquiry the Society intimated that the five porters removed from service were not members of the Society and their antecedents were not verified by the Police. The matter is being further enquired into.

### भागलपुर के निकट गंगा पर पुल

3600. डा० रामजी सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार भागलपुर के आस-पास गंगा नदी पर पुल बनाने की आवश्यकता महसूस नहीं करती ;

(ख) क्या सरकार भूतपूर्व रेल मंत्री स्वर्गीय श्री ललित नारायण मिश्र और केन्द्रीय मंत्री श्री राजबहादुर द्वारा दिये गये आश्वासनों को ठुकरा देगी ;

(ग) क्या योजना आयोग ने गंगा नदी पर हर 50 मील पर पुल बनाने की सिफारिश की है और यदि हां, तो क्या मोकामा एवं फरक्का के बीच भागलपुर एक प्रमुख स्थान नहीं है जिसके सम्बन्ध में एक प्रस्ताव पर विचार किया जाना चाहिये ; और

(घ) क्या सरकार का विचार भागलपुर में बरारी घाट और महादेव घाट को जोड़ने के लिए उस समय तक पीपे का पुल बनाने का है जब तक रेल पुल न बन जाये ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). सरकार को इस बारे में कोई जानकारी नहीं है कि भागलपुर में गंगा के आस-पास रेलवे पुल के निर्माण के बारे में भूतपूर्व रेल मंत्री स्वर्गीय श्री ललित नारायण मिश्र या भूतपूर्व केन्द्रीय मंत्री श्री राजबहादुर ने कोई आश्वासन दिया था। फिलहाल इस स्थान पर पुल का निर्माण आवश्यक नहीं समझा जाता है।

(ग) योजना आयोग ने इस प्रकार की कोई सिफारिश नहीं की है।

(घ) रेलें अपने यातायात के लिए पीपों के पुलों का निर्माण नहीं करती है।

### Free Railway Passes

3601. SHRI NAWAB SINGH CHAUHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether free railway passes were provided to some members of the Manas Chaturshshati Samaroh Samiti on the occasion of celebration of Manas Chaturshshati a few years ago;

(b) if so, whether Government propose to issue such free passes to the members of the Sur Panchshati Rashtriya Samaroha Samiti;

(c) whether the issue of free passes to these members will facilitate the works of celebration of the fifth centenary of the Mahakavi Surdas; and

(d) if so, when a decision will be taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) to (d). The request received from the General Secretary of the Samiti for the grant of two complimentary card passes has not been agreed to, as it did not conform to the broad guidelines decided by the Government for the issue of complimentary card passes to non-Railwaymen/organisations. A reply has also been accordingly sent to the Samiti, on 7th November, 1977.

### Costly Vegetables, etc. to Senior Officers Free of Charge

3602. SHRI S. K. SARDA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the costly vegetables meat, chickens, eggs, etc. were/are being supplied only to the Heads and other Senior Officers especially belonging to the Commercial Department on demand free of charge by the Catering and Vending Establishments situated in Divisional Headquarters at Allahabad, Moradabad and New Delhi Division of the Northern Railway; and

(b) if so, whether any steps have been taken to eradicate such corrupt practices?



THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise.

**Representations for Extension of Third Train Upto Joginder Nagar**

2603. SHRI DURGA CHAND: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any representations regarding extension of third train beyond Paprola upto Joginder Nagar in Himachal Pradesh; and

(b) if so, what are the details thereof and by when the train will be extended upto Joginder Nagar?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). No. However representations have been received to restore all the four services on Pathankot-Joginder-nagar section as was the case in 1973. Existing three pairs of trains including the one pair introduced from 1-10-1977 are at present serving the needs of passengers satisfactorily.

**ग्वालियर-इटावा और सवाई माधोपुर-इटावा लाइन**

3604. श्री छवि राम अग्रवाल : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश सरकार ने ग्वालियर क्षेत्र में यातायात में सुधार करने के उद्देश्य से ग्वालियर-इटावा (बरास्ता भिंड और मुरैना) लाइन और सवाई माधोपुर-इटावा (बरास्ता जिवपुर-मुरैना) लाइन को बड़ी लाइन से जोड़ने के बारे में प्रस्ताव प्रस्तुत किये हैं; और

(ख) यदि हां, तो सरकार उपर्युक्त प्रस्तावों को अपनी नई रेल लाइनों की निर्माण सम्बन्धी योजना में शामिल करने के बारे में क्या कार्यवाही कर रही है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). जी हां। ग्वालियर और शिन्धोपुर-कलां और ग्वालियर से भिंड तक के बीच वर्तमान छोटी लाइन पर बहुत ही सीमित मात्रा में यातायात होता है। संसाधनों की कमी के कारण इन खण्डों को बड़ी लाइन में बदलना तथा इन्हें इटावा और सवाई माधोपुर तक बढ़ाना वर्तमान स्थिति में संभव नहीं हो पायेगा।

**Allocation of Furnace Oil to Industry**

3605. SHRI D. B. CHANDRE GOWDA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have framed any criteria for allocation of furnace oil to the industry;

(b) if so, the salient features thereof;

(c) whether any Committee has been formed or going to be formed in this regard; and

(d) if so, the composition and main functions of the Committee?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). The broad features of the policy framed by the Government for allocation of furnace oil to the industry are as under:—

1. In the case of old consumers, Oil Companies have been instructed to make automatic supplies of furnace oil on the basis of their 1973 offtake less the cut applicable to the particular industry.

2. Additional allocation to old consumers for increase in production is generally considered depending on the critical nature of the



industry or its orientation towards Defence, exports or import substitution.

3. In the case of new industrial projects and substantial expansions of existing projects, the cases are considered by an Allocation Sub-Committee on the basis of recommendations made by the sponsoring authorities.

4. In the case of new projects and substantial expansion of the existing projects, the initial allocation is only 50 per cent of the entitlement for the first three months. Full entitlements are not after this trial period.

5. The Allocation Sub-Committee also considers requests for increased allocation over 1973 level from old consumers on the basis of recommendations received from the concerned sponsoring authorities.

6. In the case of continuous-process industries, full entitlements are met from the beginning instead of 50 per cent for trial period.

7. Oil Companies also make supplies for furnace oil to new consumers who have installed plant and machinery and are ready to start production (other than those who are yet to secure the required governmental permission for the manufacturing activity) on merits for a period of 3 months within which a formal application is to be made by the consumer to his sponsoring authority, and clearance for regular supplies obtained from the Standing Committee on Furnace Oil.

(c) and (d). A Standing Committee on Furnace Oil (SCOFO), under the chairmanship of Secretary, Technical Development and Director General of Technical Development, has been constituted by the Government. In addition to the Chairman, the Committee has representatives from the Ministry of Petroleum, Ministry of

Railways, Ministry of Energy (Department of Power) and (Department of Coal), and Central Electricity Authority as Members. Industrial Adviser, DGTD, is the Member-Secretary.

The main functions of the SCOFO can be broadly grouped as under:—

(i) The Committee recommends measures for reducing the consumption of furnace oil in the country as quickly as may be practicable without at the same time inhibiting industrial production and other economic activities, and take action to implement such measures after obtaining approval of the Ministry of Petroleum.

(ii) On the basis of the general guidelines prescribed by the Ministry of Petroleum, the Committee lays down priorities for the allocation of furnace oil to the different categories of consumers.

(iii) The Committee oversees the implementation of measures described above and gives guidance to the various controlling authorities including the Departments and Directorates of Industries of the State Governments and Union Territories.

(iv) The Committee watches the progress of availability and supply of coal to industries which, on technological considerations, can switch over from furnace oil to coal.

(v) The Committee scrutinises all new demands from consumers of furnace oil. No new customers are enrolled by the oil companies for supply of this product without the approval of the Committee, which examines the essentially of such use in the particular industry.

(vi) The Committee monitors the progress made in the direction of economy in the use of furnace oil and fuel efficiency.

### Quarters for Traffic Running Staff

3606. SHRI BALAK RAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Government and the G.M., Central Railway Bombay V. T. have received a representation dated 21st August, 1977 signed by about 250 railway guards regarding allotment of RB/III Type Quarters to the Traffic Running Staff;

(b) if so, what action has been taken by the concerned; and

(c) if not, what are the reasons of delay and when it is likely to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) and (c). The representation is under examination and appropriate action will be taken by the Railway Administration.

### इलाहाबाद की बेंडर्स एसोसिएशन की ओर से शिकायतें

3607. श्री फूल चन्द वर्मा: क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वेण्डरों की भर्ती के सम्बन्ध में वाणिज्यिक विभाग के अधिकारियों द्वारा अनियमितताओं तथा भ्रष्ट प्रक्रियाओं के विरुद्ध इलाहाबाद रेलवे स्टेशन के वेण्डरों अथवा वेण्डर्स एसोसिएशन आफ इलाहाबाद रेलवे स्टेशन की ओर से कोई शिकायतें प्राप्त हुई हैं और सरकार से अनुरोध किया गया है कि वह इस मामले की खुली जांच करे, तथा राज्य सभा के भूतपूर्व सदस्य श्री ए० सी० गिल्बर्ट को इस जांच कार्य में साथ ले ;

(ख) क्या उनका एक प्रतिनिधि मंडल इस सम्बन्ध में रेलवे राज्य मंत्री से भी मिला था जब कि वह 9 सितम्बर,

1977 को इलाहाबाद के दौरे पर गये थे, और इलाहाबाद के डिविजनल सुपरिण्टेंडेंट की उपस्थिति में उस प्रतिनिधि मंडल ने एक शिकायत भी पेश की थी;

(ग) इस सम्बन्ध में अब तक क्या कार्यवाही की गई है; और

(घ) क्या सरकार उन अधिकारियों के विरुद्ध कार्यवाही करेगी जिन्होंने इलाहाबाद डिविजन में बेंडरों की भर्ती करने में तथा उन्हें ट्रालियां आबंटित करने में मनमानी की, घूस ली तथा नियमों का उल्लंघन किया ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हां, लेकिन, इस पूछताछ में भूतपूर्व संसद् सदस्य श्री ए० सी० गिल्बर्ट का सहयोग प्राप्त करने के बारे में इस अभ्यावेदन में कोई अनुरोध नहीं किया गया है।

(ख) जी हां।

(ग) इस अभ्यावेदन में लगाये गये आरोपों की जांच-पड़ताल की जा रही है।

(घ) जी हां, आरोप सिद्ध होने पर उपयुक्त कार्रवाई की जाएगी।

### Electrification of Kerala Railway lines

3608. SHRI SKARIAH THOMAS: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal under consideration to electrify the Railway lines in Kerala, where plenty of electricity is available at cheaper rate than any other State;

(b) whether the Central Government have received any proposal from the Government of Kerala for electrification of Railway line; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Yes.

(c) On persistent demand of the Kerala Government for electrification, cost-cum-feasibility survey for electrification of Olavakkot-Trivandrum section has been carried out. The survey report is pending finalisation for want of firm commitment from Government of Kerala regarding availability of power at a rate cheaper than normal industrial tariff indicated by them.

### Oil Exploration in Goa

3609. SHRI AMRUT KASAR: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the National Institute of Oceanography with the co-operation of Ministry of Petroleum found the possibility of oil exploration in the Sea near Miram, Tanaji Goa; and

(b) if so, when will the work begin?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) No, Sir.

(b) Does not arise.

### Workmen engaged for parcel handling at Moghalsarai

3610. DR. LAXMINARAYAN PANDEYA: Will the Minister of RAILWAYS be pleased to state:

(a) the average number of workmen engaged by the Society during the period June, 1976 to June, 1977 for

performing Parcel handling work at Moghalsarai and at what rates these workmen are being paid by the so-called Society;

(b) the actual number of workmen for which the Society had taken licence under the Contract Labour (Regulation and Abolition) Act, 1970;

(c) whether payment to workmen employed by the Society are not made in presence of the authorised representative nominated by the Principal Employer under the Contract Labour (Regulation and Abolition) Act, 1970; and

(d) if so, what action is proposed to be taken against the Society for their deliberate failure?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Fifty workmen. They are paid Rs. 4.00 per man per day.

(b) Fifty.

(c) Payment to the labourers is made in the presence of an authorised railway representative.

(d) Does not arise.

### Transportation of Iron Ore

3611. SHRI PABITRA MOHAN PRADHAN: Will the Minister of RAILWAYS be pleased to state whether for transportation of iron ore up to Atharbanki/Paradeep any assurance had been given by the D.S., S.E. Railway Khurda to MMTC, Cuttack Division to provide three rakes daily in the year 1975?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): No assurance was given but in a meeting held on 16-11-74 at Cuttack, the Railway stated that they would be in a position to step up loading to 5 rakes a day when loading and unloading facilities become available for dealing with this traffic.

**Complaints against Secretary Railway Station Porters' Cooperative Labour Contract Society Ltd., Allahabad**

3612. SHRI SHIV SAMPATI RAM: Will the Minister of RAILWAYS be pleased to state:

(a) the details of complaints received from the Members of Parliament and others regarding malpractices indulged by the Secretary of Railway Station Porters Cooperative Labour Contract Society Limited, Allahabad;

(b) whether instead of making enquiries the Personnel Branch passed on copies of few complaints for offering the remarks by the Society;

(c) if so, under whose orders copies of complaints were passed on to the Society;

(d) whether complaints made against other genuine societies by Railway Station Porters Cooperative Labour Contract Society Limited, are immediately enquired into by deputing Inspectors, whereas the complaints made against them are allowed to die their natural death by adopting delaying tactics; and

(e) whether the Government propose to order a thorough probe to find out vested interests amongst the officers who are in league with this Society?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (e). The information is being collected and will be laid on the Table of the Sabha.

**Production of Prednisolone**

3613. SHRI M. RAM GOPAL REDDY: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there has been dislocation in production of prednisolone; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) Yes; Sir.

(b) The production of M/s. Wyeth, who are the only producers of Prednisolone in the country, come to a standstill in mid May, 1977 due to some contamination problem in their plant. The unit has resumed normal production from October, 1977.

**नेपथा का उत्पादन और निर्यात**

3614. श्री एस० एस० सोमानी :

क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में नेपथा का उत्पादन हमारी आवश्यकताओं से अधिक हुआ है और यदि हाँ, तो कितना अधिक उत्पादन हुआ है; और

(ख) गत तीन वर्षों में कितनी मात्रा में नेपथा का निर्यात किया गया और इसके परिणामस्वरूप कितनी विदेशी मुद्रा प्राप्त हुई ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र) : (क) और (ख). वर्ष 1974-75 और 1975-76 में नेपथा का उत्पादन उसकी मांग से अधिक हुआ था ; परन्तु वर्ष 1976-77 से उर्वरकों और अन्य उद्योगों की बढ़ी हुई आवश्यकताओं को पूरा करने हेतु देश नेपथा का आयात कर रहा है। 1974-75 से 1976-77 के वर्षों के दौरान नेपथा के उत्पादन, खपत, आयात और

उसके निर्यात द्वारा अर्जित की गई विदेशी मुद्रा के ब्यौरे नीचे दिए गए हैं :—

	1974-75	1975-76	1976-77
उत्पादन (हजार मी० टनों में )	1730	1984	2047
खपत (हजार मी० टनों में )	1713	1836	2187
निर्यात (हजार मी० टनों में )	123.7	90.8	शून्य
निर्यात द्वारा अर्जित की गई विदेशी मुद्रा (करोड़ रुपयों में )	12.09	5.55	शून्य

#### Railway Service on Sangli-Miraj Track

3615. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether a representation has been made to Government to commence a railway service on Sangli-Miraj track (in Maharashtra State) and whether it is a fact that the Government have passed orders for its survey and inspection;

(b) if so, what is the progress in the matter;

(c) whether Government have taken the decision in the matter, if so, when and what is the nature thereof;

(d) if Government could not take the decision upto now, the reasons of delay; and

(e) now then the decision shall be taken?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes; The Railway Administration have been asked to undertake a re-examination of the proposal.

(b) to (e). The investigation is in progress and the report is expected shortly. A decision on the proposal will be taken as soon as the report is received and examined, taking into account all aspects involved.

#### Indian help in Building Railways in Foreign Countries

3616. SHRI YASHWANT BOROLE: Will the Minister of RAILWAYS be pleased to state:

(a) the names of countries where India has collaborated during the last one year to help build the Railways;

(b) the total number of technical personnel who went out to these countries during this period; and

(c) the total earnings out of such collaborations?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) India's participation in the development of railway systems abroad is being channelised through the Rail India Technical & Economic Services Ltd. (RITES) and the Indian Railway Construction Company Ltd. (IRCON), the two public sector undertakings set up under the aegis of the Ministry of Railways in 1974 and 1976 respectively. During the last one year RITES secured contracts for railway consultancy assignments for strengthening/rebuilding of existing railway system, improving maintenance of rolling stock etc., in Philippines, Ghana, Nigeria, Bangladesh and Malaysia.

(b) In all, 32 technical personnel were deputed abroad and 13 of the

personnel have since returned on completion of their assignments.

(c) Rs. 69.7 lakhs approximately.

#### **Gurupur-Naupada Line (South Eastern Railway)**

3617. SHRI GIRIDHAR GOMAN-GO: Will the Minister of RAILWAYS be pleased to state:

(a) money released for the year 1977-78 for the improvement of the Gurupur-Naupada Narrow Gauge line under South Eastern Railway; and

(b) the progress of the work and the programmes for the coming year by the Ministry to make this line an economical line?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Rs. 2.20 lakhs are anticipated to be spent in 1977-78 for the improvement of the Gurupur-Naupada Narrow Gauge line under the South Eastern Railway.

(b) Rail Renewal for 33.80 kms. has been completed. Sleeper Renewals for 56.20 kms. in patches is in progress and is expected to be completed in 1978-79. Both the rail and sleeper renewal works are being carried out on operational considerations.

#### **Chitrakut-Katni Railway Line**

3618. SHRI NARENDRA SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether he has received a representation for opening a railway line from Chitrakut, District Banda in Uttar Pradesh to Katni, M.P. passing through Guda Kalinagar, Phari Khara, Lakhimpur, Panna Satna, etc.;

(b) if so, whether he will consider the proposal keeping in view the backwardness of the region; and

(c) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Yes, Sir. It is the policy of the Government to construct railway lines in backward areas of the country where

adequate traffic potential exists and their construction would lead to development of these areas. However in view of the extreme shortage of funds which are insufficient even for completion of the projects already in hand, it is not possible to undertake construction of a railway line from Chitrakut to Katni at present.

#### **जयपुर को बड़ी लाइन से मिलाना**

3619. श्री उपसेन : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जयपुर नगर की स्थापना की 250वीं वर्षगांठ के अवसर पर प्रधान मंत्री द्वारा वहां की यात्रा के दौरान राजस्थान के मुख्य मंत्री ने पर्यटन का विकास करने हेतु जयपुर को बड़ी लाइन से मिलाने की मांग की थी; और

(ख) यदि हां, तो उस पर सरकार की क्या प्रतिक्रिया है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). दिल्ली-अहमदाबाद मीटर लाइन को बड़ी लाइन में बदलने की परियोजना, सांकेतिक व्यय के साथ चालू वर्ष के बजट में पहले ही सम्मिलित कर ली गई है। इस परियोजना की प्रगति संसाधनों की उपलब्धता पर निर्भर करेगी। इस परियोजना के पूरा हो जाने पर जयपुर के लिए बड़ी लाइन से रेल सम्पर्क उपलब्ध हो जायेगा।

#### **Gandhidham-Bhuj Railway Line**

3620. SHRI BAPUSAHEB PARULE-KAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Gandhidham-Bhuj railway line was surveyed in 1971-72 for converting the line from metre gauge to broad gauge;

(b) whether Government propose to convert the said line to broad gauge in near future; and

(c) if so, when, and if not the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). As a result of the Preliminary Engineering-cum-Traffic Survey carried out in 1971-72 for the conversion of the existing Gandhidham-Bhuj metre gauge line into broad gauge, it has been found that the line capacity on the section is adequate not only to clear the existing traffic but also the additional traffic which is likely to be generated in the near future. Hence it is not proposed to take up this gauge conversion at present.

#### Foreign Experts with ONGC and Indian Oil Ltd.

3621. SHRI SHYAMAPRASANNA BHATTACHARYYA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) total number of foreign technical experts, engineers, technicians working in the Oil and Natural Gas Commission and Indian Oil Limited; and

(b) details country-wise and the salaries, allowances and other perquisites given to them?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b): Information is being collected

and will be laid on the Table of the House.

#### Profit in Drug Trade by Multinational Drug Firms

3622. SHRI S. D. SOMASUNDARAM: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) the part played by multinationals in the drug industry of the country, indicating the percentage of the volume of trade handled by them,

(b) whether these firms reap exorbitant profits in the drug trade;

(c) whether Government have formulated a time bound plan to ensure that these firms do not have a strangle-hold in the drugs market; and

(d) if so, the particulars thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) The total investment (Equity, Long Term Loans and Reserves and Surpluses) in the organised sector of Drug Industry is estimated at a Rs. 430-450 crores. The investment of foreign firms is about Rs. 180 crores, representing about 41 per cent.

The annual production of drugs by the foreign companies and Indian Companies during the last three years has been as below:

(Rs. in crores.)

	Bulk Drugs			Formulations		
	1974-75	1975-76	1976-77 (Estt.)	1974-75	1975-76	1976-77 (Estt.)
Foreign . . . . .	34	52	63	203	300	292
Indian including Public/Small Scale Sector. . . . .	56	78	87	197	260	408
TOTAL . . . . .	90	130	150	400	560	700



It would be observed from the above table that the share of foreign companies in the total production of finished formulations in the country during 1976-77 was 41.7 per cent as against 53.5 per cent during 1975-76.

(b) Prices of drugs are statutorily Controlled under Drugs (Price Control) Order, 1970. Prices once fixed under the said order cannot be increased by the manufacturers without prior approval of the Government. Through the operation of the Order, it has been possible to keep the activities of the drug firms within reasonable parameters.

(c) and (d). The Hathi Committee on Drugs and Pharmaceutical Industry have made certain recommendations as to the manner in which activities of foreign drug manufacturing firms should be treated. These are under consideration of Government and a decision is likely to be taken thereon soon.

However, in accordance with the selective policy adopted by the Government to regulate expansion of the foreign companies, the following measures are being taken:—

(i) An indicative categorization of drugs has been drawn up whereby certain drugs shall be reserved for exclusive manufacture by the Public/Indian Sectors alone;

(ii) The Indian Sector of the Industry is given preference in approval of manufacturing schemes;

(iii) Manufacture of increasing number of bulk drugs through public sector undertakings;

(iv) Industrial Licences are usually not issued to foreign firms for producing formulations unless linked with the production of bulk drugs; whereas Indian Firms are allowed additional formulation capacity, unconnected with manufacture of Bulk Drugs, within certain parameters;

(v) Foreign firms are asked to take up production of bulk drugs from more basic stages and to make

available a suitable portion of their bulk drugs production to non-associated formulators in the country as a condition for permitting expansion in capacity or taking up new activity. Appropriate export obligations are also imposed where considered necessary.

**रामपुर से हल्द्वानी तक बड़ी लाइन**

3623. श्री भारत भूषण : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) रामपुर से हल्द्वानी तक बड़ी लाइन बिछाने तथा मुरादाबाद-रामपुर रेलवे लाइन को बड़ी लाइन में बदलने के लिए मूल प्राक्कलन कितनी धनराशि का है और वर्ष 1976-77 तक उक्त योजना पर कितनी धनराशि व्यय हो चुकी है,

(ख) उक्त दोनों रेल लाइनों के निर्माण कार्य में हुई प्रगति का व्यौरा क्या है ;

(ग) उक्त दोनों रेल लाइनों पर निर्माण कार्य पूरा हो जाने के बाद हल्द्वानी तथा रामपुर का किन-किन स्थानों से सीधा रेल सम्बन्ध हो जायेगा, और

(घ) उक्त दोनों लाइनों पर निर्माण कार्य कब तक पूरा हो जायेगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). उत्तर प्रदेश के पहाड़ी क्षेत्रों तक सीधे सभ्यता की व्यवस्था करने के प्रयोजन से मुरादाबाद और रामपुर से रामनगर और काठगोदाम तक बड़ी लाइन की व्यवस्था करने के लिए 15 करोड़ रुपये की लागत वाली परियोजना को 1974-75 के बजट में शामिल किया गया था । मार्च 1977 के अन्त तक इस परियोजना पर 11.90 लाख रुपये खर्च किये जा चुके हैं । नवीनतम अनुमान के अनुसार मुरादाबाद-रामनगर लाइन के आगामी परिवर्तन पर जो कि इस योजना का एक चरण है, 7.34 करोड़ रुपये लागत



आने तथा रामपुर से हल्द्वानी तक एक नई लाइन के निर्माण पर 14.42 करोड़ रुपये लागत आने का अनुमान है।

(ग) रामपुर-हल्द्वानी लाइन पर प्रस्तावित स्टेशन चमरौआ, केमरी, बिलासपुर, कौसलगंज, रुद्रपुर, टांडा, लालकुंआ और हल्द्वानी हैं। मुरादाबाद-रामनगर लाइन के वर्तमान स्टेशन आमन-परिवर्तन के बाद भी बरकरार बने रहेंगे।

(घ) संसाधनों की कमी के कारण इस परियोजना के पूरा होने की कोई तिथि निर्धारित नहीं की गई है।

#### अम्बुलगांज और जबलपुर के बीच रेल लाइन

3624. श्री राधवजी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे प्रशासन को मध्य प्रदेश में अम्बुलगांज और जबलपुर के बीच रेल लाइन विछाने के बारे में मांग प्राप्त हुई है;

(ख) यदि हाँ, तो उक्त मांग के बारे में सरकार की क्या प्रतिक्रिया है;

(ग) क्या उक्त प्रस्तावित मार्ग पर सर्वेक्षण किया जायेगा; और

(घ) क्या पहले भी उक्त मार्ग पर कोई सर्वेक्षण किया गया था, यदि हाँ, तो कब और उसके क्या परिणाम निकले?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) (क) से (घ) : जी नहीं। नरमिहपुर और इटारसी के रास्ते जबलपुर पहले ही बड़ी लाइन द्वारा अम्बुलगांज से जुड़ा हुआ है। जबलपुर और अम्बुलगांज के बीच नई रेल लाइन बनाने के सम्बन्ध में सर्वेक्षण करने के प्रस्ताव पर विचार करना सम्भव नहीं होगा क्योंकि संसाधनों की अत्यन्त कमी है।

#### Licensed Porters at Allahabad

3625. SHRI ISWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to state:

(a) the details of memoranda received from Members of Parliament and others for taking over Licensed Porters working at Allahabad Railway Station over Northern Railway under decasualisation scheme;

(b) whether orders were issued by the Divisional Superintendent, Allahabad, to absorb Licensed Porters under decasualisation schemes but the Secretary of the Society brought pressure on the Railway Board to issue instructions to maintain *status quo*;

(c) whether the Secretary of the Society has been successful with the help of certain officers to allow the scheme of decasualisation to be inoperative as far as Allahabad Station is concerned as was done during the period when M/s. Ballabhadas Agrawal were holding the contract; and

(d) the date from which Government are going to introduce the scheme at Allahabad?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d). The 'de-caualisation scheme' of licensed porters was implemented on all the railway stations with an exception of Allahabad railway station where the contract for supply of porters was given to M/s. Railway Station Porters Co-operative Labour Contract Society Ltd. Allahabad, a Co-operative Society of porters working at this station, from 1st April, 1960 and was extended from time to time up to 31st December, 1976. The Divisional Superintendent, Allahabad issued order for introduction of 'decasualisation scheme' at Allahabad on 26th April, 1977 and also served a notice upon the society to this effect. On the representation from the society and the porters against the implementation of the 'decasualisation scheme' at

this station, the Divisional Superintendent, Allahabad, withhold the implementation of the scheme.

There have been representations and counter representations and letters from Members of Parliament for introduction of 'decasualisation scheme' of porters at Allahabad station and for continuance of the arrangements with the society. The entire question of introducing the 'decasualisation scheme' at Allahabad railway station, after taking all pros and cons of both the systems into consideration, is under examination in the Ministry. No orders have, however, been issued so far by the Railway Ministry in this regard.

#### **Tenders for Cycle Stand contract at Allahabad**

3626. SHRI BATESHWAR HEM-  
RAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that time and date for dropping of tenders for cycle stand contract at Allahabad was extended up to 13.00 hrs.; from the 16th August, 1977 to 17th August, 1977;

(b) if so, under whose orders this change in tender conditions was effected;

(c) whether advance intimation regarding this change in time and date of dropping of tenders was given to the parties who purchased tender forms or the parties were intimated through Press Notification; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE  
MINISTRY OF RAILWAYS (SHRI  
SHEO NARAIN): (a) Yes.

(b) The date was extended upto 13 hrs. on 17th August, 1977 by the competent authority due to a commitment given by the Railway in the Court of Law.

(c) and (d). On account of lack of time the intending tenderers could not be advised by post or through a Press

Notification. However, for the information of tenderers, a proper notification was displayed on the Notice Board in regard to the change of time and date for dropping of the tenders.

#### **Posts of Dog Chasers in Allahabad Division**

3627. SHRI N. K. SHEJWALKAR:  
Will the Minister of RAILWAYS be pleased to state:

(a) whether new posts of Dog Chasers were created during Emergency over Allahabad;

(b) whether similar posts were also created and operated upon at other big stations over Indian Railways;

(c) if so, how many persons were appointed for the job together with expenditure incurred on them month-wise separately;

(d) whether these persons were actually utilised by the Commercial Officers for doing their private work;

(e) whether any enquiry by Vigilance Branch has been conducted against Commercial Officers for operating such fake posts taking advantage of their position; and

(f) if so, the results thereof?

THE MINISTER OF STATE IN THE  
MINISTRY OF RAILWAYS (SHRI  
SHEO NARAIN): (a) and (b). No.

(c) to (f): Do not arise.

#### **Discussion between French Oil Experts and Government Officials**

3628. SHRI D. AMAT: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that a team of French Oil experts visited India and had discussion with officials of the Government of India; and

(b) if so, what are the results thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA):** (a) While it is a fact that a delegation of French companies, mainly engaged in manufacturing equipment, visited India during August-September this year, the delegation did not hold any discussions with officials of the Ministries of Petroleum and Chemicals and Fertilizers.

(b) Does not arise.

**Fulfilling of conditions of Licences issued to M/s Sandoz, May and Baker, Glaxo and Hoechst Pharmaceuticals**

3629. **PROF. R. K. AMIN:** Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have made a study about the operation of M/s. Sandoz, May and Baker, Glaxo and Hoechst Pharmaceuticals *vis-a-vis* fulfilling of conditions of industrial licences issued in their favour during the last three years; as also conditions put by Foreign investment Board/ C.G. Committee etc.;

(b) in how many cases these conditions have been interpreted/waived by the Ministry without consulting the concerned authority who imposed the conditions;

(c) whether legal opinion was obtained; if so, its nature and contents; and

(d) further action Government propose to take in this connection?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA):** (a) No special study has been made regarding the operations in the country of M/s. Sandoz, M/s. May & Baker, M/s. Glaxo & M/s. Hoechst.

Information as to whether these foreign companies have fulfilled all the

conditions of the licences granted to them during the last three years or not is being collected and will be laid on the Table of the House.

(b) No conditions of Industrial Licences etc. granted to these companies during the last 3 years have been waived by the Ministry of Petroleum and Chemicals and Fertilizers.

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

**Vacancies filled up in Asansol Division, Eastern Railway**

3630. **SHRI ROBIN SEN:** Will the Minister of RAILWAYS be pleased to state:

(a) the number of vacancies filled up in the categories of Ticket Collector, Train Clerk, Commercial Clerks, Guards, Firemen, etc. between the period 28th May, 1974 to September, 1977 in Asansol Division, Eastern Railway;

(b) the number of vacancies filled up by direct recruitment and departmental recruitment, during this period in Asansol Division; and

(c) if any employees' relatives have been recruited during this period, names of those employees and Departments?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) to (c). Information is being collected and will be laid on the Table of the Sabha.

**Increase in Prices of Medicines**

3631. **SHRI OM PRAKASH TYAGI:** Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the prices of various medicines including sulpha drugs and antibiotics have been increased through Government approvals during the last three years;

(b) if so, the extent of increase in the price of each medicine involved,

and the reasons for giving this increase; and

(c) is it proposed to draw up a scheme to protect the poor consumers in regard to prices of medicines?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). Prices of bulk drugs are revised by the Government from time to time under the provisions of Drugs (Prices Control) Order 1970. A statement showing increases/decreases since 1970 in prices including import prices of 42 important bulk drugs produced indigenously, on the basis of is cost/cost-cum-technical examination is laid on the Table of the Sabha. [Placed in Library. See No. LT-1340/77.]. The increases/decreases were allowed to give effect to increases/decreases in the input/material costs. Based on the prices of the said bulk drugs, consequential revision in prices of formulations have also been allowed to the concerned manufacturers.

(c): Price increases or decreases are inherent in a system of statutory price control. The Naithi Committee on Drugs and Pharmaceuticals Industry have, *inter alia*, recommended rationalisation of prices of drugs. The recommendations of the Committee are in the final stages of consideration.

#### Issue of Licence to M/s C. E. Fulford (I) P. Ltd.

3632. SHRI SURENDRA BIKRAM: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether M/s. C. E. Fulford (I) P. Ltd. have been given a licence for production of Gentamycin Sulphate and formulations during the recent past;

(b) if so, the number of licence, the capacity of each item, the value etc.;

(c) the reasons for giving such a licence to this multinational firm when

know-how for these simple formulations is available with Indian firms; and

(d) the names of Indian firms who applied for similar formulations during the past three years and the extent of approvals given to them?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) No; Sir.

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

(d) During the course of last 3 years, the following Indian firms have applied for formulations based on Gentamycin Sulphate.

1. M/s. Euphoric Ltd.
2. M/s. Hindustan Antibiotics Ltd.
3. M/s. Tamil Nadu Dadha Pharmaceuticals Ltd.
4. M/s. Standard Pharmaceuticals.

The firms at Serial Nos. 1 to 3 have been granted necessary Industrial Licences. The application of the firm at Sl. No. 4 is under consideration.

#### Railway Line between Goalpara-Gauhati

3633. SHRI AHMED HUSSAIN: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Board had asked the Gauhati University to survey the economic viability of providing Railway line between Goalpara-Gauhati, Goalpara-Tura and Bridge over Brahmaputra near Joghghopa and Pancharatna;

(b) whether the University has already submitted its report recommending the Railway line and Bridge; and

(c) the likely date when the project will be sanctioned and the target date being fixed for completion of the work?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) to (c). A transport study for provision of a new broad gauge link from Joghghopa to Gauhati along the south bank of river Brahmaputra was entrusted to the Gauhati University at the cost of the Railways. The University completed only a portion of the study to cover the economic potential of the area but the quantum of traffic and the cost of the project were not worked out. It was, however, stated by them that there appeared to be a case for construction of the project but this was not considered sufficient for taking a decision on the scheme.

A preliminary engineering-cum-traffic surveys for a new rail link from Joghghopa/Pancharatna-Darangiri via Dudhnai and another link from Gauhati to Dudhnai have recently been carried out at the cost of North-Eastern Council. No decision regarding construction of the projects has been taken so far.

**Dislocation in Train Services in Tamil Nadu on the day of arrest of Mrs. Gandhi**

3634. **SHRI K. T. KOSALRAM** Will the Minister of RAILWAYS be pleased to state:

(a) whether any dislocation in train services was caused in Tamil Nadu area on the day of arrest of Mrs. Gandhi; and

(b) if so, the extent of damages caused may be indicated?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) There was no dislocation of train services. However, punctuality of 27 Mail and Express, 21 passengers and 9 suburban trains was affected.

(b) No damage to railway property was caused.

**Reinstatement of Employees who went on Strike in 1974**

3635. **SHRI SHARAD YADAV:** Will the Minister of RAILWAYS be pleased to state:

(a) whether the Ministry issued an order on 6th April, 1977 for reinstatement of all striking employees who had gone on strike in 1974;

(b) if so, whether a copy thereof would be supplied;

(c) whether the South Eastern Railway Administration has not yet implemented it *in toto*; and

(d) if so, the names of such employees as have not so far been given relief under the said order and the details of their cases?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) Yes.

(b) A copy of the relevant order to the General Managers of the Railways is laid on the Table of the Sabha. [*Placed in Library. See No. LT-1341/77*].

(c) and (d). The South Eastern Railway has implemented the orders except in a few cases indicated below, for reasons beyond the Administration's control.

The information is given below:—

1. Reinstatement of employees who were dismissed, removed or had their services terminated.

Out of 182 who were out of service on 28th February 1977 only two now remain out of service as they are undergoing life imprisonment.

2. Taking back to duty of those under suspension.

All the 39 persons who were under suspension on 28th February 1977 have been taken back to service.

3. Employees initially taken as fresh entrants but now treated as having been reinstated.

Number involved as on 28th February 1977—252.

All have been reinstated.

4. Taking back to duty of casual labour/substitutes whose services terminated.

Out of 1655, who were out of service on 28th February 1977, 1581 have already joined service. Out of the remaining 74:—

(i) 53 have expired;

(ii) 4 did not join because of eye trouble, long sickness or due to being disabled;

(iii) 17 did not report for duty although the orders of reinstatement have been issued and intimated to them.

5. Condonation of break in service Number not condoned as on 28th February 1977.—210.

Condonation orders issued to all.

6. Cancellation of transfer effected in connection with the strike.

Number of transfers as on 28th February 1977.—701.

All transfers cancelled.

7. Cancellation of other punishments as stoppage of increments, reversion to lower grade, etc.

Number involved.—3075.

All the punishments annulled.

### Interim Report on Railways

3636. DR. HENRY AUSTIN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Planning Commission has asked the Railways to present an interim report on railways covering the main physical targets and investment estimated for the year 1978-79 period by the first week of November, 1977;

(b) if so, whether the railway working group has submitted the same;

(c) if so, the details of the same; and

(d) how far the Planning Commission has accepted the estimate?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The Planning Commission have set up a Working Group on Railways for formulation of the next Five Year Plan of the Railways covering the period 1978-79 to 1982-83. This Group was asked to submit an interim report to the Planning Commission by the first week of November, 1977 covering the main physical targets and the investments proposed. The Group is continuing its deliberations and will be submitting the required report to the Planning Commission shortly.

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

उच्चतम न्यायालय के वकीलों द्वारा जी जाने वाली फीस

3637. श्री दया राम शाक्य : क्या बिधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने उच्चतम न्यायालय के वरिष्ठ वकीलों की फीस 600 रुपये प्रतिदिन निर्धारित कर रखी है परन्तु वे 1800 रुपये प्रतिदिन अर्जित करते हैं; और

(ख) क्या सरकार न्याय को सस्ता बनाने के लिए उच्चतम न्यायालय में एक काउंटर खोलने की व्यवस्था करेगी जहाँ प्रार्थी अपनी फीस जमा कर रसीद प्राप्त कर सकें ?

बिधि, न्याय और कम्पनी कार्य मंत्रालय में राज्य मंत्री (श्री नरसिंह यादव) : (क) जी नहीं ।

(ख) मुकदमा लड़ने वाला व्यक्ति उच्चतम न्यायालय में अपनी पसन्द का काउन्सेल नियुक्त करता है और फीस सीधे उन दोनों के बीच तय होती है । इसलिए

[श्री नरसिंह यादव]

मुकदमा लड़ने वाले व्यक्ति द्वारा अधिवक्ता को दी जाने वाली फीस के जमा करने और उच्चतम न्यायालय की रजिस्ट्री से उसके लिए रसीद दिए जाने का सुझाव पैदा ही नहीं होता।

रवा डिवीजन में नई रेलवे लाइन

3638. श्री यमुना प्रसाद शास्त्री :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके द्वारा लोकसभा में अपने पहले भाषण के दौरान दिए गए इस आश्वासन की पूर्ति में कि मध्य प्रदेश तथा उड़ीसा के पिछड़े क्षेत्रों में नई रेलवे लाइनें बिछाई जायेंगी, मध्य प्रदेश के रीवा डिवीजन में तथा उड़ीसा के कोरापुट एवम् सम्बलपुर में जो कि इन राज्यों के सर्वाधिक पिछड़े जिले हैं, नई रेलवे लाइनें बिछाने के लिए क्या कदम उठाये जा रहे हैं ; और

(ख) क्या रीवा डिवीजन में मतनारीवा रेलवे लाइन का निर्माण कार्य अगले वर्ष आरम्भ किया जायेगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). मतनारी से ब्योहारी तक एक शाखा लाइन के निर्माण के लिए 1973 में यातायात सर्वेक्षण किया गया था और पता चला था कि इस परियोजना के लिए पर्याप्त मात्रा में यातायात उपलब्ध नहीं हो पायेगा। 1973 के दौरान किये गये सर्वेक्षण के आधार पर मतनारी से रीवा तक कम दूरी के लिए हाल ही में पुनर्मूल्यांकन किया गया है। इस रिपोर्ट के सभी पहलुओं की जांच करने के बाद और संसाधनों की उपलब्धता को ध्यान में रखते हुए इस मामले पर अन्तिम विनिश्चय किया जायेगा।

उड़ीसा में पड़ने वाली निम्नलिखित

रेल लाइनों के निर्माण के लिए सर्वेक्षण का काम इस वर्ष के बजट में शामिल कर लिया गया है :—

1. तालचेर से सम्बलपुर तक नई बड़ी लाइन

2. कोरापुट से पार्वतीपुरम/सालुर तक नई बड़ी लाइन।

### Compendium of Rules under Companies Act, 1956

3639. SHRI K. RAMAMURTHY: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the compendium of the various rules and forms framed under the Companies Act, 1956, prepared by the Department has been released;

(b) the reasons for the inordinate delay in preparing such a compendium of the various rules and forms framed under the Companies Act, 1956; and

(c) whether the Compendium of rules and forms will also be published in the regional languages of the country?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b). The Compendium was prepared by the Department of Company Affairs and sent to the Government of India Press for printing in November, 1976. As this publication contains as many as 665 pages of printed matter, including 30 sets of Rules and 250 sets of Forms, there has been some delay in printing this publication. It is, however, expected that the compendium will be released for sale by Controller of Publications, Delhi shortly.

(c) No, Sir.



### Clearance of Essential Commodities from Railway Godowns

3640. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether many unscrupulous wholesale traders recently delayed clearance of many essential commodities and consumer's goods from Railway godowns of various commercially important railway stations;

(b) whether such delaying tactics were adopted for causing artificial price-rise in case of many essential commodities;

(c) if so, facts thereabout as found since Janata Government was formed; and

(d) the steps taken or proposed in respect of regularisation of clearance of commercial goods from godowns and movements of goods wagons in order to frustrate manipulation by the wholesale traders?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d). The information is being collected and will be laid on the Table of the Sabha

डीजल लोकोमोटिव वर्कशॉप कर्मचारियों को अतिरिक्त वार्षिक वृद्धि

3641. श्री चंद्रशेखर सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) डीजल लोकोमोटिव वर्कशॉप के 6,000 कर्मचारियों को अतिरिक्त वार्षिक वृद्धि न देने के क्या कारण हैं जबकि 450 अन्य कर्मचारियों को निष्ठावान होने के कारण अब अग्रिम रूप से वार्षिक वृद्धि दे दी गई थी ;

(ख) क्या यह सच है कि हड़ताल के दौरान टेलीफोन आपरेटर सिवाय डीजल लोकोमोटिव वर्कशॉप का कोई अन्य कर्मचारी 8 मई, 1974 से 16 मई, 1974 के बीच काम पर नहीं आया ;

(ग) क्या यह भी सच है कि आपात स्थिति के दौरान डीजल लोकोमोटिव वर्कशॉप के बहुत से कर्मचारियों को निलम्बित किया गया है, सेवा से हटाया गया है और 8 कर्मचारियों को पदावनति की गई है, 9 को अनिवार्य रूप से सेवा-निवृत्त किया गया और उसके क्या कारण हैं; और

(घ) यदि हां, तो सरकार द्वारा इस मामले में क्या कार्यवाही किये जाने का विचार है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) अग्रिम वेतन वृद्धियों की स्वीकृति कुछ शर्तें पूरा करने पर आधारित थी। कुल 6642 कर्मचारियों में से केवल 445 ये शर्तें पूरी करते थे और और तदनुसार उन्हें अग्रिम वेतन वृद्धियां दी गई थी।

(ख) जी नहीं।

(ग) रेल कर्मचारी (अनुशासन और अपील) नियमों को सामान्य प्रक्रिया के अन्तर्गत, इमर्जेंसी के दौरान 27 कर्मचारी निलम्बित किये गये थे, उनमें से 18 कर्मचारियों के निलम्बन आदेश रद्द कर दिये गये हैं ; 60 कर्मचारी नौकरी से हटाये गये/बरखास्त किये गये थे, उनमें से 4 कर्मचारियों को बहाल कर दिया गया है। ये सब कर्मचारी अदालत द्वारा दंडित किये जाते या आपराधिक कार्यों के लिए गिरफ्तार किये जाने अथवा अनुशासन नियमों का उल्लंघन करने के परिणामस्वरूप हटाये गये/बरखास्त किये गये/निलम्बित किये गये थे।



9 कर्मचारी एक निश्चित आयु अथवा सेवा की अवधि पूरी कर लेने के बाद उनकी सेवा की संवीक्षा के परिणामस्वरूप अनिवार्य रूप से सेवानिवृत्त किये गये थे। इनमें से तीन कर्मचारियों को उनकी श्रेणी में ही तथा एक को निचली श्रेणी में बहाल कर दिया गया है। दो कर्मचारी पदोन्नति के बाद किये गये उनके मामलों की संवीक्षा के परिणामस्वरूप पदावनत किये गये थे। उन्हें पुनः पदोन्नति कर दिया गया है।

(घ) अनुशासन और अपील नियमों में यह व्यवस्था है कि आक्रान्त कर्मचारी अनुशासन और अपील नियमों के अन्तर्गत दिये गये दण्ड के खिलाफ सक्षम प्राधिकारी को अपील/पुनर्विचार याचिका प्रस्तुत कर सकते हैं। ये भी आदेश जारी कर दिये गये हैं कि उन कर्मचारियों के मामले पर जिन्हें बचाव का अवसर दिये बिना इमर्जेंसी के दौरान बरखास्त कर दिया गया/नौकरी से हटा दिया गया था, एक बार पुनः विचार किया जाये।

### Completion of Howrah-Amta Railway Line

3642. SHRI MOHD. HAYAT ALI: Will the Minister of RAILWAYS be pleased to state:

(a) what are the reasons for delay in completing the Howrah-Amta broad gauge railway line;

(b) the details of such other projects on Eastern Railway on which feasibility study work has been completed and are pending with the Railway Ministry; and

(c) what steps Government propose to take to complete the work of this project?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (c). The main reason for the delay in completing the project is the paucity of funds. Efforts are being made to secure a higher allocation of funds for expeditious completion of this project.

(b) The following surveys for construction of new Railway lines on Eastern Railway have been carried out during the last five years:—

S. No.	Name of lines which have been surveyed but not yet taken up for construction	Length in Kms.	Present estimated cost of construction. (in crores of Rs.)	Reasons for not taking up for construction
1	2	3	4	5
1.	Lakshmikantapur-Kakdwip via Kulpi.	30.00	25.00	Lack of resources and limited traffic prospects.
2.	Canning-Golabari . . . . .	20.00		
3.	Hasanabad-Pratapadityanagar via Bhandarkhali.	29.00		
4.	Sonarpur/Champahati to Dhamkhali B. G.	50.00		
5.	Canning-Pratapadityanagar Hatgacha B. G. .	30.00		
6.	Dehri-on-Sone-Pipradih .	63.00	11.50	Under Examination.
7.	Budge Budge to Namkhana	82.00	10.3	Do.

1	2	3	4	5
8. Mandarhill-Dumka B. G.	.	64.00	10.00	} Lack of resources and limited traffic prospects.
9. Dumka-Sainthia B. G.	.	56.00	6.50	
10. Hazaribagh Town to Hazaribagh Road.	.	78.00	13.50	
11. Hazaribagh-Giridih.	.	56.00	9.00	
12. Dumka-Baidyanathdham	.	63.00	10.00	Under Examination
13. Madhupur-Dumka	.	59.00	10.00	} Lack of resources and limited traffic prospects.
14. Dumka to Rampurhat	.	54.00	7.00	
15. Hazaribagh Town to Ranchi Road.	.	40.00	7.00	

### Decision of Size, Feedstock for New Fertilizers Units

3643. SHRI S. R. DAMANI: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government has taken firm decisions on the choice of size, feedstock, etc in respect of fertilizer units to be set up in future;

(b) the full details of units covered by this decision; and

(c) the extent to which indigenous technological know-how and capital equipment will be used in each of the units?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). It is the policy of the Government to place maximum reliance on indigenously available feedstocks for used in fertilizer production. It is in accordance with this policy that the Government had earlier decided that, to the extent possible, the fertilizer plants to be set up in future should move away from naphtha and use fuel oil/coal. Six fuel oil based plants and two coal based plants are already under implementation. With the recently confirmed availability of large quantities of

associated/free gas from Bombay High and Bassein offshore structures and in Assam, high priority is now being accorded for setting up additional fertilizer capacity based on gas as feedstock. Additional capacity based on coal can be considered only after experience is available of the operation of the two coal based plants under construction. The size of new plants, product mix, technology to be adopted etc., would depend on various techno-economic factors such as feedstock, locations, demand in the economic marketing zone, etc.

(c) The choice of technology depends on factors like the size of the plants, process, etc. While efforts will be made to standardise the size of plants and technology, changes in the size and technology in a few cases cannot be ruled out. Maximum use would, however, be made of the technological capabilities and equipment manufacturing facilities available within the country consistent with the requirements of individual new schemes.

### Development Work of Railway Lines in M.P. in the Sixth Five Year Plan

3644. SHRI SUKHENDRA SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any new projects for development work on railway line in Madhya Pradesh under

consideration of Government to be included in the Sixth Five Year Plan; and

(b) if so, the details thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) and (b). The new lines and gauge conversion projects to be included in the Sixth Five Year Plan have not yet been finalised. Surveys for the following projects in Madhya Pradesh have however, been carried out in recent years and they will be considered while finalising the 6th Five Year Plan:

- (1) Dhalli-Rajahara-Jagdarpur.
- (2) Satna-Rewa-Beohari.
- (3) Mahoba-Khujaraho.
- (4) Indore-Mhow.
- (5) Ranchi-Korba.
- (6) Ratlam-Banswara.
- (7) Conversion of Raipur-Dhamtari narrow gauge line into broad gauge.

#### **Ahmedabad-Gandhinagar B. G. Railway Line**

3645. **PROF. P. G. MAVALANKAR:** Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of the fact that the newly constructed and completed Ahmedabad-Gandhinagar Broad Gauge Railway line is not picking up passenger-traffic;

(b) if so, reasons thereof and the steps being taken to improve the situation;

(c) whether Government have received any requests and representations from the concerned people about setting up of railway stations on the way from Ahmedabad to Gandhinagar; and

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

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) Yes.

(b) Longer journey time and more fare by rail as compared to Bus services besides Bus services are also more frequent and run from the heart of the city.

(c) Yes.

(d) Opening of a station at Uvarsad village between Gandhinagar and Kadiyar stations is not operationally justified.

#### **Nationality of Mrs. Sonia Gandhi, Director of Maruti Companies**

3646. **SHRI KANWAR LAL GUPTA:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware of the fact that Mrs. Sonia Gandhi, wife of Shri Rajiv Gandhi, who has been the Director and Managing Director of Maruti Technical and Maruti Heavy Vehicles and shareholder of Maruti Companies, has declared her nationality as 'Italian'.

(b) if so, whether she had taken permission from the concerned authorities to become the Director of these companies and to make necessary investments in India; and

(c) whether Government propose to make inquiry into it?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN):** (a) In some of the statutory returns filed with the Registrar of Companies Delhi and Haryana, Maruti Heavy Vehicles Private Limited and Maruti Technical Service Private Limited have shown the nationality of Mrs. Sonia Gandhi as Italian.

(b) Appointment of Mrs. Sonia Gandhi as Director or Managing Director of Maruti Heavy Vehicles Private Limited and Maruti Technical Services Private Limited did not require the approval of the Central Government under the provisions of the Companies Act, 1956 since these companies are private limited companies. According to the information furnished by the Ministry of Finance (Department of Economic Affairs). Mrs.

Sonia Gandhi did not file any application under section 29(4) of the Foreign Exchange Regulation Act, 1973 for permission to hold the shares in these two companies.

(c) Both Maruti Heavy Vehicles Private Limited and Maruti Technical Services Private Limited have informed this Department that the Directors of these two companies have cancelled the allotment of shares made earlier in favour of Mrs. Sonia Gandhi since the allotments were made in contravention of the provisions of Foreign Exchange Regulation Act, 1973. This intimation is being examined with reference to the provisions of the Companies Act.

#### **Vacant Posts of L.D.C.s and U.D.C.s in Western Railway**

3647. SHRI HUKAM CHAND KACHWAI: Will the Minister of RAILWAYS be pleased to state:

(a) the number of vacant posts of Lower Division and Upper Division Clerks in Western Railway at present; and

(b) the steps proposed to be taken by Government in future to fill in the said vacant posts?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Information is being collected and will be laid on the Table of the Sabha.

(b) One third of the vacancies of Lower Division Clerks (one fourth in the Accounts Department) are filled by promotion of Class IV staff. The remaining vacancies constitute the direct recruitment quota to be filled through the Railway Service Commissions. However, due to ban on filling up of ministerial posts, only 75 per cent of the direct recruitment vacancies can be filled.

All vacancies of Upper Division Clerks in other Departments and 80

per cent of such vacancies in the Accounts Department, are filled by promotion. In the Accounts Department 20 per cent of the vacancies are filled by direct recruitment.

The Railway administration is taking action to fill the vacancies accordingly.

#### **Punctuality of Trains**

3648. SHRI PRASANNBHAI MEHTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is fact that the comparative statistics for the period April—October in 1976 show that punctuality of trains was much better than during the same period in 1977;

(b) if so, the facts and the reasons for deterioration of punctuality;

(c) whether after October, 1977 the position has become worse;

(d) if so, the steps that are being taken to improve the punctuality; and

(e) what are the areas where the punctuality in running train has been maintained?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (e). The punctuality performance of passenger carrying trains during the period April to October, 1977 and also during November, 1977 was more or less at the same level as it was during the corresponding period of 1976. During October and November, 1977, the running of trains was affected adversely mainly on Southern and South Central Railways on account of heavy rains, cyclonic weather conditions and agitations etc. Punctuality of trains is being watched at all levels and every feasible effort is made to run the trains punctually.

### Irregularities by Companies publishing Newspapers

3649. SHRI SUBHASH AHUJA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether he has recently received any complaint regarding mismanagement of finances and other irregularities by certain companies publishing newspapers; and

(b) if so, what steps have been taken to prevent further irregularities by these companies?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) Since April, 1977 complaints of the type referred to have been received in respect of the following companies:—

- (1) M/s. The Printers (Mysore) Ltd.
2. M/s. Associated Journals Ltd.
3. M/s. Andhra Printers Ltd
4. M/s. Lok Prakashan Ltd.

(b) Books of accounts etc., of The Printers (Mysore) Ltd. have been inspected and further action is under examination. In respect of Associated Journals Ltd., and Andhra Printers Ltd., such inspection has been ordered and reports are awaited. The complaint in respect of Lok Prakashan Ltd. is under examination.

भिलाई से वाराणसी तक एक नई रेलगाड़ी चलाने की मांग

3650. श्री मोहन भंड्या जैन : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या उन्हें भिलाई इस्पात कारखाने में काम कर रहे हजारों कर्मचारियों और छत्तीस गढ़ की कामिक जनता के लिए भिलाई से वाराणसी के लिए एक नई रेलगाड़ी चलाने की मांग की जानकारी है;

(ख) क्या उपर्युक्त यात्रियों की कठिनाई समाप्त करने के लिए कोई ठोस कार्य-वाही कर रहे हैं; और

(ग) यदि हां, तो तत्सम्बन्धी ब्योरा क्या है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) से (ग). दुर्ग और वाराणसी के बीच एक सीधी गाड़ी चलाने के लिए बहुत से अभ्यावेदन प्राप्त हुए हैं। वाराणसी में पर्याप्त टर्मिनल सुविधाओं के अभाव और कुछ मार्गवर्ती स्टेशनों पर लाइन क्षमता की कमी के कारण ऐसी गाड़ी चलाना परिचालनिक दृष्टि से व्यावहारिक नहीं पाया गया है।

रेल दुर्घटनाओं में हताहत व्यक्ति

3651. चौ० ब्रह्म प्रकाश : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) अप्रैल, अक्टूबर, 1977 की अवधि के दौरान देश में हुई विभिन्न रेल दुर्घटनाओं के कारण कुल कितने व्यक्ति मारे गये अथवा घायल हुए ;

(ख) ऐसे मृत लोगों की संख्या कितनी है, जिनके मामलों में मुआवजे का दावा नहीं किया गया है, क्योंकि उनकी पहचान नहीं हो सकी थी ;

(ग) अप्रैल से अक्टूबर, 1977 तक की अवधि के दौरान रेलवे को कुल कितने दावे प्राप्त हुए और उनमें कितनी धनराशि का दावा किया गया ;

(घ) कितने दावों का अब तक भुगतान किया जा चुका है और कितने दावों के लिए भुगतान किया जाना है ; और

(ङ) बाकी दावों का कब तक निपटान होने की सम्भावना है और मृत व्यक्तियों के रिश्तेदारों तथा घायलों को कब तक भुगतान किए जाने की सम्भावना है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) से (ग). 222 व्यक्ति मारे गये और 155 घायल हुए। गाड़ी दुर्घटनाओं के सम्बन्ध में मुआवजा केवल मृत्यु या गम्भीर रूप से घायल होने की हालत में ही दिया जाता है। सत्रह व्यक्तियों, जिनकी मृत्यु हो गई थी और जिन्हें पहचाना नहीं गया, के दावे अभी तक प्राप्त नहीं हुए हैं। भारतीय रेल अधिनियम, 1890 के अन्तर्गत 186 दावे प्राप्त हुए हैं। इन मामलों में लगभग 88,69,067 रुपये के मुआवजे का दावा किया गया है।

(घ) 186 दावों में, तदर्थ/पदेन दावा आयुक्तों द्वारा अभी तक 38 दावों के सम्बन्ध में फैसला किया गया है और मुआवजे के रूप में 5,53,104 रुपये की राशि का भुगतान किया गया है। एक रेल कर्मचारी के मामले में, जिसकी ड्यूटी के दौरान मृत्यु हो गई थी, कामगार प्रतिकर अधिनियम के अन्तर्गत 21,000 रुपये की देय राशि कामगार प्रतिकर के आयुक्त के पास जमा कर दी गई है।

(ङ) दावों सम्बन्धी बाकी आवेदनों पर तदर्थ/पदेन दावा आयुक्तों की कचहरियों में अन्तिम निर्णय अभी किया जाना है। तदर्थ/पदेन दावा आयुक्तों के निर्णय के आधार पर इन दावों का भुगतान कर दिया जायेगा और रेल प्रशासन की ओर से इसमें कोई बिलम्ब नहीं किया जायेगा। इस रेल कर्मचारियों के मामले, जिनकी ड्यूटी के दौरान मृत्यु हो गई थी, सम्बन्धित रेल प्रशासन के विचाराधीन हैं। पांच रेल कर्मचारी, जो ड्यूटी के दौरान घायल हो गये थे, बीमारियों की सूची में हैं और कामगार प्रतिकर अधिनियम के अन्तर्गत मुआवजे के भुगतान के प्रयोजन के लिए उनकी उपार्जन क्षमता में हुई कमी का अनुमान लगाया जायेगा और उन्हें भुगतान कर दिया जायेगा।

व्यापारियों द्वारा न्यायालयों में दायर किये गये दावों के मामले

3652. श्री लक्ष्मण राव मानकर : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) व्यापारियों अथवा माल पाने वाले व्यक्तियों द्वारा न्यायालयों में दायर किए गए रेलवे के दावों के मामलों में कितने प्रतिशत मामलों में रेलवे के पक्ष में निर्णय होता है ;

(ख) क्या ऐस क्लेम के दावों में से रेलवे द्वारा केवल पांच प्रतिशत दावे ही जीते जाते हैं ;

(ग) रेलवे द्वारा जारी किए गए नुकसान के पत्र (सर्टिफिकेट) के आधार पर किए गए दावों को जिनको न्यायालय में जीतने की सम्भावना नहीं होती तुरन्त समझौता क्यों नहीं किया जाता ; और

(घ) ऐसे मामलों पर न्यायालय के खर्च को बचाने के लिए रेलवे द्वारा क्या कार्यवाही की जाने का प्रस्ताव है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) पिछले तीन वर्षों 1974-75, 1975-76 और 1976-77 के दौरान व्यापारियों अथवा माल पाने वाले व्यक्तियों द्वारा रेल प्रशासन के विरुद्ध जो मामले दायर किये गये, उनमें से 30.2, 29.5 और 28.4 प्रतिशत मामलों का निर्णय रेलवे के पक्ष में हुआ था।

(ख) जी नहीं।

(ग) जैसे ही कोई दावा प्राप्त होता है, उसकी भारतीय रेल अधिनियम के विभिन्न उपबन्धों के अन्तर्गत जांच की जाती है। यदि कोई दावा ठीक पाया जाता है और दावेदार द्वारा समय पर जरूरी दस्तानवेज संलग्न कर दिये जाते हैं तो इस दावे का जल्द ही निपटारा कर दिया जाता है और भुगतान की व्यवस्था की जाती है। यदि कोई दावा कानून के अनुसार भुगतान के योग्य नहीं होता है तो रेल प्रशासनों द्वारा उसे अस्वीकार करना पड़ता है। रेल प्रशासनों द्वारा बढ़ा-चढ़ाकर प्रस्तुत किये गये दावों, जैसे नुकसान को बढ़ा कर बताना अथवा झूठे बीजक प्रस्तुत करना अथवा खोयी व क्षतिग्रस्त वस्तुओं की किस्म के विषय में गलत बयान करना आदि शामिल हैं, के बारे में भी सावधानी बरतनी होती है।

(घ) रेल प्रशासनों के पास पहले से ही ऐसी हिदायतें हैं कि ऐसे दावे जो कि कानून के अनुसार भुगतान के योग्य हैं, अस्वीकार न किये जायें। दावे किन्हीं ठोस कारणों से ही अस्वीकृत किये जाते हैं। अस्वीकार किये गये अथवा कम भुगतान किये गये दावों पर यात्रिकाओं की समीक्षा वरिष्ठ अधिकारियों द्वारा की जाती है। मामलों की न्यायालयों में भेजने से पहले बारीकी से समीक्षा की जाती है। न्यायिक मामलों की पूर्ण रक्षा हेतु रेलवे ऐडवोकेटों को हिदायतें देने के लिए प्रभावी कार्रवाई की जाती है। इस बात का भी प्रयत्न किया जाता है कि मुकदमेवाजी पर अनावश्यक खर्च न हो।

#### **Rail Link between Eastern and Western part of Orissa**

3653. SHRI JENA BAIRAGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there was a proposal to connect the Eastern part and Western Part of Orissa by Rail Line from Cuttack to Sambalpur via Meramandi

in view of urgent need for greater integration of different parts of Orissa; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). A survey for construction of a line from Talcher to Sambalpur which will connect eastern and western part of Orissa via Meramandoli has been included in this year's Budget. The survey work will be taken up shortly. Cuttack and Talcher are already connected by a railway line.

#### **Kolhapur-Ratnagiri Railway Line**

3654. SHRI RAJARAM SHANKAR-RAO MANE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the work of survey of new Kolhapur-Ratnagiri Railway line will be taken in hand; and

(b) if so, by what time the survey of this work will be completed; and in which year of which plan this work will be started?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). It will be difficult to take up the survey for this project at present on account of paucity of resources.

#### **Splitting up of Planning and Development Division**

3655. SHRI P. RAJAGOPAL NAIDU: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Planning and Development Division also was split up with the splitting up of Fertilizer Corporation; and

(b) if so, into how many divisions?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM

AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) There is no proposal under consideration to split up the Planning and Development Division of the F.C.I. into smaller units.

(b) Does not arise.

#### Petro-Chemical Complex at Haldia

3656. SHRI AMAR ROY PRADHAN: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

What is the financing pattern of Haldia petro-chemical complex?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): The financing pattern of the Haldia Petro-Chemical Complex is yet to be finalised by the West Bengal Industrial Development Corporation.

#### Viramgam-Okha Broad Gauge Railway Line

3657. SHRI VINODBHAI B. SHETH: PROF. P. G. MAVALANKAR:

Will the Minister of RAILWAYS be pleased to state:

(a) is it true that Government propose to lay Viramgam-Okha broad-gauge railway line in two phases;

(b) if so, which is the point of completion of the first phase and the second phase; and

(c) whether any representation has been received from the Nawanagar Chamber of Commerce and Industry to have the first phase up to Jamnagar or Kanalus from where the line has to be bifurcated to Okha and Porbandar which is economic and sound proposition?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). A number of alternative suggestions have been received from various

bodies for phasing the gauge conversion of Viramgam-Okha/Porbandar line to broad gauge. A final decision about the phasing is yet to be taken.

पश्चिम रेलवे डिवीजन मुख्यालय को  
ग्रन्थ ले जाना

3658. श्री धर्म सिंह भाई पटेल :  
क्या रेल मंत्री यह बताने की कृपा करेंगे  
कि :

(क) क्या पश्चिम रेलवे डिवीजन  
मुख्यालय को भावनगर से पोरबन्दर ले  
जाने सम्बन्धी कोई मांग मिली है और यदि  
हां, तो कहां से, कब और उसका  
स्वरूप क्या है;

(ख) डिवीजन मुख्यालय को पोरबन्दर  
कब ले जाने का प्रस्ताव है; और

(ग) डिवीजन मुख्यालय की बजाए  
पोरबन्दर में एरिया सुपरिण्टेंडिंग कार्यालय  
की स्थापना करने में की स्थापना करने में  
सरकार को क्या कठिनाई है और पोरबन्दर  
में एरिया सुपरिण्टेंडेंट कार्यालय की स्थापना  
कब तक हो जायेगी ?

रेल मंत्रालय में राज्य मंत्र: (श्री शिव  
नरसिंह ) : (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

(ग) पोरबन्दर में क्षेत्रीय सुपरिण्टेंडेंट  
कार्यालय स्थापित करने का न तो आर्थिक  
दृष्टि से और न ही परिचालनिक तथा  
प्रशासनिक दृष्टि से कोई आशय्य है ।

#### Oil Prices Committee

3659. SHRI ANANT DAVE: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there are 11,000 petrol  
dealers all over India and most of  
them are from the middle class and



include war-widows, ex-servicemen, unemployed graduates and persons from scheduled castes and tribes;

(b) whether the Oil Prices Committee in its final recommendation had stipulated any specific date for implementing the final recommendations in connection with dealers commission on M.S. and H.S.D.; if so what was that date; and

(c) what amount these dealers have to deposit with oil companies towards cost of pump and tanks?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) The existing 11,000 (Approx.) retail outlet in the country are held by various categories of people including war-widows, ex-servicemen, unemployed graduates. Scheduled Castes and Scheduled Tribes.

(b) No, Sir.

(c) Only Indian Oil Corporation and Indo-Burma Petroleum Company Limited collect in respect of retail outlets not owned by the oil company deposit of Rs. 25,000 for lone Motor Spirit (MS) or lone High Speed Diesel (HSD) pump and Rs. 45,000 for combined MS and HSD pump towards cost of pumps and tanks. This deposit, however, is not collected from certain categories of dealers like those belonging to Scheduled Castes and Scheduled Tribes. Interest at the rate of 7 per cent is paid to the dealers from whom this security deposit is collected.

**वैटरों को ऊनी पट तथा कोट की सप्लाई**

3661. श्री युवराज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है, कि रेलवे के विभागीय वैटरों तथा स्टाफ के ऐसे अन्य सदस्यों को जाड़े में ऊनी पैट तथा कोट सप्लाई नहीं किये जाते हैं ;

(ख) क्या यह भी सच है, कि यात्रियों को भोजन आदि बेचने वाले वैटर्स को भोजन की बिक्री पर 10 प्रतिशत कमीशन और चाय की बिक्री पर 17 प्रतिशत कमीशन दिया जाता है जब कि चार वर्ष पूर्व कमीशन की दर क्रमशः 17 और 21 प्रतिशत थी ;

(ग) क्या यह भी सच है कि मशालची, मेठ और रसोइये को माहवार वेतन दिया जाता है और इनके पद भी स्थायी हैं; और

(घ) यदि हां, तो विभागीय वैटर्स के पदों को कब तक स्थायी घोषित किया जाएगा और स्टाफ को ऊनी कपड़े कब सप्लाई किए जायेंगे यदि नहीं, तो उसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हां । लेकिन, ऐसे जलवायु वाले क्षेत्रों में जो 'सर्द, गर्म' तथा साधारण सर्द क्षेत्रों के रूप में वर्गीकृत हैं, काम करने वाले वैटरों को गर्म जसिया दी जाती है ।

(ख) कमीशन की दर भिन्न-भिन्न वस्तुओं के लिए तथा भिन्न-भिन्न रेलों पर अलग-अलग है । कमीशन की दरें निश्चित करने का अधिकार क्षेत्रीय रेलों को दिया गया है जो बिक्री की मात्रा, लाभ, खाद्य वस्तुओं की मांग आदि के आधार पर दर निश्चित करती हैं । दरें निश्चित करते समय इस बात को सुनिश्चित करना होता है कि कमीशन पाने वाले वैटरों और खोमचेवालों को उचित पारिश्रमिक मिलता है । रेलों को ऐसे आदेश हैं कि वे कमीशन पाने वाले वैटरों और खोमचेवालों की आदमदनी की आवधिक समीक्षा करें और जब जरूरी समझे कमीशन की दर बढ़ा दें तथा उनका उचित पारिश्रमिक सुनिश्चित करने के लिए अन्य प्रोत्साहन दें ।

(ग) विभागीय खान-पान स्थापनाओं में कुछ कर्मचारी जैसे रसोइया, हैल्पर, मशालची तथा कुछ बैरे आदि रेलवे के नियमित कर्मचारी हैं। इनके अतिरिक्त, विभागीय खान-पान स्थापनाएं ऐसे बैरे और खोमचे वाले भी नियुक्त करती हैं जो कमीशन के आधार पर खाने की वस्तुएं बेचते हैं। वे रेलवे के कर्मचारी नहीं होते।

(घ) कमीशन पाने वाले बैरों और खोमचे वालों के काम करने और सेवा की परिस्थितियों की सरकार द्वारा इस समय जांच की जा रही है।

वेटरों को ऊनी जर्सी देने के सम्बन्ध में वर्तमान वर्दी विनियमों में ऐसी व्यवस्था पहले से ही है कि जिस जलवायु क्षेत्र में वे काम करते हैं, उसके आधार पर उनको केवल ऊनी जर्सीयां दी जायें।

#### **Vacancies in Section Officers' Grade in Railway Board**

3661. SHRI R. L. KUREEL: Will the Minister of RAILWAYS be pleased to state:

(a) whether the number of vacancies in the Section Officers' Grade of the Railway Board Secretariat Service filled up on the results of the Combined Limited Departmental Competitive Examination held by the U.P.S.C. in September, 1976 was initially advertised as 2 without making any reservation for the Scheduled Castes/Scheduled Tribes, but was subsequently increased to 9 with two vacancies reserved for the Scheduled Castes and one for the Scheduled Tribes and without bringing the additional 7 vacancies to the notice of the eligible employees; and

(b) if so, the reasons for such abnormal increase in the notified number of vacancies?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS**

(SHRI SHEO NARAIN): (a) and (b). The available number of two vacancies of Section Officers in 1976 were initially notified to the U.P.S.C. for the Combined Limited Departmental Competitive Examination. The U.P.S.C. in notifying the vacancies for information of prospective candidates made it clear that these were liable to change. With the progressive extension of the Desk Officer System in this Ministry, under instructions of the Department of Personnel & Administrative Reforms, more vacancies became available. Due to this reason and the fact that the Combined Limited Departmental Competitive Examination for Section Officers' Grade in 1977 had been postponed by the Commission, the number of vacancies for 1976 Examination were increased to nine in administrative interest. As per reservation roster, no vacancies could be reserved for Scheduled Castes/Scheduled Tribes candidates initially, but as the number of vacancies increased to nine, reservation for Scheduled Castes/Scheduled Tribes was made accordingly.

#### **Remittance of Profits by Cadbury Fry**

3662. DR. V. A. SEYID MUHAMMAD: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Cadbury Fry (India) Private Limited a subsidiary of a multinational company has been making a profit of 200 per cent on its capital;

(b) if so, the percentage of company's profits which were remitted abroad as dividends during the last six months; and

(c) whether Government propose to impose a limit on such remittance?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN):** (a) The percentage of profits earned on its capital by Cadbury Fry (India) Private Limited, now known as Cadbury India

Limited during the last three years is as under:—

Year ended	Profits after tax as percentage of paid-up capital.
4-1-1975 . . .	131.9%
3-1-1976 . . .	334.3%
1-1-1977 . . .	320.1%

(b) and (c). According to information furnished by the Ministry of Finance, the company has not remitted any profit/dividend during the last six months. In the case of approved foreign investment there is no restriction on remittance of current earnings. Such companies may remit profits, dividends, royalties, know-how fees etc. subject to tax clearance. There is no proposal under consideration to limit any of these remittances.

#### **Raw Material Sources for Drugs in Andaman and Nicobar Islands**

3663. SHRI MANORANJAN BHAKTA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there is a great potential of raw material sources for producing drugs in the Andaman and Nicobar Islands;

(b) if so, facts and efforts made by Government to exploit these resources;

(c) whether it is proposed to set up some drug manufacturing plants in this Union Territory by IDPL and by some private entrepreneurs; and

(d) if so, whether any licences have been issued for setting up the drug plants there?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). No data is readily available with Government.

(c) No such proposal has been made to the Government so far.

(d) Does not arise.

#### **Pilgrims Travelling by Railway to Jagannath Puri**

3664. SHRI GOVINDA MUNDA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of pilgrims estimated to have been carried by the special trains running to the sacred Jagannath Puri during the last two years;

(b) whether Government have received any complaints from the pilgrims during 1976-77 regarding inconvenience experienced by them; and

(c) if so, the number of such complaints and the reaction of Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) 17,120 and 11,290 pilgrims were carried by special trains during the years 1975-76 and 1976-77 respectively.

(b) No.

(c) Does not arise.

#### **'Plea for Ombudsman Clause in the Constitution'**

3665. SHRI RAJKESHAR SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether attention of the Government has been drawn to the news item published under the Caption 'Plea for Ombudsman Clause in the Constitution' in the *Indian Express* dated 19th November, 1977; and

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

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NARSINGH YADAV): (a) Yes, Sir.

(b) The Government is inhibited in expressing its reaction to the News Item referred to in para (b) of the question, which relates to the Lokpal Bill, 1977, because the Bill is presently under examination by a Joint Selection Committee of both Houses.

### **Contract with Foreign Companies by O.N.G.C.**

3666. SHRI G. S. REDDI: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many contracts with foreign companies have been signed by the O.N.G.C. ever since April, 1977;

(b) what were the lowest and accepted tenders in each case; and

(c) whether the accepted tenders were not the lowest tender, if so, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) Since April, 1977, the ONGC has placed a very large number of contracts with foreign companies for supply of equipment etc. and the labour involved in collection and scrutiny of such information will not be commensurate with the result to be achieved.

(b) and (c). ONGC have generally followed the policy of placing orders on the lowest technically acceptable tenderer and where the contract is not so awarded, the reasons are carefully gone into and recorded.

### **Production beyond Licensed Capacity by Foreign Drug Firms**

3667. SHRI NATWARLAL B. PARMAR: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of foreign drug manufacturing companies who have exceeded their licensed capacities during the last three years;

(b) the items where they exceeded production unauthorisedly, the extent of unauthorised production;

(c) whether this unauthorised production by foreign firms has adversely affected the production of similar items by Indian concerns; and

(d) action taken/proposed to be taken against the defaulting firms?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). A Statement showing the names of foreign drug manufacturing companies who have exceeded their licensed capacities of bulk drugs during the last three years along with the other details asked for is laid on the Table of the Sabha. [Placed in Library. See No. LT-1342/77].

(c) and (d). The policy on excess production is under active examination by Government, having due regard to the relevant recommendations of the Hathi Committee.

### **Sale of Medicines bearing 'Generic Names'**

3668. SHRI MOTIBHAI R. CHAUDHARY: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of medicines which are being sold by various drug manufacturing companies bearing 'Generic Names'; and

(b) the price comparison between the product of various concerns of same medicines and reasons for approving different prices for different companies?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). A large number of medicines are sold under generic names. Time and effort involved in collecting the names of manufacturers of such medicines as well

as other details relating to such medicines are not commensurate with the likely results to be achieved. However, a representative Statement of prices of some of the medicines sold under generic names by the various manufacturers is attached.

Reasons for variation in prices of different manufacturers for the same medicines sold under generic names are as follows:—

(1) In 1970 when the Drugs (Prices Control) Order, 1970 came into operation, the concerned manufacturers were required to submit price lists along with details of calculations. As large number of packages were involved the prices were fixed based on mutual discussion. Under the alternative scheme of pricing as per para. 14 of the Drugs (Prices Control) Order, 1970, prices were fixed, depending upon the product-mix of individual companies so as to restrict mark ups at minimum possible levels on essential formulations and to compensate for such reduction in prices resulting therefrom, varying marks ups were allowed on the other less essential formulations. As a result of these, variations which existed at the coming into force of the Drugs (Prices Control) Order, 1970, continue to be in force.

(2) Prices of formulations depend upon the prices of bulk drugs.

Depending upon the prices of bulk drugs approved/allowed to different manufacturers which in turn depended on the source of procurement of the bulk drugs, there is variation in prices of the formulations.

(3) Imported bulk drugs are procured by the formulators at different prices, from different sources in the world. These differences are reflected in the prices of formulations. To minimise these variations, Government have already canalised 45 bulk drugs for imports through the State Chemicals and Pharmaceuticals Corporation of India Ltd., and IDPL at a single uniform price. The list of canalised bulk drugs is reviewed from time to time, depending upon the requirements of and production programme in the country as also the differences in the import prices from different sources.

(4) Difference in prices also accrue due to different packing materials adopted by different formulators.

The Hathi Committee on Drugs and Pharmaceutical Industry have, *inter alia*, recommended rationalisation of prices of drugs. The recommendations are in the final stages of consideration.

#### Statement

Sl. No.	Name of the Manufacturer	Name of the Formulation	Pack size	Maximum retail Price approved by the Government
(1)	(2)	(3)	(4)	(5)
1. M/s. IDPL.	. . . .	Tetracycline Capsules 250 mg.	10 × 10 100's	47.88 45.89
2. M/s. Haffkine	. . . .	"	100's	43.05
3. M/s. H. A. L.	. . . .	"	10 × 10	52.94
4. M/s. Smith Stanistreet	. . . .	"	10 × 10	52.33
5. M/s. Fairdeal Corpn.	. . . .	"	100's	35.92

1	2	3	4	5
6.	M/s. IDPL . . . . .	Oxytetracycline Capsules 250 mg. 10 × 10		58.01
7.	M/s. Smith, Stanistreet . . . . .	"	10 × 10	52.72
8.	M/s. IDPL . . . . .	Chloramphenicol Capsules 250mg. 100's		37.43
9.	M/s. Smith, Stanistreet . . . . .	"	10 × 10	38.03
10.	M/s. Boehringer-Knoll . . . . .	"	100's	35.92
11.	M/s. Chowgule & Co. . . . .	"	100's	29.97
12.	M/s. H. A. L. . . . .	Ampicillin Varylone Capsules 250 mg 100's		85.19
13.	M/s. Haffkine . . . . .	"	100's	89.88
14.	M/s. IDPL . . . . .	Analgin Tablets 500 mg.	10 × 10	18.42
15.	M/s. Smith, Stanistreet . . . . .	"	10 × 10	19.71
16.	M/s. IDPL . . . . .	A. P. C. Tablets	1000.	42.06
17.	M/s. Boots (I) Ltd. . . . .	"	1000	42.38
18.	M/s. Zandu Pharmaceuticals . . . . .	"	1000	41.34
19.	M/s. IDPL . . . . .	I. N. H. Tablets	1000	33.32
20.	M/s. Cadila . . . . .	"	1000	30.65
21.	M/s. Haffkine . . . . .	"	1000	26.90
22.	M/s. Dey's Medical Stores. . . . .	"	1000	29.82
23.	M/s. Albert david Ltd . . . . .	"	1000	30.00
24.	M/s. I. D. P. L. . . . .	Phenobarbitone Tablets 30 mg.	1000	15.91
25.	M/s. Kerala State Drugs & Pharmaceuticals Ltd. . . . .	"	1000	21.23
26.	M/s. Haffkine . . . . .	"	1000	20.24

जून, 1977 में सैलूनों में यात्रा करने वाले दानापुर डिवीजन के अधिकारी

3669. श्री रामानन्द तिवारी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) दानापुर डिवीजन के उन अधिकारियों के नाम क्या हैं जिन्होंने सरकारी आदेशों का उल्लंघन करके जून, 1977 में सैलूनों में यात्रा की थी; और

(ख) आदेशों का उल्लंघन करने के लिए इन अधिकारियों के विरुद्ध क्या

कार्यवाही की गई है अथवा करने का विचार है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख) ऐसी हिदायतें जारी की हुई हैं कि निरीक्षणयान जो ग्राम तौर पर सैलून कहे जाते हैं, केवल कर्तव्यों के सम्बन्ध में तथा उन स्थानों के लिए जहां उपयुक्त स्थान उपलब्ध नहीं होता है, उपयोग में लाये जाएं। ऐसा कोई भी मामला ध्यान में नहीं आया जिसमें दानापुर मंडल के अधिकारियों ने इन हिदायतों का उल्लंघन किया हो।

### Advance Increments to some Parcel Clerks at New Delhi Station

3670. SHRI MAHMOOD HASAN KHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that some Parcel Clerks working at New Delhi station were given the benefits of advance increments and other cash awards by the administration for being loyal to the administration during the railway strike 1974;

(b) if so, whether the administration had withdrawn some of the benefits on the complaint of some Member of Parliament; and

(c) if so, action taken against the officials responsible for such lapses?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) In one case, initially a cash award of Rs. 200/- was granted but subsequently it was converted into advance increment. The advance increment was, however, withdrawn as the employee's ward had been appointed on the Railways. This had not been effected on receipt of a complaint from an M.P.

(c) Does not arise.

### औषधियों के मूल्य

3671. श्री ज्ञानेश्वर प्रसाद यादव : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वर्ष 1975-76, 1976-77 और 1977-78 के दौरान औषधियों के मूल्यों में भारी वृद्धि हुई है ;

(ख) यदि हां, तो सरकार इनके मूल्य कम करने के लिए क्या कार्यवाही कर रही है ;

(ग) क्या सरकार का विचार ग्रामीण क्षेत्रों में औषधियों की बिक्री के लिए उचित

मूल्य की दुकानें खोलने के लिए कोई कार्यवाही करने का है; और

(घ) यदि हां, तो सरकार इस सम्बन्ध में क्या कार्यवाही कर रही है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री ज्ञानेश्वर मिश्र) :

(क) और (ख). औषधों के मूल्य कानूनी रूप से औषध (मूल्य नियंत्रण) आदेश, 1970 के प्रवधानों के अन्तर्गत नियंत्रित हैं। अन्य पदार्थों की तुलना में औषध और दवाइयों के थोक मूल्य सूचक में (1970-71 के साथ 100 के आधार पर) अन्य पदार्थों में तेज वृद्धि की तुलना में, धीरे धीरे वृद्धि हुई है :—

वर्ष	अन्य पदार्थ	औषध और दवाइयाँ
1974-75	174.9	108.2
1975-76	173	118.7
1976-77	176.6	133.9

उक्त आदेश के जरिए अन्य पदार्थों के मूल्यों की तुलना में, मूल्यों को उचित स्तरों तक बनाए रखना संभव हो पाया है।

औषधों के मूल्यों को कम करने के लिए कई कदम उठाए गए हैं। सेरा, टीका, एनास्थेसिक्स और मेडोसीनल ग्रेड आक्सीजन पर कोई उत्पादन शुल्क नहीं है। सामान्य नामों के अन्तर्गत बेचे जाने वाले सभी सूत्रयोगों पर केवल 1% उत्पाद शुल्क की दर पर रियायत है। जीवन रक्षक 25 अनिवार्य प्रुपंज औषधों पर आधारित पेटेंट अथवा स्वामित्व प्राप्त सूत्रयोग मई, 1975 से 12.5% की सामान्य दर के स्थान पर 2.5% उत्पाद शुल्क की रियायत के लिए पात्र हैं। 75 जीवन रक्षक औषध सूत्रयोग जब वे वास्तविक उपभोक्ता द्वारा आयात किए



जाते हैं, सीमा शुल्क से पूरी छूट है। इन उपायों के परिणामस्वरूप कुछ औषध सूक्ष्म-योजनाओं के रूप में ही काम है।

औषधों और भेषज उद्योग पर हाथी समिति ने अन्य बातों के साथ साथ औषधों के मूल्यों को युक्तिसंगत बनाने की सिफारिश की है। समिति की सिफारिश अन्तिम चरणों में विचारार्थ है।

वित्त मंत्रालय ने भी अप्रत्यक्ष कर जांच समिति गठित की है जो दवाइयों सहित सभी पदार्थों पर अप्रत्यक्ष कर पर विचार कर रही है। इस समिति की सिफारिशों के आधार पर अप्रत्यक्ष करों में कटौती का औषधों के मूल्य में कटौती पर प्रभाव पड़ेगा।

(ग) और (घ). इस समय ऐसा कोई प्रस्ताव सरकार के विचारधीन नहीं है। स्वास्थ्य और परिवार कल्याण मंत्रालय ने सामुदायिक स्वास्थ्य कर्मचारी स्कीम (कम्यूनिटी हेल्थ वर्क्स स्कीम) तैयार की है। इस योजना के अन्तर्गत सरकार द्वारा सप्लाई की गई कुछ दवाइयां सामुदायिक स्वास्थ्य कर्मचारियों द्वारा ग्रामीणों को मुफ्त वितरित की जाएंगी। तथापि, वर्तमान चरण में योजना देश में केवल 777 प्राथमिक स्वास्थ्य केन्द्रों में चल रही है इसलिए वह केवल उन गांवों के लिए लागू है जो इन केन्द्रों के अन्तर्गत आते हैं?

#### Investment made by J.K. Synthetics in Maruti Limited

3672. DR. VASANT KUMAR PANDIT: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the J. K. Synthetics Limited by their Resolution of General Body on 29th September, 1976 resolved to invest Rs. 40 lakhs in Maruti Limited in contravention of Section 372 of the Companies Act;

(b) whether it is a fact that in pursuance of the above resolution the Directors circulated to the shareholders an explanatory statement under section 176 of the Companies Act presenting a false picture of the prospects of Maruti Limited; and

(c) whether the Government have inquired into the matter and if so, how do Government propose to protect the interests of the shareholders of J. K. Synthetics Limited?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) M/s. J. K. Synthetics Ltd. had passed a resolution at the general body meeting held on 29th September, 1976 for making an investment of a sum not exceeding Rs. 40.00 lakhs in the equity shares of Rs. 10/- each of Maruti Limited since this investment exceeded the percentage of limits specified in sub-section (2) of Section 372 of the Companies Act, 1956. The resolution was passed to comply with the requirements of Section 372 of the Act and there was no contravention in this regard.

(b) and (c). The Board of Directors circulated an explanatory statement under Section 173 of the Companies Act (not under Section 176 which is not applicable) to the shareholders. The matter has been examined and it is observed that the Directors formed their opinion based on certain facts. Unless these facts are proved to be false it cannot be said that the Directors presented a false picture of the prospects of Maruti Ltd.

#### Incomplete Electoral Rolls for Parliamentary and other Elections in Delhi

3673. SHRI KACHARULAL HEM-RAJ JAIN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it has come to the notice of the Government that the electoral rolls prepared at the time of



parliamentary election and other elections for Municipal Corporation and Metropolitan Council in 1977 in Delhi were not complete and they did not have even the names of those persons who had been residing in a particular place for more than 5 years;

(b) whether it is also a fact that even after applying for inclusion of names in the electoral list later, their names did not appear even in the supplementary lists issued; and

(c) the action Government propose to take to revise the electoral rolls and make it uptodate and engage such persons on the job who could be held responsible for any complaint later?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NARSINGH YADAV): (a) and (b) The Election Commission arranged for widest publicity to be given to the electoral rolls which were revised and brought uptodate in April-May, 1976. On the basis of applications received from voters for enrolment, the rolls were further revised and published in final form in August, 1976. Further, the Chief Electoral Officers, Delhi arranged to secure information from the Delhi Development Authority Municipal Corporation of Delhi, New Delhi Municipal Committee etc. about the shifting/resettlement of population in their respective jurisdiction, so that special revision of rolls could be carried out in the affected areas where large scale shifting of population had taken place. On the basis of information received from the aforesaid agencies, special revision of rolls continued till December, 1976 and efforts were made to enlist all eligible persons. Two sets of electoral rolls were also supplied to the political parties seeking their cooperation to make the rolls as uptodate, as possible. Thus, all efforts were made to enlist all eligible persons in the electoral rolls.

(c) The Election Commission proposes to revise the electoral rolls every alternate year. The staff for future revision may be requisitioned from

amongst the regular staff of Delhi Administration/Central Government as in the past so that in case of any default, responsibility could be fixed on the individual concerned.

#### Guidelines for Addition or Construction of Additional/New Railway Lines

3674. SHRI L. L. KAPOOR: Will the Minister of RAILWAYS be pleased to state:

(a) the guidelines which have been prevailing for addition or construction of additional/ new railway lines;

(b) whether the Janata Government have given fresh thought to the problem of constructing new railway lines in economically backward areas so as to create transportation infra structure therein for the economic development of such areas; and

(c) if not, whether any policy for constructing new railway lines in backward regions is going to be adopted by Government?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) A Statement is attached.

(b) and (c). The policy regarding construction of new railway lines is under consideration in consultation with other concerned Ministries.

#### Statement

Construction of a new railway line or extension of an existing railway line is taken up after detailed survey and investigations when it is established that a railway line will provide the best, cheapest and the most economical needs of transport to meet the traffic needs of the area. Railtransport is most suitable for the mass transport while road transport has advantages for distribution of goods and passengers in smaller quantities/number over short distances. It is the policy of the Railways to avoid unhealthy competition with road transport and to confine themselves to only such

transport activities for which they are the most suitable. On these considerations, construction of railway lines would be justified in areas which have:—

(i) mineral deposits which cannot be exploited without development of railway transport; or

(ii) have the raw materials and potential for the development of major industries like steel, cement, fertilisers, oil refineries etc., which offer substantial traffic; or

(iii) where a very large number of passengers have to be moved as in the case of suburban lines in the metropolitan areas and other thickly populated areas; or

(iv) where an existing line has become saturated and the new lines will provide an alternative route at the same time opening up a new area.

Roads provide a cheaper and more efficient mode of transport for lighter traffic and construction of railways which involve very heavy investment will not be justified in such situations except where their construction is considered essential on strategic considerations.

The financial returns on the investment are also considered. Time-lag between the construction of a railway line and development of traffic is, however, fairly long even for links which have potential for development of sufficient traffic to justify them financially in the long run and this fact is taken into account while taking decision on the construction of new railway lines.

From the above policy arose the necessity to provide protection to the Railways against losses on new lines in the initial stages and the Ministry of Railways have secured moratorium from the Convention Committee on the payment of dividend on the capital investment on new railway lines during the period of construction and for the first five years of their operation. Relief for a longer period may

be necessary in some cases and the Convention Committee have been approached in this regard.

Steps are also taken to reduce the losses of the Railways by securing participation of the State Governments in the capital cost of the projects. It has been suggested to them to give land and the labour component of the projects free of cost and in some cases to participate in the construction and operation of the projects on a percentage basis. Inflation of the chargeable kilometrage is also considered in order to improve the earnings till such time the lines become remunerative.

### Electrification of Railways in Tamil Nadu

3675. SHRI S. G. MURUGAIYAN: Will the Minister of RAILWAYS be pleased to state:

(a) which are the sections in Tamil Nadu under various stages of electrification; and

(b) what is the progress so far made in each of the sections and by when it is expected to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) (i) Madras-Elavur as part of electrification of Madras-Gudur section.

(ii) Madras-Trivellore.

(b)

Section	Progress upto Sept., 77	Likely date of completion
(i) Madras-Gudur .	52.46%	1979-80
(ii) Madras-Trivellore	25%	1979-80.

**Representation to Government by  
Railwaymen for Bonus**

3676. SHRI M. KALYANASUNDA-  
RAM:  
SHRIMATI PARVATHI  
KRISHNAN:

Will the Minister of RAILWAYS  
be pleased to state:

(a) whether Railwaymen have re-  
presented to the Government regard-  
ing the payment of 8.33 per cent of  
bonus; and

(b) if so, the details thereof and  
Government's decision thereon?

THE MINISTER OF STATE IN THE  
MINISTRY OF RAILWAYS (SHRI  
SHEO NARAIN): (a) Yes.

(b) During recent discussion with  
the representatives of railwaymen, it  
was clarified that Government have  
restored the pre-emergency provisions  
of the Bonus Act and that the question  
of payment of bonus to the employees  
of the Government departmental  
undertakings like Railways, which are  
statutorily excluded from the scope of  
the existing Act, will be considered  
after receipt of the report of the Study  
Group, appointed by Government to  
evolve a national policy on wages,  
incomes and prices in all sectors. The  
report of the Study Group is expected  
in six months.

**Memorandum from Railway Users'  
Association**

3677. SHRI K. A. RAJAN: Will the  
Minister of RAILWAYS be pleased to  
state:

(a) whether he has received a  
memorandum from the Railway Users  
Association, Kerala during his visit to  
the State on October 8th and 9th of  
this year; and

(b) if so, what are the demands  
they have pressed for immediate  
action and what is Government's  
reaction thereto?

**THE MINISTER OF STATE IN THE  
MINISTRY OF RAILWAYS (SHRI  
SHEO NARAIN) (a): Yes Sir.**

(b) The various demands made in  
the memorandum of the Railway  
Users Association, Kerala, and the  
latest position regarding each item are  
given below:

**1. West Coast Line from Mangalore  
to Bombay**

The feasibility report of the West  
Coast Railway Project has been  
finalised and the question of taking  
up the construction of the line is  
under consideration of the Govern-  
ment.

**2. Additional Railway Divisional  
Headquarters in Trivandrum**

A decision has already been taken  
to set up an additional Divisional  
Headquarters at Trivandrum.

**3. Speeding up of Trivandrum-Nager-  
coil-Cape Comorin Broad Gauge  
line and the completion of the  
same by the end of 1978.**

The construction work is in pro-  
gress and the progress made is 44  
per cent. Subject to adequate funds  
being made available, the Section  
from Trivandrum to Nagercoil is ex-  
pected to be completed by 1978 and  
from Nagercoil to Tirunelveli/Kanya-  
kumari by 1980.

**4. (a) Ernakulam-Alleppey-Kayam-  
kulam B. G. Line**

The matter is under examination in  
consultation with the Railway Admi-  
nistration and the Planning Commis-  
sion.

**(b) Kuttipuram-Guruvayur-Trichur**

The Planning Commission have not  
agreed to include this in the Budget  
for 1977-78 on the plea of inadequate  
resources.

**5. Electrification of section between  
Mangalore and Kanyakumari and  
Shoranur to Arkonam**

There is no proposal at present for  
electrification of Mangalore Shoranur-  
Trivandrum-Kanyakumari Section.

However, Arkonam-Shoranur-Trivandrum Section has been surveyed for electrification. The finalization of Survey Report awaits confirmation from Government of Kerala on availability of Power cheaper than normal Industrial Tariff.

**6. Daily fast service between Trivandrum and Bombay on the pattern of Kerala-Karnataka Express**

There is no proposal to introduce daily fast service between Trivandrum and Bombay on the pattern of Kerala-Karnataka Express.

**7. Doubling of Shoranur-Trivandrum Section**

On the Shoranur-Alwaye Section, work on doubling Mullurcarai-Wadakkancheri (8 km.) and Pudukad-Irinjalakuda (10 km) portions is expected to be completed and the sections opened for goods traffic by December, 1977. Doubling of:

Wadakkancheri-Mulagunnathukavu 7.45 km.

Trichur-Pudukad . . . 13.74 „

Shoranur-Mullurcarai . . . 8.07 „and

Chalakudi-Angamalai . . . 15.41 „

has been sanctioned at a cost of about Rs. 7 crores and the work is in progress. It will take about 2½ years to complete the same.

On the Ernakulam-Trivandrum Section, the utilisation of capacity is between 64-73 per cent. There is, therefore, enough capacity to meet the requirements of traffic and doubling of the Section is not justified or necessary for the present.

**Payment of Compensation to Victims of Railway Accidents**

3678. SHRI SUKHDEO PRASAD VERMA: Will the Minister of RAILWAYS be pleased to state whether Government propose to bring the amount of compensation payable to victims of the railway accidents at par with that of air-crash victims?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): No. The existing

limit of compensation of Rs. 50,000/- payable to the victims of train accidents under Indian Railways Act, 1890 has been considered adequate.

**रेलवे सुरक्षा सम्बन्धी कृपालसिंह समिति**

3679. श्री राज भूषण तिवारी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे सुरक्षा के प्रश्न की जांच करने के लिए कृपालसिंह समिति गठित की गई थी ;

(ख) यदि हां, तो इस बारे में तथ्य क्या हैं ; और

(ग) समिति की सिफारिशों को कार्यान्वित करने के लिए क्या कार्यवाही की गई है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी नहीं, यह समिति रेलवे संरक्षा के प्रश्न पर विचार के लिए नहीं बल्कि रेलों पर अपराध-समस्या के अध्ययन के लिये गठित की गयी थी।

(ख) और (ग) प्रश्न नहीं उठता।

**Proposal to start a Shuttle Train between Mathura and Agra**

3680. SHRI SHAMBHU NATH CHATURVEDI: Will the Minister of RAILWAYS be pleased to state:

(a) whether representations have been received for starting a shuttle train between Mathura and Agra in the morning and return in the evening for the convenience of office and court going public or in the alternative provide separate accommodation in the Taj Express without charging the surcharge; and

(b) if so, what action Government has taken or propose to take to meet this demand?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) It is not operationally feasible to start Agra-Mathura train mainly due to inadequate terminal facilities both at Agra and Mathura. 79 Dn/80 Up Taj Express is running with maximum load and there is no room to attach the additional bogie for Mathura Passengers. This being a superfast train, the accommodation is fully reserved and surcharge is payable by season ticket holders.

### गुजरात में तेल और गैस की खोज के लिए नये स्थान

3681. श्री अमर सिंह बी राठवा : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) तेल तथा प्राकृतिक गैस की खोज के लिए गुजरात में कितने नये स्थान चुने गये हैं और कितने नये कुओं से तेल तथा गैस मिलने की सम्भावना है ;

(ख) गुजरात में मिलने वाले तेल पर राज्य सरकार को प्रतिबैरल कितनी रायल्टी दी जाती है और उनकी वार्षिक रायल्टी कितनी दी जाती है ; और

(ग) क्या राज्य सरकार ने तेल पर रायल्टी बढ़ाने की मांग की है और इस पर केन्द्रीय सरकार की क्या प्रतिक्रिया है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र) :

(क) इस समय ओ एन जी सी गुजरात में तीन नये स्थलों पर खुदाई कर रही है। इसके अतिरिक्त भविष्य में गुजरात में अन्वेषणात्मक खुदाई के लिये 16 और नये स्थलों का भी चयन किया गया है। यह कहना कठिन है कि इन स्थलों में हाईड्रो-कार्बन्स हैं या नहीं।

(ख) और (ग). 8 सितम्बर, 1976 से कच्चे तेल और "केसिंग हेड कन्डेन्सेट" पर रायल्टी की दर 15 रु० से बढ़ा

कर 42 रुपये प्रति मीटरी टन की गई थी। तेल (विनियमन एवं विकास) अधिनियम 1948 की धाराओं के अन्तर्गत रायल्टी की दर में चार वर्षों में केवल एक बार वृद्धि की जा सकती है। गुजरात सरकार ने रायल्टी में और अधिक वृद्धि के लिये अनुरोध किया था। उन्हें सूचित किया गया है कि 1980 में वर्तमान दर के पुनरावलोकन तक वर्तमान स्थिति जारी रहेगी।

राज्य में कच्चे तेल के उत्पादन के वर्तमान स्तर पर गुजरात सरकार को कच्चे तेल पर रायल्टी की राशि 17 करोड़ रुपये प्रति वर्ष है।

### Road under bridge near Arkonam Railway Station

3682. SHRI O. V. ALAGESAN: Will the Minister of RAILWAYS be pleased to state:

(a) is it not a fact that the road-under-bridge under the Railway line consisting of 2 spans of 10 ft. each near Arkonam Railway Station on the Southern Railway is too narrow for present day road traffic and causing traffic hazards;

(b) was any representation made to the Hon'ble Railway Minister when he visited the place by the public that the bridge should be widened by the Railway and if so, what is his response; and

(c) as per extent rules, it is not the responsibility of the Railway authorities to widen the Railway portion of the under-bridge at their cost and the responsibility of the Road authorities is to take care of the road portion only outside the Railway limits?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) There has no doubt been increase in the road traffic passing through the under-bridge but no specific traffic hazards have been reported.

(b) A representation was received from the President, Janata Party, Town Organization, Arkonam for rebuilding the road under-bridge at Palanipet and he has been advised that as the road under-bridge is in a satisfactory condition, it does not require rebuilding.

(c) As per extant rules, proposals for widening of the existing road under-bridges to cater to the increased road traffic are considered subject to the State Government/Local Authority's bearing the entire cost thereof. No firm proposal has so far been received either from the State Government or the Arkonam Municipality for the widening of the road under-bridge at Arkonam.

#### Assistant Officers in Railway administration

3683. SHRI R. D. GATTANI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there are a number of Class I Officers known as 'Assistant Officers' in the Railway Administration who were recruited by the Union Public Service Commission through the process of interview 10 to 22 years ago and who for no fault of theirs are still temporary;

(b) if so, their number;

(c) whether persons recruited years after them by the same Commission on the same or similar posts through written examination have been made senior to them and for what reasons; and

(d) when do the Government propose to confirm the services of the above mentioned temporary officers?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). 1089 Temporary Officers who were neither in Class I nor in Class II i.e., "Unclassified" were recruited from 1955 to 1968 and only 303 of them are now left to be confirmed in Class I/ Junior Scale.

(c) Officers recruited directly against permanent Class I cadre on the basis of the Competitive Examinations conducted by the Union Public Service Commission have been confirmed.

(d) The Government have recently increased substantially, the annual quota for confirmation in Class I/ Junior Scale of Temporary Officers. It is expected that the remaining officers would be confirmed in about 4 years time.

It is also proposed to absorb permanently a number of these officers in Indian Railway Stores Service and Indian Railway Personnel Service.

#### Sleeper Bogies on Manmad Zone

3684. SHRI BALASAHEB VIKHE PATIL: Will the Minister of RAILWAYS be pleased to state that the Minister proposes to increase the number of sleeper bogies on MANMAD zone from Ahmednagar or not, if so, please indicate the exact plan?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): There is no such proposal under consideration at present.

#### Distribution of Ammonium Sulphate by F.C.I.

3685. SHRI SARAT KAR: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the principle of distribution of Ammonium Sulphate to the dealers of Orissa by the F.C.I. of India limited is in keeping with the policy of F.C.I. towards other States;

(b) whether there was any discrepancy in the total quantity of Ammonium sulphate supplied to Orissa, Bihar, West Bengal and Andhra Pradesh during last two years; and

(c) whether the dealerships of some have been cancelled in Orissa during emergency without any reason and rhyme?



THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) to (c). The information is being collected and will be laid on the Table of the House.

### बिहार का पिछड़ा क्षेत्र

3686. डा० रामजी सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को जानकारी है कि बिहार के संताल परगना जिले के आदिवासी क्षेत्र के मेहरामा महागामा तथा बुमारी जोर ब्लॉकों में 22 मील के क्षेत्र में 44,000 मिलियन टन कोयला (ईस्टर्न कोल फील्ड्स लिमिटेड), बहुत बड़ी मात्रा में चाइना क्ले स्टोन चिप्स जंगल की साबि घान, बीड़ी के पत्ते आदि के विगल निक्षेप हैं ;

(ख) यदि हां, तो क्या इस पिछड़े परन्तु खनिज सम्भावनाओं से परिपूर्ण आदिवासी क्षेत्र में रेलवे लाइनों न बिछाना राष्ट्रीय हित के विरुद्ध है ;

(ग) यदि हां, तो क्या इस क्षेत्र को आगामी वर्ष की योजना में शामिल किया जायेगा ; और

(घ) क्या प्रस्तावित भागलपुर-देवघर लाइन (बरास्ता पीटपैती तथा लनमटिया) को हैजरीहा लाइन से जोड़ना उच्युक्त होगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) से (घ). बिहार के संताल परगना जिला में खनिज निक्षेपों के सम्बन्ध में सरकार अवगत है। मंदारहिल से दुमका, दुमका से सैथिया, दुमका से वैद्यनाथघाम (देवघर), दुमका से मधुपुर और दुमका से रामपुरहाट तक एक नयी बड़ी लाइन के लिए टोह इंजीनियरिंग

सहित यातायात सर्वेक्षण किया गया। मंदारहिल, और वैद्यनाथघाम (देवघर) के बीच एक सीधी बड़ी लाइन बिछाने के सर्वेक्षण को रेलवे के इस वर्ष के बजट में सम्मिलित किया गया है और उसे शीघ्र ही शुरू किया जायेगा। पिरपैती रेल के पहले ही जुड़ा हुआ है और मंदारहिल और दुमका के बीच प्रस्तावित रेल लाइन से हंसडहा भी उससे जुड़ जायेगा। इन लाइनों के सम्बन्ध में अन्तिम निर्णय अभी तक नहीं किया गया है।

### Improvement in Railway Catering and vending Establishments

3687. SHRI S. K. SARDA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Inspectors/Managers and other employees of the Catering and Vending Establishments have their almost all meals and refreshments from the items daily cooked for supply to the travelling public;

(b) whether this has caused deterioration in the supply of cooked food articles to the travelling public; and

(c) what preventive steps are being taken to remedy the situation and to improve the quality of food articles supplied to the travelling public?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) On the Southern Railway only, Managers, Assistant Managers, Cooks Bearers/Servers and Cleaners working in static catering units, who were appointed prior to 14th September, 1955 are being supplied free food on a prescribed scale as per their service conditions. The staff working in dining cars while they are on duty during the run of the trains are given food on prescribed scales and in lieu they are paid only half of the daily travelling allowance admissible to them under the rules. No other staff get free food from the catering establishments.

(b) No.

(c) Does not arise.

**Transfer of Managers/Inspectors in Catering and Vending Establishments at Allahabad**

3688. SHRI S. K. SARDA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the sweets and other eatables items are being daily sent free of charge to the Senior officers especially belonging to Commercial Branch by Managers/Inspectors of Catering and Vending Establishments;

(b) if so, whether the Railways had ever tried to exercise surprise checks through Vigilance Department to stop these malpractices; and

(c) whether Government would transfer the Managers/Inspectors employed in Catering and Vending establishments staying at Allahabad station over three years to root out these corrupt practices?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise. However, Railway Vigilance frequently conduct surprise checks on the working of the Catering Establishments with a view to detect malpractices/irregularities. During these checks malpractices of the type mentioned in part (a) of the question have not come to notice.

(c) There is no policy regarding transfer of staff after three years. However, wherever considered necessary, Catering staff are transferred in the interest of the administration. The same policy will apply to Allahabad Station and any Catering staff coming to adverse notice there.

**इलाहाबाद डिब्बोजन में स्टेशनों पर माल और पार्सलों के लिए ठेके**

3689. श्री एस० के० शारदा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या इलाहाबाद डिब्बोजन में सभी स्टेशनों पर माल और पार्सलों के ठेके सहकारी समितियों को दिये गये हैं और क्या अधिकारियों ने उपरोक्त सहकारी समितियों के साथ सांथगांठ करके मनमर्जी से दरें निर्धारित की हैं ;

(ख) क्या यह सच है कि कानपुर गोदाम और जुही ट्रांसशिपमेंट शैड के लिए 5 रुपये 30 पैसे की दैनिक मजदूरी की दर से ठेके दिये गये थे जबकि उक्त समितियां अपने श्रमिकों को 6 रुपये 50 पैसे की दर से दैनिक मजदूरी का भुगतान कर रही है और फिर भी लाभ अर्जित कर रही है ।

(ग) क्या यह सच है कि ठेकेदारों के लिए दरों की तुलना में इन समितियों की दरों में 200-500 प्रतिशत की वृद्धि की गई है जब कि श्रमिकों की मजदूरी में कोई आनुपातिक वृद्धि नहीं हुई ; और

(घ) क्या सरकार टेंडर आमंत्रित करेगी और वास्तविक दरों का निर्धारण करेगी ताकि रेलवे को अब हो रही हानि दोबारा न हो

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) इलाहाबाद मंडल के स्टेशनों पर अपेक्षित माल और पार्सल सम्हालने के सहकारी समितियों को आबंटित कर दिये गये हैं; दरों का निर्धारण दर निर्धारण समिति द्वारा किया जाता है। जिसमें लेखा अधिकारी सहित 4 प्रवर अधिकारी होते हैं। दरें स्थानीय मजदूरी दर और पार्सल की सम्हालने के लिए अपेक्षित आदमियों की औसत



संख्या को ध्यान में रखकर निर्धारित की जाती है; माल सम्मूहों की दरें उजरती दर प्रणाली पर निर्धारित की जाती है।

(ख) कानपुर सेंट्रल माल शेड और जूही यानान्तरण शेड पर माल सम्मूहों के उजरती दर प्रणाली के आधार पर न कि प्रति व्यक्ति दिन के आधार पर, दिये गये हैं।

(ग) जी नहीं।

(घ) जी नहीं।

#### **Ticketless Travellers**

3690. SHRI S. K. SARDA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of checks conducted by the Senior Divisional Commercial Superintendent, Northern Railway, Allahabad, to detect ticketless travellers during the period June, 1976 to October, 1977 monthwise separately;

(b) the amount of travelling allowance paid to the Senior Divisional Commercial Superintendent exclusively for conducting these checks during the above mentioned period month-wise separately together with the number of persons detected and amounts realised from them;

(c) whether publicity through Press was done by the Officer concerned after these checks to highlight his achievements; and

(d) whether suitable reward has been given to the Officer concerned for his initiative to give high earnings and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). 5,277 checks against ticketless travel were conducted in Allahabad Division of the Northern Railway during the period June, 1976 to October, 1977 under

the overall guidance and direction of the Senior Divisional Commercial Superintendent Allahabad. Out of these, two checks on 12-8-1977, were supervised personally by the Senior Divisional Commercial Superintendent Northern Railway, Allahabad. During these two checks 71 passengers were apprehended for irregular travel and a sum of Rs. 591.40 was realised as railway dues. In addition, a sum of Rs. 1325/- was realised as judicial fine. No travelling allowance was claimed by the Senior Divisional Commercial Superintendent, Allahabad for these checks.

(c) Yes. Some newsmen were briefed to create an impact on the ticketless travellers.

(d) No. The checks were exercised in the normal course of duties.

#### **Stoppage of Trains on Pathankot-Joginder Nagar Section at Panchrukhi**

3691. SHRI DURGA CHAND: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Express Train on Pathankot-Joginder Nagar Section of Northern Railway does not stop at Panchrukhi and other important stations;

(b) if so, whether the Government have received any complaint in this behalf; and

(c) if so, what are the details thereof and by when the train will start stopping at Panchrukhi station and other similar important stations?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Out of 3 trains one pair namely 1PB/4PB Pathankot-Bijnath Paprola is being run as a fast passenger service and this train does not stop at Panchrukhi and nine other intermediate stations.

(b) Yes.

(c) Provision of stoppages at Panchrukhi and other stations is under examination and action as found justified and feasible will be taken.

### Higher Grades to 'Hawker and Beggar Checkers'

3692. SHRI PUNDALIK HARI DAN-WE: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the allotment of higher grades of pay to 'Hawker & Beggar Checkers' in the Commercial Department of Railways is pending before the Government and G.M. (Bombay V.T.) since last twelve years and more;

(b) what are the reasons for the delay of decision; and

(c) when the final decision shall be taken?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) This category of staff has been demanding a higher scale since 1964.

(b) and (c). Hawker and Beggar Checkers are in class IV and have been allotted the revised scale of Rs. 210—270. There is no justification for allotting them the higher Class III scale of Rs. 260—400 applicable to Ticket Collectors. However, as this category has no scope for further advancement, the possibility of creating

a 20 per cent selection grade is under consideration.

### Representations from Maharashtra Bar Council

3693. SHRI PUNDALIK HARI DAN-WE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to the Unstarred Question No. 1245 regarding Representations from Chairman, Maharashtra Bar Council (Bombay) on 21st June 1977 and state:

(a) whether Government have taken action on the ten representations received during a period of October, 1974 to May, 1977 from the Chairman of Maharashtra Bar Council, Bombay;

(b) if so, when and the nature thereof; and

(c) if not, what are the reasons for long delay and when the action is likely to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NAR SINGH YADAV): (a) to (c). Particulars of the ten representations received from the Chairman, Bar Council of Maharashtra are as under:

S. No.	Date	Name of Chairman	Brief contents of the Representations.	Action taken/Remarks.
1	2		3	4
1.	3-2-75	Sh. J. H. Dalal	Request for grant of financial aid to undertake legal aid scheme framed by the State Bar Council. The representations was addressed to the Law Minister.	These were replied vide our letter No. 6(2)/75-I.C. dt. 29-9-75 stating that this Ministry had no funds from which grants would be made to the Bar Council of Maharashtra. However the
2.	19-2-75	Do.	Representations addressed to the Finance Minister on the above subject.	general question of giving legal aid to the poor is currently under consideration in the light of the Bhagwati
3.	14-7-75	Do.	Representations addressed to the Prime Minister on the above subject.	Committee's recommendations which are under examination of the Government.

1	2	3
4. 22-10-74	Sh. J.H. Da'sal	Request to bring into force Section 30 of the Advocates Act, 1961.
5. 24-2-75	Do.	Representation addressed to the Law Minister on the above subject.
6. 14-10-76	Sh. B. N. Deshmukh	Request for the amendment of Section 8 of the Advocates Act, 1961 so as to provide that the term of the Bar Council should be six years instead of the existing term of 4 years.
7. 19-11-76	Sh. R.W. Adik.	Representation on the above subject.
8. 2-5-77	Do.	Representation on the above subject.
9. 29-12-76	Sh. R. W. Adik.	Consequent on the abolition of the dual system by the Advocates (Amendment Act), 1976, the Bombay High Court has amended its Original Side Rules. The Chairman, Bar Council is objecting to the amendment of the Original Side Rules. This representation was addressed to the Law Minister.
10. 31-12-76	Do.	This representation was addressed to Sh. Om Mehta, former State Minister, Ministry of Home Affairs, on the same lines.

### Trade Mark of Bharat Refineries in Devnagari

3694. SHRI PUNDALIK HARI DANWE: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to refer to the reply given to Unstarred Question No. 4052 on trade mark of Bharat Refineries on 19th July, 1977 and state:

(a) whether Government have taken a final decision in the matter of the trade mark of Bharat Refineries in Devnagari;

(b) if so, when; and

(c) if not, the reasons of the delay and now when it shall be taken?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) to (c). M/s. Bharat Petroleum Corporation Limited (formerly Bharat Refineries Limited) have selected in November, 1977 an "Enblem" which has no script on it. They have also selected "Bharat Petroleum" as their Logo which will be used both in the Roman and Devnagari script.

### Progress shown by Public Sector Refineries

3695. SHRI D. B. CHANDRE GOWDA: Will the Minister of PETROLEUM

AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) the details relating to the progress regarding the profit/loss shown by the public sector refineries annually during last three years; and

(b) the steps Government have taken to make them more profitable?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). The details regarding the profit and loss of the Public Sector Refineries are being collected and will be laid on the Table of the House.

**Assistants in Railway Board's Offices**

3696. SHRI BALAK RAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Government had received a representation in the month of August-September, 1977 regarding grievances of Assistants in the Railway Board's offices recruited from zonal railways; and

(b) if so, what action had been taken by Government?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes. An unsigned representation was received from some Assistants recruited from the railways requesting for recasting of the relative seniority of Assistants in the Railway Board's office.

(b) The said representation has been examined and it has been held that the relative seniority of Assistants having already been decided in 1964 in consultation with a Statutory Body like U.P.S.C. and having also been looked into by the Supreme Court of India on submission of writ petitions by some Assistant of the Board's office which were later dismissed as withdrawn by the Hon'ble Supreme Court, no scope is now left for re-opening of this issue.

**Exploration of Mahanadi Delta by Oil India Ltd.**

3697. SHRI K. MALLANNA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government has granted a licence to the joint sector Oil India Limited for onshore and off-shore petroleum exploration of the Mahanadi Delta; and

(b) if so, the details regarding the agreement?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). Oil India Limited have been informed that the Government have no objection to the grant of Petroleum Exploration Licence covering an areas of 31,000 square kilometers including 12,000 square kilometers off-shore in Mahanadi Delta area. Oil India Limited have since submitted an application for grant of a Petroleum Exploration Licence for an off-shore area measuring 12,000 square kilometers.

### स्थायीकरण योजना

3698. श्री फूलचन्द वर्मा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) रेलवे के प्रत्येक जोन में स्थायीकरण योजना कब लागू की गई तथा इस योजना के अन्तर्गत क्या लक्ष्य निर्धारित किये गये हैं तथा अब तक उपलब्ध कराये लाभों एवं सुविधाओं का व्यौरा क्या है ;

(ख) रेलवे में लाइसेंस प्राप्त कितने कुली हैं और उनमें से ऐसे कितने कुली हैं जो रेलवे में स्थायीकरण योजना के अन्तर्गत कार्य कर रहे हैं और ऐसे कितने कुली हैं जो अभी प्रत्येक स्टेशन पर ठकेदारों की सहकारी समितियों के अन्तर्गत कार्य कर रहे हैं ;

(ग) क्या यह सच है कि निहित स्वार्थों के प्रभाव के कारण सरकार इन स्टेशनों पर ठेका पद्धति समाप्त नहीं कर रही है जिससे सहकारी समितियों के नाम पर वर्षों तक कुलियों का शोषण होता रहेगा; और

(घ) सरकार का विचार इन लाइसेंस प्राप्त कुलियों को 'स्थायीकरण योजना' के अन्तर्गत कब तक लाने का है जो रेलवे के अधीन नहीं हैं।

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) से (घ) . सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी।

#### Rates Fixed for Parcel Handling work at Moghalsarai

3699. DR. LAXMINARAYAN PANDEYA: Will the Minister of RAILWAYS be pleased to state:

(a) the details of item-wise rates fixed by Eastern Railway Authorities for Parcels handling work at Moghalsarai awarded in favour of Railway Station Porters Cooperative Labour Contract Society Limited, Allahabad;

(b) whether in addition to parcel handling work the Society is also obliged to perform certain miscellaneous items of work for which lumpsum payment per month is made to them;

(c) if so, the details of miscellaneous items of work which the Society is required to perform and what payment is made for such services; and

(d) how much security deposit has been fixed for the contract and the manner in which the same was/is being recovered from the Society?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Item-wise rates fixed for Parcel Handling work at Moghalsarai.

Items	Rates per 100 Quintals
	Rs.
(i) Loading of parcels and luggage from platform, Godowns Shed to vans or trains as detailed in Clause 2(i) of the agreement irrespective of lead, lift and time.	15.50
(ii) Unloading of Parcels and luggage from trains or vans to platforms and lawns, sheds as detailed in Clause 2(i) of the agreement irrespective of lead, lift and time.	10.00
(iii) Transhipment of luggage and parcels from one van to another and from one train to another and irrespective of lead, lift and time including unloading, sorting, stacking on the platform or in the sheds or godowns and carrying to another platforms and checking before final despatch when necessary, as also repacking of vans, comprising unloading, reloading including sorting and restoring etc.	35.00

(b) Yes.

(c) (1) Sweeping and cleaning wagons or vans before-loading.

(2) Placing and removing from weighing machines outward parcels and luggages which are to be weighed or re-weighed.

(3) Placing on and removing from weighing machines inward parcels and luggages which are to be weighed or re-weighed.

(4) Closing and assisting in sealing of outward wagons or vans.

(5) (a) Stacking of parcels and luggages etc. at particular places in the parcels sheds, lost properties offices or on Railway platform. no extra remuneration being paid to the contractors for loads considered normal by the Railway Admn.

(5) (b) Re-stacking, sorting and re-sorting.

(6) Placing or assisting to place wagons or vans in position for loading and unloading under the supervision of a traffic official.

(7) Sheeting and unsheeting wagons or vans.

(8) Handling of packages in the Godowns to enable inventory of parcels and luggages to be taken by Railway staff.

(9) Repacking of goods—from van to van in SQT Van Goods Trains including repacking of road vans.

(10) Such other minor duties as are found necessary for the effective performance of the foregoing duties.

(11) Handling of cash safe.

A fixed lumpsum amount of Rs. 1368.00 per month is paid for the above work.

(d) Rs. 4,104.00. The Security money is recoverable at the rate of 5 per cent from each bill till the full amount is recovered.

#### **Alleged Missing Letters and Files**

3700. DR. LAXMINARAYAN PANDEYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether photo-stat copies of letters written by Private Contractors to the Railway authorities were submitted by the Secretary of Railway Station Porters Cooperative Labour Contract Society Ltd., Allahabad, along with their complaints to the Personnel and other branches of the Northern Railway;

(b) if so, the details thereof;

(c) whether original letters, photo-stat of which had been submitted are missing from the relevant files and in certain cases relevant files are also missing;

(d) whether any enquiry has been conducted to find out as to how these letters which were in the custody of the Railway could reach the hands of the Secretary of the aforesaid Society; and

(e) if so, the results thereof and action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) One of these letters contained complaints by the Secretary, Railway Parcels and Goods Porters Cooperative Contract Society Ltd. Aligarh, to the then Deputy Minister of Railways against the then Divisional Superintendent Northern Railway, Allahabad for showing favouritism to monopolist contractor having a very bad past record and disregarding the directives issued by the Ministry of Railways to give preference to genuine Labour Co-operative Societies. In another letter to the Divisional Superintendent, Northern Railway, Allahabad a photo-stat copy of the aforesaid letter was enclosed by the Secretary Railway Station Porters Cooperative Labour Contract Society Ltd., Allahabad complaining against both the Secretary of Aligarh Society and the Private Contractor.

(c) No.

(d) Yes.

(e) Definite staff responsibility could not be fixed.

#### **Demand for Cooking Gas Connection**

3701. SHRI MADHAVRAO SCINDIA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) gap between demand and availability of cooking gas connection in cities and rural areas;

(b) whether the demand for connection is on the high side and as a result a large number of consumers are on the waiting list for the last 4 to 5 years;

(c) if so, whether Government are aware that a large number of consumers wanting new connections have been refused registration with the gas supplying agencies in the cities especially in Delhi; and

(d) if so, the steps Government propose to take to get these consumers registered with the agencies?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) to (d). No accurate assessment of demand for liquified petroleum gas (cooking gas) has been possible because of the other alternative fuels such as coal, soft coke, charcoal, firewood, kerosene, etc., also being used as domestic fuel. However, the present demand for new gas connections in the cities and other areas is far in excess of the availability based on current LPG production in the refineries. The availability of LPG from the refineries depends on its yield from the various crudes processed as well as the total quantity of crude available for processing. The supply of LPG is limited and not sufficient to meet the demand. It is therefore, not possible to give a gas connection as soon as it is asked for. The waiting period for getting the connection varies from place to place. While every effort is being made to increase the production and supply of LPG, this imbalance between the supply and demand will continue. However, in spite of these difficulties it has been possible for the Indian Oil Corporation Limited to release about 1.9 lakh new connections during 1976-77.

In so far as the Delhi region is concerned, substantial improvement in the supply of LPG and enrolment of customers for cooking gas will be possible only after availability of the product improves substantially around 1980.

#### **Railway Passes for V.I.Ps.**

3702. SHRI MADHAVRAO SCINDIA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of VIP categories of the officials or otherwise, other than Ministers of Centre/State Governments and Members of Parliament,

holding Identity cards or Passes for travelling in trains;

(b) whether it is a fact that some of the persons of these categories are given V.I.P. priority for reservation allotment of coupe, over the Members of Parliament;

(c) if so, the status of such persons;

(d) whether Government will consider the abolition of such VIP categories of officials in view of the status of Members of Parliament; and

(e) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Gazetted officers on Indian Railways perform journey by rail on duty on the authority of Metal/Card passes issued to them but they are not considered as V.I.P. categories.

(b) to (e). A small quota of a few berths on important nominated trains is earmarked at Railway Headquarters and other important stations to accommodate Central/State Ministers and High Government officials entitled to requisition rail accommodation on 'High Official Requisition'. When the quota is not utilised by those entitled to it, M.Ps., foreign tourists, Press correspondents, Government servants on duty etc., are accommodated out of the un-utilised quota. Separate quotas have been earmarked to the Reservation Office at Parliament House for allotment to the Members of Parliament, etc.

#### **Iron Ore rakes provided to M.M.T.C., Cuttack Division**

3704. SHRI PABITRA MOHAN PRADHAN: Will the Minister of RAILWAYS be pleased to state: the actual number of iron ore rakes provided to M.M.T.C., Cuttack Division from 4th September, 1974 to 7th October, 1975 and the number of rakes unloaded in siding No. I and II respectively during the aforesaid period at Atharabanki in the Paradeep Port-Area?



THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): During the period from 4-9-74 to 7-10-75, 1194 rakes of iron ore were loaded for export through Paradeep Port consigned to M.M.T.C. out of which 240 and 315 rakes were unloaded in siding No. I and II respectively at Atharabanki.

**Employment to Oustees ousted from Land acquired for construction of Fertilizer Factory**

3705. SHRI PABITRA MOHAN PRADHAN: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Ministry has laid out any clear cut policy in giving facilities and priorities regarding employment to the OUSTEES ousted from land and houses acquired for construction of Fertilizer Factories; and

(b) if so, whether a copy of such clear cut policy giving facilities and priorities will be laid on the Table?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). While no specific order outlining the details of the facilities and priorities to be given to the oustees has been issued, the public sector undertakings in the fertilizer industry give preference to the oustees in the matter of employment to Class III and Class IV posts and in allotment of shops in the estates.

**Reconstitution of Board of Directors of Hindustan Antibiotics every year**

3706. SHRI R. K. MHALGI: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is fact that as per provisions of the Company Law, the Board of Directors of the Hindustan Antibiotics Limited (Pimpri) Pune-

Maharashtra was to be reconstituted immediately after the General Body meeting every year;

(b) whether such reconstitution of the Board of Directors of the Hindustan Antibiotics Ltd. (Pimpri) has taken place during last two years appointing official and non-official directors as per provisions and rules;

(c) if not, what are the reasons thereof; and

(d) when the non-official Directors shall be appointed for the year 1977-78?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) Yes, Sir.

(b) and (c). The Board of Directors of Hindustan Antibiotics Limited consisted of 5 Directors (all official) during the year 1975-76 and during 1976-77, 11 Directors (6 official and 5 non-official). The Articles of Association of the Company provide that there shall be not less than 2 and not more than 12 Directors on the Board. There is no provision in the Articles of Association of the Company for a specified number of official/non-official directors.

(d) 5 official Directors for the year 1977-78 have been appointed. A decision on other Directors will be taken very soon.

**Traffic on Jail Road, New Delhi**

3707. SHRI UGRASEN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that traffic on Jail Road and Pankha Road, New Delhi has increased tremendously because of Janakpuri and other colonies;

(b) whether it is also a fact that existing railway crossing on these roads at Nangal Raya are ex-



tremely inadequate to cope with this heavy traffic causing traffic jams and accidents; and

(c) the steps that are being taken by the Railways to widen these level crossings and to operate the barriers with greater efficiency and frequency till fly-overs/sub-way are constructed at these points?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) Yes.

(b) The level crossings remain very busy especially in the mornings and evenings when the road traffic is at its peak. There have, however, been no accidents involving trains.

(c) As per extent rules, the cost of widening the level crossings to meet increased road traffic, has to be borne by the State Govt./Local Authority and the proposals have to be sponsored by them.

Widening of level crossing No. 12 on Jail Road was earlier proposed by the Municipal Corporation of Delhi but was not found to be technically feasible. Regarding level crossing No. 13 on Pankha Road, the Municipal Corporation of Delhi have been approached by the Railway to deposit charges for preparation of plans, estimates etc. Reply from the Municipal Corporation of Delhi is awaited in this regard.

**Memorandum from Secretary-General  
All India Railway Employees'  
Confederation**

3708. **SHRI A. K. ROY:** Will the Minister of RAILWAYS be pleased to state:

(a) whether any action has been taken from his end on the subjects mentioned in the memorandum dated 29th June, 1977 from Secretary-General, All India Railway Employees' Confederation, pursuant to Minister for Railway's Letter No. MR/3428A/77 dated 2nd August, 1977;

(b) if so, the decision taken on each subject; and

(c) reasons for not redressing any of the grievances?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) to (c). The points raised relate mostly to individual cases of staff numbering 29. Necessary action has already been taken by the two Railways concerned. The action taken by the Railways is under scrutiny in the Ministry of Railways to see if it is sufficient to meet the needs of each case.

The only general issue raised is that substitutes and casual labour whose services were terminated in connection with the strike of May 1974 and who have been taken back to service should be paid for the period they were not in service. It is not possible to treat substitutes and casual labour on the same footing as regular employees who were paid at the rate of subsistence allowance admissible under the rules.

**Proposal to raise retirement age and Pension of Judges**

3709. **SHRI PRASANNBHAI MEHTA:**  
**PROF. P. G. MAVALANKAR:**  
**SHRI SURENDRA BIKRAM:**  
**SHRI M. RAM GOPAL**  
**REDDY:**

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

(a) whether it is a fact that Government are considering to raise the retirement age and pension of judges;

(b) if so, what is the likely increase of age and pension;

(c) and from which date;

(d) the main reasons for the same; and

(e) whether this increase of age of judges have not been welcomed by the Bar Association?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN):** (a) to (d). No

proposal for increasing the pensions of Judges either of the Supreme Court or of the High Courts is pending consideration with the Government. The Chief Justice of India has recently sent a proposal recommending that the age of retirement of Judges of the High Courts and the Supreme Court may be raised from 62 years to 65 years and from 65 years to 68 years respectively. He feels that such a measure will make judicial office more attractive and will also add to its independence and dignity. The Government has not yet given any consideration to this proposal.

(e) According to the information available the Andhra Pradesh High Court Advocates Association are against the raising of the retirement age of Judges.

#### **Appointment of Committee for Selection of Judges**

3710. SHRI VASANT SATHE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government is considering a suggestion to appoint a high power judicial committee composed of eminent jurists and retired judges for appointment/selection of judges;

(b) if so, details of the proposals under consideration of the Government; and

(c) the decision taken in this regard?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) to (c). One of the suggestions considered by the Government in connection with the question of the method of appointment of Judges was whether any informal consultative panel of three retired Chief Justices of the Supreme Court could be constituted. On examination, it was found that there would be legal and other difficulties in accepting the suggestion. However, it is proposed to

ask the Law Commission if they have any changes to suggest in the existing procedures for the selection and appointment of Judges of the Supreme Court and the High Courts.

#### **Panel for Appointment of Judges of High Courts**

3711. SHRI OM PRAKASH TYAGI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what difficulties are coming in the way of the Government in constituting an *ad hoc* body under the Chairmanship of the Chief Justice of India to prepare a panel of names for appointment as Judges of High Courts as recommended by the Law Commission in its fourteenth Report;

(b) what steps are being taken to remove the said difficulties;

(c) whether the existing vacancies will be filled from the said panel; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) to (d). The Law Commission in their 14th Report had recommended that an *ad hoc* body presided over by the Chief Justice of India should be created to draw up a panel of names of persons suitable for appointment to the High Court. This recommendation was considered by the Government in 1961 and it was decided that no action was necessary in view of the opposition from the Chief Justices of the High Courts to the preparation of an all-India panel. There may also be constitutional difficulty in constituting such a body. There is no proposal at present to fill up the existing vacancies of Judges from any panel. However, it is proposed to ask the Law Commission whether they have any recommendations to make regarding the procedure for the appointment of judges.

### Norms for Appointment of Judges of Supreme Court and High Courts

3712. SHRI OM PRAKASH TYAGI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Government intends to lay down norms for the appointment of Chief Justices of the High Courts, Chief Justice of the Supreme Court and Judges of the Supreme Court; and

(b) if not, the reasons thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) Government are not considering laying down norms for the appointment of Chief Justices of the High Court, Chief Justice of the Supreme Court and Judges of the Supreme Court. However, it is proposed to ask the Law Commission if they have any changes to suggest in the existing procedures for the selection and appointment of Judges of the Supreme Court and the High Courts.

(b) Does not arise.

### Five years Tenure of Judges of High Courts and Supreme Court

3713. SHRI OM PRAKASH TYAGI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have since taken any decision on the appointment of persons as Judges of the various High Courts and the Supreme Court who would have a tenure of at least five years; and

(b) if so, the details thereof and whether the said decision is being enforced?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b). The question of appointment of persons as Judges of High Courts and the Supreme Court was considered by the Law Commission in their 14th Report. Regarding Supreme Court appointments, the

Commission recommended that a Judge of the Supreme Court should have a tenure of at least 10 years. The Government in 1960 accepted the recommendation subject to the change that, save in exceptional cases the minimum should ordinarily be 5 years. Regarding appointments to the High Courts the Commission had not made any specific recommendations about tenure. However, in actual practice, appointments to the High Courts made from the Bar by the present Government have generally been of persons who would be able to serve as Judges for at least five years. As for service Judges seniority in the Judicial Service has also to be considered and occasionally an officer is appointed as High Court Judge even if he cannot have a minimum term of 5 years.

### मध्य प्रदेश के जिलों में रेल लाइन की लम्बाई

3714. श्री राघवजी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश के उन पांच जिलों के नाम क्या हैं जिनमें लम्बाई में सबसे छोटी रेल लाइनें हैं और इसमें से प्रत्येक जिले में रेल लाइन की लम्बाई कितनी है; और

(ख) क्या उपरोक्त पिछड़े जिलों में नई रेल लाइन बिछाने के बारे में रेलवे की योजना है, यदि हां, तो इस सम्बन्ध में अब तक क्या कार्यवाही की गई है और भविष्य में क्या कार्यवाही किए जाने का विचार है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) मध्य प्रदेश के निम्नलिखित जिलों में या तो नाम मात्र को रेलवे लाइन हैं या कोई भी रेलवे लाइन नहीं है ;

(1) शिवपुरी

(2) छितरपुर

(3) टीकमगढ़

(4) पन्ना

(5) रीवा

(ख) हाल के वर्षों में इन जिलों में निम्नलिखित नयी लाइनों के लिए सर्वेक्षण किये गये हैं। इन लाइनों के निर्माण के सम्बन्ध में अभी तक कोई निर्णय नहीं लिया में गया है :—

(1) महोबा-खजुराहो

(2) सतना-रीवा-बीहोरी

उत्कल एक्सप्रेस का खुराई पर  
रकना

3715. श्री नर्मदा प्रसाद राय: क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्कल एक्सप्रेस मध्य प्रदेश में सागर जिले का खुराई स्टेशन पर रकती है ; और

(ख) यदि, नहीं तो इस पर सरकार की क्या प्रतिक्रिया है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी नहीं । (ख) 77/78 उत्कल एक्सप्रेस की गति बढ़ाने के लिए कम महत्व के कुछ स्टेशन, जिनमें खुराई शामिल हैं, इस गाड़ी का रकना समाप्त कर दिया या है । इसे देखते हुए तथा यातायात के औचित्य के अभाव के कारण भी खुराई स्टेशन पर 77/78 उत्कल एक्सप्रेस का ठहराव पुनः कायम करना आवश्यक नहीं समझा जाता ।

### Import of Drugs

3716. SHRI KANWAR LAL GUPTA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) how much drugs have been imported by the Government in the last three years;

(b) what steps Government have taken to manufacture these drugs in India;

(c) which are the main items of those drugs which are imported from outside in the last so many years; and

(d) which are the countries from which these drugs have been imported and how much foreign exchange has been paid to each country?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) to (c): The value of imports of Canalised Bulk Drugs made through State Chemicals and Pharmaceuticals Corporation of India Limited (CPC) during the last 3 years is given below:—

	(Rs. crores)
1974-75	19.56
1975-76	14.05
1976-77	22.29

List of Bulk Drugs which were canalised for imports through CPC in these years, indicating their present status, whether they are totally/partly indigenous or totally imported, is given in Annexure I. [Placed in Library. See No. LT-1343/77]. It will be seen that about 75 per cent of items in this list are already being manufactured in the country. Imports of such items are effected to the extent necessary to cover the gap between the estimated requirements and the estimated indigenous production.

Major items of Canalised Bulk Drugs imported during the previous years have been Streptomycin Sulphate, Tetracycline Hcl., Ampicillin Group, Chloramphenicol Group, Chloroquin and its salts, Analgin, Piperazine Hexahydrate, Vitamin-B1, Vitamin B-2, L-Base, Prednisolone, and Methyl Dopa. No imports of items like Beta-picolines, Sulphaguanidine, Sulphadimidine, Vitamine-C and Nitrofurantain were made during 1976-77 in view of the adequate indigenous production.

The production of Bulk Drugs namely, Ampicillin, Panthenols Prednisolone and Nitrofurantoin has started in the country during the years 1975, 1976 and 1977.

Items like Streptomycin, Ampicillin, Chloroquin, Metronidazole, Analgin, Amidopyrine, Piperazines, Vitamin B-1, B-2, and B-6, Sulpha Drugs, Tetracyclines, Erythromycin, Pantothenates, Phenobarbiton etc., are on the current production and future expansion programme of units in the Public Sector. On account of adequate capacity for Oxyphenylbutazone having been created in the private sector, its imports are not being made now.

(d) Countries from which canalised Bulk Drugs were imported during 1974-75, 1975-76 and 1976-77 and Foreign Exchange paid to each country during these years are indicated in Annexure II. [Placed in Library. See No. LT- /77].

### विक्रेता सहकारी समिति लिमिटेड, हाथरस जंक्शन

3717. श्री० रामजी लाल सुमन : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विक्रेता सहकारी समिति लिमिटेड, हाथरस जंक्शन के पदाधिकारियों तथा सदस्यों ने समिति में की जा रही अनियमितताओं के बारे में उन्हें सूचित किया था और यह अनुरोध किया था कि इसे दिये गये ठेके को समाप्त किया जाये और यदि हां, तो क्या इस सम्बन्ध में सरकार ने कोई कार्यवाही की है ;

(ख) यदि हां, तो क्या इस सम्बन्ध में कोई जांच की गयी है और क्या तथ्यों को सच्चा पाया गया है ; और

(ग) यदि हां, तो ठेके को अब तक रद्द क्यों नहीं किया गया है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हां ।

(ख) जी हां । सोसायटी का काम असन्तोषजनक पाया गया था ।

(ग) सोसायटी का ठेका रद्द कर दिया गया है और 13-3-1978 से कार्यभार सोपने के लिए सोसायटी को कार्य समाप्ति-सूचना जारी कर दी गयी है ।

### ताज एक्सप्रेस में भोजन यान (डाइनिंग कार) की व्यवस्था

3718. श्री रामजी लाल सुमन : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आगरा और दिल्ली के बीच चलने वाली 'ताज एक्सप्रेस' में केवल एक भोजन यान की व्यवस्था है और क्या वह यात्रियों को सुविधायें प्रदान करने हेतु एक दूसरे भोजन यान की भी व्यवस्था करेंगे ; और

(ख) क्या उन्हें, 5, 6, 7 अक्टूबर, तथा 18 नवम्बर को भोजन यान के खराब हो जाने के कारण यात्रियों को हुई कठिनाई की जानकारी है और यदि हां, तो इस समस्या को स्थायी रूप से हल करने के लिए उनके द्वारा क्या कार्यवाही की जा रही है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हां । ताज एक्सप्रेस में आगरा छावनी और नयी दिल्ली के बीच केवल एक भोजन यान जोड़ा जाता है । इस गाड़ी में दूसरा भोजन यान सुलभ करने का कोई विचार नहीं है ।

(ख) उल्लिखित तारीखों को, भोजन यान खराब होने के कारण एक सामान एवं द्वितीय श्रेणी एवं ट्रेकवान को यात्रियों को भोजन सम्बन्धी जरूरी आवश्यकताओं को पूरा करने के लिए भोजन यान के रूप में इस्तेमाल किया गया और कोई विशेष अनुविधा नहीं हुई। दिल्ली स्टेशन पर एक और भोजन यान की व्यवस्था की जा रही है जिससे कि वर्तमान भोजन यान के खराब होने पर उसके स्थान पर उसे लगाया जा सके।

अरावली गैस, उदयपुर द्वारा बुक किये गये गैस के कनेक्शन

3719. श्री भानु कुमार शास्त्री : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) अरावली, गैस उदयपुर द्वारा वर्ष 1974 में घरेलू गैस के कितने कनेक्शन बुक किये गये ;

(ख) क्या किसी समय उन्होंने भावी उपभोक्ताओं से प्रति कनेक्शन के लिये 500 रुपये जमा कराये थे ; और

(ग) यदि हां, तो अभी तक उनमें से कितने व्यक्तियों को गैस के कनेक्शन दे दिये गये ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र) :

(क) क्योंकि अरावली गैस सर्विस, उदयपुर को केवल मई, 1975 में आरम्भ किया गया था, इसलिए उनके द्वारा वर्ष 1974 में गैस के कनेक्शनों के लिए बुकिंग करने का प्रश्न नहीं उठता।

(ख) जिला प्राधिकारियों ने भावी उपभोक्ताओं को अपने नाम में किसी थानीय डाकघर अथवा अनुसूचित क में 500/- रुपये जमा कराने के लिए

तथा अपनी पास-बुक को पंजीकरण के समय एल० पी० जी० वितरक के सामने प्रस्तुत करने के लिये कहा था।

(ग) 3000 व्यक्ति।

#### Financial Powers of General Managers of F.C.I.

3720. SHRI BHANU KUMAR SHASTRI: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Minister of Petroleum, & Chemicals & Fertilizers had said that General Managers of the Fertilizer Corporation of India had no powers worth the name, the power was with the Financial Directors;

(b) if so, a statement of the financial powers that have been delegated to the General Managers may be laid on the Table; and

(c) how are these considered to be insufficient for running the various plants?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) to (c). The information is being collected and will be laid on the Table of the House.

#### Distribution of Fertilizer by F.C.I.

3721. SHRI BHANU KUMAR SHASTRI: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that at present the requirements of fertilizer are met by the Fertilizer Corporation of India on an All-India basis, in other words the availability and requirement of various States are co-ordinated so as to achieve equitable distribution; and

(b) if so, whether by the splitting up of the organisation as a whole or

splitting its marketing set up into different independent organisations in particular, will not the very objective of equitable distribution be lost?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). The distribution of fertilizers is controlled under the Essential Commodities Act and allocations of fertilizers to be produced by indigenous manufacturers, to various States and Union Territories is decided by the Ministry of Agriculture in consultation with the State Governments and the manufacturers in the six monthly Zonal Conferences. During these conferences the total requirements of various types of fertilizers of each State Government/Union Territory and the quantities to be distributed by each manufacturer in specific States and Union Territories are decided. To meet the shortfalls in supply from the indigenous manufacturers, Central Fertilizer Pool consisting of imported fertilizers acts as a residual supplier. Thus a coordinated supply plan is drawn up for the entire country. The splitting up of FCI would not in any way affect the equitable distribution of fertilizers in various parts of the country.

#### **Demand of Royalty on Crude by Gujarat**

3722. SHRI AHMED M. PATEL: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government of Gujarat has submitted any case for expediting the royalty on crude to the Central Government;

(b) if so, since when the case is with the Central Government; and

(c) the action taken by Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) to (c). The rate of royalty on crude oil and casing head condensate was enhanced from Rs. 15/- per tonne to Rs. 42/- per tonne with effect from 8th September, 1976. Under the provisions of the Oil Fields (Regulation and Development) Act, 1948, the rate of royalty can be enhanced only once in four years. The Government of Gujarat who represented for further enhancement of royalty have been informed that the present position would continue until the review in 1980.

#### **Smith Stainstreet and Company Limited, Calcutta**

3723. SHRI CHITTA BASU: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the I.D.P.L. has since submitted a report recommending the merger of Smith Stainstreet & Company of Calcutta; and

(b) if so, the stage at which the consideration of the report rests now?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). M/s. Smith Stanistreet and Co. Ltd., has since been nationalised with effect from 1st October, 1977. It is proposed to register a new company to manage this Undertaking. In the meantime, however, I.D.P.L. has been appointed as Custodian to manage it.

#### **Pension for Retired Railway Employees**

3724. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the pensioners drawing pension from the



Nationalised Banks are not able to draw the pension from September, 1977 for change in procedure;

(b) if so, the reasons therefor; and

(c) steps taken to ensure payment of pension to the Railway employees?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SEO NARAIN): (a) to (c). The Scheme of disbursement of pensions through Public Sector Banks was introduced with effect from 1st August 1977. Initially there was some delay in the disbursement of pensions through the Public Sector Banks. The initial teething troubles and the need for revising the pension payment orders to provide for the higher *ad hoc* relief sanctioned by the Government in August 1977 with retrospective effect from 1st April 1977 led to some delays in the transmission of documents and the disbursement of pensions.

The Scheme has now been practically stabilised, and as far as the Railways are concerned the work has been organised properly to ensure prompt transmission of pension payment orders to the nominated banks for making disbursements on time.

#### Accident at Akola Station

3725. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) details of the accident that took place at Akola station on the Central Railway on 9th November, 1977 details of loss of property, persons injured etc.;

(b) if so, the reasons for the accident;

(c) the financial/medical assistance provided to those involved in accident; and

(d) the steps taken for ensuring more safety measures on Bombay-Calcutta main line?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) On 9th December 1977, at about 22.15 hours train No. 385 Down Bhusawal-Nagpur Passenger collided with coupled light engines at Akola station of the Central Railway. The cost of damage to railway property was estimated at approximately Rs. 16,955/-. In this accident, 9 persons sustained grievous injuries and 6 simple injuries.

(b) The Additional Commissioner of Railway Safety, Bombay, has held his statutory inquiry into this accident. According to his provisional finding, the accident was due to the failure of railway staff.

(c) After first aid was rendered, the injured persons were admitted to hospitals for further medical treatment.

An *ex-gratia* relief of Rs. 5,700 has been paid to the victims of this accident. No compensation has so far been paid. Claims for compensation, when preferred, will be decided by the *Ex-officio* Claims Commissioner and payment arranged by the Railway Administration on the basis of the verdict of the court.

(d) Since failure of railway staff is the largest single factor responsible for accidents, a nation-wide safety drive has been launched since 24th October, 1977, to create greater safety consciousness amongst the staff connected with the running of trains so as to ensure that staff do not violate rules and indulge in short-cut methods or unsafe practices. In order to reduce dependence on the human element, various aids like improved signalling and interlocking, track circuiting, etc., are being introduced progressively.

#### मनमद—बम्बई स्टेशन

3726. श्री केशव राव घोंडगे : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि महाराष्ट्र में मनमद—बम्बई स्टेशन पर कुनियों तथा

एजेंटों की सहायता से सीटों पर कब्जा कर लिया जाता है और इस प्रकार यात्रियों को परेशानी में डाला जाता है तथा उनसे पैसे वसूल करके सीटें दी जाती हैं ; और

(ख) यदि हां, तो इस प्रथा को रोकने के लिये क्या कदम उठाने का विचार है ?

**रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :** (क) छुट्टियों के दौरान यात्रियों की भीड़ बढ़ जाने के कारण सीटों को अनधिकृत रूप से घेर लिए जाने के कुछ मामले प्रकाश में आये हैं ।

(ख) निम्नलिखित निवारक उपाय किये जा रहे हैं :—

- (1) डिब्बों को यार्ड में पैड लाकिंग के जरिये बन्द करके केवल प्लेटफार्मों पर ही खोला जाता है ;
- (2) रकों के साथ प्लेटफार्म तक रेलवे का कोई कर्मचारी साथ चलता है ;
- (3) दरवाजों को केवल प्लेटफार्म पर ही समुचित रक्षण के अंतर्गत खोला जाता है ;
- (4) ऐसी कार्रवाइयों में अंतर्ग्रस्त लोगों को गिरफ्तार करने और उनके विरुद्ध कानूनी कार्रवाई करने के लिए सरकारी रेलवे पुलिस/रेलवे सुरक्षा दल और टिकट चैकिंग कर्मचारियों के द्वारा संयुक्त छापे मारे जाते हैं ।

सरकारी रेलवे पुलिस/रेलवे सुरक्षा दल और टिकट चैकिंग कर्मचारियों द्वारा संयुक्त रूप से गत 6 महीनों के दौरान बम्बई बी० टी०, दादर और मनमाड में छापे मारे जाने पर क्रमशः 413, 273 और 202 व्यक्ति पकड़े गये और उन पर भारतीय रेल अधिनियम की धारा 120(ग) के अधीन मुकदमा चलाया गया ।

### Development of Fool-Proof System of Preventing Collisions

**3727. SHRI D. D. DESAI:** Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways have developed any fool-proof system of preventing collisions even on tracks which are worked through route-relay interlocking devices;

(b) if so, the details thereof; and

(c) if not, the reasons thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) Yes.

(b) In Route Relay Interlocking system, the yard is fully track circuited, hence a signal can be taken 'off' only when track on which the train is to be received is not occupied by any other train or vehicle. This system, however, does not prevent a driver passing a signal showing 'danger' and causing a collision. To prevent this type of an accident, an "Automatic Warning System" has been developed and is being provided progressively. In this system when a driver approaches the first stop signal at a station he is given both audio and visual warning. If the signal is showing 'danger' and if the driver does not acknowledge this warning with 5 seconds power is cut off and brakes are applied automatically bringing the train to a stop. This safety device is being provided on Howrah-Delhi trunk route and suburban section of Bombay (Western Railway).

(c) Does not arise.

### Classification of Souvenirs for Companies contributions

**3728. SHRI D. D. DESAI:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Department of Company Affairs propose to classify

as to in what types of souvenirs companies can contribute advertisements without incurring the penalties against political donations by companies;

(b) if so, the details thereof; and

(c) if not, the reasons thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) No, Sir.

(b) Does not arise.

(c) Government consider that there is no need for such classification.

#### Onshore Exploration for Oil and Natural Gas

3729. SHRI C. K. JAFFER SHARIEF: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government propose for intensive onshore exploration for oil and natural gas in the country;

(b) whether Government have in view to reorganise it to make it technically and organisationally capable of carrying out this important task; and

(c) whether the country had adequate foreign exchange reserves at present and is in a position to solve the problem of intensive onshore exploration top priority?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) Yes, Sir.

(b) Oil and Natural Gas Commission (ONGC) and Oil India Limited (OIL) are both engaged in onshore oil exploration. OIL is presently a joint venture of the Government of India and the Burmah Oil Company of U.K. Negotiations are afoot for the taking over of Burmah Oil Company's interest in OIL. Government's decision regarding the reorganisation of the

ONGC was announced by the Minister (Petroleum, Chemicals and Fertilizers) on 6th December 1977 in this House.

(c) Yes, Sir.

अरावली गैस सर्विस, उदयपुर को दिए गये इण्डेन गैस के नये कनेक्शन

3730. श्री लालजी भाई : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) अरावली गैस सर्विस, उदयपुर को मत 6 महीनों में इण्डेन गैस के कितने नये कनेक्शन दिये गये ; और

(ख) इस एजेंसी के साथ पंजीकृत सभी व्यक्तियों को गैस कनेक्शन देने में कितना समय लगेगा ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र): (क) और (ख). तेल कम्पनियां अपने वितरकों को खाना पकाने की गैस उपलब्ध कराती हैं ताकि वे अपने ग्राहकों में इसे बांट सकें। अरावली गैस सेवा नामक कम्पनी को कोयाली तेलशोधक कारखाने से खाना पकाने की गैस की सप्लाई की जाती है और कोयाली तेलशोधक कारखाना अब खाना पकाने की गैस को उपलब्ध कराने में पूरी तरह से वचनबद्ध है। उक्त अधिकरण (एजेंसी) के पास पंजीकृत सभी व्यक्तियों को खाना पकाने की गैस के कनेक्शन प्रदान करना केवल तभी संभव हो सकता है जब वे देश में खाना पकाने की गैस की कुल उपलब्धता में सुधार हो जाये।

मारवाड़ जंक्शन और उदयपुर के बीच रेल लाइन

3781. श्री लालजी भाई : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मारवाड़ जंक्शन और उदयपुर के बीच ब्राड-गेज रेल लाइन बिछाने

हेतु सर्वेक्षण करने का कोई प्रस्ताव सरकार क विचाराधीन है ; और

(ख) यदि हां, तो इस बारे में सर्वेक्षण कार्य कब तक पूरा किया जायेगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). मारवाड़ जंक्शन, मावली होकर मीटर लाइन द्वारा उदयपुर सिटी से पहले से ही जुड़ा हुआ है । मारवाड़ जंक्शन और उदयपुर सिटी के बीच नई लाइन बिछाने के लिए सर्वेक्षण करने का कोई प्रस्ताव फिलहाल विचाराधीन नहीं है ।

### Provision of Basic Amenities at Petrol Pumps

3732. SHRI K. MALLANNA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether basic amenities like water, air, first-aid and toilet are not available at a number of petrol pumps in the country resulting in great hardship to the motoring public particularly the tourists;

(b) whether the public sector oil companies propose to take any remedial steps to ensure that petrol pumps are provided with these basic amenities; and

(c) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) Water and air facilities are provided at most of the retail outlets. By and large, toilets and first-aid facilities are provided at stations where servicing facilities are available and at important retail outlets on National/State Highways.

(b) and (c). The public sector oil companies constantly strive to ensure that the required facilities are made available by their dealers.

### Committee on 'Law's Delays' of Justice

3733. SHRI K. MALLANNA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state whether Government has appointed any committee to go into the "Law's Delays" of Justice to common man in the country?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): Government has not appointed any such committee. However, it has been decided to refer the matter to the Law Commission. The Chief Justice of India is also seized of the problem and is working out certain measures/proposals in consultation with the High Courts. Beside letters have been addressed to the Bar Councils and Bar Associations of various States requesting them for cooperation and also for suggestions for speedy disposal of cases. In addition, attention of the Chief Ministers has been invited to the pendency of Criminal cases in the Subordinate Courts and they have been requested to find ways and means for tackling this problem immediately.

### House Rent Allowance

3734. SHRI PUNDALIK HARI DANWE: Will the Minister of RAILWAYS be pleased to state:

(a) the procedure and the circumstances under which house rent allowance is granted to Railway Employees;

(b) the details of Railway Servants occupying/sharing Government/Railway accommodation unauthorisedly/without any official permission and were/are drawing house rent allowance fraudulently on false declaration on Allahabad, Lucknow and Moradabad Divisions;

(c) whether penal rent is recoverable from the date they were/are found unauthorisedly sharing the Government/Railway accommodation without any official permission and were/are also liable for disciplinary action for

concealment of facts and gross misconduct; and

(d) if so, the details of amount recovered/likely to be recovered on account of penal rent including water tap and electric charges at market value together with house rent allowance fraudulently drawn and also disciplinary action taken?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) House rent allowance is payable to Railway employees who are not provided with Government accommodation and whose place of duty falls within the Municipal limits of a City/Town or its Urban Agglomeration, classified for the purpose, as per rules prescribed by Government from time to time.

(b) and (d). Information is being collected and will be laid on the Table of the Sabha.

(c) Yes.

बिलासपुर रेल डिब्रीजन में रेल राजस्व का दुर्विनियोग

3735. श्री शरद यादव : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दक्षिण-पूर्व रेल कर्मचारी संघ, भिलाई के शाखा सचिव ने सूचित किया है कि दक्षिण-पूर्व बिलासपुर रेल डिब्रीजन में रेल राजस्व का 20 करोड़ रुपये से अधिक का दुर्विनियोग हुआ है और वहां कुप्रबन्ध है ;

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

(ग) क्या सरकार इस सम्बन्ध में दोषी पाये गये अधिकारियों के विरुद्ध कठोर कार्यवाही करेगी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) दक्षिण-पूर्व रेल प्रशासन को ऐसी कोई सूचना नहीं मिली है ।

(ख) और (ग). प्रश्न नहीं उठता ।

### Scheme to Expedite Disposal of Matrimonial Cases

3736. SHRI PARMANAND GOVINDJIWAL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) In view of the fact that disposal of matrimonial cases from the lowest court to higher court of the country is delayed inordinately, whether Government are considering any scheme for the quick disposal of matrimonial cases; and

(b) if so, what are the main features of the scheme?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) No, Sir. The Government are not considering any scheme specially for a quick disposal of matrimonial cases.

(b) Does not arise.

### Growth of Oil Production

3737. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) if he has seen an article in Times of India dated 10th November, 1977 on "Energy Bonanza End Is Near Freightening Scnerio" and noted that the serious supply-demand imbalance of energy will occur as early as 1991 and the end of the era of growth of oil production is only 15 years away;

(b) if so, has any action been taken to reduce the production of diesel locos which have 40 years life and will have no HSD oil available after 15 years;

(c) the money invested on the diesel locos is already a sunk cost as per economic studies of traction in 1974 and as such what further action is being taken to restrict further investment on diesel locos;

(d) how much capital has been invested on diesel locos so far and

how much is likely to be invested further by the 7th Plan;

(e) has any action been taken to save investment on diesel locos and increase the pace of electrification; and

(f) if not, will the Minister for Railways initiate action in view of serious energy crisis in near future?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes. There is no authentic assessment at present that there is going to be a physical shortage of oil by 1991.

(b) This article does not claim that there will be no HSD oil after 15 years. Production of diesel locomotives is dependent on their requirements to meet traffic demands to the extent dieselisation is justified.

(c) The Railways' dieselisation programme is based on a study of comparative economic of dieselisation vs. other modes of traction taking fully into account the scarcity of diesel oil.

(d) Investment on acquisition of diesel locomotives upto 31-3-76 is about Rs. 158 crores. Likely investment by the 7th plan has not yet been estimated.

(e) The heavy initial capital investment for providing the infrastructure for electrification is justified when savings in direct operating expenses give a reasonable return. The pace of electrification would, therefore, be dependent on traffic density and relative costs of major inputs in electrification and dieselisation which govern the savings in direct operating expenses. Dieselisation of services would need to be progressed on routes where electrification investment is not financially and economically justified. Railways' traction policy aims at keeping the diesel/electric traction-mix as near optimal as possible by subjecting to a detailed cost-benefit analysis, each major investment proposal. Scarcity value for

HSD oil is taken into account in economic appraisal.

(f) Does not arise.

#### Invested Capital, Annual Profit, Remittances by Foreign Drug Industries

3738. SHRI SAMAR GUHA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) facts about the names of the foreign chemical and drug industries in India and their (i) invested capitals (ii) annual profits and (iii) annual remittance to their shareholders outside India and (iv) reinvestments made for expansion of these units during last three years;

(b) whether all these foreign industries fulfilled the condition of equity capitals to the extent of 51:49 share distribution between Indian shareholders and foreign shareholders;

(c) if so, facts thereabout;

(d) if the stipulated equity conditions remained unfulfilled in cases of many foreign chemical and drug industries; and

(e) if so, facts thereabout and the steps taken by Government to enforce the Indianisation policy?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA):

(a) A statement showing the names of foreign chemical Industries having foreign equity above 40 per cent operating in the organised sector of Drug Industry, alongwith requisite information is laid on the Table of the Sabha. [Placed in Library. See No. LT-1344/77]. Reinvestments made (if any) for expansion by such units would be indicated by the increase in total assets in the three year period (Column 3 of Statement).

(b) and (c). The level of foreign equity holding by the Foreign companies is regulated under Foreign Exchange Regulation Act, 1973.

companies with foreign holding of more than 40 per cent whose manufacturing activities are covered under Appendix-I, (Drugs & Pharmaceuticals is one of them) are required to reduce their foreign equity to a level not exceeding 74 per cent. Others are required to reduce their foreign equity to some intermediate level between 40 per cent & 74 per cent depending on the nature of their total activities.

(d) and (e). The question whether the general F.E.R.A. regulations should be applied to the drug industry is under the separate examination of the Government and decisions on all cases covered by Section 29 of Foreign Exchange Regulation Act have been held in abeyance till a final decision is taken by Government on Hathi Committee Recommendations.

Note: Information for parts (a) to (e) in respect of other Chemical Industries is being collected and will be laid on the Table of the House.

#### Dieselisation of Railway Engines

3739. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Planning Commission is advising the

Railway authority to intensify the programme of dieselisation of railway engines than electrification of railway tractions;

(b) if so, the rationale behind such policy advanced by the Planning Commission;

(c) comparative costs of manufacture of (i) diesel engine, and (ii) electric engine, and (iii) steam engine;

(d) facts about use of diesel engines in electrified railway tractions during last one year and the cost of diesel oil consumed for the purpose;

(e) whether any study has been made re. replacement of steam and diesel engines by electric engines; and

(f) if so, facts thereabout?

THE MINISTER OF STATE IN THE MINISTER OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise.

(c) Cost of manufacture as per the latest batch cost reports.

S. No.	Type of Loco	Period of Mfg.	Cost (in lakhs of Rs.)
1.	BG Diesel (WDM2)	Jan. 76-May 77	42.34
2.	MG Diesel (YDM 4)	4/74 to 9/76	23.46
3.	NG Diesel (ZDM 3)	8/75 to 2/77	29.43
4.	BG AC/DC Elec. Loco.	8/76 to 7/77	58.32
5.	Steam Engine (YG Loco) Production stopped in 1971-72	12/71	7.63

(d) Normally, diesel traction is not utilised on electrified sections excepting to comply with marginal operating expediency or in the case of unforeseen operating developments. In so far as fuel costs are concerned, no separate account for such operation of diesel locomotives is maintained.

(e) and (f). Steam traction is being progressively replaced by diesel and electric traction to contain the heavy

investment that would otherwise be necessary in line capacity works due to lower average speed and hauling capacity of steam locomotives. Diesel traction is used on heavy density routes and important services. On still heavier density routes where savings in direct operating expenses can justify the heavy initial capital investment for electrification, electrification is being progressed. Railway traction policy aims at keeping the diesel/electric traction-mix, as near



optimal as possible. Each proposal is subjected to detailed cost-benefit study before traction investment decisions are taken.

### Survey for Deposits of Hydro-Carbon

3740. SHRI SAMAR GUHA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Government has made any survey regarding potential deposits of hydro-carbons in various regions called "in-shore" and "off-shore" in and along the coastal water of West Bengal;

(b) if so, details about the broad findings of the nature, amount and probable location of such potential hydro-carbon deposits;

(c) facts about the plan and programme of exploration of such hydro-carbon deposits, including time schedule for their execution;

(d) facts about the works for exploration of hydro-carbons already undertaken in and along the coastal water of West Bengal and the prospects thereabout; and

(e) the facts about the map of hydro-carbon deposits, in regard to probable nature, location and amount of potential deposits of hydro-carbon in other parts of India and along the coastal waters?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) to (d). Seismic survey was carried out by Carlsberg India Group of USA in the offshore area of the coast of West Bengal and by Stanvac and ONGC in the on-shore area of West Bengal.

Two wells were drilled by Carlsberg India Group in the offshore area but both proved dry. In the wells drilled so far on the onshore area, no commercial hydrocarbon deposits have been discovered.

At present deep drilling at two on-shore locations, one near Galsi and

another near Diamond Harbour, is in progress. Field survey work, geological and seismic, is also being continued. Deep drilling at a location near Debagram is also proposed to be taken up.

(e) Till now, commercial deposits of hydrocarbons have been established in Cambay Basin in Gujarat, Brahmaputra Valley in Upper Assam in the onshore area and in Bombay High and Bassein fields in the offshore area. Extensive surveys and exploratory drilling work is being carried out in both onshore and offshore areas based on geological priorities. No other commercial discoveries of hydrocarbons have been made so far.

### भोजन यानों में उपलब्ध की जाने वाली खाद्य सामग्री

3741. श्री ईश्वर चौधरी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि यात्रा के दौरान चलती गाड़ियों में भोजन यानों में यात्रियों को दी जाने वाली खाद्य सामग्री की कीमतें बाजार कीमतों से अधिक होती हैं और वे बहुत घटिया किस्म की भी होती हैं ; और

(ख) यदि हां, तो भोजन यानों द्वारा उपलब्ध की जाने वाली खाद्य सामग्री की किस्म को सुधारने तथा कीमतें कम करने के लिए सरकार का क्या उपाय करने का विचार है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण ) : (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

गरीब लोगों को कानून के ज्ञान की सहायता के बारे में भगवती समिति का प्रतिबेदन

3742. श्री ईश्वर चौधरी : क्या विधि, न्याय और कम्पनी कार्य मंत्री गरीब लोगों को कानून के ज्ञान की सहायता सम्बन्धी समिति के कार्य की प्रगति के बारे में 15 नवम्बर, 1977 के अतारंकित

प्रश्न संख्या 389 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) गरीब लोगों को कानून के ज्ञान की सहायता के बारे में भगवती समिति द्वारा अपने प्रतिवेदन में क्या मुख्य सिफारिशें की गई हैं; और

(ख) उन्हें क्रियान्वित करने के लिए सरकार ने क्या कार्यवाही की है ?

बिधि, न्याय और कर्मरती कार्य मंत्रालय में राज्य मंत्री (श्री नरसिंह यादव) : (क) भगवती समिति ने अपनी रिपोर्ट में निम्नलिखित मुख्य सिफारिशें की हैं; अर्थात् —

(i) न्यायालय फीस में कमी की जाए और निर्धनों के मामले में पूरी छूट दी जाए ;

(ii) सम्पूर्ण देश में कानूनी सेवा संगठन स्थापित किया जाए, अर्थात् शिखर पर उच्च शक्ति प्राप्त स्वशासी राष्ट्रीय कानूनी सेवा प्राधिकरण, राज्य स्तर पर राज्य कानूनी सेवा बोर्ड, राज्य के भीतर प्रादेशिक कानूनी सेवा बोर्ड तथा किसी विशेष मण्डल में कार्य करने वाले राज्य बोर्डों के क्रियाकलापों में समन्वय स्थापित करने के लिए मण्डल परिषदें स्थापित की जाएं । इन प्राधिकरणों का मुख्य कार्य अपनी अपनी अधिकारिता के क्षेत्र में कानूनी सेवाएं प्रदान करने के लिए स्कीमें बनाना और अन्य प्राधिकारियों के मार्गदर्शन के लिए मानक स्कीमें भी तैयार करना तथा सामान्य रूप से, कानूनी सहायता की नीति और कार्यक्रम अधिकथित करना होगा ।

(iii) कानूनी सेवाएं प्रदान करने के लिए यह सफारिश की गई है कि कानूनी सेवा समितियां जिला

स्तर पर, ब्लॉक स्तर तथा तहसील स्तर पर भी गठित की जाएं । प्रत्येक उच्च न्यायालय से सम्बद्ध एक उच्च न्यायालय कानूनी सेवा समिति और उच्चतम न्यायालय कानूनी सेवा समिति का इन न्यायालयों में कानूनी सेवा प्रदान करने के लिए गठन करने का भी प्रस्ताव है ।

(iv) समुदाय के विभिन्न कमजोर वर्गों की समस्याओं और कठिनाइयों से निपटने के लिए विशेष सेल बनाए जाएं, जैसे महिला सेल, कर्मकारों और उनके परिवारों के लिए श्रमिक सेल तथा अनुसूचित जातियों और अनुसूचित जनजातियों के लिए सेल ।

(v) नई कानूनी सेवाओं के कार्यक्रम का उद्देश्य अन्य बातों के साथ, निर्धनों में उनके अधिकारों, लाभों, उन्हें प्रदत्त किए गए विशेषाधिकारों के बारे में जानकारी देना, निर्धनों की वर्ग समस्याओं का उपचार करना, निर्धनों की कानूनी और कानूनेतर समस्याओं के बारे में सामाजिक विधिक अनुसंधान करना, निर्धनों और कमजोर वर्गों के विभिन्न समूहों की सहायता करना ताकि वे अपने अधिकारों की बलपूर्वक मांग कर सकें, निर्धनों आदि की समस्याएं न्यायालय के सामने लाने हेतु नई विधिक तकनीक और रीतियां तैयार करना होना चाहिए ।

(vi) कानूनी सेवाएं प्रदान करने का मुख्य तरीका प्राइवेट वकीलों में से या कानूनी सेवा समिति कार्यालय द्वारा नियोजित वैतनिक वकीलों में से वकील उपलब्ध कराना; ग्रामीण क्षेत्रों में कानूनी

सहायता शिविर लगाना; निःशुल्क कानूनी सहायता और सलाह के प्रयोजन से ग्रामीण क्षेत्रों में जाने के लिए वकीलों की सचल यूनिटें बनाना ; गरीबों को सलाह देने के लिए ग्रंथ कानूनी सेवाओं का गठन करना जिसमें विधि छात्र और सामाजिक कार्यकर्ता भी सम्मिलित हों ; सामाजिक कार्य-कर्ताओं के शिक्षण के लिए लघु प्रशिक्षण तथा दिशा निर्देश पाठ्यक्रमों और सामाजिक विधिक विचार गोष्ठियाँ आयोजित करना ; विधिक मामलों में सलाह और सहायता देने के लिए नागरिक सलाह केन्द्र जैसी सहायक सेवाएँ बनाना, होना चाहिए ।

(vii) पांच या अधिक ग्रामों के समूह के लिए न्याय पंचायत स्थापित की जाए । इसमें तीन सदस्य हों जिसमें से एक सदस्यविधि की जानकारी रखता हो और उपेक्षायत न्यायाधीश कहा जाए तथा उसे 1000 रु० तक के सिविल मामलों में कार्यवाही करने की और दण्डिक मामलों में तृतीय वर्ग मजिस्ट्रेट की शक्तियों का प्रयोग करनेकी शक्ति हो । एक ही पंचायत न्यायाधीश एक तालुका या ब्लॉक की सभी न्याय पंचायतों का अध्यक्ष हो सकता है । यह व्यवस्था होनी चाहिए कि न्याय पंचायतों के निर्णय के विरुद्ध अपील नहीं की जा सकती है किन्तु जिला न्यायाधीश उसका पुनरीक्षण कर सकते हैं ।

(viii) विवादों का माध्यस्थता के जरिए निपटारा करने के लिये लोक न्यायालय स्थापित किए जायें ।

(ix) विश्वविद्यालयों और विधि विद्यालयों में कानूनी सेवा क्लिनिक स्थापित किए जायें ।

(x) मोटर दुर्घटना के मामलों में

उपेक्षा के बावजूद न्यूनतम प्रतिकर दिया जाय ।

(xi) सभी स्तरों पर प्रत्येक कानूनी सेवा समिति से सम्बद्ध एक मुलह सेल स्थापित किया जाए ।

(xii) राज्य कानूनी सहायता के लिए उसी प्रकार निधि उपलब्ध कराए जैसा चिकित्सा व्यवस्था जैसे अन्य कल्याणकारी कार्योंके मामलों में करती है । निधियों के जिन अन्य श्रोतों की सिफारिश की गई है वे हैं—न्यायालय फीस का एक भाग कानूनी सहायता के लिए आवंटित करना ; वकालत-नामों पर कानूनी सहायता स्टाम्प लगाना ; किसी न्यायालय, अधीकरण प्राधिकारी को दिए जाने वाले आबेदन करने वाले व्यक्ति पर उपकर उद्ग्रहीत करना, संदान संग्रहण, उन व्यक्तियों द्वारा जिन्हें सहायता दी गई है, अभिदाय आदि । निधि का प्रशासन राष्ट्रीय प्राधिकरण या राज्य बोर्ड द्वारा किया जाएगा ।

(ख) सरकार समिति की सिफारिशों पर विचार कर रही है ।

तेल के कुओं की संख्या में वृद्धि

3743. श्री ईश्वर चौधरी : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि

(क) क्या बम्बई हाई में तेल के कुओं की संख्या में कोई वृद्धि हुई है ; और

(ख) यदि हां, तो तत्सम्बन्धी व्यौरा क्या है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र) :

(क) जी, हां ।

(ख) दिनांक 21-5-1977 को बम्बई हाई में दो कुओं से तेल का उत्पादन आरम्भ हो गया था । 9-12-1977 की यथा स्थिति के अनुसार तेल के 12 कुओं से उत्पादन हो रहा है ।

**Proposal to run a Direct Train from Jabalpur to Nagpur via Chhindwara**

3744: SHRI SUKHENDRA SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that due to the absence of direct fast trains, passengers going from Jabalpur to Nagpur via Chhindwara have to face great hardship with the result that most of the travelling public is compelled to take to road transport;

(b) whether any estimate of the financial loss thus suffered by the Railways has been assessed; and if so, the annual average thereof; and

(c) whether Government has considered any proposal to introduce a direct diesel-run fast train from Jabalpur to Nagpur via Chhindwara to provide relief to the travelling public?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). No, 1/2 Jabalpur-Gondia (Narrow Gauge) Satpura Express provides connection with 1/2 (Board Gauge) Bombay-Hawrah Mail at Gondia providing a very fast service between Jabalpur and Nagpur. For the passengers on Nainpur-Chhindwara-Nagpur section 2 pairs of trains including 1 pair providing an overnight service is already available.

(c) No.

**Loss by Sindri and Nangal Fertilizers Plants**

3745. SHRI SUKHENDRA SINGH: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Sindri and the Nangal Fertilizers Plants have gone into loss due to which agriculturists are not getting the fertilizers at cheaper rates; and

(b) if so, the steps Government propose to take to make up the said loss and increase the production of fertilizers and bring down their prices?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM

**AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA:**

(a) While the Sindri unit of Fertilizer Corporation of India has incurred losses on account of unremunerative prices for its products and also low production due to the old and ageing condition of the plants, the Nangal unit of Fertilizers Corporation of India has not suffered losses during 1976-77. The losses incurred by the Sindri unit do not have any effect on the prices of fertilizers.

(b) With effect from the 1st November, 1977, the Government have introduced a scheme of individual retention price for the units in the nitrogenous fertilizer industry which assures the units a reasonable post tax profit of 12 per cent of the net worth at a high capacity utilisation of 80 per cent and based on standard norms of consumption of raw materials and utilities. This scheme would help Sindri and other losing fertilizers units to improve their financial position. The prices of fertilizers have not been increased after the introduction of retention prices; on the other hand, the price of urea, which is the major nitrogenous fertilizer has been reduced by Rs. 100 per tonne with effect from 12th October, 1977. Schemes of renovation-modernisation are under implementation to put the Sindri unit of F.C.I. on a sound footing. It is also the constant endeavour of Government to maximise over all capacity utilisation of fertilizer units by measures such as setting up of captive power generation units to ensure stable power supply, debottlenecking, renewals etc. with a view to augment indigenous production and reduce costs.

**Proposal for a Uniform Civil Code for Citizens**

3746. PROF. P. G. MAVALANKAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are actively considering the proposals for a uniform civil code for all citizens of the country irrespective of their caste, creed, religion; and

(b) if so, broad details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NARSINGH YADAV): (a) Government has no such proposal under consideration.

(b) Does not arise.

### New Railway Line between Kapadwanaj and Modasa

3747. PROF. P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether any progress has been made in the matter of proposals for construction of the new railway line—Kapadwanaj to Modasa in Gujarat;

(b) if so, broad details thereof; and

(c) if not, reasons for the delay in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). The project is being considered for inclusion in the Rolling Plan of Railways which is yet to be finalised.

मध्य रेलवे में लोअर डिवीजन क्लर्कों और अपर डिवीजन क्लर्कों के रिक्त स्थान

3748. श्री हुकम सिंह कठवाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) मध्य रेलवे में इस समय लोअर डिवीजन क्लर्कों और अपर डिवीजन क्लर्कों के कितने पद रिक्त पड़े हैं; और

(ब) सरकार द्वारा भविष्य में उक्त पदों को भरने के लिए क्या कार्यवाही की जाये ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) निम्न श्रेणी लिपिक—605

उच्च श्रेणी लिपिक—कोई नहीं

(ख) निम्न श्रेणी लिपिकों (एक चौथाई लेखा विभाग में) की रिक्तियों का

एक तिहाई चतुर्थ श्रेणी के कर्मचारियों की पदोन्नति द्वारा भरा जाता है। शेष रिक्तियां, रेल सेवा आयोगों द्वारा सघर्षी कोटा से भरी जाती हैं। लेकिन लिपिक वर्गीय पदों को भरने पर प्रतिबन्ध लगने के कारण सीधी भर्ती कोटा का केवल 75 प्रतिशत ही भरा जा सकता है।

तदनसार, रेल प्रशासन रिक्तियों को भरने के लिए कारवाई कर रहा है।

उत्तर रेलवे में लोअर डिवीजन क्लर्कों और अपर डिवीजन क्लर्कों के रिक्त स्थान

3749. श्री हुकमचन्द कठवाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) इस समय उत्तर रेलवे में लोअर डिवीजन क्लर्कों और अपर डिवीजन क्लर्कों के कितने पद रिक्त पड़े हैं; और

(ब) सरकार उक्त पदों को भरने के लिए क्या कार्यवाही कर रही है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जाएगी।

(ख) निम्न श्रेणी लिपिकों की एक तिहाई रिक्तियां (लेखा विभाग में एक चौथाई) चतुर्थ श्रेणी के कर्मचारियों की पदोन्नति द्वारा भरी जाती हैं। शेष रिक्तियां सीधी भर्ती के कार्ट के अन्तर्गत आती हैं जो रेल सेवा आयोगों के माध्यम से भरी जाती हैं। लेकिन, लिपिक वर्गीय पदों के भरने पर प्रतिबन्ध होने के कारण, सीधी भर्ती वाली केवल 75 प्रतिशत रिक्तियां ही भरी जा सकीं।

अन्य विभागों में उच्च श्रेणी लिपिकों की श्रेणी रिक्तियां और लेखा विभाग में 80 प्रतिशत रिक्तियां पदोन्नति के द्वारा भरी जाती हैं। लेखा विभाग में 20 प्रतिशत रिक्तियां सीधी भर्ती के द्वारा भरी जाती हैं।

रेल प्रशासन तदनुसार रिक्तियों को भरने के लिए कारवाई कर रहा है।

आपात स्थिति के दौरान सेवा से हटाये गये दक्षिण रेलवे के कर्मचारी

3750. श्री हुकम चन्द कछवाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) आपात स्थिति के दौरान दक्षिण रेलवे के कितने कर्मचारी नौकरी से हटाये गये थे ;

(ख) उनमें से कितने कर्मचारियों को काम पर वापस ले लिया गया है और कितने कर्मचारियों को अभी काम पर लिया जाना बाकी है; और

(ग) बाकी कर्मचारियों को काम पर वापस लेने के लिए सरकार का क्या कार्यवाही करने का प्रस्ताव है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) (i) सामान्य अनुशासन और अपील नियमों के अन्तर्गत उचित जांच के बाद नौकरी से हटाये गये/बर्खास्त किये गये कर्मचारियों की संख्या—

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(ii) रेल प्रशासनों के विषयाधिकारों के अन्तर्गत (जहां जांच करना व्यवहारिक नहीं था) नौकरी से हटाये गये/बर्खास्त किये गये कर्मचारियों की संख्या 22

(ख) (i) ऊपर (क) (i) में से अब तक बहाल किये गये कर्मचारियों की संख्या — 98  
अभी तक बहाल न किये गये कर्मचारियों की संख्या — 317  
(ii) ऊपर (क) (ii) में से अब

तक बहाल किये गये कर्मचारियों की संख्या — 8

अभी तक बहाल न किये गये कर्मचारियों की संख्या — 14

(ग) ऊपर (ख) (ii) में दिखाये 14 कर्मचारियों के मामलों का एक बार फिर से पुनरीक्षण किया जा रहा है।

यदि वे कर्मचारी अनुशासन और अपील नियमों के उपबन्धों के अन्तर्गत अपीलें। पुनरीक्षण याचिकाएं प्रस्तुत करेंगे तो ऊपर (ख) (i) में दिखाए गये 317 कर्मचारियों के मामलों पर गुण-दोषों के आधार पर विचार किया जायेगा।

दक्षिण रेलवे में निम्न श्रेणी लिपिक और उच्च श्रेणी लिपिक के रिक्त पद

3751. श्री हुकम चन्द कछवाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) इस समय दक्षिण रेलवे में निम्न श्रेणी लिपिकों और उच्च श्रेणी लिपिकों के रिक्त पदों की संख्या कितनी है; और

(ख) उक्त रिक्त पदों को भरने के लिए सरकार का भविष्य में क्या कार्यवाही करने का प्रस्ताव है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) क्रमशः 237 और 11.

(ख) निम्न श्रेणी लिपिकों के एक-तिहाई खाली स्थान (लेखा विभाग में एक-चौथाई खाली स्थान) चतुर्थ श्रेणी के कर्मचारियों की पदोन्नति करके भरे जाते हैं। शेष रिक्त स्थान सीधी भर्ती के कोटे में आते हैं जो रेल सेवा आयोगों के माध्यम से भरे जाते हैं। लेकिन, लिपिक

वर्गीय पदों को भरने पर प्रतिबन्ध लगा होन के कारण, सीधी शतों के के ल 75 प्रतिशत रिक्त स्थानों को ही भरा जा सकता है।

अन्य विभागों में उच्च श्रेणी लिपिकों की सभी रिक्तियां और लेखा विभाग में 80 प्रतिशत ऐसी रिक्तियां पदोन्नति द्वारा भरी जाती हैं। लेखा विभाग में 20 प्रतिशत रिक्तियां सीधी भर्ती द्वारा भरी जाती हैं।

इन रिक्तियों को तदनुसार भरने के लिए रेल प्रशासन द्वारा कारवाई की जा रही है।

#### मध्य प्रदेश को एल० पी० गैस की सप्लाई

3752. डा० लक्ष्मी नारायण पांडेय : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मध्य प्रदेश के अनेक जिलों और सब-डिवीजनों में, जहां क्रमशः 50,000 और 30,000 में अधिक जनसंख्या है, एल० पी० गैस की सप्लाई की जाती है, जब कि अन्य राज्यों में इससे कम जनसंख्या वाले जिलों और सब-डिवीजनों में इस गैस की सप्लाई की जा रही है; और

(ख) इस बारे में सरकार की सामान्यतः क्या नीति है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालयों में राज्यमंत्री (श्री जयेश्वर मिश्र) : मध्य प्रदेश में ही नहीं किन्तु अन्य राज्यों में भी ऐसे बहुत से स्थान हैं जिनकी जनसंख्या 50,000 से अधिक है जहां घरेलू गैस की सप्लाई नहीं की जाती है।

(ख) तरल पेट्रोलियम गैस (एल० पी० जी०) की उपलब्धता पर निर्भर करते

हुए इसका विपणन नये क्षेत्रों में निम्नलिखित बातों को ध्यान में रख कर बढ़ाया जा रहा है।

(i) ग्राहकों की पूर्वानुमानित, सम्भावनाएं।

(ii) सप्लाई की श्रोत से बाजार की निकटता ;

(iii) सुरक्षा/सुविधाजनक परिवहन के साधन की उपलब्धता ;

(iv) वितरण उपकरण का अधिकतम सदुपयोग

(v) संचालन कार्यों में व्यवहार्यता।

#### Attack on Students at Ghaziabad Railway Station

3753. SHRI PRASANNBHAI MEHTA:

SHRI MRITYUNJAY PRASAD:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that fifty students who were travelling in a train from Delhi to Calcutta were beaten at Ghaziabad Station on November, 1977;

(b) if so, the main details of the accident;

(c) the action taken against the culprits;

(d) what steps are being taken to give full protection to the passengers in trains;

(e) the number of times during the current year where the passengers were either robbed or beaten by the anti-social elements; and

(f) steps being taken to check these elements and give protection to the passengers?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.



(b) and (c). On 5th November, 1977 about 50 students including 12 girls were travelling by 40 Dn. Janta Express from Delhi to Howrah. They had reserved seats. Some milkmen boarded the train at Delhi and occupied some of their reserved seats which was objected to by the students. This resulted in altercation and subsequently, when the train reached Maripat Station about 10 Km from Ghaziabad, the milkmen threw stones on the students and beat them up. 19 persons of the party were injured. A crime case number 282, under Section No. 354, 323 IPC and 120 IRA was registered at Government Railway Police Station, Aligarh on a written complaint by one of the members of the party.

(d) All night trains were being escorted by the Government Railway Police and Railway Protection Force Guards.

(e) No case of passengers being robbed or being beaten by anti-social elements has been reported during the current year in this section.

(f) All night trains are being escorted by the Government Railway Police/Railway Protection Force Guards.

### **Expansion of Oil Refineries in Gujarat**

3754. SHRI PRASANNBHAI MEHTA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the present Government has taken the decision to expand the present oil refineries in the State of Gujarat;

(b) if so, whether the ONGC has also decided to conduct the research of oil in the State on a very large scale;

(c) if not, the reasons for the same; and

(d) what are the new areas on which the survey will be conducted for oil exploration in the State?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) The decision to expand the capacity of Gujarat Refinery by three million tonnes per annum was taken by the Government in August, 1973. This project is now under implementation and is expected to be mechanically completed by March, 1978.

(b) Oil exploration in Gujarat is a continuing programme and has been going on since long.

(c) Does not arise.

(d) The ONGC is conducting exploration for oil in Gujarat since 1958. At present the ONGC is drilling at 2 new places in Gujarat namely Warasen, Sarbhan and Matar. Besides the ONGC has released 16 more new locations for exploratory drilling in Gujarat in future. Out of these 16 new places, drilling at three places namely Walner, Piswad and Dahej will also be taken up during the remaining part of the current year.

### **Mileage Allowance for Guards of Goods Trains**

3755. SHRI SUBHASH AHUJA: Will the Minister of RAILWAYS be pleased to state:

(a) whether mileage allowance is the only salary of the Guards of goods trains and whether its percentage, which was taken at 100 in 1964, has been reduced to 45 in 1973 and if so, the reasons therefor;

(b) whether Government propose to appoint a Commission to review the salary of Guards; and

(c) if so, whether representatives of All India Guards' Council would also be included therein?

THE MINISTER OF STATE IN  
THE MINISTRY OF RAILWAYS  
(SHRI SHEO NARAIN): (a) No.

(b) and c). The scales of pay of Guards as recommended by the 3rd Pay Commission have already been reviewed by the Government after receiving the report of the Anomalies Committee. The scale of pay of Guards Grade 'C' has been improved from Rs. 290—480 to Rs. 290—530. A new scale of Rs. 425—640 has been introduced above the scale of Rs. 425—600 for Guards running Mail and Express trains with the designation as Guards, Special Grade.

### मालगाड़ियों में गाड़

3756. श्री सुभाष ग्राहजा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मालगाड़ियों के गाड़ों का धार्मिक त्योहारों पर छुट्टियां नहीं दी जाती हैं ;

(ख) क्या इन गाड़ों के लिए कोई नियत कार्य घण्टे नहीं हैं; और

(ग) क्या रेलवे प्रशासन अपनी इच्छा से उन्हें तीन दिन तक घर से बाहर काम पर रख सकता है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण ) : (क) बुकिंग क्लर्क, स्टेशन मास्टर, गाड़ आदि जैसे कर्मचारी काफी समय तक किसी भी छुट्टी के पात्र नहीं थे। दूसरे वेतन आयोग की सिफारिशों के फलस्वरूप, यह विनिश्चय किया गया कि उन्हें तीन राष्ट्रीय छुट्टियों के लिए पात्र बनाया जाय परन्तु वास्तविक व्यवहार में राष्ट्रीय अवकाश मनाने के लिए सभी लाइन कर्मचारियों को छोड़ा नहीं जा सकता। परन्तु जिन कर्मचारियों को राष्ट्रीय अवकाश वाले दिन काम करना होता है उन्हें एक विशेष दर से अतिरिक्त भुगतान करके, जो कि आम दर से 1½

गुना होता है, उनकी क्षतिपूर्ति की जाती है। क्षतिपूर्ति की यह रियायत केवल उन्हीं कर्मचारियों तक सीमित है जिनका वेतन 750 रुपए तक है।

(ख) चूंकि सवारी गाड़ियों के विपरीत माल गाड़ियां, साधारणतः स्टॉक के प्राप्त होने और बिजली की स्थिति तथा मार्ग उपलब्धता के अनुसार ही चलती हैं। इसलिए 'सी' ग्रेड गाड़ें, जो कि इन गाड़ियों पर चलते हैं, निर्धारित ड्यूटी कड़ी के अनुसार काम नहीं कर सकते और उन्हें पहले-आओ-पहले-जाओ के आधार पर काम दिया जाता है। इस बात का भी ध्यान रखा जाता है कि जहां तक सम्भव हो कार्य-घण्टा विनियम के अन्तर्गत कार्य-घण्टा की सीमाओं और अवकाश के उपबन्धों का उल्लंघन नहीं किया जाता।

(ग) जी हां। वर्तमान नियमों के अन्तर्गत रनिंग कर्मचारियों को आम तौर पर एक साथ तीन या चार से अधिक दिनों के लिए मुख्यालय से दूर नहीं होना चाहिए।

### मलकापुर में बुकिंग कार्यालय

3757. श्री सुभाष ग्राहजा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का मध्य रेलवे के नागपुर सैक्शन में मलकापुर (आमला) स्टेशन पर एक बुकिंग कार्यालय खोलने का विचार है; और

(ख) यदि हां, तो कब तक ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण ) : (क) और (ख). मलकापुर रोड क्रासिंग स्टेशन को यात्री बुकिंग के लिए खोलने के एक प्रस्ताव की रेल प्रशासन द्वारा जांच की जा रही है और जांच का काम पूरा हो जाने पर इस बारे में विनिश्चय किया जायेगा।

**Railway Station Porters' Cooperative  
Labour Contract Society Ltd.  
Allahabad**

3758. SHRI SUBHASH DHUJA:  
SHRI SHIV SAMPATI RAM:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Station Porters' Cooperative Labour Contract Society Ltd. Allahabad, obtained express sanction from the competent Railway Authorities for employing retired Statistical Officer, Northern Railway, as their so-called Adviser;

(b) whether there is prohibition against employment of retired Railway Officers in the Agreement signed by the Society;

(c) whether employment of retired Statistical Officer was/is in specific breach of terms of the contract entered by the Society with the Northern Railway Administration in Delhi, Moradabad and Allahabad Division; and

(d) if so, what action is being taken against the Society for breach of terms and conditions of contract?

THE MINISTER OF STATE IN  
THE MINISTRY OF RAILWAYS  
(SHRI SHEO NARAIN): (a) No.

(b) Retired Railway employees of good reputation can be associated with the Co-operative Society with the approval of the Railway Administration and the Co-operative Society.

(c) and (d). This is under investigation.

**Set up of Chemicals Based Industrial  
Projects in West Bengal**

3759. SHRI JYOTIRMOY BOSU:  
Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government of West Bengal has proposed that a number of chemical and chemical-based industrial projects should be set up in West Bengal;

(b) if so, what are the specific proposals received by the Centre from the West Bengal Government; and

(c) action, if any being taken on the said proposals?

THE MINISTER OF STATE IN  
THE MINISTRY OF PETROLEUM  
AND CHEMICALS AND FER-  
TILIZERS (SHRI JANESHWAR  
MISHRA): (a) Yes, Sir.

(b) and (c). The details of the proposals received from Government of West Bengal and the Undertakings owned by it and the action taken are given in the enclosed statement.

**Statement**

Name of the applicant.	Product	Action taken
1	2	3
1. Govt. of West Bengal	Fertilizers from coal.	Government of India will take a decision only after watching the performance of the two coal-based plants under construction at present in Andhra Pradesh & Orissa.
2. Govt. of West Bengal.	Drugs.	The question of establishing a new public sector unit for manufacture of drugs or in the alternative expanding the facilities available in the nationalised undertaking of M/s. Smith Stanistreet and Company Ltd. and integrating with facilities of such other units as may come under Government's control will be examined in due course.

1	2	3
3. West Bengal Industrial Development Corporation	Olefines like ethylene, propylene etc.	A letter of intent has been issued.
4. West Bengal Industrial Development Corporation.	Polyester staple fibre	A decision will be taken shortly.
5. Durgapur Chemicals Ltd.	Coal-tar based chemicals.	A letter of intent has been issued.
6. West Bengal Pharmaceutical and Phyto Chemical Development Corporation Limited.	Certain chemicals like 8 hydroxy quinoline, hydrazine hydrate etc.	A letter of intent has been issued.

### **Tender for Levelling Area at Drilling Site No. 6, Jawalamukhi**

3760. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether on 18th July, 1977, ONGC, Civil Construction Branch, Jawalamukhi had invited tender for levelling the area at drilling site No. 6 on Sapri Khundian Road, Jawalamukhi;

(b) if so, the particulars of the parties submitting tenders;

(c) the rates quoted by each party;

(d) whether the lowest tenderer was not given the contract; and

(e) if so, on what grounds?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) The tenders were invited by ONGC on 1st July, 1977 and opened on 18th July, 1977.

(b) to (e). The facts are being examined and will be laid before the House.

रेलवे बोर्ड में तदर्थ रूप से कार्य कर रहे अधिकारी

3761. श्री नवाब सिंह चौहान : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे बोर्ड में कुछ पदों पर कुछ अधिकारी तदर्थ आधार पर कार्य

कर रहे हैं जिनका चयन संघ लोक सेवा आयोग के माध्यम से होता है ;

(ख) यदि हां, तो ऐसे कौन-कौन से पद हैं और कितने समय से उन पर तदर्थ नियुक्तियां की गई हैं ;

(ग) संघ लोक सेवा आयोग के माध्यम से उन्हें अब तक न भरे जाने के क्या कारण हैं; और

(घ) संघ लोक सेवा आयोग के माध्यम से सभी पदों पर नियुक्तियां कब तक हो जाएंगी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). जी हां। एक विवरण संलग्न है।

(ग) और (घ). नियमों के अन्तर्गत तदर्थ नियुक्तियों के सम्बन्ध में आयोग को सूचित किया जाता है। भर्ती नियमों को अन्तिम रूप देने और / अथवा आयोग द्वारा अनुमोदन प्राप्त न होने के कारण, नियमित आधार पर उपयुक्त अधिकारियों के चयन के सम्बन्ध में कार्रवाई विचाराधीन है। इन सभी पदों पर नियमित नियुक्तियां करने के लिए यथाशीघ्र हर सम्भव प्रयास किया जायेगा।

## विवरण

क्रम सं०	पद का नाम	तारीख जिस से इस समय तदर्थ आधार पर भरा गया
1	2	3
1.	निदेशक, राजभाषा	1-12-73
2.	संयुक्त निदेशक, राजभाषा	19-4-76
3.	सम्पादक 'भारतीय रेल'	18-9-75
4.	वरिष्ठ विश्लेषक	8-10-76
5.	खान-पान एवं नयाचार अधिकारी	9-7-74
6.	वरिष्ठ अनुसंधान अधिकारी (परिचालन अनुसंधान)	20-2-73
7.	उप विधि सलाहकार (इस पद पर सहायक विधि सलाहकार कार्य कर रहा है)	2-1-74
8.	उप निदेशक, राजभाषा	1-4-76
9.	सहायक निदेशक, राजभाषा	1-5-75
10.	सहायक निरीक्षक, शस्त्र	1-8-75
11.	विशेष कार्य अधिकारी (स्थापना) (आरक्षण) बम्बई	29-4-75
12.	हिन्दी अधिकारी	3-9-76
13.	अध्यक्ष, रेलवे बोर्ड के विशेष सहायक	5-5-77
14.	संग्रहपाल (इस पद पर सहायक संग्रहपाल कार्य कर रहा है)	11-10-76
15.	उपनिदेशक, सवारी और माल डिब्बा	30-12-72

**आपात स्थिति के दौरान विधि आयोग  
का कार्यकरण**

3762. श्री नवाब सिंह चौहान :  
क्या विधि, न्याय और कम्पनी कार्य मंत्री  
यह बताने की कृपा करेंगे कि :

(क) विधि आयोग की क्या उपयोगिता  
है और उसके क्या-क्या कार्य हैं ;

(ख) आपात स्थिति के दौरान बनाए  
गए कानूनों के बारे में आयोग की क्या  
भूमिका रही थी; और

(ग) क्या आयोग के सदस्यों ने इन  
कानूनों का पूरी तरह समर्थन किया था  
और यदि हाँ, तो क्या यह उनके लिए न्याय-  
संगत था ?

विधि, न्याय और कम्पनी कार्य मंत्रालय  
में राज्य मंत्री (श्री नरसिंह यादव) : (क)  
विधि आयोग की उपयोगिता इसी तथ्य  
से स्पष्ट है कि भारत के उदाहरण का अनु-  
सरण करते हुए बहुत से अन्य देशों ने भी  
विधि आयोगों की स्थापना की है ।  
विधि आयोग ने अब तक 70 रिपोर्टें  
प्रस्तुत की हैं और उनमें से अनेक रिपोर्टें  
समुचित विधान बना कर क्रियान्वित की  
जा चुकी हैं । इसके पुनरीक्षित विचारार्थ  
विषयों का वर्णन संलग्न विवरण में किया  
गया है ।

(ख) आयोग ने आपात कालीन विधान  
की रचना में कोई भूमिका अदा नहीं की  
है ।

(ग) आयोग का, आपात कालीन  
विधियों के सम्बन्ध में, कोई हाथ नहीं था ।  
आयोग के सदस्यों के उन कार्यों से भारत  
सरकार का कोई सम्बन्ध नहीं है जो उन्होंने  
अपने पद पर न रहते हुए अपनी निजी हैसियत  
में किए थे ।

**विवरण**

1-9-1977 से 31-8-1980 तक  
के लिए पुनर्गठित विधि आयोग के  
विचारार्थ विषय

1. यह मुनिश्चित करने के लिए कि  
न्यायिक प्रशासन प्रणाली समयोचित मांगों  
के अनुकूल हो और विशेष रूप से—

(क) इस आधार भूत सिद्धान्त पर  
प्रतिकूल प्रभाव डाले बिना कि  
विनिश्चय न्यायोचित और निष्पक्ष  
होने चाहिए, मामलों के शीघ्र  
और किफायती रूप से निपटारे  
को मुनिश्चित करने के उद्देश्य  
से विलम्ब समाप्त करने, बकाया  
मामलों को शीघ्र निपटाने और  
खर्चों में कमी करने के लिए ;

(ख) तकनीकी बारीकियों और  
विलम्बकारी युक्तियों को कम करने  
और उन्हें समाप्त करने के उद्देश्य  
से प्रक्रिया को सरल बनाने के लिए,  
जिससे कि वह साध्य के रूप में  
नहीं बल्कि न्याय प्राप्त करने के  
साधन के रूप में कार्य करे,

(ग) न्याय प्रशासन से सम्बद्ध सभी  
व्यक्तियों के स्तरों में सुधार करने  
के लिए ;

न्यायिक प्रशासन प्रणाली की समीक्षा करते  
रहना ।

2. राज्य की नीति के निदेशक तत्वों को  
ध्यान में रखते हुए, वर्तमान विधियों  
की जांच करना तथा उनमें सुधार के उपायों  
के सुझाव देना और ऐसे विधानों का भी  
सुझाव देना जो निदेशक तत्वों को क्रियान्वित  
करने के लिए आवश्यक हो तथा संविधान  
की प्रस्तावना में वर्णित उद्देश्यों को प्राप्त  
करना ।

3. सार्वजनिक महत्व के केन्द्रीय अधिनियमों का पुनरीक्षण करना जिससे कि उन्हें सरल बनाया जा सके और उनकी विषयताओं, संदिग्धताओं और अनुचित बातों को दूर किया जा सके।

4. विधि और न्यायिक प्रशासन से सम्बन्धित किसी अन्य विषय पर जो उसे निर्देशित किया जाए, विचार करना और उस पर अपने विचार सरकार को बताना।

### राष्ट्रमंडलीय मंत्रियों का न्याय में विलम्ब के बारे में सम्मेलन

3763. श्री नवाब सिंह चौहान : क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि कनाडा में अगस्त, 1977 के अन्तिम सप्ताह में राष्ट्रमंडलीय मंत्रियों के सम्मेलन में न्याय में होने वाले विलम्ब के प्रश्न पर क्या निर्णय लिया गया था और भारत सरकार उसे किस प्रकार क्रियान्वित कर रही है ?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री शान्ति भूषण) : 1. कनाडा के विन्नीपेग नगर में तारीख 22 अगस्त से 26 अगस्त, 1977 तक आयोजित राष्ट्रमंडलीय विधि मंत्रियों की बैठक में न्याय के प्रशासन में होने वाले विलम्ब के प्रश्न पर साधारण रूप से चर्चा हुई थी।

2. सम्मेलन में विधि मंत्रियों ने न्याय प्रशासन में बढ़ते हुए विलम्ब के बारे में अपनी गहरी चिन्ता व्यक्त की। यह समस्या ऐसी है जिसका सामना लगभग सभी राष्ट्रमंडलीय देशों की सरकारों को करना पड़ रहा है। वे इस बात पर सहमत थे कि इस सम्बन्ध में निश्चयात्मक और तुरन्त कार्रवाई करने की आवश्यकता है। और उन्होंने यह वचन दिया कि वे ऐसे उपाय करेंगे जिससे न्याय की क्वालिटी

पर कोई आंच न आए और जिससे विधि के अधीन सभी व्यक्तियों के मूल अधिकारों को सम्मान मिलता रहे।

3. विधि सम्बन्धी विलम्बों की समस्या पर विचार करते समय मंत्रीगण उसके अनेक कारणों से अवगत थे। इनमें से कुछ कारण वे हैं, अर्थात्, अपराध के स्तर; उसके नए नए तरीकों में विश्वव्यापी अभि वृद्धि; विचारण की बढ़ती हुई जटिलता; विधिक अधिकारों के प्रति बढ़ी हुई जागरूकता के कारण अधिक संख्या में लोगों का न्यायालयों की शरण में जाना; और विधानों की बढ़ती हुई किन्तु अपरिहार्य संख्या के कारण उत्पन्न मुकदमेबाजी और अधिक व्यापक पैमाने पर कानूनी सहायता के उन उपबन्धों के कारण जो न्यायसंगत समाज के निर्माण के लिए आवश्यक होते हैं, न्यायालयों पर कभी कभी भारी दबाव पड़ता है और इससे समस्या और गंभीर हो गई है।

4. विधि मंत्रियों ने अनेक प्रकार के सुझाव सामने रखे। यदि प्रारम्भिक प्रक्रम पर ही कानूनी सलाह और कानूनी परामर्श, व्यापक रूप से उपलब्ध कराए जाएं तो उनमें न्यायालय में पहुंचने के पूर्व ही विवादों को समाप्त करने की क्षमता होती है। छोटे मोटे अपराधों को विशेष प्रक्रियाओं द्वारा निपटाया जा सकता है और प्रारम्भिक सुनवाईयों को सुप्रवाही बनाया जा सकता है तथा यह भी सुनिश्चित किया जा सकता है कि अभियुक्त के प्रति निष्पक्षता बनी रहे।

5. और अधिक न्यायिक अधिकारी नियुक्त करना एक संभव उपाय हो सकता है किन्तु यह सदैव उपयुक्त उपाय होगा ऐसा नहीं है। एक सुदृढ़ बार और बैच में अनेक न्यायाधीशों की नियुक्ति से बार में होने वाली वकीलों की कमी का निरन्तर संतुलन बनाए रखने की आवश्यकता को सदैव ध्यान में रखना होगा। विशेष



न्यायालयों से पारिवारिक विधि जैसे समुचित क्षेत्रों में सुधार की कुछ संभावना हो सकती है किन्तु इनके समुचित प्रशासन के लिए मानवीय और भौतिक संसाधनों की अभी भी आवश्यकता है। जिन विशिष्ट समाजों की सहनशीलता के स्तर के अनुकूल हो उनमें, ऐसे अपराधों को जिनका कोई शिकार नहीं होता है, अनपराधिक बनाने जैसे उपायों के माध्यम से नए दृष्टि कोणों को अपनाने की आवश्यकता है। बिलम्ब कम करने और विधि सम्बन्धी कार्यों को शीघ्र निपटाने के कार्य में न्यायालयों और वकीलों की भूमिका महत्वपूर्ण है।

6. राष्ट्रमंडल के विभिन्न भागों में इस समस्या के स्वरूप और उस समस्या के प्रति विभिन्न देशों की प्रतिक्रिया का सर्वेक्षण किए जाने पर, विधि मंत्रियों ने यह अनुभव किया कि इस समस्या के हल के लिए तुलनात्मक दृष्टिकोण का मूल्य बहुत अधिक है। उन्होंने राष्ट्रमंडलीय सचिवालय में अनुरोध किया कि वह राष्ट्रमंडलीय आधार पर जानकारी एकत्र करके और उनके समुचित अध्ययन की व्यवस्था करके इस चुनौती का सामना करने के उनके निश्चय में उनकी सहायता करे।

इस प्रकार न्यायालय में विलम्ब की समस्या के सम्बन्ध में आयोजित बैठक में समस्या को साधारणस्वरूप से आंकने के अलावा कोई ठोस या विशेष निश्चय नहीं किए गए।

**मेरठ में उच्च न्यायालय की बेंच स्थापित करने के बारे में अभ्यावेदन**

3764. श्री नवाब सिंह चौहान : क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पश्चिमी उत्तर प्रदेश के लोगों से मेरठ में उच्च न्यायालय की बेंच स्थापित करने के बारे में अभ्यावेदन प्राप्त हुए हैं ;

(ख) यदि हां, तो इस सम्बन्ध में वर्तमान स्थिति क्या है तथा वहां पर अब तक बेंच स्थापित न करने के क्या कारण हैं ; और

(ग) इस मामले में उत्तर प्रदेश सरकार तथा उच्च न्यायालय के क्या विचार हैं ?

**विधि, न्याय और कम्पनी कार्य मंत्री (श्री शान्ति भूषण) :** (क) जी हां।

(ख) इस विषय पर अभी विचार किया जा रहा है। इस बारे में कोई निश्चय करने से पूर्व इस प्रस्ताव के विभिन्न पहलुओं पर सावधानीपूर्वक विचार करना होगा।

(ग) तत्कालीन विधि, न्याय और कम्पनी कार्य मंत्री द्वारा इस विषय पर उत्तर प्रदेश के तत्कालीन मुख्य मंत्री से विचार-विमर्श किए जाने के और भारत सरकार द्वारा राज्य सरकार को निर्देश दिए जाने के पश्चात् उत्तर प्रदेश के मुख्य मंत्री ने दिसम्बर, 1976 में एक पत्र लिखा था, जिसमें उन्होंने मेरठ में एक बेंच स्थापित करने का प्रस्ताव किया था। उन्होंने अन्य बातों के साथ, उस पत्र में यह लिखा था कि एक के बाद एक मुख्य न्यायाधी-पति मेरठ में बेंच स्थापित करने की मांग का लगातार विरोध कर रहे हैं।

उत्तर प्रदेश की वर्तमान सरकार ने एक पत्र में इस बात का उल्लेख किया है कि मेरठ में बेंच स्थापित करने के प्रश्न पर वह फिर से विचार कर रही है।

**शाहजहांपुर रेलवे स्टेशन पर शंड, ऊपरि पुल आदि का निर्माण**

3765. श्री सुरेन्द्र विक्रम : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर रेलवे के मुरादाबाद डिवीजन के शाहजहांपुर रेलवे स्टेशन पर

चालू वित्तीय वर्ष के दौरान शेड, उपरि पुल (ओवर ब्रिज) आदि के निर्माण के लिए कितनी धनराशि निर्धारित की गई है और वहां पर यात्रियों की सुविधायें प्रदान करने की दृष्टि से कौन-कौन से निर्माण कार्य शुरू किये जायेंगे ; और

(ख) क्या इस बारे में रेल मंत्रालय में राज्य मंत्री का कोई मुश्राव अथवा पत्र प्राप्त हुआ है, यदि हां, तो उस पर सरकार द्वारा क्या कार्यवाही की गई है ?

रेलमंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) शाहजहांपुर रेलवे स्टेशन पर बने पैदल पुल के विस्तार का काम रेलवे के 1977-78 के निर्माण कार्यक्रम में शामिल कर लिया गया है और चालू वित्त वर्ष में उस काम पर 20,000/- रुपया खर्च होगा।

इसके अतिरिक्त एक और काम अर्थात् प्लेटफार्म बं० 2-3 के छत का विस्तार करना है। 1977-78 में इस काम पर 76,000/- रुपया खर्च किया जायेगा।

(ख) शाहजहांपुर में एक ऊपरी पैदल पुल के विस्तार की मांग 1970 से ही की जा रही है। इस वर्ष इस काम की मंजूरी दी जा चुकी है और यह काम हो रहा है।

#### Capacity of Fertilizer Factories in Public Sector

3766. SHRI P. RAJAGOPAL NAIDU: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) the capacity of Fertilizer factories in the public sector; and

(b) the utilised capacity at present?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). The installed capacity

and capacity utilisation in the public sector are given below:—

	Installed capacity (000 tonnes)	Capacity utilisation (%)	
			1976-77 April-October, 1977
Nitrogen .	1543	69.5	58.0
Phosphate	337	68.3	70.4

#### Rest Room Facilities at Guntakal for T.T.Es.

3767. SHRI P. RAJAGOPAL NAIDU: Will the Minister of RAILWAYS be pleased to state:

(a) whether there are rest room facilities at Guntakal for South Central Railway T.T.Es. headquartered at Pakala when they work in Venkatadri Express from Tirupati to Guntakal at after 11 hours of continuous duty; and

(b) if not, whether Government propose to provide adequate rest room facilities at Guntakal?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). From October, 1977, the Travelling Ticket Examiners headquartered at Pakala work Venkatadri Express only from Tirupati upto Dharmavaram where adequate resting facilities are available for them. At Guntakal also, adequate rest room facilities are available for Travelling Ticket Examiners.

#### New Railway Lines in Rajasthan

3768. SHRI S. S. SOMANI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there was any proposal under the consideration of Government to conduct an engineering

and traffic survey for the construction of new railway lines in the State of Rajasthan;

(b) whether any approach has also been made by the Government of Rajasthan also in this regard; and

(c) if so, the reaction of Central Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Recommendations for construction of the following railway lines were received from the Government of Rajasthan:

(i) Raisinghnagar-Anoopgarh-Chhattargarh-Bikaner-Kalayat-Phalodi (380 Kms).

(ii) Tanumangarh-Rawatgarh-Sardarshahar-Ratangarh-Fatehpur (200 Kms).

(iii) Gharsana-Nachna-Ramgarh-Jaisalmer (400 Kms).

(iv) Phalodi-Nachna (70 Kms).

A survey for construction of a new metre gauge line from Bikaner to Chhattargarh which will serve Rajasthan canal area has been included in this Year's Railway Budget. Another survey for a new metre gauge line from Falna to Nathdwara is in progress.

तेल तथा प्राकृतिक गैस आयोग द्वारा  
तेल के नये कुओं की खोज

3769. श्री एस० एस० सोमानी :  
क्या पेट्रोलियम तथा रसायन और उर्वरक  
मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या तेल तथा प्राकृतिक गैस  
आयोग द्वारा गत 3-4 महीनों के दौरान  
तेल के नये कुओं की खोज में कोई प्रगति  
हुई है; और

(ख) यदि हां, तो तत्सम्बन्धी व्यौरा  
क्या है ?

पेट्रोलियम तथा रसायन और उर्वरक  
मंत्रालय में राज्य मंत्री (श्री जनेश्वर मिश्र):  
(क) और (ख). गत चार महीनों में,  
तटवर्ती और समुद्र के भीतरी दोनों क्षेत्रों  
में तेल तथा प्राकृतिक गैस आयोग ने आठ  
नई संरचनाओं में अनुवेषी कुओं की खुदाई  
का कार्य आरम्भ किया और 24 पुरानी  
संरचनाओं में अनुवेषी कुओं का खुदाई  
कार्य जारी रखा ।

CPC's favour to Alien Company

3770. SHRI M. RAM GOPAL REDDY: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government's attention has been drawn to the news item 'CPC's favour to alien company' published in *Economic Times* of 12th November, 1977; and

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

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) Yes, Sir.

(b) M/s. Wyeth Laboratories Ltd. Bombay, are the only producer of Prednisolone in the country. As their production of this bulk drug is insufficient to meet the total requirements of drug manufacturers in the country, this bulk drug is supplemented by imports through State Chemicals & Pharmaceuticals Corporation of India Ltd. (CPC). Since 1976-77, Prednisolone is canalised for imports through CPC.

For the year 1977-78, M/s. Wyeth Laboratories Ltd. had indicated their estimated production of Prednisolone at 1000 kgs. and a quantity of 750 kgs. of this bulk drug was planned for import. However, due to some contamination problem in their manufacturing plant, the production of Prednisolone remained stopped in the unit of M/s. Wyeth from Mid May to end of

September. In order to meet the requirements of this bulk drug of those units who had been supplied Prednisolone by M/s. Wyeth during the year 1976, it was decided that CPC should release Prednisolone to such units to the extent of 40 per cent of the releases received by them during that year from M/s. Wyeth. M/s. Wyeth were also covered by this decision because they had consumed Prednisolone from out of their own production of this drug during the year 1976 and thus were entitled to release of imported Prednisolone so as to maintain the production of their formulations which were previously available in the market. Till now, M/s. Wyeth have been released imported Prednisolone by CPC to the extent of 26 per cent of their 1976 consumption of this drug. Their unit has resumed normal operations from October, 1977. M/s. Wyeth will continue to meet the requirements of units serviced by them in 1976-77 to the extent not serviced by CPC in 1977-78 on a pro-rata basis depending on their production.

**सौराष्ट्र के निकट प्राकृतिक गैस के लिए खोज**

3771. श्री धर्मसिंह भाई पटेल : क्या पेट्रोलियम तथा रसायन एवं उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सौराष्ट्र के निकट द्वीव में प्राकृतिक गैस पाए जाने की कोई सम्भावना है और क्या वहां पर गैस की खोज की गई है अथवा की जानी है और वहां पर कितनी मात्रा में गैस पाए जाने की सम्भावना है ;

(ख) क्या गुजरात सरकार ने इस के लिए मांग की है और यदि हां, तो कब और किस प्रकार की मांग की है ; और

(ग) वहां पाई जाने वाली प्राकृतिक गैस का किस प्रकार उपयोग किया जाएगा ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्रालय में राज्यों मंत्री (श्री जनेश्वर मिश्र) : (क) जी नहीं, इस क्षेत्र में अभी तक किए गए सर्वेक्षण से महत्वपूर्ण तेल/गैस के संकेत नहीं मिले हैं।

(ख) जी, नहीं।

(ग) प्रश्न नहीं उठता।

**रेलवे साइडिंग धोराजी**

3772. श्री धर्मसिंह भाई पटेल : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गुजरात में राजकोट जिले में धोराजी स्थित फैक्टरी रेलवे साइडिंग धोराजी रेलवे स्टेशन, डी आई जे स्टेशन प्वाइन्ट स्थित रेलवे साइडिंग से एक किलोमीटर से भी कम दूरी पर है फिर भी धोराजी फैक्टरी, क्षेत्र की मिलों के माल के लिए शुल्क वसूल किया जा रहा है ; और

(ख) क्या वाणिज्य मण्डल ने अक्टूबर 1976 में इस साइडिंग शुल्क को समाप्त करने की मांग की थी और यदि हां, तो तत्सम्बन्धी ब्यौरा क्या है ;

(ग) इसे समाप्त करने के लिए सरकार ने क्या कार्यवाही की है अथवा करने का प्रस्ताव है ; और

(घ) क्या धोराजी रेलवे स्टेशन पर कोई गोदाम नहीं है और यदि हां, तो उसका निर्माण कब तक किया जाएगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी नहीं। धोराजी स्टेशन के केन्द्र से साइडिंग की लम्बाई लगभग दो किलोमीटर है। साइडिंग प्रभार माल डिब्बों को साइडिंग में ले जाने के लिए की गयी अतिरिक्त सेवाओं

के बदले में लिया जाता है जबकि माल-भाड़ा स्टेशन से स्टेशन तक ही लिया जाता है।

(ख) जी हां। धोराजी चेम्बर आफ कामर्स ने यह अनुरोध किया था कि साइडिंग प्रभार समाप्त किया जाए और चूंकि धोराजी स्टेशन पर कोई माल गोदाम नहीं है, इसलिए इस पब्लिक साइडिंग को धोराजी स्टेशन का ही एक भाग माना जाए।

(ग) साइडिंग प्रभार समाप्त करने का कोई प्रस्ताव नहीं है।

(घ) धोराजी स्टेशन पर कोई माल गोदाम नहीं है और न ही वहां किनो माल गोदाम का निर्माण का प्रस्ताव है क्योंकि साइडिंग पर ही कर्मचारियों सहित मालगोदाम की व्यवस्था की गयी है।

पोरबन्दर से बम्बई तक तेज रफ्तार वाली गाड़ी के लिए मांग

3773. श्री धर्म सिंह भाई पटेल : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सौराष्ट्र की जनता पोरबन्दर से बम्बई तक (सौराष्ट्र से बम्बई) तेज रफ्तार वाली जनता गाड़ी चलाने की बहुत दिनों से मांग कर रही है और यदि हां, तो यह गाड़ी चलाने में विलम्ब के क्या कारण हैं ;

(ख) इस गाड़ी के कब तक चलाए जाने की सम्भावना है तथा इस सम्बन्ध में क्या कार्यवाही की गई है ; और

(ग) महात्मा गांधी की स्मृति में पोरबन्दर से जो महात्मा गांधी का जन्म स्थान है, तेज रफ्तार वाली जनता गाड़ी चलाने में क्या कठिनाईयां हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हां। राजकोट-वीरमगम खण्ड पर अतिरिक्त लाइन क्षमता की कमी के कारण पोरबन्दर और बम्बई के बीच एक अतिरिक्त गाड़ी चलाए जाने का औचित्य नहीं था। इसके अतिरिक्त वीरमगम/ओखा-पोरबन्दर मीटर लाइन खण्ड को बड़ी लाइन में बदलने का कार्य प्रगति पर है और चालू निर्माण कार्यों से इस खण्ड की क्षमता पर प्रभाव पड़ रहा है जिससे एक और गाड़ी अभी नहीं चलायी जा सकती।

(ख) और (ग). प्रश्न नहीं उठता।

#### State-wise Production of Crude, Chemicals and Fertilisers

3774. SHRI DHARMASINHBHAI PATEL: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the Statewise production of crude and Refining capacity; production of chemicals and fertilizers on all India basis for the year 1976-77 and what is Gujarat's share and percentage on all India basis; and

(b) what is the estimated production of crude oil, chemicals and fertilizers on all India basis for the year 1977-78 and what is Gujarat's share and percentages on all India basis?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). A statement giving information in respect of production of crude oil and refining capacities is laid on the table of the Sabha. Information regarding chemicals and Fertilizers is being collected and will be placed on the Table of the Sabha.

## Statement

Q. Mn. Tonnes.

State	Refining Capacity Million Tonnes Per Annum	Production of Crude oil during	
		1976-77	1977-78 (estimated)
<i>On-Shore</i>			
Assam . . . . .	1.30	4.30	4.61
Andhra Pradesh . . . . .	1.55		
Bihar	3.30		
Gujarat . . . . .	4.30	4.19	4.20
Kerala . . . . .	3.30		
Maharashtra . . . . .	8.75		
Tamil Nadu . . . . .	2.65		
West Bengal	2.50		
On-shore Total	27.65	8.49	8.81
<i>Off-shore</i>			
Bombay High . . . . .	..	0.41	2.00
G. Total. . . . .	27.65	8.90	10.81
%Share of Gujarat. . . . .	15.6	47.1	38.8

महानन्दा से चौकिया पहाड़पुर तक रेल लाइन

3775. श्री युवराज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पिछड़े क्षेत्रों के निवासियों को परिवहन सुविधाओं की सुविधा देने के लिए, बिहार के सिचाई मंत्री ने महानन्दा तटबन्ध से बरासता मेघदोला चौकिया पहाड़पुर तक पूर्वोत्तर सीमान्त रेलवे के तेजनारायणपुर रेलवे स्टेशन के पूर्व में रेलवे लाइन बिछाने के लिए उनसे सिफारिश की थी ; और

(ख) यदि हां, तो यह लाइन कब तक बिछाई जाएगी और यदि नहीं, तो इसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण ) : (क) जी हां ।

(ख) पूर्वोत्तर सीमा रेल प्रशासन के परामर्श से इस मामले पर विचार किया जा रहा है

बरसोई में बी० जी० और एम० जी० डायमण्ड क्रॉसिंग

3776. श्री युवराज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पूर्वोत्तर सीमान्त रेलवे में बरसोई जंक्शन स्थित बी० जी० और एम० जी० डायमण्ड क्रॉसिंग सुरक्षित नहीं है ;

(ख) क्या यह भी सच है कि सी० ओ० पी० एस० पाण्डू ने अपने निरीक्षण

के दौरान इस महत्वपूर्ण तथ्य को बताया ;  
और

(ग) यदि हां, तो इसकी सुरक्षा के लिए क्या प्रबन्ध किए जाने हैं और अगर प्रबन्ध नहीं किए जाने हैं तो इसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण ) : (क) और (ख). जी नहीं ।

(ग) प्रश्न नहीं उठता । वर्तमान प्रबन्ध पूर्णतया सुरक्षित समझे जाते हैं ।

#### Railway Lines Surveyed

3777. SHRI D. B. CHANDRE GOWDA: Will the Minister of RAILWAYS be pleased to state the number and the names of the Railway lines which have been surveyed and are under active consideration for inclusion in the Sixth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): Surveys have been carried out or are in hand for the construction of 84 new railway lines (list laid on the Table of the Sabha. [Placed in Library. See No. LT-1345/77]. The new lines to be included in the Sixth Five Year Plan have not yet been finalised.

#### Compensation for loss or damage to Goods in Railway Transportation

3778. SHRI D. B. CHANDRE GOWDA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the amount of compensation for loss or damage to goods consigned to the Railways for transportation had gone up substantially during 1974-75 as compared to the previous years;

(b) what was the percentage of the compensation so paid to the total freight earnings of the Railways during that year; and

(c) what steps Government have taken or propose to take to minimise the expenditure on this account?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes, Sir.

(b) 1.28 per cent.

(c) The Government has been taking several preventive measures to minimise the incidence of claims for compensation and these are being continued and intensified.

The important claims prevention measures adopted by the Railways are as under:—

(i) Escorting of goods trains carrying, iron and steel, foodgrains, sugar, oilseeds etc., by Railway Protection Force armed personnel in vulnerable sections;

(ii) Patrolling by armed Railway Protection Force personnel in vulnerable yards;

(iii) Collection of crime intelligence and conducting of surprise raids by the staff of the Crime Intelligence of the Railways as well as Central Crime Bureau, Railway Board, with a view to tracking down criminals and receivers of stolen goods;

(iv) Guiding and educating the staff to make them more and more conscious of the need to prevent loss of and damage to consignments;

(v) Insistence on provision of dunnage to protect flap doors in case of wagon load consignments of sugar, grains, pulses, oilseeds, etc.;

(vi) Use of nuts and bolts for and labelling to prevent the consignment from going astray;

(vii) Use of nuts and bolts for rivetting wagons loaded with valuable goods;

(viii) Proper maintenance of wagons so that incidence of sickness of wagons resulting in detention and transshipment is minimised, and also damage by wet and pilferage through doors and body-holes is reduced;



(ix) Patching of panel-cuts of wagons in sick-lines, yards and goods sheds to reduce the circulation of defective wagons;

(x) Proper supervision and careful tallying of packages during loading and unloading operations;

(xi) Intensified supervision at break-of-gauge transshipment points and repacking points;

(xii) Prompt fixation of staff responsibility; and

(xiii) Special precautions during monsoon season to prevent damage by wet.

#### **Summary Trial of Cases of Atrocities on Harijans**

3779. SHRI R. L. KUREEL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to arrange for summary trials and mobile courts for dealing with the cases of atrocities on Harijans/Adi-vasis;

(b) if so, by what time; and

(c) if not, reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) to (c). Atrocities on Harijans/Adi-vasis are taken to mean grave offences against members of Scheduled Castes and Scheduled Tribes such as murder, rape, grievous hurt, serious mischief or arson in respect of their properties and other offences punishable under the Indian Penal Code, where the motive for the offence relates to the caste of the victim. The procedure for trial of offences where members of Scheduled Castes/Scheduled Tribes are victims is already laid down in the relevant laws. Mobile Courts are generally arranged to deal with cases of petty nature which can be tried summarily and on the spot.

#### **Loss to Railways due to Cyclone in Tamil Nadu**

3780. SHRI R. V. SWAMINATHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways suffered a heavy loss due to the cyclone in Tamil Nadu;

(b) if so, the total loss suffered;

(c) whether the rail services in the state have been greatly affected;

(d) if so, to what extent and the steps being taken to restore the rail services; and

(e) whether the Tamil Nadu people have to bear a great loss due to this broken rail service?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) Approximately rupees three crores.

(c) Yes.

(d) Statement showing sections where train services were affected is attached.

Immediately after the cyclone, restoration work was commenced in full swing round the clock as a result of which the affected sections were re-opened to traffic expeditiously well ahead of schedule. At present traffic is suspended only between Karur and Virarakkiyam Stations on Tiruchchirappalli-Erode section due to the heavy damage caused to Amravati Bridge. Restoration work on the bridge is in progress even though it is being hampered due to further rains, floods and heavy current in the river.

(e) Train services were restored within the shortest possible time considering the magnitude of damage, thereby minimising the inconvenience caused to the travelling traffic.

**Statement****TIRUCHCHIRAPPALLI** *Date of restoration*  
**DIVISION**

- |   |   |
|---|---|
| (i) Villupuram-Tiruchchirappalli Main Line    | 18-11-77  |
| (ii) Villupuram-Tiruchchirappalli-Chord Line. | 19-11-77  |
| (iii) Villupuram-Katpadi                      | Traffic remained suspended only for one day on 14-11-77 |
| (iv) Vrithachalam-Salem                       | 15-11-77  |
| (v) Mayuram-Tarangambadi                      | 14-11-77  |
| (vi) Mayuram-Karaikkudi                       | 20-11-77  |
| (vii) Peralam-Karaikal                        | 14-11-77  |
| (viii) Thanjavur-Nagore                       | 21-11-77  |

**MADURAI DIVISION**

- |                                     |          |
|-------------------------------------|----------|
| (i) Tiruchchirappalli-Dindigul      | 24-11-77 |
| (ii) Dindigul-Pollachi              | 15-11-77 |
| (iii) Tiruchchirappalli-Manamadurai | 19-11-77 |

**OLAVAKOT DIVISION**

- |                             |  |
|-----------------------------|--|
| (i) Tiruchchirappalli-Erode | The Section is not yet fully opened to traffic due to heavy damage caused to Amravati Bridge. Restoration work on the bridge is in progress in full swing. |
|-----------------------------|--|

**Shortage of Petroleum Products in North West Region**

3781. SHRI R. V. SWAMINATHAN: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it has been reported that supply outlets of petroleum products in the North West region might dry out;

(b) if so, how far this is true; and

(c) whether a difficulty is being anticipated to meet all the requirement due to the shortage of the same?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) A report had appeared in a section of the press about 'rockbottom' inventory position of a number of petroleum products, notably high speed diesel and kerosene, and a crisis situation, particularly for high speed diesel, having developed including outlets running dry in the Northern region of the country.

(b) and (c). It is not correct to say that a crisis situation had developed in the North West Region with regard to supplies of high speed diesel oil. The supply sources that feed the North-west Region comprising Punjab, Haryana, Western U.P., Jammu and Delhi have adequate stocks. Necessary steps have been taken to ensure that there are no problems of availability in meeting the full diesel requirements during the current Rabi season. As regards kerosene, supply in the country as a whole, has been according to the quotas allotted to the States.

**Shortage of Petroleum and Kerosene in Tamil Nadu due to Cyclone**

3782. SHRI R. V. SWAMINATHAN: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether due to the cyclone the state of Tamil Nadu faced acute shortage of petroleum and kerosene oil etc.;

(b) if so, what steps were taken by the Centre to supply these to the State regularly; and

(c) what was the total quota supplied to the State Government after this cyclone took place?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) According to report received from the State Government,

there is no problem regarding availability of petrol and kerosene oil in cyclone-affected areas of Tamil Nadu.

(b) and (c). The Regional Manager of Indian Oil Corporation of Madras has been appointed as State Coordinator, to coordinate with the State authorities and the other oil companies, for ensuring adequate availability of petroleum products in the cyclone-affected areas of Tamil Nadu. Transportation of Petroleum Products in certain cyclone-affected areas has been affected due to disruption in rail movement, but availability of the products has been ensured by road movement. There is no quota for any State for any petroleum product excepting kerosene. The Ministry has advised the oil companies to meet the full demand of kerosene in the cyclone-affected areas irrespective of the quota fixed earlier. The demands of petroleum products are accordingly being met in the cyclone-affected areas.

#### **Comparative Study of Salaries paid in Public, Private Sector and Foreign Companies**

3783. DR. V. A. SEYID MUHAMMAD: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have made comparative study of the salaries, allowances and perquisites paid to the employees of the Public Sector Undertakings, Private Sector Companies wholly owned by Indians and Foreign owned companies working in India; and

(b) if so, what are the details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b): This Department has not conducted any formal study of the salary structures of different categories of employees in public and Private Sectors. However, a

comparative study of maximum remuneration in public and private sectors reveals that the remuneration payable to the top executives of private sector are substantially higher than those in the Public Sector. In Public Sector, remuneration of top executives is governed by administrative instructions issued by Bureau of Public Enterprises or the respective State Governments. As per instructions of BPE, the salary payable to top executives is restricted to a maximum of Rs. 4,000/- p.m. besides normal benefits of P.F., Gratuity, etc.

In respect of Public Limited Companies and Private Limited Companies which are subsidiaries of Public Companies under the existing guidelines, the Managing/whole-time Directors may be paid a maximum remuneration consisting of a salary of Rs. 7,500/- per month, Commission on net profits upto a maximum of Rs. 45,000/- per annum plus perquisites at substantially higher levels than those admissible to public sector Executives.

#### **Over-crowding in Legal Profession**

3784. DR. V. A. SEYID MUHAMMAD: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have made any assessment of over-crowding in the legal profession and resultant decline in professional standards; and

(b) if so, what steps are being taken to remedy the situation?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NAR SINGH YADAV): (a) No, Sir.

(b) Does not arise.

#### **Capital Investment in Organised Drug Industry**

3785. SHRI V. A. SEYID MUHAMMAD: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) the total capital investment in the organised drug industry in the country at present; and

(b) the percentage of share of foreign controlled firms in drug industry in the country at present?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA):** (a) and (b). The total investment (equity, reserves and loan capital) in the organised sector of drug industry in the country is estimated at Rs. 430—450 crores. The investment of foreign firms (whose direct and indirect foreign equity exceeds 40 per cent and whose drug activity is substantial) is about Rs. 180 crores, representing about 41 per cent shares in the total.

#### **Panel of Central Government Advocates**

**3786. DR. V. A. SEYID MUHAMMAD:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what is the criteria adopted by Central Government for including an Advocate's name in the panel of Central Government Advocates maintained for various High Courts; and

(b) whether the political persuasion of the Advocate is taken into account?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN):** (a) Central Government Standing Counsel or Panel Counsel in the various High Courts are appointed in consultation with the Chief Justice of the High Court concerned and on occasions in consultation with the Advocate General also.

(b) No, Sir.

#### **सिहोरा के निकट ऊपरि पुल**

**3787. श्री शरद यादव :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जबलपुर-इलाहाबाद सेक्शन पर सिहोरा रेलवे स्टेशन के पास

सिहोरा-मन्नगांव मार्ग पर रेलवे फाटक (क्रॉसिंग) पर ऊपरि पुल के निर्माण का प्रस्ताव है ; और

(ख) यदि हां, तो ऊपरि पुल का निर्माण कब तक हो जाएगा ?

**रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :** (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

#### **Exploration of Oil in Andaman and Nicobar Islands**

**3788. SHRI MANORANJAN BHAKTA:** Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether success has been achieved in exploration of oil and gas in the Union territory of Andaman and Nicobar islands and if so details thereof; and

(b) the estimated potential of oil resources there and which companies are engaged in the exploration work?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA):** (a) and (b). Geological mapping of the area by the Oil and Natural Gas Commission is in progress but no exploratory drilling has so far been undertaken. It is thus premature to estimate the potential of the area for hydrocarbons.

#### **Development of Azadpur and Shakur Basti as Terminal Station**

**3789. SHRI DURGA CHAND:** Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal to develop Azadpur and Shakur Basti Railway Stations in Delhi as terminal stations for certain trains;

(b) if so, what are the details thereof; and

(c) what are the proposals for development of these two stations?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise.

(c) It has been decided to shift fruit traffic from New Delhi to Delhi Azadpur and cement traffic from New Delhi to Shakurbasti, to release space for provision of additional passenger facilities at New Delhi. The former work has been completed, while the cement siding at Shakurbasti is ready for opening.

**Requirement of Labour for Parcel Handling work at Allahabad Railway Station**

3790. SHRI SHIV SAMPATI RAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether Commercial Inspectors were deputed to assess actual requirement of labour for performing Parcel handling work at Allahabad Railway Station;

(b) whether Assistant Commercial and Accounts Officers were also deputed to justify and recommend increase in labour strength to enable the Senior Divisional Commercial Superintendent to process the case for fixation of higher subsidy to the Society holding contract continuously and exploiting the workers for the last 17 years;

(c) the number of men recommended by the Inspector and Officers separately for the job together with the justification made out for sanctioning increase in labour strength; and

(d) whether similar assessment has been ordered at other stations of Allahabad Division to justify increase in subsidy paid to the Societies?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The

requirement of Labour at Allahabad was recently analysed by a team of Commercial Inspectors under the supervision of Assistant Commercial Superintendent, Allahabad.

(b) and (c). The report is still under examination in consultation with the Accounts Department.

(d) No.

**Deposits Taken by Globe Motors, Delhi**

3791. SHRI M. A. HANNAN ALHAJ: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Globe Motors, Delhi had taken deposits from the people and have not yet returned these deposits to them; and

(b) if so, the details in this regard?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b). It is a fact that M/s. Globe Motors Limited, Delhi had taken deposits from public. As was stated in reply to Rajya Sabha Unstarred Question No. 421 answered on 29th July, 1974, under a scheme of arrangement sanctioned by the Delhi High Court, which was effective from 22nd February, 1970 the company was required to repay its creditors (including depositors) in six instalments, the last instalment being due by 22nd March, 1974. Rupees 1,72,94,197 were claimed by the creditors under the scheme, against which Rs. 1,23,93,789 were admitted by the company leaving aside Rs. 38,70,348 on account of reduction by appeals or settlement and Rs. 10,30,060 under dispute. Upto 30th June, 1974, Rs. 84,46,612 were paid by the company under the scheme and Rs. 39,77,064 in respect of claims not covered by the scheme. The Court had granted extension upto 31st July, 1975 for payment of the fifth instalment and the sixth instalment was payable upto a period of two years from the completion of payment of the

fifth instalment, as was stated in reply to Lok Sabha Unstarred Question No. 7909 answered on 29th April, 1975.

The company has not filed with the Registrar of Companies, Delhi any return of deposits for the periods ended on 31st March, 1975, 31st March, 1976 and 31st March, 1977. The company went into liquidation on 15-4-1977 and it has not yet filed with the Official Liquidator, Delhi the statement of affairs. Government is not, therefore, aware of the latest position regarding repayment of deposits by the company. A criminal case has been filed by the Official Liquidator, Delhi against the ex-directors for non-filing of statement of affairs.

### **E.M.U. Rakes Stock in Sealdah Division**

3792. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state:

(a) the average Daily Kilometrage earned by the EMU Rakes Stock in Sealdah Division and the target fixed by the Railways;

(b) the actual Kilometrage achieved in the contiguous Howrah Division; and

(c) the steps the Railways have taken to improve the utilisation and bring it to the target level?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No target of average daily kilometrage earned by the EMU Rakes has been fixed in view of the fact that the same would depend on the train services run from time to time, particularly during the peak periods. The train unit kilometres per day per train unit on line in Sealdah Division of Eastern Railway over the past few years have been:

1972-73	290
1973-74	253
1974-75	285

1975-76	313
1976-77	310
April '77	310
May '77	309
June '77	312
July '77	318
August '77	316
September '77	315
October '77	328

(b) Corresponding figures for Howrah Division are:

1972-73	310
1973-74	241
1974-75	279
1975-76	307
1976-77	300
April '77	313
May '77	312
June '77	316
July '77	310
August '77	311
September '77	315
October '77	332

(c) All serviceable stock is utilised during peak hours. During non-peak hours, the trains are run to the extent of demands of passenger traffic.

### **Agreement between Guards' Council and Ministry**

3793. DR. LAXMINARAYAN PANDEYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that on 16th March, 1974 an agreement was arrived at between the Guards' Council and the Ministry that they would be given the benefit of the recommendations of Third Pay Commission;

(b) if so, the reasons for not implementing it;

(c) whether it is also a fact that this has caused great discontentment among the Guards, especially the Guards in 'C' Grade; and

(d) if so, the steps to be taken by Government in this regard?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) Yes.

(b) to (d). The scale of Rs. 290—480 recommended by the Third Pay Commission for Guards Grade 'C' has been improved to Rs. 290—530. A new scale of Rs. 425—640 has been introduced above the scale of Rs. 425—600 for Guards of Mail/Express trains and these guards have been designated as 'Guards' Special Grade'.

**Officers appointed by Railways during 1955-65**

**3794. SHRI OM PRAKASH TYAGI:** Will the Minister of RAILWAYS be pleased to state:

(a) whether the press report is correct that most of the temporary officers appointed by the Railways during the period from 1955 to 1965 are still working in temporary capacity;

(b) if so, the reasons for not confirming them during these last ten years; and

(c) whether Government propose to take remedial measures in this regard?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** (a) to (c). Out of 1089 Temporary Officers recruited from 1955 to 1968, only 303 are now left to be confirmed in Class I/Junior Scale.

Temporary Officers were recruited against temporary posts created in connection with constructional and developmental activities. They were eligible to be considered for confirmation against permanent Class I/Junior Scale cadre against an annual quota which has been progressively increased and 33, 10 and 6 officers of the 2985 LS—8.

Civil Engineering, Electrical Engineering and Signal and Tele-communication Engineering Departments respectively are now being confirmed annually. Temporary Officers of the other Departments excepting two have since been confirmed.

It is also proposed to absorb permanently some of these officers in the Indian Railway Stores Service and Indian Railway Personnel Service.

**Irregular import and Sale of Tetracycline by a Private Drug Firm**

**3795. SHRI JYOTIRMOY BOSU:** Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether tetracycline is a canalised item of import;

(b) if so, whether the CBI has been asked to investigate into alleged irregular import and sale of tetracycline, BCI worth Rs. 1.50 crores by a private drug firm, in connivance with certain IDPL officials; and

(c) if so, what are the details thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA):** (a) Yes, Sir.

(b) and (c). Import of canalised drugs including Tetracycline Hydrochloride by M/s. Mulraj G. Dungsaray and Co., Pvt. Ltd., Bombay in violation of terms and conditions of the letter of authority issued in their favour in respect of an import licence issued in March, 1974 in the name of the State Trading Corporation of India Ltd. had come to the notice of Government. Action is being initiated by the Ministry of Commerce against the firm under ITC Order 1955 and IMPEX Act, 1947.



**Expert Committee on the effect of  
Environmental pollution on the Taj  
Mahal**

3796. SHRI KANWAR LAL

GUPTA:

SHRI MUKHTIAR SINGH

MALIK:

SHRI G. M. BANATWALLA:

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

(a) whether is it a fact that the expert committee on the effects of environmental pollution on the Taj Mahal has recommended that no industries that emit fumes should be set up around Agra monuments; and

(b) if yes, what steps Government propose to take to check the pollution thereto to Taj?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI JANESHWAR MISHRA): (a) and (b). The first report of the Expert Committee on the environmental impact of Mathura Refinery is likely to be made available to Government shortly. Government will examine the Report, on receipt and due consideration to the recommendations made by the Committee.

*Lok Sabha re-assembled at Twenty minutes past Twelve of the Clock.*

[MR. SPEAKER in the Chair]

MR. SPEAKER: Now, the House is in a mood to proceed....

HON. MEMBERS: Yes, Sir.

SHRI MOHD. SHAFI QURESHI (Anantnag): Sir, for normal matters, you have restored to adjourn the House simply because you wanted to kill a small mosque and for killing a mosque you adjourned the House for 15 minutes. Sir, my submission is that the hon. Minister has made certain insinuation which he should not have made. He should have rather been a little decent in giving his

replies and the House should not have been adjourned. And if you have taken a decision to expunge the remarks, possibly the House would not have had to be adjourned. It is a very serious step you have taken. I would request that the Minister should come and tender apologies to the House.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): Mr. Speaker, Sir, I am very sorry that because of certain observations that were made in a lighter vein by a colleague of mine, the hon. Members opposite felt that there was some intention to hurt them. I can assure them on behalf of my colleagues that there was no intention to say anything that would hurt them. On behalf of my colleague I express regret for the remark that was made in a lighter vein.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I have given notice of an adjournment motion. The allegation is this that the Finance Minister is trying to protect the Kapadarias.... (Interruptions).

MR. SPEAKER: I have yet to see that.

SHRI JYOTIRMOY BOSU: I gave it to you much before.

MR. SPEAKER: Quite right. The motion was brought to me at 10.30.

SHRI JYOTIRMOY BOSU: The motion was given yesterday. You asked me to furnish the materials. I have furnished the materials before lunch.

MR. SPEAKER: The matter is under consideration.

SHRI JYOTIRMOY BOSU: No, Sir. You are shielding Kapadarias.

MR. SPEAKER: Everybody would not agree with you.

**SHRI JYOTIRMOY BOSU:** I have not said anything against the Hon'ble Speaker. But the question is that I have given an adjournment motion to highlight something a very important matter something which is of very urgent nature that the Kapadias in a conspiracy with the two Reserve Bank Governors and the erstwhile Secretaries of the Banking Department had defrauded a leading nationalised Banks namely, the Central Bank to the tune of—here according to this—Rs. 36.0 crores. Is it a matter that can wait? I would like to know what you are going to do.

**MR. SPEAKER:** It is under my consideration.

**SHRI JYOTIRMOY BOSU:** When there is an adjournment motion, it cannot remain under your consideration for 36 hours. The House has to adjourn to discuss this matter because this is a very serious allegation.

**MR. SPEAKER:** Yes, Papers laid on the Table.

12.24 hrs.

#### PAPERS LAID ON THE TABLE

**RAILWAYS RED TARIFF (THIRD AMENDMENT) RULES, 1977**

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):** I beg to lay on the Table a copy of the Railways Red Tariff (Third Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 1649 in Gazette of India dated the 3rd December, 1977, issued under the Indian Railways Act, 1890. [Placed in Library. See No. LT-1336/77].

**REPORT OF ENQUIRY COMMITTEE ON DR. RAM MANOHAR LOHIA'S TREATMENT**

**THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA):** I beg to lay on the Table a copy of the

Report of Enquiry Committee on Dr. Ram Manohar Lohia's treatment. [Placed in Library. See No. LT-1337/77].

#### NOTIFICATIONS UNDER CUSTOMS ACT, 1962

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGRAWAL):** I beg to lay on the Table a copy each of Notification Nos. 253-Customs, 254-Customs and 255-Customs (Hindi and English versions) published in Gazette of India dated the 13th December, 1977 under section 159 of the Customs Act, 1962 together with an explanatory memorandum. [Placed in Library. See No. LT-1338/77].

12.25 hrs.

#### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

**REPORTED RESOLUTION ADOPTED BY IAS OFFICER'S ASSOCIATION re. ACTION TAKEN AGAINST SHRI VOHRA**

**SHRI VAYALAR RAVI (Chirayinkil):** I call the attention of the hon. Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

"Reported resolution adopted by the IAS Officers Association expressing concern at the arbitrary nature of the action taken against Shri Vohra and its decision to launch a fund to fight the case and have the suspension terminated."

**THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH):** On the same day on which the Press Report had appeared in the Statesman dated 9th December, 1977, the acting President of the Central Indian Civil and Administrative Service Association took the initiative to write to the Cabinet Secretary denying the accuracy of the Press report which he has stated was "misleading and distorted".

[Shri Charan Singh]

No resolutions of the kind mentioned in the Press report were adopted, the only ones adopted being those relating to the election of the office bearers and other procedural matters concerning the functioning of the Association.

The functioning of certain members of the Service during the period of Emergency was noted with regret as their conduct had not only adversely affected the credibility and prestige of the Service but had also lowered its image in the eyes of the general public.

Although some members had made reference to the case of Shri B. B. Vohra, the President of the Association made it clear that the Association could not be used as a form for discussing any individual case or its merits and demerits. There was general support for the views expressed by the President of the Association.

The President of the Association has also emphasised that there was not even the remotest suggestion of "getting set for confrontation with the Centre".

**SHRI JYOTIRMOY BOSU** (Diamond Harbour): It is all wrong reporting.

**SHRI CHARAN SINGH:** I have referred to the letter received by me.

**SHRI JYOTIRMOY BOSU:** On a point of order. What I observe is that there was a letter based on which the hon. Minister made his statement. What was the original notice? Was there not an item in the agenda to be discussed in the meeting. I am told that there was an item on the agenda: to discuss the matter connected with Mr. Bohra's suspension and arrest.

**MR. SPEAKER:** Your name is not there.

**SHRI VAYALAR RAVI:** The matter is not an isolated one. The statement made by the hon. Minister

has cleared certain things which aroused suspicion in the minds of many Members here. The statement of the President of the Association also appeared in the newspaper. Heads of administration cannot function as non-gazetted officers, NGOs; they have an entirely different function; they have to work under political authority and they have to carry on the day to day administration also. Naturally when government deals with them they cannot deal with them as they deal with the NGOs.

**SHRI JYOTIRMOY BOSU:** Wonderful.

**SHRI VAYALAR RAVI:** If he thinks so, why cannot they also say or pass a resolution saying that they want to protest and they want to go on strike... (*Interruptions*) I do not want to quarrel with him; if he feels so he can share his views with Shri Jyoti Bosu who is the State Chief Minister. If he is so allergic to what I say he can go and advise Shri Jyoti Bosu on this matter....

**SHRI DINEN BHATTACHARYA** (Serampore): Why is he dragging in the Chief Minister of a State who is not here? When he said that Congress Mosquitoes have been bled white, they took such stong exception; now they do not refrain from making a reference to a person who is not here.

**MR. SPEAKER:** Both Mr. Jyotirmoy Bosu's intervention and Mr. Vayalar Ravi's reference were uncalled for. Please avoid this. Mr. Ravi, you can proceed now.

**PROF. DILIP CHAKRAVARTY** (Calcutta South): Nobody has a right to refer to a State Government.

**SHRI VAYALAR RAVI:** If you want, I will repeat it. If Mr. Jyotirmoy Bosu is so allergic to IAS Officers, he can very well advise his State Chief Minister. It is very pertinent and I repeat it. If Mr. Jyotirmoy Bosu intervenes, I will give him back. Let him keep quiet.

(Interruptions)

The point is the treatment you are giving to the senior civil servants. It is not an isolated incident or an isolated matter. What is the treatment you have given to these two Officers? That is the reason why, the Speaker, in his wisdom, has admitted this Calling Attention. This matter is being discussed in this House many a time and there are many relevant points being raised. The main point is, what is the reason to arrest these people merely on FIR. No charge-sheet has been issued even after two months.

SHRI SHYAMNANDAN MISHRA: (Begusarai): How can you go into that?

(Interruptions)

SHRI JYOTIRMOY BOSU: Are you allowing him to go into the merits of the case?

SHRI SAUGATA ROY (Barrakpore): Mr. Jyotirmoy Bosu cannot arrogate to himself the right of the Speaker.

SHRI DINEN BHATTACHARYA: Mr. Jyotirmoy Bosu is a member of this House and he has every right.

(Interruptions)

SHRI SAUGATA ROY: He has no right. From the beginning you have been disturbing.

SHRI DINEN BHATTACHARYA: He has got the right to point out.

MR. SPEAKER: Every Member has a right to act as a Member but not as Speaker.

SHRI JYOTIRMOY BOSU: What made you think that I occupied the Chair? I would not like it. Rest assured about it.

SHRI VAYALAR RAVI: I am not going into the investigation part of the case. But I am talking about the

procedural aspect of it. You have to justify your action in this House. The Janata Party has no right to take away the collective responsibility of the Cabinet. When you are taking a decision to arrest two Senior Civil Servants—Mr. Home Minister, please listen, I am not provoking you, I am only putting the facts to you—have you got the consent of the Cabinet or not?

SHRI SHYAMNANDAN MISHRA (Begusarai): You have no business to ask about that.

SHRI VAYALAR RAVI: I can. Mr. George Fernandes, one of your colleagues has sent a letter to the Prime Minister and the Prime Minister has said on the floor of the House that he has received representations from these people and he is looking into them. You are abusing the former Prime Minister for the imposition of Emergency without the matter being discussed in the Cabinet. It may be right or wrong. You seemed to be more concerned about the collective responsibility of the Cabinet. But here, you have taken a decision to arrest certain senior Officers, humiliate them and put them behind the bars, without even a charge-sheet. Your own cabinet colleagues are taking objection to it. You do not have the courtesy to consult the Prime Minister. How is the Government functioning? Am I to understand that every Minister is functioning as if it is his own empire? This has created frustration among the senior IAS officers. Another report has appeared in the press that you have asked the civil servants belonging to the different State cadres to go back if they want. This is a very serious point. Every State Government has got its own adjustment so far as promotion of officers is concerned. In para 3 of the statement you have said:

"The functioning of certain members of the service during the period of emergency was noted with regret".

[Shri Vayalar Ravi]

I do not want to read the whole paragraph. This shows the attitude of the government towards the civil servants. You look with suspicion on every civil servant who happened to be in Delhi in those days of the emergency. That is why it has been reported that the Prime Minister told them, "If you do not want to be here, you can go back." If this is the attitude of the government what will happen to the morale of the civil servants. By arresting them and putting them behind the bars without giving them chance to explain their position, you are intimidating and threatening them...

MR. SPEAKER: Introduction is enough. Come to the point.

SHRI VAYALAR RAVI: If you want to stick to para 3 of your statement, I would like to say that even before the emergency, the government servants behaved badly. The IAS officers, who are the elite of the ruling class, always have been a stumbling block in the way of the progress of the nation either at the Centre or in the States. Therefore, I am not advocating their cause. But if you are sincere about this paragraph, Mr. Raj Narain, who is sitting here, made a public enquiry into the death of Dr. Lohia. Where is that report today? You want to save the doctors who are the culprits. That is why you do not want that report to be discussed.

MR. SPEAKER: You are travelling far outside. What is your question?

SHRI VAYALAR RAVI: To avoid frustration among the senior civil servants, have the Government evolved any policy that hereafter such action...

SHRI SHYAMNANDAN MISHRA: On a point of order, Sir. The calling attention motion if I may show some lack of humility in pointing out to the Chair, relates only to the resolution which is supposed to have been

passed by an association. Now the Chair, after remarking that the hon. member had already travelled very far, is permitting him to point up a defence on behalf of a person who is now an accused. We cannot use the instrumentality of a calling attention to put in a defence on behalf of an accused here, particularly on behalf of a person who stands trial and whose conduct has been investigated with regard to a matter in which he is supposed to have committed corruption.

This House cannot be a party to this kind of thing and I would particularly request the Chair not to permit him to go into all these things. Otherwise the investigation would be vitiated and the good name and the reputation of the House would also be sullied if the House takes up the matter on behalf of an accused who has been alleged to be guilty of corruption.

SHRI SAUGATA ROY: Sir, I raise a point of order. You have allowed Mr. Mishra to use a point of order to bring an unsubstantiated charge against somebody. Mr. Ravi has not questioned the inquiry that is going on. He has only questioned the modality of the inquiry and it must also be emphasised that it is a matter of urgent public importance since the IAS Association has already passed a resolution on it and the Home Minister has threatened the IAS officers telling them to go back to their States if they do not like the decision. So this is an important matter and Mr. Ravi has only questioned the modality. You have allowed Mr. Mishra to use a point of order to make unsubstantiated charges against people.

MR. SPEAKER: There is much in what Mr. Shyamnandan Mishra said. The Call Attention is confined to the facts that are mentioned there and supplemental and incidental matters. It is not like a question which you can elaborate. But travelling outside the question and debating other matters may not be proper. But in this

House Mr. Ravi is not the only man who has done it, others have also done it. So far the practice seems to have developed that the Call Attention has become more or less a debate. But I would request all of them to confine themselves to the question so that a definite answer may be given. Now Mr. Ravi will proceed.

SHRI VAYALAR RAVI: This House cannot be a party to the arbitrary action of a man, Mr. Charan Singh the Home Minister, to take the rule of law into his hands, and this House cannot be and will not be a party to it.

(Interruptions)

MR. SPEAKER: Mr. Ravi, please come back to the question.

SHRI VAYALAR RAVI: Mr. Speaker, Sir, paragraph 3 is irrelevant. That is the point I am making. That paragraph provoked me to ask questions. My question is, in future when dealing with the senior civil servants, to avoid such so-called confrontation...

(Interruptions)

SHRI JYOTIRMOY BOSU: Law should be equal for all.

SHRI K. LAKKAPPA (Tumkur): Why he is shouting like that. Why he is preventing him from talking?

(Interruptions)

Sir, I rise on a point of order. He is legally entitled under the Rules of Procedure to put forward his point of view and it is for you to give a judgment or it is for you to take a decision as to whether under the Rules any Member of the House can prevent another Member from expressing his views.

MR. SPEAKER: No one can interfere and should be interfered with. But I would also tell Mr. Lakkappa, "Physician, heal thyself".

श्री रामजी लाल सुन्न : (फिरोजाबाद) : अध्यक्ष महोदय, मेरी आपसे

प्रार्थना यह है कि माननीय सदस्य जिस विषय पर बोलने के लिए कहे जाते हैं उस विषय पर बोलते समय तारतम्य होना चाहिए। जहाँ तक मिस्टर रवि का सवाल है, जब जम्मू कश्मीर के ऊपर चर्चा हुई थी .....

MR. SPEAKER: I have given my ruling on that.

श्री रामजी लाल सुन्न : मेरा कहना अध्यक्ष महोदय यहीं है कि किसी विषय पर बोलते समय हों तालमेल बिठाना चाहिए। इसमें कोई तुक नहीं है कि बात आसमान को होती है और माननीय सदस्य पहुंच जाते हैं पहाड़ पर। जिस विषय पर यहां चर्चा हो रही, माननीय सदस्य उसी तक अपने को सीमित रखें।

MR. SPEAKER: Mr. Suman, I have given my ruling.

SHRI VAYALAR RAVI: Do the Government propose to evolve a policy hereafter to avoid such a kind of feeling among the senior civil servants? What is the procedure to be adopted? In this case, because of the position that has arisen, does the Government propose to frame charges as early as possible, and bring an end to all this? You have been having it for some time now. Will you complete the investigation and give the charge-sheet? The Minister can tell the House. The Minister has to convince the people. How long will he take to do this? (Interruptions).

SHRI CHARAN SINGH: The Motion called the attention of the House, or of the Government, only to the reported resolution adopted by the IAS Officers' Association expressing concern at the arbitrary nature of the action taken against Shri Vohra. That was the limited purpose of the Motion. I have in the statement that I just made to the House, said that the president of the Association wrote a letter to the Cabinet Secretary saying that no such



[Shri Charan Singh]

resolution was passed (*Interruptions*). On the contrary, the Association expressed concern at the conduct of certain officers during the Emergency, which had led to a decline in their credibility. (*Interruptions*) The letter went on to mention that some reference was made to Mr. Vohra's case also by some members of the Association; but the chairman ruled it out on the ground that matters of individual officers cannot be discussed in the meeting of the Association, nor their merits and de-merits.

After saying what I have said and after referring to the letter as it stands, I really find no reason for the fighting speech which Mr. Ravi has made. If he wants to make a fighting speech, he is free to make it, but he will receive the reply in the same coin—which I want to avoid.

श्री गौरी शंकर राय : (गाजीपुर) : मान्यवर, यह प्रश्न अपने सीमित क्षेत्र से, सीमाओं से बाहर चला गया है। मैं अपने मित्र श्री रवि के बारे में इतना ही कह सकता हूँ कि

He has proved himself to be more loyal than the King.

मान्यवर 9 तारीख के स्टेटसमैन में यह खबर निकली थी। उसके दूसरे दिन एसोसिएशन की सभा में जो अध्यक्षता करने वाले थे मि० नायक उन्होंने उसकी सफाई दी। दोनों को मिला कर पढ़ने से ऐसा लगता है कि उन्होंने सिर्फ एक बात का कंट्रेडिक्शन किया है और यह कहा है कि कोई प्रस्ताव पास नहीं हुआ। प्रस्ताव पास तो नहीं हुआ लेकिन निर्णय हुआ फंड इकट्ठा करने का और एक समिति बनी जो प्रयास करेगी कि उनके ससपेंसन को हटाने का प्रयास किया जाए। खबर में मैं यह भी लिखा है कि

ज्वायंट सैक्रेटरी के लैबल के अफसरों ने इस बात पर चिन्ता प्रकट की है और कहा है कि राजनीतिक कारणों से यह हुआ है। मुझे मालूम नहीं कि कौन से राजनीतिक कारण उनके मन में थे। पुराने जमाने में जो सरकारी अधिकारी थे उनके खिलाफ भी इस तरह की कोई चीज हुई है या नहीं यह मेरी समझ में नहीं आया है। प्रस्ताव में यह भी कहा गया है कि उन्होंने प्रधान मंत्री और गृह मंत्रों के व्यान पर रोष प्रकट किया है उनमें से कुछ ने यह भी कहा कि अब वे इस बात पर भी जिद्द करेंगे कि जो दस्तखत करने हों वह मंत्री करे या कैबिनेट लैबल पर डिमिशन हों, ऐसा इमिस्टेंस वे किया करेंगे खबरों में यह भी आया है जिसका प्रतिवाद नहीं हुआ है सोलह सैक्रेटरी उस में थे और दो सौ बड़े अफसर थे। सीनियर सैक्रेटरीज में से एक ने यह भी कहा कि यह मामला हमने लाइटली नहीं लिया है और वह उन्होंने अपना विरोध केबिनेट सैक्रेटरी के जरिये प्रधान मंत्री को भेज दिया है। मेरी याददाश्त जहां तक काम करती है आई ए एस तथा दूसरे वरिष्ठ अधिकारियों ने ट्रेड यूनियनिज्म का परिचय देते हुए इस हद तक जा कर प्रस्ताव पास किया है। मुझे प्रसन्नता है कि 19 महीने तक अन्याय का एपेरेटस बनने के बाद एक बार तो उनकी कांग्रेस ने उनको प्रिक किया है।

मैं कुछ सवाल गृह मंत्री जी से करना चाहता हूँ। क्या आई ए एस अफसर करप्शन के मामलों में कुछ विशेष प्रिविलेज चाहते हैं? या सरकार की यह नीति है कि अगर मंत्री, प्रधान मंत्री पार्लियामेंट के मेम्बर और बड़ा सरकारी अधिकारी भ्रष्टाचरण का शिकार होता है तो उसके साथ जो व्यवहार किया जाएगा एक आर्डिनरी पिकपीकिट से दूसरी तरह का व्यवहार



किया जाएगा, ऐसी कोई नीति सरकार की है? इस पर मैं गृह मंत्री का स्पष्ट उत्तर चाहता हूँ।

1. एक बात और मैं जानना चाहता हूँ, गृह मंत्री जी बतावें कि यह अधिकारी एक्चुअली क्या चाहते हैं?

What are those established norms?

अगर कोई आदमी क्रिमिनल केस में फंसता है तो क्या आई०सी०एस०, आई०ए०एस० अधिकारी को गिरफ्तार नहीं किया जा सकता है, ऐसे हमारे मित्र चिन्तित मालूम होते हैं। हमारे मित्र समझते हैं कि भ्रष्टाचार में अगर बड़ा आदमी हो, मान्यवर, प्रधान मंत्री, मंत्री पार्लियामेंट का मेम्बर बड़ा अधिकारी हो

and blue-eyed-boys of the previous Government should not be arrested. What privilege do they want exactly? I would like to know that. I would also like to know from the Home Minister, whether such bullying, black-mailing methods of pressurising the Government would not amount to confrontation.

इस तरह की बातों की अगर इजाजत दी गई तो मान्यवर, इस देश के प्रशासन का क्या होगा? इसलिये मैं गृह मंत्री जी से इस सफाई के बावजूद, मान्यवर, इस प्रश्न की सफाई में जो दूसरे दिन बयान आया उसने साफ कर दिया कि वह सारी बातें वहाँ हुई थीं। जो अध्यक्ष थे उन्होंने अपने को सारे मामले से डिसऐसोशियेट कर लिया, यह तो समझ में आता है। लेकिन यह सारी घटनायें हुई। मान्यवर, एक बड़ी गम्भीर घटना है कि प्रदेश और देश के सारे उच्च अधिकारी एक जगह मिल कर सरकार का जो नोर्मल प्रोसीजर आफ फंक्शनिंग है उस फंक्शनिंग के बारे में शिष्ट करते हैं कि आज से हम दस्तखत नहीं करेंगे। मान्यवर, यह बड़ी गम्भीर घटना है, क्या सरकार इसका इलाज कर रही है? और क्या सरकार ने इसको सीरियसली लिया है कि नहीं?

और एक बात जानना चाहता हूँ कि What exactly they have conveyed to the Prime Minister.

उन्होंने कहा है कि हमने अपना रिसेंटमेंट कर दिया है। और उसमें उनको राजनीति की गंध कहां से आती है? क्या ऐसा कहने का मतलब यह है कि कुछ ऐसे अधिकारी हैं जो पिछली सरकार में अन्याय और अत्याचार के यंत्र, संयंत्र थे उनके खिलाफ यह कार्यवाही की जा रही है। मान्यवर, सरकार ने तो अपना मंशा साफ कर दिया कि ऐसी कोई बात नहीं है। तो मैं जानना चाहता हूँ कि क्या सरकारी अधिकारी जो देश के उच्च स्तर पर बैठे हुए भ्रष्टाचार में जाने के बाद भी उनके साथ, प्रधान मंत्री, मंत्री और मुख्य मंत्री के साथ माननीय गृह मंत्री जी कोई नये तरीके का व्यवहार, नया प्रोसीजर और कोई नई परम्परा अख्तियार करने का विचार रखते हैं?

हमारे विरोध पक्ष के सदस्य अपेक्षा करते हैं, आप जरा बोलिये मत, मैं इनसे इस बात की अपेक्षा नहीं करता था कि भ्रष्टाचार के मामले, किसी व्यक्ति के मामले को लेकर जिस तरह असोसियेशन में चर्चा हुई, हमारे मित्र करप्शन के मामले में अपने मंत्री, प्रधान मंत्री को तो डिफेंड करें, लेकिन सब मामलों में डिफेंड करेंगे ऐसी मेरी उनसे अपेक्षा नहीं थी। इन्होंने सदन की मर्यादा को कुंठित किया है यह कह कर कि करप्शन के मामले में उनकी वकालत करना चाहते हैं। तो मैं जानना चाहता हूँ, रिपीट करना चाहता हूँ :

Whether such bullying and black-mailing method of pressurising the Government which amounts to confrontation should be allowed and would be allowed by the Government for the officers to behave in this fashion.

SHRI CHARAN SINGH: Mr. Speaker, Sir, there can possibly be no intention on the part of the Government to tolerate or to encourage any bullying etc. by any section of the people much less any class of Government servants.

[Shri Chharen Singh]

There is no question of that. My point is that in fact, there was no bullying at all. There was no resolution passed as reported in the *Statesman* of that day. If you allow me, Sir I will read out the letter that the President of the Association wrote to the Cabinet Secretary, and it will make the position clear. My statement is also clear enough; it does not conceal anything. Shri R. P. Naik Acting President of the Association wrote to the Cabinet Secretary on 9th December, 1977 and I will read out that letter:

"My dear Nirmal,

You would have seen the front page report in this morning's *Statesman* about a meeting of the Indian Civil and Administrative Service Association which took place last evening. Those of us who participated in the meeting were surprised that this misleading and distorted version of the meeting should have appeared in a newspaper of the standing of the *Statesman* more especially when neither the session was open to the Press nor anyone had been authorised to brief the Press. Indeed, it has been our established practice not to go to the Press about matters that are discussed in the Association and no such publicity is even given to its deliberations....

"However, since the news item has appeared I thought it appropriate to send you this letter stating the facts.

The Central Indian Civil & Administrative Service Association is a body which has been in existence for many decades. It had not met for over two years and this particular meeting had been called at the initiative of some members of the Service to reactivate it. The main business intended and actually transacted at the meeting was to set in motion the process of electing new office bearers. The members assembled did me the honour of asking me to assume

temporary Presidentship and elected a General Secretary and Treasurer with authority to me to choose an Executive Committee pending formal election of office bearers in accordance with the rules.

Let me state at the very outset that it is entirely incorrect to say that there was any criticism made of the Prime Minister or the Home Minister, nor was there even the remotest suggestion of "getting set for a confrontation with the Centre". Such an attitude is clearly inconceivable on our part.

As I have already stated the main purpose of the meeting was to revive the Association which had been dormant for over two years..... As to why for these two years it had been dormant it is for the hon. Members and the hon. Member Mr. Vavalur Ravi to draw the conclusion. It further says:

"The meeting discussed generally the manner in which the Association would conduct its activities in future, including matters of professional, social and general interest to the Service as a whole.

Reference was made in the discussions to the developments that had taken place during the last two years or so. The functioning of certain members of the Service during the period of the Emergency was noted with regret as it was felt their conduct had not only adversely affected the credibility and prestige of the Service but also lowered its image in the eyes of the general public. There was agreement on the need for introspection and collective thinking on this score.

Reference was also made during the discussions by more than one Member of the recent case of Shri B. B. Vohra. In my capacity as Chairman, I took pains to emphasise—and there was general support for my view—that the meeting of the Association was not the proper forum for discussing any individual case or its merits or demerits; I made it clear

that the Association would be concerned with general issues only.

As for the mention in the news report of the meeting which some officers had with the Cabinet Secretary, you will recall that the fact is that a number of senior officers belonging to different services—and not the ICS/IAS alone—had met you informally quite some time back to share with you the misgivings entertained by the Services in regard to some recent developments and their likely impact.

No resolution of the kind mentioned in the Press report were adopted; the only one related to the election of office bearers and other procedural matters relating to the functioning of the Association.

My colleagues and I sincerely hope that the above statement of facts will help set the record straight and dispel any misleading impression that may have been created as a result of the news report in question.

With kind regards

Yours sincerely."

This is the letter which has been addressed by Mr. R. P. Nark, ISC, Chairman of the Central Indian Civil & Administrative Service Association to the Cabinet Secretary.

As regards any special powers that may be enjoyed by senior officers, this is entirely wrong. The Government Servants Conduct Rules apply equally to all officers, subordinate ranks, medium ranks and superior ranks. The law of discipline or disciplinary control is equally applicable to all. Similarly the law of the land is also equally applicable to all, from the Prime Minister down to Shri B. B. Vohra and down to a subordinate officer. In suspending this officer, no law has been contravened no rule has been contravened. If anything has been contravened, the officer is free to agitate this in a law court or before the superior officers, before the Cabinet Secretary and then ultimately, before the Minis-

ter or the Ministers in accordance with the rules.

13 hrs.

As regards another question which my hon. friend Mr. Ravi, raised, namely it was a matter of Cabinet responsibility, I would say, 'No; it was not'. This lay solely within the jurisdiction of the Minister concerned. This matter lay only within the discretion of the investigating authority. They had the right to arrest the officer. In doing so they had not contravened or committed any breach of any law or rule whatsoever. When the matter goes to court, it will go with the sanction of the Government. There he will be free to agitate his case, defend his case if he is at all challanned after the investigations are completed. According to the state of investigations on that day, there was a *prima facie* case that he had not acted well he acted improperly. I will not go into the details of the investigation here. I have absolutely no grudge against any officer whatsoever. At the same time I feel, the Janata Party feels that there have been omissions of rules and commission of irregularities not to say of other serious things, not only on the part of the political leadership represented by the friends sitting opposite but also on the part of the various officers not only at the level of the Centre but even in the States. The Janata Party wants to clean the stables. If any mistake has been committed in doing this, I will express regret. But at the same time I hope, I will receive full support not only from my friends sitting here on this side but also from friends sitting on the other side if an attempt is made by the Home Ministry or the Prime Minister or the Cabinet as a whole to set standards, to renew the old standards and to restore the good name, this country once enjoyed, to this country once again. That is all. (Interruptions).

13.03 hrs.

# PUBLIC ACCOUNTS COMMITTEE

## TWENTY-THIRD, TWENTY-FIFTH AND FORTY-SIXTH REPORTS

SHRI ASOKE KRISHNA DUTT (Dum Dum): I beg to present the following Reports of the Public Accounts Committee:—

(1) Twenty-third Report on Action Taken by Government on the recommendations of the Committee contained in their Hundred and Ninety-seventh Report (Fifth Lok Sabha) on Trade Fairs and Exhibitions relating to Ministry of Commerce.

(2) Twenty-fifth Report on Action Taken by Government on the recommendations of the Committee contained in their Two Hundred and Twentieth Report (Fifth Lok Sabha) on Delays in Furnishing Action Taken Notes.

(3) Forty-sixth Report on Paragraph 48 of the Report of the Comptroller and Auditor General of India for the year 1974-75, Union Government (Civil) on Delhi Milk Scheme relating to Ministry of Agriculture and Irrigation (Department of Agriculture).

## COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

### EIGHTH, NINTH AND THIRTEENTH REPORTS

SHRI SURAJ BHAN (Ambala): I beg to present the following Reports (English and Hindi versions) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes:—

(1) Eighth Report on the Ministry of Labour (Directorate General of Employment and Training)—(i) Reservations for, and employment of Scheduled Castes and Scheduled Tribes in the Directorate General of Employment and Training; and (ii)

Employment and Training of Scheduled Castes and Scheduled Tribes through the agency of the Directorate General of Employment and Training.

(2) Ninth Report regarding Action Taken by Government on the recommendations contained in their Fifty-ninth Report (Fifth Lok Sabha) on the Ministry of Home Affairs—Reservations for, and employment of Scheduled Castes and Scheduled Tribes in Irwin Hospital and Department of Family Planning and Health Services, Delhi Administration.

(3) Thirteenth Report regarding Action Taken by Government on the recommendations contained in their Fifty-second Report (Fifth Lok Sabha)—Reservations for and employment of, Scheduled Castes and Scheduled Tribes in the Delhi Administration.

13.04 hrs.

## PETITION RE: DEMANDS OF PRIMARY TEACHERS

PROF. DALIP CHAKRAVARTY (Calcutta South): I beg to present a petition signed by Sarvashri Arun M. Donde and Jagdish Mishra, President and General Secretary respectively, of All India Primary Teachers' Federation, New Delhi, regarding demands of primary teachers including, *inter alia*, their demand for setting up of a Primary Teachers' Board at the all India level.

श्री एच० एल० पटवारी (मंगलबाई):  
अ.यक्ष महोदय, मुझे इस पर कुछ बोलना है।

कल दो लाख अध्यापक यहाँ आए

MR. SPEAKER: The petition can be presented only by one Member. He has done it.

13.05 hrs.

# ELECTION TO COMMITTEE

## CENTRAL SILK BOARD

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): On behalf of Kumari Abha Maiti, I beg to move the following:

"That in pursuance of clause (c) of sub-section (3) of section 4 of the Central Silk Board Act 1948, read with Rules 4 and 5 of the Central Silk Board Rules, 1955, the members of this House do proceed to elect in such manner as the Speaker may direct, one member from among themselves to be a member of the Central Silk Board vice Kumari Abha Maiti resigned."....

MR. SPEAKER: The House stands adjourned till 14.05 hours.

13.06 hrs.

The Lok Sabha adjourned for lunch till five minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at eight minutes past fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

# ELECTION TO COMMITTEE—Contd.

## CENTRAL SILK BOARD

MR. DEPUTY SPEAKER: I will put Mr. Sonu Singh Patil's motion to vote. The question is:

"That in pursuance of clause (c) of sub-section (3) of section 4 of the Central Silk Board Act, 1948 read with Rules 4 and 5 of the Central Silk Board Rules, 1955 the members of this House do proceed to elect, in such manner as the Speaker may direct one member from among themselves to be a member of the

Central Silk Board vice Kumari Abha Maiti resigned."

The motion was adopted.

14.09 hrs.

## MATTERS UNDER RULE 377

(i) KALA-AZAR EPIDEMIC IN CERTAIN DISTRICTS OF BIHAR

MR. DEPUTY SPEAKER: Mr. Vinayak Prasad Yadav.

SHRI H. L. PATWARY (Mangaldoi): Mr. Deputy Speaker, Sir, on a point of order....

MR. DEPUTY SPEAKER: This is not the way. I am sorry. You have to be in your seat. What is the matter? You cannot just come forward and say like that....

Shri Vinayak Prasad Yadav.

श्री विनायक प्रसाद यादव (सहरसा):

माननीय उपाध्यक्ष महोदय, बिहार राज्य के चार-पांच जिलों में एक महीने से कालाजार का प्रकोप फैला हुआ है। आप को याद होगा कि विगत सत्र में भी कालाजार और मलेरिया का प्रहार रहा और उसके संबंध में भी कई माननीय सदस्यों ने यहां चर्चा उठाई थी। अभी पिछले पांच-सात दिनों के अन्दर हमारे पास सहरसा जिले के प्रखण्ड सोनवर्षा, आलमनगर, किसनगंज और आदि से चिट्ठियां आई हैं और लोगों ने कहा है कि 15-20 रोज के अन्दर सैंकड़ों आदमी इस बीमारी से मरे हैं और हजारों की तादाद में आक्रांत हैं। अभी तक कहीं पर भी राज्य सरकार से कोई सहायता वहां नहीं पहुंच पाई है। यह क्षेत्र बहुत पिछड़ा हुआ क्षेत्र है। इस बीमारी की भयावह स्थिति को अभी तक राज्यसरकार और केन्द्रीय सरकार ने महसूस नहीं किया है। यह इतने जोरों पर एपेडेमिक फैला हुआ है कि अगर सरकार की तरफ से कार्यवाही नहीं की गई तो समूचा जिला इससे आक्रांत होगा और हजारों लाखों आदमी उसकी चपेट में आ जाएंगे।

[श्री विनायक प्रसाद यादव]

बहुत बड़ी संख्या में लोगों की मौत इस काला-जार से हो जाएगी। इसलिए, उपाध्यक्ष महोदय, मैं आपके जरिये, केन्द्रीय सरकार से आग्रह करना चाहता हूँ कि यहां से डाक्टरों का एक स्पेशल जत्था वहां जाए और इसकी रोकथाम के उपाय अविलम्ब करे। इसके लिए अगर अभी से कारगर कदम नहीं उठाये गये तो विगत सत्र में जैसे तिरहुत डिविजन में हजारों भ्रामदी कालाजार से मरे थे उसी तरह से कोसी डिविजन में भी व्यापक पैमाने पर मौतें होंगी और यह बीमारी फैलेगी। इसलिए मैं आपके जरिये से सरकार से आग्रह करता हूँ कि वह अविलम्ब इस बीमारी को रोकने के लिए कारगर कदम उठाये।

(ii) RESTORATION OF THE MINISTRY CHARACTER OF ALIGARH MUSLIM UNIVERSITY

SHRI G. M. BANATWALLA (Ponnani): I rise to make a few submissions under Rule 377.

The Aligarh Muslim University is a great monument of the culture of the Muslims of India and was created, endowed, raised and nourished by the labour and the great sacrifices of the Muslim of India. This University is a Muslim minority institution established and administered by the Muslims. Ever since the University has been deprived of its rightful plea to the minority character there has been a growing and righteous indignation and a persistent demand for the restoration of its minority character.

The Aligarh Muslim University Amendment Act of 1972 brought about several obnoxious provisions and as a result there was a growing resentment against this amendment everywhere throughout the country. There were agitations, there were arrests and there were even Police firings.

Now, the Janata Party formed government at the Centre in the wake of great hopes and expectations that this minority character of the university would be restored; but it is with a sad heart that I have to submit that all these hopes have been belied. Nearly 8-9 months have passed and no measures have been taken in that regard. Therefore, there is not only a great resentment and restlessness among the people but there is also an imminent threat of agitation. At this juncture, I must make this strong submission both to the House and to the government that it is absolutely necessary that immediate measures should be taken to restore this minority character of the Aligarh Muslim University, to repeal the obnoxious provisions of the Amendment Act of 1972, to implement the recommendations of the Beg Committee and the Khusro Committee and to see to it that necessary protection under Articles 29 and 30 are made available to this University also. It is also necessary that the university and various other section should be taken into confidence about the measure. I hope that this matter will receive serious attention at the hands of the Government. We at least expect of this Government to make a categorical and an equivocal statement with respect to its intentions about the restoration of the minority character in order to satisfy the disturbed feeling and the minds of the minorities. We hope that necessary steps will be taken and that an immediate announcement will be made by the Government.

(iii) PREFERENCE IN EMPLOYMENT TO THE PEOPLE OF CHHATISGARH AREA BY HINDUSTAN STEEL CONSTRUCTION COMPANY LTD.

श्री शरद यादव (जबलपुर) : छत्तीसगढ़ में हिन्दुस्तान स्टील कंस्ट्रक्शन कम्पनी लिमिटेड है। भिलाई में एक आन्दोलन पांच दस दिन से चला आ रहा है। उसकी बुनियाद बहुत पीछे पड़ चुकी थी। वे जो कारखाने खोलें जाते हैं उनके पीछे एक भावना यह होती है

कि पिछड़े हुए इलाकों की बढ़ोतरी होगी, उनका आर्थिक और सामाजिक स्तर उंचा उठेगा। जहां भिलाई कारखाना खुला है खासतौर से वहां की आबादी का चालीस फीसदी आदिवासियों का है। जहां दूसरी कम्प्युनिटीज वहां हैं वे भी किसान और मजदूर लोग हैं। वहां के कारखाने में जो भी अफसर हैं वे सभी दूसरे प्रदेशों से आए हुए लोग हैं।

केवल मात्र पांच सैकड़ा ही स्थानीय लोगों को, लोकल—छत्तीसगढ़ के लोगों की उस कारखाने में भरती की गई है। आप देखें कि चालीस फीसदी आदिवासी हैं और उनकी जिन्दगी में जरा भी उस कारखाने से फर्क नहीं पड़ा है। यह जो असन्तोष है यह दिन प्रति दिन बढ़ता जा रहा है। इसका क्या नतीजा निकला है? यह भी मैं आपको बताना चाहूंगा। अभी राउरकेला में जो छंटनी हुई है उसमें बारह सौ मजदूर निकाल कर बाहर कर दिए गए हैं। डेढ़ बरस पहले भी इसी कारखाने में छंटनी हुई थी और उनको कहीं भी इम्प्लायमेंट नहीं दिया गया, उनको कोई वैकल्पिक नौकरी नहीं दी गई। बांकारों में से जो निकाले गए हैं उनमें से मात्र सौ को छत्तीसगढ़ के इस कारखाने से रख लिया गया है। इस अन्याय के खिलाफ वहां जबर्दस्त जनमत तैयार हो गया है। उसके विरुद्ध सभी पार्टियां एक हो करके आन्दोलन कर रही हैं, कांग्रेस के आदमी, जनता पार्टी के आदमी, कम्प्युनिस्ट, सी पी एम पार्टियों के आदमी मिल कर बड़े भारी पैमाने पर सभी पार्टियों के आदमी मिल कर बड़े भारी पैमाने पर आन्दोलन चला रहे हैं। उसमें तो विद्रोहक गिरफ्तार हुए हैं कांग्रेस सहित। इससे यह साफ हो जाता है कि यह एक जन आन्दोलन है। वहां एक एम्प्लायमेंट अधिकारी है। उसका मौमा, उसके बेटे, उसके बच्चे उसके समझी, उसके वहनोई, ये सब उस कारखाने में लगे हुए हैं। वहां पर रोजगार के दफ्तर में अस्सी हजार लोगों के नाम दर्ज हैं। केवल मात्र पांच सैकड़ा स्थानीय लोग उसमें भरती

किए गए हैं। सत-सी आदमियों को ट्रांसफर करके इस कारखाने में ला कर रख लिया गया है और यह कह कर रखा गया है कि वे स्किल्ड वर्कर हैं, काम सीखे हुए लोग हैं। आई० टी० आई० या इस तरह के ट्रेनिंग स्कूलों से निकले हुए लोगों के नाम एम्प्लायमेंट एक्सचेंज में दर्ज हैं, इस तरह में 3300 लोग हैं। अभी वहां साक्षात्कार हुआ है। पांच में से दो आदमी भी नहीं लिए गए हैं। दुनिया बीसवीं सदी में से हो कर गुजर रही है लेकिन छत्तीसगढ़ और खास कर जगदलपुर चौदहवीं शताब्दी में जिन्दा है। उसको भी बीसवीं सदी में लाना आपका फर्ज है। पिछड़े इलाकों में भी स्थानीय लोगों की इन कारखानों में उपेक्षा की जाती है, रोजगार देने में पार्श्वलटी बरती जाती है, भेदभाव किया जाता है। अगर आपने समय रहते कदम नहीं उठाए तो उस इलाके में भारी असन्तोष व्याप्त हो जाएगा। अभी कानपुर में गोली चली थी। इस तरह की चीजें नहीं होनी चाहिए। मंत्री महोदय को तीन विधायकों ने लिख कर एक मैमोरेण्डम भी दिया है। इस सवाल को कई बार उनके सामने रखा जा चुका है। वह बहुत व्यावहारिक आदमी हैं। इस मामले में भी मैं चाहता हूं कि वह व्यावहारिक दृष्टिकोण अपनाएं जो ज्यादाती स्थानीय लोगों के साथ हुई है उसका तुरन्त निराकरण करें और जो अभी भी हो रही है, उसको समाप्त कराएं। वहां के लोगों के मन को चोट पहुंची है, दुख हुआ है और उस दुख को वह मिटाएं। जो अन्याय हो रहा है इसको मिटाएं। सात सौ लोगों को वहां पहुंचाया गया है, उनको तत्काल वापिस भेज दिया जाएगा यह आश्वासन वह हमें दें ताकि वहां जो आन्दोलन चल रहा है वह शान्त हो सके, स्थानीय लोगों को रोजगार मिल सके और उनका पिछड़ापन दूर हो सके।



[श्री शरद ब दश]

अगर आपने दूसरे प्रदेशों के लोगों को वहां भेजना जारी रखा तो इससे लोगों के मन में जलन पैदा होगी, आपसी बैमनस्य बढ़ेगा। इस बैमनस्य को भी रोका जाना चाहिए।

हमारा कहना यह नहीं है कि दूसरे प्रान्तों के लोगों को कहीं रोजगार न मिले लेकिन कम से कम कोई निश्चित सीमा तो हो। 50 प्रतिशत स्थानीय आदमियों को रखा जाएगा। इस सम्बन्ध में मंत्री महोदय कुछ बातें कहें तो अच्छा रहेगा।

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): Sir, I have listened to the hon. Member. Certain corrections are required. That is why I have to stand up to speak on his observations.

A steel plant anywhere in India is a steel plant; any major national project is a national project. To say that only local people are employed in a major undertaking...

SHRI VAYALAR RAVI (Chiraynkil): Sir, I rise on a point of order.

MR. DEPUTY-SPEAKER: You will please take your seat. There is no point of order. If a Minister wants to say anything on 377, he can say so. I know the procedure having been here for so many years. I know what goes on here.

SHRI VAYALAR RAVI: You will kindly see the rules. If the Minister wants to make a statement, he should give a copy of it in advance. Then only he may make a statement.

MR. DEPUTY-SPEAKER: Mr. Ravi, you are absolutely mistaken. Under Rule 377, a Member makes a mention and, if the Minister feels, that he should reply, he can do so with

the permission of the Chair. I have given him the permission.

SHRI VAYALAR RAVI: Sir, in the Fifth Lok Sabha, there was a ruling given in this House by the Speaker, Shri Sanjiva Reddy. He has given his ruling in this House if I remember correctly on the point of Shri Shyamnandan Mishra.

MR. DEPUTY-SPEAKER: Mr. Ravi, I think you are not remembering it correctly. I rule that there is no point of order. You will please sit down.

SHRI VAYALAR RAVI: My point of order is this. There is a ruling given by Shri Sanjiva Reddy, former Speaker in this hon. House. According to that, if the Minister wants to make a statement on the floor of the House, there is a specific mention that the Minister concerned must give a notice.

MR. DEPUTY-SPEAKER: Mr. Ravi please do not try to confuse the statement which the Minister wants to make *suo motu* and his reply to the point raised by the hon. Member under 377. I know that. You carry on, Mr. Patnaik.

SHRI VAYALAR RAVI: He must give a prior notice for it.

MR. DEPUTY-SPEAKER: Mr. Ravi, I am very sorry there is no point of order. Perhaps you have not gone through the proceedings correctly. You will please go through them.

SHRI VAYALAR RAVI: I am sorry, Sir, you are mistaken on the ruling. Under Rule 377, if the minister wants to make a statement....

MR. DEPUTY-SPEAKER: Mr. Ravi, the matter has just been raised under 377. Some hon. Member made certain points. And, if the minister wants to reply to them, he can do so. There ends the matter. This is the ruling from the Chair.

**SHRI VAYALAR RAVI:** That is not a correct ruling.

**MR. DEPUTY-SPEAKER:** The hon. Minister may now go ahead with his reply.

**SHRI BIJU PATNAIK:** Sir, this is a construction company owned by the Government of India which employs people—skilled, unskilled, engineers and technicians from various parts of the country. As I said it is a construction company and, as the work finishes, from one area, these people are moved to different areas of the country or, even, sometime, outside the country when there is a foreign contract.

At the moment, at Bokaro, the work has been substantially reduced and there are 7500 employees who are surplus at Bokaro. The company's attempt is to disperse these surplus employees to different parts of the country and, in fact, they have been sent out to different States in this country. While the Bhilai expansion scheme is now going to take place, semi skilled workers are being transferred to Bhilai. Sir, I have written a letter to the local M.P. and the words which have been used in that letter are:

"For the expansion of Bhilai Steel Plant, I have no doubt, local people of Chhattisgarh will receive due consideration."

I have been informed that nearly 20,000 workmen would be required to undertake the job of Bhilai expansion and out of the 7,500 surplus men from Bokaro probably 1,500 to 2,000 will be available for Bhilai who have done same work at Bokaro and are used to the type of work. They are skilled and semi-skilled workers.

**श्री मदन तिवारी (राजनंदगांव) :**  
भिलाई में भी बहुत लोग हैं।

**SHRI BIJU PATNAIK:** In Bhilai also for the same reason that we

want more men the HSCL had taken interviews. I have instructed that suitable men from those people interviewed to the extent of 1,000 or 1,500 workmen should be taken by HSCL immediately.

**श्री यमुना प्रसाद शास्त्री (रीवा) :**  
मगर उसी तरह के आदमी भिलाई में मौजूद हैं। यह बहुत पिछड़ा हुआ इलाका है और वहां स्किल्ड वर्कर्स हैं।

**उपाध्यक्ष महोदय :** शास्त्री जी जो आप कह रहे हैं, श्री शरद यादव ने भी कहा है।

**श्री यमुना प्रसाद शास्त्री :** मध्य-प्रदेश के लोगों को कभी दूसरी जगह काम नहीं मिला।

**SHRI BIJU PATNAIK:** Does the hon'ble Member want me to dismiss 7,500 people of Bihar? I request the hon'ble Members to think of this country as a whole and not Chhattisgarh alone. The local peoples' interest will not be forgone by HSCL. This is only a construction job. In another three years time this construction work will be over. Now, after three years when there is no job and if I want to transfer them to Bihar and Biharis create this problem what will happen to the people of Chhattisgarh. I wish to emphatically state—as I have already made a commitment here in this respect—that we are going to take a large number of local people for this job. Only a small portion out of 7,500 will go to Bhilai. It will be unfortunate if we start State war on this basis. There are at least one lakh people of Chhattisgarh who work in Orissa and many people in Orissa do not have job. I am very sorry to say this but I shall do justice. I shall go out of my way to take them maximum number of people from that area. It is unfortunate if the local labour exchange creates subterfuge and does not put on the list of employment exchange roster

[Shri Biju Patnaik]

the Chhattisgarh people. That is not my fault. Hon. Members should take it up with the M.P. government. I am sending the secretary of the Steel ministry within a week there to sort out this problem. I am equally anxious as my colleagues here to see that the local people, poor people not only get employment but they get it all around. I have ordered the steel authorities to adopt villages around the steel plant and to give them help. They are poor people I have ordered that the local school, women's college, hospitals, etc., should be assisted by the steel authority and the steel plants. I have informed Shri Mohan Bhaiya, M.P. in the form of a letter; this is a commitment of the government and I am making the same commitment here. But if local passions are roused, I should like to caution them in this House that the same passion can be aroused ten times over from other parts of the country. This must not happen; this should not happen. This happened in Bombay some time back when Shiv Sena started an agitation.

श्री शरद यादव : उपाध्यक्ष महोदय, मैंने यह बात ही नहीं कही। मैंने कहा कि कुछ लिमिटेशन रखिए।

SHRI BIJU PATNAIK: For one man from outside, you will have three men. If you are satisfied at 50:50, you should be satisfied with this. I hope I have explained the position to the hon. Members' satisfaction.

श्री एच० एल० पटवारी : (मंगलदाई)  
मेरा प्वाइंट ऑफ़ ऑर्डर है। आज की कार्य सूची में छठे नम्बर पर प्राथमिक अध्यापकों की पेटिशन है जिस में मेरा नाम था। वह पेटिशन मेरे पास है। वह पेटिशन पेश नहीं की गई है। उस समय 1 बज गया था...

उपाध्यक्ष महोदय : पेटिशन तो हाउस में प्रेजेंट हो गया।

श्री एच० एल० पटवारी : नहीं हुआ। पेटिशन हमारे पास है।

उपाध्यक्ष महोदय : श्री दिलीप बक्रवर्ती ने उसे प्रेजेंट कर दिया है।

श्री एच० एल० पटवारी : नहीं, वह प्रेजेंट नहीं हुआ। वह पेटिशन हमारे पास है। दो लाख अध्यापक यहाँ आए...

MR. DEPUTY-SPEAKER: Shri Dilip Chakravarty's name was also there and the petition had been presented.

श्री एच० एल० पटवारी : मगर वह पेटिशन दाखिल नहीं हुआ।

उपाध्यक्ष महोदय : दाखिल हो गया है।

श्री एच० एल० पटवारी : उपाध्यक्ष महोदय, यह अध्यापकों का मामला है। हमको अभिशाप हो जाएगा... (ध्वजध्वनि)

MR. DEPUTY-SPEAKER: You have said enough. I am telling you that the petition had been presented. If you insist on continuing like this whatever you say will go off the record.

14.33 hrs.

COMPANIES (AMENDMENT) BILL  
—contd.

MR. DEPUTY-SPEAKER: We take up further discussion of the Companies (Amendment) Bill.

SHRI R. VENKATRAMAN (Madras South): Yesterday, I was dealing with clause 5 of the Bill which refers to section 220 of the Indian Companies Act. I was pointing out that under section 219 of the Indian Companies Act a shareholder was entitled to receive a copy of the balance sheet as well as the profit and loss account before the annual general meeting. If the annual general meeting is not

held it should not deprive the shareholder of his right to receive a copy of the balance sheet as well as profit and loss account. The amendment of the hon. Minister only says that even in cases where annual general meeting is not held, the company is obliged to file with the Registrar of companies the documents mentioned in section 219. My submission is this. It is notorious that the shareholder is treated with scant respect in various companies. Even if you do not give them the balance sheet and profit and loss account to which they are entitled under the company law, you are putting them in the same position as an outsider and make him go to the Registrar's office and pay a fee of one rupee or two rupees as the case may be and then have inspection of those documents. Is it right to place a shareholder of a company, who constitutes the company and who has the right to receive the annual balance sheet and profit and loss account, in the same position as an outsider and make him go to the Registrar's office to inspect those documents? I submit for the government's consideration that along with the filing of the balance sheet and the profit and loss account with the Registrar, the company should also send these documents to the shareholders of the company as well as to those persons who are entitled under section 219 to receive it like debenture trustees and creditors.

I come to clause 6. Under existing section 293, a company is empowered to make donation up to the extent of 5 per cent of its average annual net profit or Rs. 25,000, whichever is higher. The minister in his amendment has suggested that the limit of Rs. 25,000 may be raised to Rs. 50,000. The argument he has advanced is that the value of the rupee has gone down. I consider that this is a very specious argument because if a company makes a profit of Rs. 1 lakh or less or even if a company does not make a profit, this section will enable the company to transfer Rs. 50,000 to charitable purposes. It is notorious that

most of the charities are only controlled by the companies or their directors and their sections and their own men. It is only transfer of money from the right hand to the left hand. When the shareholders do not get a dividend, why should there be such profuse charity? If the minister had said that they cannot transfer anything to the charitable purposes without declaring a dividend, I can understand. But as the clause stands, they need not declare a dividend but they can be profuse and generous in transferring money from the company funds to charitable purposes. It has been our experience in courts and outside that many of the companies have their own trusts and charitable purposes and they are only diverting resources from the company to these so-called institutions largely to control them with their own men. I am, therefore, very much opposed to this clause. I can understand DA being raised because the value of the rupee has gone down. I can understand certain other things being done for economic benefit but I can't understand how a company which does not even make a profit can be allowed to transfer such a large sum as Rs. 50,000 for charitable purposes on this basis. Rs. 50,000 implies that if there is no clause like this, the company must make at least a profit of Rs. 10 lakhs on the basis of 5 per cent of annual net profit. The section as it now stands, provides that the company can transfer 5 per cent of its average annual net profit to such charities. In order to transfer Rs. 50,000/-, they will have to make Rs. 10 lakhs; and yet the amendment which the Minister has brought forward will enable the company, without making any profit or making only nominal profits, to transfer Rs. 50,000/-. There is absolutely no justification whatsoever for this amendment and so we will oppose this clause.

While I am on this subject, I want to draw the attention of the Government to certain other abuses which

[Shri R. Venkataraman]

take place. People ordinarily do not understand the difference between a company and a limited company. Very many people advertise, saying that it is say, Goodwill Company. We do not know whether it is Goodwill Company or Goodwill Co. Ltd. There is a provision in section 58-A for regulating the deposits; and the deposits are controlled under this Act, if it is a limited liability company. But a large number of people are advertising in the newspapers to-day, and inviting deposits, putting such grandiose names as 'X Company' or 'X Financial Corporation'; and the glibble people, not understanding the difference between a company registered under the Indian Companies Act and a so-called company which is merely a company or a partnership or only a private firm, deposit moneys, and find later to their cost that they have been cheated. While in law, companies which are not registered under the Companies Act or the so-called Finance Corporations are only borrowing money, they use the technical expression which has gained acceptance in the country because of the Company Law permitting companies to raise deposits, saying that the deposit has been controlled, approved or at least that it conforms to the Reserve Bank Act and rules. Therefore, a law must now be enacted saying that only limited liability companies can invite deposits; and partnerships, firms and individuals which use the names viz. firm, company or finance corporation or the like, they cannot invite deposits by advertisements, because they are not now controlled by the Reserve Bank. My suggestion is that while we are trying to protect the interests of the depositors, the law as it is now brought forward by the Law Minister, showers all the sympathy and all the facilities on companies themselves. What are those companies? They are the erring companies which do not conform to the regulations enunciated by the Reserve Bank, companies which have taken deposits outside and beyond these rules and companies which

have not fulfilled the conditions laid down in Section 58-A of the Act. Therefore, I would submit for the consideration of the Law Minister that he should give a peremptory date, say 1st April 1978 and thereafter prohibit such activities or insist on the companies observing all the provisions of Section 58-A. Clause (4) of Section 58-A says

"Companies which do not comply with these provisions are prohibited from inviting fresh deposits."

We have no idea whether companies which have been prohibited under the Act have invited further deposits or not. In fact, when the advertisement appears, it does not bear out to the public whether it has complied with the provisions of the Act, or not. If there are cases in which a company has invited deposits in contravention of clause (4) of Section 58-A, then strong and penal action must be taken. It is not a case for condonation. I, therefore, submit that the Law Minister should consider whether he should not enforce Section 58-A with a time limit fixed upto 1st April, 1978.

श्री कंवर लाल मुन्त (दिल्ली सदर) :  
मैं इस बिल का स्वागत करता हूँ। इन संशोधनों से कुछ तो कठिनाइयाँ जो कम्पनियों को हो रही थीं वे दूर होंगी। जो लोग कुछ दान देना चाहते हैं अच्छे कार्य के लिए, उनको भी इन से लाभ होगा और साथ ही साथ साधारण जनता को भी लाभ होगा।

पहले कानून में एक लैक्यूना था। अगर रायट हो जाता था, स्ट्राइक हो जाती थी या कोई और दिक्कत हो जाती थी और उसके कारण यदि कम्पनी अपनी वार्षिक मीटिंग नहीं कर पाती थी और बलैन्सशीट वगैरह भी नहीं दे सकती थी तो दिक्कत हो जाती थी। सरकार या रिजर्व बैंक के पास कोई पावर नहीं थी कि वह उसको समय दे सके या आगे को



तारीख डाल सके। इस संशोधन से यह लाभ तो होगा कि अगर कोई ऐसी चीज हो जाती है तो सरकार का अधिकार थोड़ा बढ़ जाता है और वह कम्पनी को कह सकती है कि आप तीन महीने के बाद या चार महीने के बाद अपनी मीटिंग करके ब्रैलेसशीट उसके सामने रख सकते हैं। यह प्रावधान इसलिए किया गया है कि जो डिपॉजिटर है, जो अपना रुपया उसमें जमा कराते हैं उनका रुपया सुरक्षित रहे। मेरे विचार से यह जो बिल है यह एक हाफ हाटिड मैजूर है और एक कम्प्रिहेंसिव बिल आपको पेश करना चाहिए था ताकि जो कम्पनी ला में दिक्कतें पेश आती है उनको दूर किया जा सकता। वैसे मंत्री जी ने कहा है कि कोई कमेटी बनी है और उसकी रिपोर्ट आने के बाद कार्रवाई की जाएगी। लेकिन अच्छा यह होता कि इसी समय एक कम्प्रिहेंसिव बिल ले कर वह आते। यह चीज आधा-आधा करके, पीसमील तरीके से नहीं आनी चाहिए थी।

एक बात मेरी समझ में नहीं आई है। आपने टोटल एंजैम्पशन की बात इसमें क्यों रखी है। कोई कारण हो सकता है जिसने कम्पनी मीटिंग नहीं बुलाती है और उस मुरत में ब्रैलेसशीट और प्राफिट एंड लास एकाउंट आदि लोगों के सामने नहीं आएंगे। इस वास्ते यह टोटल एंजैम्पशन की पावर कम्पनी ला में क्यों दी गई है यह मेरी समझ में नहीं आया। यह नहीं होनी चाहिए। अभी आप इसको नहीं कर सकते हैं तो आप इस पर विचार करें क्योंकि टोटल एंजैम्पशन का मतलब होता है कि वह चीज कभी नहीं हो सकेगी। एक महीने का गा दी का या जितना आप ठीक समझते हैं वह समय दे सकते हैं लेकिन टोटल एंजैम्पशन का मतलब तो यह है कि एक तो मजदूरों

को शिकत होगी और दूसरों को भी होगी। किसी को पता नहीं चल सकेगा कि क्या बोटाला हो रहा है, कितना पैसा खाया जा रहा है और डिपॉजिटर भी धंधरे में रहेंगे। जिनका रुपया लगा हुआ है उसमें बंगलिंग होगा।

एक नया तरीका फाड करने का कुछ कम्पनियों ने निकाला है। कम्पनी को पहले ही सिक बना दिया जाता है, जान बूझ कर ऐसा किया जाता है। अगर किसी ने अपना दस लाख या एक करोड़ रुपया कम्पनी में लगाया होता है तो गवर्नमेंट का, बैंकों का और फाइनेशियल इंस्टीट्यूशंस का उसमें पच्चीस करोड़ लगा होता है। अब एक करोड़ जो होता है तो वह बिन्डिंग बनाने में, मशीनरी खरीदने में बिलो को इनफ्लेट करके निकाल लिया जाता है और उसके बाद आहिस्ता-आहिस्ता जो नफा होता है उसको वे खींचते रहते हैं, और जैसे ही एंजैम्पशन का समय आता है या कुछ और करने को होता है उसको न करके जितना भी ज्यादा से ज्यादा सिक उसको वे बना सकते हैं बना डालते हैं और जितना रुपया ज्यादा से ज्यादा खींच सकते हैं खींचते हैं। उन्हें नुकसान कुछ नहीं होता क्योंकि उनके जो शेयर्स होते हैं, पब्लिक लिमिटेड कम्पनी होने के नाते, पहले ही निकाल लिए होते हैं। नतीजा यह होता है कि जो छोटे शेयरहोल्डर्स और डिपॉजिटर्स होते हैं उनको तकलीफ होती ऐसे उदाहरण मंत्री महोदय की निगाह में आये होंगे जहां जानबूझ कर मिलों को सिक बना दिया जाता है। उसके लिए क्या प्रोटेक्शन दिया है, यह मैं जानना चाहता हूं। मैं चाहूंगा मंत्री महोदय इस पर विचार करें और इतनी कड़ाई से इस कानून को बनाया जाना चाहिए ताकि डिपॉजिटर्स को नुकसान न हो। गवर्नमेंट और फाइनेशियल इंस्टीट्यूशंस

### [श्री कंवर लाल गुप्ता]

के डायरेक्टर्स भी बोर्ड पर होते हैं, लेकिन उनका क्या रोल होता है वहां पर क्या कंट्रोलेशन होता है, यह हमको कभी देखने को नहीं मिला। इंडस्ट्री वाले उनको मीटिंग में बुलाते हैं और उनको अच्छी तरह से एन्टरटेन करते हैं, और अच्छी तरह से जो करना है वह करते हैं, और वह करने बाद यह अपने चुप बैठे रहते हैं और जो इंडस्ट्रियलिस्ट करना चाहते हैं वह करते रहते हैं। तो मैं चाहूंगा कि आप जो गवर्नमेंट के डायरेक्टर्स हैं उनका क्या कंट्रोलेशन हुआ। उन्होंने एम्बेजमेंट और फंड और एक्नेमिव एक्सपेंडिचर को रोकने के लिए क्या कदम उठाए, यह चीज सरकार को देखनी चाहिए। और जो नोमिनेटिड मम्बरस जाते हैं सरकार की तरफ से वह ऐसे होने चाहिए जो उसमें ऐक्टिवली पार्टिसिपेट करें। और उनका क्या प्रसेसमेंट है उसकी रिपोर्ट सालाना या 6 महीने के अन्दर सरकार के पास आनी चाहिए ताकि सरकार देख ले कि उन्होंने कुछ काम किया है कि नहीं।

मैं अपने मित्रों से इस बात पर सहमत नहीं हूँ कि चैरिटी के लिए 25,000 रु० की जगह 50,000 रु० क्यों कर दिए। मैं समझता हूँ कि चैरिटी अधिकांश अच्छे कामों के लिए होती है। इसमें बढ़ाना कोई बुरी बात नहीं है। यह सरकार ने ठीक किया और मैं सरकार को इसके लिए बधाई देना चाहता हूँ।

लेकिन मैं मंत्री जी से पूछूंगा कि आपका पोलिटिकल डोनेशन्स देने के बारे में क्या एटिट्यूड है? क्योंकि जो कुछ इस चुनाव के पहले हुआ, माननीय लाकप्पा फिर नाराज हो जायेंगे, करोड़ों रुपया कांग्रेस ने लोगों से लिया सुविनियर

निकालने के लिए, लेकिन वह निकास नहीं। और एक-एक पेज के 10,000 रु०, 25,000 रु० लोगों से लिए। आपने उनको नोटिस दिया हुआ है।

SHRI K. LAKKAPPA (Tumkur): This is also true that Mr. H. M. Patel, the Finance Minister, and Mr. Palkhiwala, who has been appointed Ambassador, were also directors of companies and show cause notices have been issued to them. Will you ask the Government to withdraw them?

SHRI KANWAR LAL GUPTA: What is the point of order?

SHRI K. LAKKAPPA: He has referred only to the Congress people and said that they have looted crores of rupees. What about the crores of rupees that have been looted by these two people? Don't tell all these things.

SHRI KANWAR LAL GUPTA: The souvenir should at least be published. To that extent I think Mr. Lakkappa will agree with me. But there are many cases where the money was taken and the souvenir was not published at all. This is a fraud. If this fraud has been committed by Kanwar Lal Gupta, action should be taken against him irrespective of the fact whether he belongs to the Congress Party or the Janata Party. Whether he is "A" or "B" But, unfortunately or fortunately, this fraud has been committed by the Congress party alone and no other party. That is the difficulty.

SHRI K. LAKKAPPA: No, no. Notices have been issued to Mr. H. M. Patel and Mr. Palkhiwala. Let him ask the Minister about it.

श्री कंवर लाल गुप्ता : मैं मंत्री महोदय से यह जानना चाहता हूँ कि पोलिटिकल डोनेशन्स के बारे में सरकार का क्या एटिट्यूड है? मेरी अपनी राय है कि पोलिटिकल डोनेशन्स कंपनी से लेना कानूनी तरीके से बन्द करना चाहिए। माफ कीजिए गवर्नमेंट के इनकम टैक्स



डिपाटमट की तरफ से जो सरकुलर निकाला गया, उसमें कहा गया है कि आप डोनेशन दे सकते हैं, यह कानून के हिसाब से ठीक है। जिन्होंने सरकुलर निकाला, उनके खिलाफ कार्यवाही नहीं हुई, बल्कि उनको तरफ़ी दे दी गई, आज वह सीनियर मोस्ट पर बैठे हुए हैं, और उस सरकुलर को मानने वालों का बालान किया जा रहा है।

मैं पूछना चाहता हूँ कि "एमर्जेन्सी के दिनों में जब कि यह सदन यहां तक भरा हुआ था, उबर असोजिशन के होमें, यहां एक आदमी भी उस डिक्लेटर के खिलाफ आवाज नहीं उठा सकता था जो किसी को कहां हिम्मत हो सकती थी कि सरकुलर आने के बाद भी उसको पैसा न देता? सरकार को इस बारे में अपनी पोजिशन क्लैरिफाई करना चाहिए। बराबर का मोका मिलना चाहिए। श्रॉट पार्टी इन पावर आज हम हैं, कल दूसरे आ सकते हैं। इस बारे में सिद्धान्त बनाने चाहिए, एड-हाक डिमोजन्स नहीं लेने चाहिए। आज हम पार्टी इन पावर हैं तो अपने मतजब की बात कर दें, कल दूसरा आ जाए तो वह भी उसका फायदा सवा सकता है।

देश के हित में, फेर' एंड फ्री इलैक्शन के इन्ट्रेस्ट में क्या है, यह सोचने दूँ, मंत्री महोदय से प्रार्थना है कि वह पोलिटिकल डोनेशन के बारे में अपना ख़या साफ करें।

जो डिग्राजिमें हैं, जो बैंकों में अपना पैसा न लगा कर कंपनीज में लगाते हैं क्योंकि कंपनी रेट आफ इन्ट्रेस्ट ज्यादा देती है और बैंक रेट आफ इन्ट्रेस्ट बहुत कम देता है, इसके परिणामस्वरूप सरकार के पास जितना पैसा आना चाहिए, वह

नहीं आता। इसका क्या असर बैंकों पर और उनकी इकनामी पर पड़ता है? एक आश्चर्य की बात यह है कि बैंक इन्ट्रेस्ट देता तो बहुत कम है, लेकिन जो लेता है, वह बहुत ज्यादा लेता है। उसके एड-मिनिस्ट्रेटिव एक्सपेंसेज बहुत ज्यादा होते हैं। इतना फर्क नहीं होना चाहिए।

The rate of interest given by a bank and a company should be, more or less, the same. Otherwise, what will be the effect? I think, it has a very adverse effect on the credit of the banks. This aspect should also be examined by the Government.

SHRI BEDABRATA BARUA (Kallabore): Mr. Deputy-Speaker, Sir, having been in-charge of the Department for six years and also being associated with the Department in some other capacity, I would normally tend to see both sides of the question and I would not like to offer anything by way of criticism as such. But, I think, that the particular provision which is very important for the companies system in the country, a vital provision, Section 58A to which an amendment has been proposed needs some sort of re-thinking even at this stage by the Government. I would like to associate myself with the discussion on that subject. I know that other provisions are also there. I do not want to dilate on those points particularly when the Minister has said that those matters will all be before an expert committee and that most of them are of consequential nature.

15 hrs.

So far as Section 58A is concerned, this Section came as a result of an amendment of the Company law over which the previous House sat in a Joint Committee and prepared its amendments.

This particular amendment was intended to achieve a certain objective. In Clause 3 it has been reposed.

"The Central Government may, if it considers it necessary for avoiding

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any hardship or for any other just and sufficient reason, by order, issued either prospectively or retrospectively...

It has taken an enormous amount of discretion.

"...from a date not earlier than the commencement of the Companies (Amendment) Act, 1974, grant extension of time to a company..."

To an individual company, not only to a group of companies.

".....or class of companies to comply with, or exempt any company or class of companies from, all or any of the provisions of this section either generally or for any specified period subject to such conditions as may be specified in the order."

This is taking too much of a discretion I feel very uneasy about it because there is so much of discretion, I want to state, that it would not be possible for the Government to exercise this type of discretion either judicially or reasonably. Please see what this provision really means if read with the penal provisions. I beg to differ with my hon. friend because I want to discuss it as far as possible from the point of view of the company system as a whole and not only from the point of view of the people concerned. The penal provision at every stage is imprisonment upto five years. This type of a penal provision makes it all the more necessary that discretion is not to be exercised. When the penal provision was imposed by the House previously, 'discretion' was not there; it was made absolutely clear that no discretion would be exercised. That is why, this amendment has been brought forward. I know the difficulties of the Minister; I know why this has to be done—because there may be cases of hardship which have to be given relief. My suggestion is that this amendment is no solution to this problem. This five-year penal provision makes it an offence equivalent to burglary or culpable homicide or that type of thing.

In all criminal actions, the offence must be proved beyond all shadow of doubt. This is the most important point. Here who is supposed to prove the offence beyond all reasonable doubt? The Department itself. If the Department says that such and such a thing is not to be condoned, the man goes for five years' imprisonment; and if the Department says that for any sufficient reason, which the Department is not bound to divulge, the man is to be exempted, he has to be exempted. The Department can declare a man to be a criminal for no particular reason or declare him to be innocent. This is arrogating to themselves functions more than those of the Supreme Court of India. This is a very dangerous provision.

Exempting a class of companies is all right. But how is it going to be sustained in a court of law, I do not know. I think, the fate of this provision in the normal course would be that either it will not be applied or the courts would not give any punishment at all—perhaps only the fine—or there would be the worst that one could think of. I do not want this House to pass knowingly an unconstitutional law because this should simply be not constitutional to say that any penal provision where imprisonment is involved, the judicial system would authorise a departmental inspector to say that this is a criminal act or not without going into the evidence because the law does not provide for that. Really the whole thing started when the provision was discussed, at one stage, before the Committee. Government had given its notes on Clauses, and there Government had said—and that was the original purpose of the amendment:

"It has been the practice of companies to take deposits from the public at a high rate of interest. Experience has shown that in many cases deposits so taken have not been refunded on due dates."

It was a wrong objective, although I was associated at that stage also with the Committee. I always thought that this was a wrong objective because

it is only an effort to set up a rival banking system. If we really want the banking system to grow, why should the companies take deposits and utilise those deposits? This objective was wrong, but this was an objective which comes naturally to a political worker or a Member of Parliament. Whether I used to go, I used to find a number of people who had been deluded in depositing their money in the companies. I used to tell them that they were speculators; 18 or 20 per cent interest was offered to them and they went for that. How can we make a speculative dealing as safe as fixed deposits in a bank? It cannot be. But that was the objective and it was partly fulfilled in the sense that deposits under the rules would certainly be regulated and companies would not be able to secure more than 25 per cent of their fixed deposits and free reserves. Companies could take deposits only equivalent to that, not more than that. This is good, but then no sooner this Act was passed than the provision was made that in consultation with the Reserve Bank, the rules will be laid down. When it came to the Reserve Bank, contradictory objectives got introduced; very laudable, very good, but totally contradictory. The Reserve Bank said that the banking system should only provide credit. Here, the Reserve Bank forgot two things. I do not say that the Reserve Bank was doing it, it is the Government that was doing that. If the banking system was to supply the credit, and if a company had no money and it had taken some good deposits from the public under the existing laws in those days, Reserve Bank regulations were never applied. The Minister possibly knows that Everybody used to take deposits whatever the regulations. There is no such assurance from the Reserve Bank or the Minister that if the companies return the deposits, they would pay back the money to them. There is no such assurance at all.

It is all right that they must not function as a rival banking system, but there is one thing. The bank rate is so high today because of their salary

structure and other things; in their credit policy they have to raise the interest rates very high because of their expenses etc. If a private company gets some deposits, I do not think it is a criminal act, although it could be criminal if they do not return. If the point is that no rival banking system is to be set up, then was it propounded in the original objectives of the Act that there should be security to the creditors who are putting their money in the companies, which is a rival banking system?

The second objective is equally laudable and I have no quarrel about that. The objective is good as was mentioned by my hon. friend Shri Venkataraman. And that was that black money tends to be deposited, but black money tends to be deposited in a different area. Twenty-five per cent deposits made by the public which are not sought to be controlled and are being progressively made will continue. That twenty-five per cent is not sought to be disturbed. What is sought to be disturbed is this. The deposits from the Directors and guaranteed by the Directors which had been brought down to 15 per cent are sought to be brought down to zero. This was not really the original purpose. This is because the Directors are not sought to be protected. These are the Directors themselves who have never asked for protection. It may be black money, it may be brown money, it may be blackish money or it may be pure black money. The point is that these are Directors' deposits and they have not asked for security. So, the Reserve Bank and the Department together formulated a set of rules and made them very stringent in the interests of control of black money and the main axe fell on deposits guaranteed by the Directors or the Directors' deposits and unfortunately, it did not at all disturb the big companies in India except 2-3 companies. They squarely fell on the small companies. I had been to Coimbatore a year ago. It was interesting to find that all the textile mills of Coimbatore were affected, practically all of them. It became a vast problem not only in Coimbatore

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but it has become a problem throughout South India. That is why I understand the reason why it was proposed—exemption in individual cases. But this is impossible because all these got affected. But the big companies would not be affected. If a big house has 20 companies or 10 companies or 200 companies, they can provide the credit by inter-corporate loans. Even deposits by one company in another would not come within the definition of 'deposits'. So no big company is going to be affected unless it is big like the Oberoi Hotels or the other famous case where this has happened when people wanted to utilise deposits for vast expenses and for that matter I would not go into that. The real point here is about these small companies. What is the objective? Suppose the government exempts them—I do not think the government has examined it to find out the reason. The only possibility is that if a big company is doing something wrong in having deposits, since the penal provision is there, they will send the company into liquidation. Here the question is: is it proper at this time of vast unemployment to send existing companies into liquidation? If this section is to strike even 500 companies which it is bound to strike if the section is enforced—it is no matter that it has not been enforced—it will create an explosive situation. The hon. House should know that it has not been enforced. When I was there, I used to extend it every time by 3 months or 6 months and the Minister might also do the same thing. And this extension went on because at no stage the government was in a position to strike down and send a number of companies into liquidation although a number of cases were filed. This filing of a number of cases itself is very inequitable because certain companies are not being prosecuted.

In any case, after taking this power I think it is being taken to be exercised

and it will be exercised only by prosecuting some people and exempting some other people which will be highly inequitable. How will exemption in individual cases be given? We cannot go into the blackness or the whiteness of the deposits and I do not think the Company Affairs Department is competent to go into it or, for that matter anybody, to go into the question of blackness of or whiteness of the deposits. You can make laws and you can confiscate that black money or you can convert it into equity or loan from the financial institutions. There are hundred ways to do it. But the question is: whether the department can really find out which company is managed properly and which is mismanaged. They say 'strikes' and somebody says 'no strikes'. You are not entitled to examine this. This type of things is likely to happen. So, the government will be under all types of pressure to give this exemption and the government will end up. There are some cases which are very bad and if you want to help those cases, probably you will have to help everybody else. It is not proper to have anything like this in the statute book. I advise the hon. Minister not to provide for exemption of one single company if he can do so. This High Power Committee has been appointed, which is looking into these things. Personally, I think, if the penal provision is to be there, this individual exemption can be very unconstitutional. That is a point on which I have been very much worried. The High Power Committee is expected to give its report by the middle of next year. Consideration by the Government after that will take another six months or one year. After that a Joint Committee may look into the matter and it may come into effect only after a couple of years. What happens is this. This is a law which impinges upon everybody in any case. It is going to affect thousands and thousands of companies. What I feel is that Government should make a straight, formal, decision to back out of the situation. Under the rules laid down in consultation with the RBI, the deposits by the Directors have to



be brought down to Zero, within a short period of time. I don't think the financial institutions will be able to provide the credit to replace these deposits. So, Government will have to find out other measures for that purpose.

With these suggestions I conclude my speech and I hope that the hon. Minister will consider these suggestions and avoid the charge of favouritism and whimsicality.

**SHRI NARENDRA P. NATHWANI** (Junagadh): Mr. Deputy Speaker, Sir, I rise to support the Bill generally. The hon. Minister stated yesterday that this is a short Bill and of a non-controversial nature. Essentially it is non-controversial though some of its provisions do require proper consideration.

Certain criticisms levelled by my hon. friend Dr. Seyid Muhammad are totally unjustified. He said that Government ought not to have come forward with this type of piecemeal legislations. He referred to the Expert Committee which has undertaken to review the working of the Companies Act and stated that its report would be available soon, and therefore no justification is there for bringing this piecemeal legislation. However, as the hon. Minister has stated, the report of this committee will not be available for a few months. After that Government will have to consider that report and a Bill has to be drafted. Before it is enacted into a law it would take about a year or more than that. Dr. Seyid Muhammad had not proceeded to point out in what respect, if at all, any of the provisions of this Bill was not of sufficient immediate importance, not to be brought forward at this stage. He left the question open. He left it in a vague manner.

But, I think, his second criticism is rather more objectionable. This concerns the interpretation of Sec. 293A, which deals with the Company's right to advertise.

And he stated that the ex-Law Minister had given his opinion and had interpreted it in a particular manner. Pursuant to that, several companies spent various sums of money and even fantastic amount by way of advertisement. He proceeded to state that the same opinion was taken by an expert, though he did not mention the name, it was Shri Palkhiwala's opinion. The same opinion was given by Shri Palkhiwala and also by the former Chief Justice of the Supreme Court. I understand that the reference is to Mr. Justice Shah. What I am trying to point out is this. He made an incorrect statement by saying that the same opinion or same interpretation had been given by Mr. Palkhiwala and Mr. Justice Shah. I specifically asked Dr. Seyid Muhammad whether the contents of the opinion of Mr. Justice Shah had been published in any newspaper to which his answer was evasive. Later on, he was good enough to tell me that his opinion had not yet been published. What was published was the fact that he had given an opinion and the view was expressed by Mr. Justice Shah was similar to the one expressed by Mr. Palkhiwala. So the companies had the right to spend any amount they liked by advertisements and there was no violation of section 293A.

Now, I have got a copy of opinion given by Mr. Palkhiwala and his opinion begins with:

"It has appeared in an issue of Secular Democracy on October 1, 1977. He did not give a categorical opinion that there was no restriction over the right on the company to give advertisement. No, not at all."

On the contrary, he starts—this is his first sentence—with his answer to the first question:

"In my opinion, it depends on the facts of the case as to whether the amount spent for advertisement in souvenirs published by a political

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party should be treated as a contribution to a political party or for political purposes".

So, he lays stress that it depends upon the case of each particular case. And then he goes on to say—I am quoting from his opinion published in an issue of *Secular Democracy* dated 1.10.1977. Kindly listen to me.

It is a question of fact. What are the questions of fact that arise? Firstly, whether the intention or idea is to advertise. He proceeds to state on that:

"The essential point is whether the payment was made for gaining some benefits through advertisement."

According to him also, therefore, if the predominant idea is not to advertise for publicity but in order to get some favour, some benefit or some patronage from the Government what else it is but a donation? I do not like to state that. I can cite several such instances where contributions have been made by companies with a view to getting reduction either in the customs duty or in excise duty. I do not want to dilate on that. He has summarised it.

Mr. Justice Palkhiwala gave the same opinion. He summarised it....

SHRI R. VENKATARAMAN: He is not Justice Palkhiwala.

SHRI NARENDRA P. NATHWANI: I am sorry for the slip made. Justice Shah gave similar or same opinion. It was his opinion. Dr. Muhammad also said that similar was the view expressed by Mr. Justice Shah. It is not, therefore, correct to say that both of them—Shri Palkhiwala and Mr. Justice Shah—expressed the same view as was taken by the former Minister of Law, Shri Gokhale. But it was open to Shri Seyid Muhammad

to point out that Government should have availed of this opportunity....

SHRI VASANT SATHE (Akola): So, you say that Justice Shah is a partisan man.

SHRI NARENDRA P. NATHWANI: Sir, I object to it. You cannot criticise the conduct of any commissioner. I appeal to the Chair to ask the hon'ble Member to withdraw his remark. Justice Shah is enquiring. You cannot criticise his conduct.

SHRI VASANT SATHE: I am not criticising his conduct.

MR. DEPUTY SPEAKER: Mr Sathe has just walked into the House. He does not know what you are speaking about.

SHRI NARENDRA P. NATHWANI: It was open to Shri Seyid Muhammad to point out to the hon'ble Minister that this opportunity should have been taken to clarify the position. So far so good. It is legitimate. But in this context one has to remember that when the whole matter is under examination or consideration of the Government you cannot expect them to introduce any provision in this Bill. I leave the matter at this stage. I only hope that Shri Seyid Muhammad had spared himself of the manner in which he expressed his opinion, namely, that Law has not been made to appear more foolish than in this matter.

Sir, I now go to the provisions of this Bill. I stated that I generally support the provisions of this Bill. Let me first take up Clause 3. As regards this clause while I support generally the principle underlying Clause 3 I wish to point out that in some respects it deserves full consideration by the hon'ble Minister and even at this late stage he would apply closely his mind to the various suggestions that are made in this debate. My first submission is that there seems to be some overlapping with Clause 7

of Section 58A and the new proposed sub-clause 8. If you look to the existing sub-clause 7 it exempts a banking company from the operation of Section 58. Again it authorises the Central Government not to apply the provisions of Section 58A to any other company. In other words, sub-clause 7 authorises Central Government to exempt certain kinds of companies whereas new sub-clause 8 also says so in express words. It also seeks to empower the Government to exempt a company or a class of companies. To that extent it appears there is some overlapping. This overlapping should be avoided.

Secondly, my friend Mr. Venkataraman rightly pointed out that the object of the original Section 58A was two-fold, that is, to give protection to members of public who may not come to grief by reason of being attracted by high rates of interest offered by various companies; and secondly to some extent to divert the savings into what is considered by the Government to be more profitable investment in national interest, so that if rights are curtailed and restrictions are placed, some savings might flow into banks thereby enabling the government to carry out its economic policy.

I fully support government's proposal to give relief to companies in certain cases and I quite understand that. There may be genuine cases in which a company may not find that. There may be genuine cases deposits and so it is highly necessary that in such circumstances on such grounds, relief by way of extension of time should be given. But such grounds such reasons of genuine hardship and difficulties should be specified in the new provision instead of making them wide and general. As the law stands at present, it reads: "The Central Government may if it considers it necessary for avoiding any hardship or for any other just and sufficient reason...." These words are very general whereas in

the statement of objects and reasons specific cases have been given. Suppose there is a riot, there is a strike, you can say they are circumstances beyond one's control, or what are known as acts of force majeure acts of God and so on. You should try to specify them. You should not vest too wide discretion in the hands of government officers. It is not in keeping with the broad policy of the government to introduce unnecessary regulations. Some regulations may be necessary. I quite see the necessity of bringing a regulation to grant exemption in certain respects. But do not try to word it or phrase it in such a manner where unlimited discretion has been conferred upon the government. Secondly, for the same reason I object against—I refer to the words—"if it considers it necessary". Why should the Central government be authorised to have this kind of satisfaction before taking action? It is proper to provide straightaway for the contingency. You can say "in order to avoid genuine hardship...." And you can specify those hardships.

Lastly I should like to say that whatever power is to be conferred upon the government by reason of the proposed new clause 8, you should also see that such power relates only to a class of companies and not to any individual company because again it confers wide discretion in respect of even any particular company. In such a case a company is virtually made dependent upon or placed at the mercy of the Company Law Board or and its advisers. Please take the power to grant exemption, to extend the time or do whatever is necessary but do that in respect of certain class of companies only and specify that. Do not extend such power with respect to any individual company. In any case even if you want to relate that power to any individual company, prior approval of the Reserve Bank should be taken. There are amendments given notice of to that effect.



(Shri Narendra P. Nathwani.)

I have a feeling that unless new sub-clause 8 is administered with great care and circumspection, poor investors would be scared away and companies' finances may suffer and it may divert funds though it is not the intention of the government. I have read; very carefully the statement of the hon. Minister. If it is not the intention of the government to accentuate the flow of savings in particular channels only, namely, bank and other semi-Government agencies, you have to administer the new provision with great care and caution because, whether one likes it or not it is bound to have some effect on the minds of the depositors, because the depositor will not now be quite sure whether he would receive or not his money at the end of the fixed period.

Coming to another clause dealing with Balance Sheet, it was my misfortune to argue the first Supreme Court case where I pleaded for one of the directors of a Company that a person cannot be held responsible for not filing a balance sheet whether an annual general meeting was not held but the Supreme Court took the view, "Now, it was his fault and he is liable". Fortunately that decision has been reversed and the law has been correctly laid down. But such a position is not for the benefit of the share holders and the company. Therefore, the proposal being made now that even if no annual general meeting is held, a balance sheet should be filed is welcome and deserves support. However, I request the Hon'ble Minister to consider Mr. Venkataraman's suggestion whether a copy of the balance sheet and profit and loss account should not be sent to the shareholders.

The provisions of clause 8 relating to charitable purpose has been criticised. There I beg to differ from my hon. friend, Shri Venkataraman, who said, it is a specious plea. No; even in the last Finance Bill, we raised the

permissible limit for amounts which can be donated to charity and nobody raised the argument that it was a specious plea. It is true that one has to see that money purported to be given by way of charity is used for the same purpose, but that relates to an aspect of administration. Otherwise, nobody has raised any objection, that charity is not a worthy cause which should receive as much help from companies and individuals as possible.

SHRI R. VENKATARAMAN: What about shareholds?

SHRI NARENDRA P. NATHWANI: They have the right, as a class, to criticise such donations in the annual general meeting.

SHRI VASANT SATHE: Is there any company where the shareholders have met and talked?

SHRI NARENDRA P. NATHWANI: I do not know whether you have ever been a shareholder.

SHRI VASANT SATHE: Yes I have been a shareholder. The annual general meeting which I attended was over in five minutes.

SHRI NARENDRA P. NATHWANI: I have not understood him. It is inconsistent—my friend being present in a meeting and the meeting being over within five minutes!

Sir, with these words, I support the Bill.

SHRI JAGANNATH RAO (Berhampur): Sir, I am not going to argue that no piecemeal legislation should be brought forward and that only a consolidated amendment of the law is required. There are situations where piecemeal legislation is necessary and perhaps this may be one. But what did not impress me was the urgent need for bringing this piecemeal legislation. The company law is a regulatory measure which regulates

the functioning of companies by government having some supervisory control. I was a member of the select committee on the Bill introduced in 1971. We went round the country for two and half a years, collected evidence from all interested sections and ultimately the Bill was passed in the House—Act No. 41 of 1974. This Section 58A, came into effect from 1st February 1975. The very object of introducing it was to protect the gullible and poor depositors who made deposits allured by the high rates of interest offered by the companies and many of whom came to grief. In fact, one ICS officer put all his savings in deposit in a company and lost the entire amount. Therefore, it is mainly intended to protect the interests of the depositors.

I do not see any reason why, within a span of 2½ years, this Government is trying to take powers to exempt a company, or a class of companies from the operation of Section 58-A. The power to exempt is already there under sub-section 7 of Section 58-A. I do not know why Government wants additional powers to exempt companies. I will appreciate it if Government lays down certain principles on which to exempt a particular company or class of companies from the operation of Section 58-A. Or, the Reserve Bank can lay down that no company taking deposits should not give a rate of interest higher than that paid by the nationalized banks. This would have put some restriction on the deposits; and it would also avert any mischief on the part of the companies.

When Parliament is required to give its approval to a bill, there should be some guidelines mentioned in the bill, so that we can apply our minds to them and give our approval. But here a blanket power is given to the Government to exempt companies. How can we approve it? The Law Minister must consider this, and

should tell us, at least in his speech, that such-and-such are the guidelines to be applied, even though they are not specifically mentioned in this bill.

I now come to Clause 5 which deals with Section 220 of the Act, which requires an annual general meeting to be held for the approval of the profit and loss account and balance-sheet of the company. This clause, as also the earlier, one is loaded in favour of the company. Where the company is not able to hold the annual general meeting for the approval of the profit and loss account and the balance sheet, why should it get a further, privilege, by depriving the members of the company who are entitled to copies of these documents at least 21 days before the date fixed for the holding of the meeting? The Minister has now given companies 30 days' time to file copies in triplicate with the Registrar, if the meeting is not held. That means you are driving the members of the company and the shareholders to go to the Registrar for inspecting the documents. Why should you deprive them of this right to get copies of documents; if the meeting is held, they have the right to have the documents 21 days earlier. Now that the meeting is not going to be held, why are you favouring one company? If there are valid reasons for not holding the meeting, the right of the shareholder or debenture-holder to have copies of the documents should not be taken away. I would have appreciated it if, simultaneously, you had amended section 219 by giving this right to the member, debenture-holder or shareholder to get copies of the documents, and also approved of the companies filing copies with the Registrar. That would have been even-handed. While taking into consideration the difficulties of the company resulting in not holding the meeting in time, you should at the same time have protected the rights of the shareholder to have copies of the documents,—which he has a right to have.

[Shri Jagannath Rao]

This is about clause 5. Clause 6 deals with section 293 (e), i.e. regarding 'charitable purposes'. The expression 'charitable purposes' is a very vague and elastic one; and under this term, as per the existing Act, Rs. 25,000/- or 5 per cent of the net profit, whichever is greater, can be transferred. The reason given for enhancing this limit to Rs. 50,000/- is the fall in the value of the rupee. The fall in the value of the rupee is not a sudden development. If that is the consideration, every one should have this corresponding benefit. It is now said that the value of the rupee is 25 or 30 paise. Therefore, every one should get 3 times the salary etc. I do not see any reason for raising it from Rs. 25,000 to Rs. 50,000/-. As stated by Mr. R. Venkataraman, every big company has its charitable trust. What is the charitable purpose in which these companies indulge, except the fact that the money is transferred in those names for their own use?

Therefore, I am not very happy with increasing the ceiling limit from Rs. 25,000 to Rs. 50,000. On the other hand, I would have very much liked it, if there had been a provision in the clause that every industry should adopt three or four villages round about the location of their industry and develop them economically, because that would be doing very great economic justice to the poor people who would be getting employment, apart from the development of the local area. If such a condition is put in the statute, it would be a better substitute than allowing a company to make donations for charitable purposes, not exceeding five per cent, and according to this Bill not more than Rs. 50,000. I had some experience with companies earlier, and I know how this clause relating to charitable purpose is being utilized by some of them.

I find that one of the amendments is by a progressive Member of the

Janata Party, Dr. Ramji Singh, to the effect that companies should be permitted to give donations to political parties.

DR. RAMJI SINGH (Bhagalpur): I have said that they shall not give donations.

SHRI JAGANNATH RAO: In that case, you need not bring any amendment. I thought you were in favour of such donations. If he is against such donations, then his amendment is redundant, because section 293A already prohibits it. Therefore, I was rather intrigued by his amendment. I thought there was at least one Member with progressive views, who appreciates the need for permitting companies to give donations to political parties. When advertisements are allowed in the journals of political parties, I see no reason why donations also should not be made to the political parties. As Justice Chagla argued in 1957 in the TELCO case, the springs of democracy would not be sullied if donations are made by companies to political parties. Tatas wanted to amend their articles of association to include a clause enabling them to make donations to political parties, which was held legal, and the argument given by them was that it will foster and develop their business. Therefore, if Government are thinking on those lines, they should bring an amendment to that effect.

डा० रामजी सिंह (भागलपुर)

बहुत विद्वान और विधि वेत्ता लोग इस बिल पर बोल चुके हैं। उस में मैं कुछ विशेष जोड़ना नहीं चाहता हूँ। लेकिन मैंने दो संशोधन प्रस्तुत किए हैं उन पर मैं कुछ कहना चाहता हूँ। पहला तो संवर्धन तीन के क्रम में है। जैसा जस्टिस नयवानी जी ने बताया है सरकार को इतने ज्यादा अधिकार नहीं लेने चाहिए। इस में सरकार को पहले की ओर धावे

की गलतियों को माफ करने का बहुत अधिकार दिया गया है। हो सकता है कि यह सरकार अच्छी हो और यह इन अधिकारों का सही ढंग से, समुचित रूप से उपयोग भी करे। लेकिन आप तो जानते ही हैं कि पावर कुरप्ट्स में एण्ड एक्सोलूट पावर कुरप्ट्स एक्सोलूटली। इस वास्ते शक्ति पर जरूर अंकुश लगना चाहिए। इसीलिए मैंने सोचा है कि सरकार की कार्यपालिका या सरकार के कार्यपालकों के हाथों में किसी भी कम्पनी की गलतियों के लिए हर चीज के लिए एग्जम्पशन देने का अधिकार न हो, यह अधिकार उनके हाथ में न छोड़ा जाए और इसके लिए या तो न्यायी या अर्द्धन्यायी जैसी भी कानून मंत्री जी उचित समझें, व्यवस्था कर सकते हैं। वरना आप अच्छे हो सकते हैं, इसका बहुत दुरुपयोग हो सकता है। और केवल हार्डशिप के नाम पर यह करप्शन ब्रीड कर सकता है। इसीलिए हम समझते हैं सरकार को खासकर जो मर्यादा में विश्वास करती है, उस सरकार को हार्डशिप के नाम पर इतना अधिक अधिकार नहीं लेना चाहिए।

दूसरा मेरा संशोधन धारा 6 के बारे में है जिसमें अभी इन्होंने बताया कि इसमें मूल कानून की धारा 293 के संशोधन की बात कही गई है। इसमें दिया गया है कि 25,000 रु० से बढ़ा कर के, क्योंकि रुपये का मूल्य 30 साल में कम हो गया है, जो हम जानते हैं, इसी लिए 25,000 रु० से बढ़ा कर 50,000 रु० किया गया है वह तो ठीक है। लेकिन मैंने जो संशोधन दिया है, मुझे देख कर तो आश्चर्य हुआ कि वह प्रिण्टर्स डेविल है, मैंने "शैल नोट" कहा है। सचमुच में राजनीतिक दलों को और उनके आर्गन्स को चाहे वह विद्यार्थी संगठन हो, चाहे मजदूर संगठन हों, जो भी राजनीतिक दलों के

आर्गन्स हैं उनको चंदा नहीं दिया जाय। यह कम्पनी ऐक्ट में अगर नहीं होगा तो यह भ्रष्टाचार की जननी होगी। जब हम राजनीतिक शुद्धि की बात करते हैं जिसके लिए दलबदल विधेयक ला रहे हैं, लोकपाल बिल ला रहे हैं, हमारे कानून मंत्री जी मेरी प्रार्थना को स्वीकार करेंगे और हमारा वह संशोधन "शैल नोट" कम्पनी को, राजनीतिक दलों और उसके अन्य संगठनों को कोई भी पैसा नहीं दिया जायगा। हां आन्ध्र, केरल और तमिलनाडु में जैसा संकट आया है उस बारे में मुक्त हस्त होकर दान दें जैसा कि हमारी पब्लिक अण्डर टकिंग ने दिया है, 10 लाख—25 लाख दिया है, तो ऐसे ही हमारी कम्पनीज भी दान दें। तो ऐसे मानवीय कार्यों के लिये दान दिया जाना चाहिए। लेकिन राजनीतिक दलों या उसके उपकरणों को किसी प्रकार का दान देना भ्रष्टाचार को शुरू करना है। इसीलिये अगर हम राजनीतिक भ्रष्टाचार का निराकरण करना चाहते हैं तो आवश्यक है कि हम उसकी गंगोत्री को ही अवरुद्ध कर दें ताकि गंगा जल ही खाराब न हो। मैंने रचनात्मक दृष्टि से दो संशोधन रखे हैं, मुझे विश्वास है कि विधि मंत्री जी इसको स्वीकार करेंगे।

SHRI C. N. VISVANATHAN (Tirupattur): On behalf of the All India Anna DMK I support the Companies (Amendment) Bill which is before the House.

Though there are only a few amendments, we must appreciate the spirit in which they have been introduced.

Sub-Section (7) of section 58A empowers the Central Government to give total exemption to a company from the provisions of the section after consulting the Reserve Bank of India. Some times the companies may not be able to repay their depositors because of circumstances beyond their control, but all the same

[Shri C. N. Visvanathan]

the shareholders stand deprived of repayment.

15.55 hrs.

[SHRI N. K. SHEJWALKAR in the Chair.]

If something is introduced, there may be some demerits but we have also to see what is the motive behind the introduction of this amendment and in what way it will help the companies. So many companies are sick and so many are closed due to non-payment of dues to share-holders. It has led to strikes and also violence. This is what is happening. My hon. friend said about Coimbatore mills in Tamil Nadu as to what was happening there, how the mills are running and how they have become sick mills. The Government had to take them over. We have to analyse what are the reasons why these companies are not run properly by the directors, how they become sick and how they have to be closed. We should not oppose the amendment for the sake of opposition alone.

There are other good provisions also in the amendment Bill. There is Section 222 which makes it obligatory on the companies to give the balance-sheet even when there is no annual general meeting. It has to be appreciated that the Government has brought in this provision. One hon. Member said that the share-holders have been deprived of their rights. It is not so. Within 21 days, they will get the balance sheet. At the same time, the share-holders are getting a right to inspect in the Registrar's office, within 30 days, all the documents of the companies, what are the assessments, what are the annual reports, etc. It is giving the share-holders more powers rather than depriving them of their powers.

Regarding the increase in the ceiling of donations for charitable purposes, it is welcome. The hon. Member, Shri Kanwar Lal Gupta, also said about it. But it does not say what are the charitable purposes,

what are the charitable institutions, under what circumstances, the amount can be donated upto Rs. 50,000. My hon. friend, Mr. Venkataraman said that he would not accept that there has been the devaluation of the rupee. I do not agree with him. This Act was made in 1954. Everybody knows what was the cost price in 1954 and what is the cost price in 1977. There has been the devaluation of the rupee. So, an increase from Rs. 25,000 to Rs. 50,000 is most welcome.

I would like to support Mr. Kanwar Lal Gupta in saying that it should apply to political parties also. I would not agree with Mr. Ramji Singh's amendment that it should not apply to the political parties. In the recent days, we have seen how the political parties have fought the elections. The political parties definitely need some funds for elections. We need some funds, whether we belong to this party or that party, this group or that group. If it applies to the political parties, there will not be any souvenirs needed, there will not be any secret collections and there will not be any black-money put in the accounts of the political parties. The political parties can freely collect the funds. So, I support the increase in the donations for the charitable purposes from Rs. 25,000 to Rs. 50,000 and also in regard to the donations for the political parties.

In conclusion, I say that this amendment is one of the feathers in the cap of the Government by coming forward with this amendment to the Companies Act of 1954. I support this amendment Bill on behalf of the Anna DMK.

16.00 hrs.

SHRI VAYALAR RAVI (Chirayinkil): Mr. Chairman, Sir, my colleagues on this side have elaborately discussed this and brought out various relevant points which I want the hon. Minister to consider. This Amendment moved by the hon. Minister has

to be gone through very carefully because it is not so innocent as it appears. The first amendment, amendment of section 58A, will have serious repercussions and will affect more the poor people who have deposited the money and helped the banks than the Directors.

The hon. Minister, in his opening remarks, has said that a high-powered committee is being appointed and they will be examining thoroughly and make suggestions for amendments in respect of both the Companies Act as well as the MRTP Act. I welcome his move in appointing a high-powered Committee. But at the same time it has aroused some doubt whether the approach to this new look at the Companies Act and the MRTP Act will also be on the same lines as this Amendment. We are suspicious because with all this book on Company Law, there are enough loopholes. Mr. Shanti Bhushan can very well say that it was the Congress Government which did it. I admit. Enough loopholes are there—he himself, as one of the eminent lawyers, must have argued cases—or the big companies to escape. He was previously on the other side—on the side of the company; but now is sitting on this side, namely, on the government side. Therefore, whichever loopholes he had come across when he had argued cases, he should now ensure that those loopholes are plugged. So, when the report of the Committee comes, he should examine that with this outlook.

I have a suspicion—you may not like the word 'suspicion'—because of this Amendment. Now, let us deal with this Amendment. As Mr. Bedabrat Barua put it, there are rival banking systems in the country today. The banking investment has gone up to Rs. 17,000 crores, invested by different sections of the people in the banks. Here Rs. 1,000 crores have been channelised through another way. That

is why Mr. Barua raised the point that there was a parallel banking system. We have encouraged that without any proper check. Not to speak of proper check, there is not even a provision to protect the interests of the depositors who are expected to deposit money in the banks for national purposes. And this money has gone to a fixed group of companies and Directors—and they can swindle that money.

Now, what will be the impact of this amendment of section 58A? That impact has to be examined thoroughly. I can point out examples if the Minister allows me. One case is—the hon. Minister is very well aware of this—that recently an allegation has come about a company, National Rayons Corporation, where their public debts are said to be amounting to Rs. 52 crores. In the morning the matter came up in the House in the form of an Adjournment Motion. It is because it has been reported that a big fraud has been committed against nationalised banks to the tune of Rs. 24 crores. This company is now trying to transfer their equity shares to the Modi Group of companies—at a different value; at 350 or so; I do not know exactly. I know, Mr. Shanti Bhushan will say. 'Your Government, during the Emergency, withdrew the government directors'. You can tell me. I admit. I am not justifying or supporting it at all. Even at that time I was not supporting Kapadia. He was one of the exploiters during the Emergency. I want you to put that gentleman in the proper place. He was exploiting the previous Government and the Emergency—to loot the public money to the tune of Rs. 52 crores. He managed it; he managed to have the government directors withdrawn those days. Your Government has appointed eight directors. But are they functioning properly? Still the old evil influence prevails. I suspect, the old influence still prevails through Mukund Steel. There are allegations against Mr. Patel, Chairman. This transfer of equity shares will amount to cheating the poor people, who deposited money



[Shri Vayalar Ravi]

in the banks, to the tune of Rs. 52 crores. This Amendment will help this company. This amendment can help for a decision to give exemption. Under Section 372 of the Companies Act, your intervention may stop exchange of these shares. Section 372 is very clear; under this Section, Government consent is necessary for the investing company. It is not the National Rayon Corporation, but the Modi Group of Companies need your permission. Before giving permission to the Modi Group of Companies, it is necessary for the Government to examine the whole issue altogether. It is not that you should examine the functioning of the Modi Group of companies, but also the functioning of the National Rayon Corporation, its Chairman and the eight directors appointed by you. These directors have always been supporting the decision of the Chairman during the Emergency and after the Emergency. I would appeal to you not to support the actions of the Chairman, who has been acting in a way only to continue there. These directors have also given their consent for the transfer of equity shares which they were not expected to do. They have flouted the rules and guidelines laid down by the previous directors during the pre-emergency time. Even Mr. Patel was a member of the purchase committee along with Sudhir Kapadia and another Kapadia. All of them ganged up to cheat the public. This amendment will further help them. That is why, I demand a thorough enquiry into the whole affair. It is for your Ministry to see that the public money to the tune of Rs. 52 crores is not wasted by the transfer of equity shares from the National Rayon Corporation to Modi Group of Companies. I do not want to go into further details at this moment.

I have got a great respect for the Prime Minister and I would only like to take this opportunity to appeal to him and the hon. Minister. As has been pointed out by some hon. Members at some other occasions, a new

clique has been formed; some ICS officers have ganged up together. I only want to warn the Prime Minister that he must be careful about his Secretary, Mr. Shankar. I want to give a warning that the way in which Mr. Shankar is functioning today will bring a bad name to him. I say nothing more than that now.

Now, look at the amendment, Clause 8. According to the Act, the whole money was to be returned by April, 1975. As Shri Venkataraman said, now it is 1977; two years have passed. These people have not returned the money. If the hon. Minister would not get angry, I would say that it is meant to help the friend of the god-father of your Party, who still relaxes at the Bombay Nariman Point Tower. I hope, he will not deny that.

Section 58A of the Original Act, under 5(b) says:

"Every officer of the company who is in default shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine."

This is the clause under which you have to prosecute one of the newspaper magnates in the country, who is supposed to be your close friend relaxing at the Nariman Point tower. Ten crores of deposits have been taken by him; it has been widely publicised and has been criticised on the floor of the House. I want to know what action has been taken against him and in order to protect the interest of the depositors. I would like to know what the Minister has got to say if I say that we suspect that your intention to amend this is to protect that gentleman only. And there are other amendments I have tabled along with my friend, Mr. Venkataraman.

I have tabled an amendment about the circulation of the balance-sheet. Under the present section 219 every share-holder is eligible to get a balance sheet and he will be able to know what is happening. Merely filing a copy



with the registrar is not sufficient. Every depositor should get it. In regard to this amendment we take a very strict view and I hope the hon Minister will consider it. It is very harmless and there is no difficulty. The company will have only to print a few more copies and distribute it to the depositors....

**SHRI JAGANNATH RAO:** They have a right to get it.

**SHRI VAYALAR RAVI:** Please accept that amendment. It is harmless and it will only help the people.

Then, with regard to giving exemptions, you say that it is because of the hardships they have passed through and the labour strike and so on. This is against your basic concept and then we all know that since 1974-77 there was not much of a strike and these companies simply exploited the poor to the maximum during emergency. I concede that. They are trying to flourish themselves. I do not deny that fact. Then I cannot understand why the Minister comes here and says that they are in a bad state. I am admitting that they have exploited the people and enriched themselves to the detriment of the companies. But you come here and say that they have to be exempted because they are in a bad state. I am not able to accept this reason and it is not convincing to us—this amendment to clause 58A and inserting a new clause.

These are the points I have to make and I wish the hon. Minister will consider them. These are very important. This exemption will entrust the power into the hands of executives and some officers in the Company Law Board and it will only give room for more corruption amongst your officers. Then what will be the criterion for exemption? That will lead to under-hand dealing by the company, its manager and directors who will try to influence the officials. Why do you give scope for this evil influence to be exercised on your officials. I wish that you keep them free

from this evil influence. That is why I will say, don't give exemption further and limit it to the period till 1978. That is the best thing.

Lastly, Mr. Gupta himself has said about donations to the Congress Party. Now the Minister might have found himself in difficulties. Yes, we got donations, the Congress got donations. But what about you to-day? We have taken money but that is white money. But what about you? You have taken black money. As an honest political party, have you come out with your income and expenditure statement? You say that you are fighting again against corruption and are fighting the Congress Party. But you should have come out with your accounts. Can you? It all suits you very well when you accuse the Congress of living on black money. But you yourself now live on black money and unnecessarily, you want to blackmail the Congress that 'We are going to prosecute everybody.' But now you have found the difficulties. I would only submit that this kind of blackmailing will not lead us anywhere. I would like them to see that the loopholes in the law are plugged and the exploitation of the poor depositors by these companies is stopped. If you do that, we will join in your effort and extend you all the co-operation.

Before I sit down, I will appeal to the hon. Minister to accept some of our amendments which we consider very important. I hope you will concede our request.

With this request, I conclude.

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN):** When I made my opening speech which was a brief one, I anticipated that it would be, a dull debate....

**SHRI VAYALAR RAVI:** When we are here, it cannot be dull.

**SHRI SHANTI BHUSHAN:** Because the Bill contains a few provisions and

[Shri Shanti Bhushan]

they are a so not of a very big magnitude.

**SHRI JAGANNATH RAO:** Innocuous.

**SHRI SHANTI BHUSHAN:** But I am really very happy that hon. Members have used all their ingenuity in finding out matters for debate. It is a very interesting and useful discussion which we had and I will try as briefly as I can to deal with the points which have been raised.

Dr. Seyid Muhammad's main point was this. He did not criticise all the provisions of the Bill, but he asked what was the need for the Bill at all if a committee has already been appointed by the Government. My friend opposite Mr. Bedabrata Parua happens to be a member of the Committee which is going into revision of the Companies Act and Monopolies Act. Dr. Seyid Muhammad said, there was no need to bring in a piecemeal measure. He asked, why can't you wait till next year when the report of the committee would be available when you can solve the problems of the people in one lot, and have no piecemeal affairs at all. I can appreciate that kind of approach because he happens to belong to a party which for the last 30 years believed that they must solve the problems of people all at once and that there should be no piecemeal approach; all the problems of the people should be allowed to remain as they were till then. This is the sort of approach which was applied to the affairs of the country, with what disaster, we all know. My point is, even if you are able to do something it is better. There are some people who think.

कल करे सो आज कर, आज करे सो अब ।

There are others who say.

अभी तो जीना है बरसों ।

Some have that sort of approach, everything should be done together. But I do not see as to what is wrong with adopting piecemeal approach.

So far as Section 58A is concerned, a Study Group under the Chairmanship of Mr. James I Raj had been appointed and as a result of the recommendations of that Study Group this problem was settled.

There was another point which was made in strong terms by some Members. There were many hon. Members who were appreciative of this measure. The criticism was voiced that this is a measure which is intended to help the big companies which are exploiting the depositors' money, that this is going to hurt all the poor depositors and so on and so forth. They tried to paint a picture as if the whole object behind this Bill was to somehow save the dishonest companies; cheating the depositors and so on. I would like to pose a question. What was the experience of the amendment of Sec. 58A., introduced in 1974, for the purpose for which it was introduced? There have been some who have been representing to me and some who have been seeing me and they had certain apprehensions but many of them became quite appreciative of the object of the Bill. I explained this to them. If I can give you an example, if you have a law, the main purpose of law is this, namely, how to prevent a course of conduct which is not in the interest of society. How to bring it about?

If you have an artificial law which brings within its scope all kinds of people, whether they can be persuaded to give up that kind of activity or not, that is a different matter. Supposing a law was framed—I am just giving you an illustration to illustrate my point—that every person or every citizens shall pay one lakh of rupees for the cyclone victims of Andhra Pradesh. Anyone who does not do so, shall be liable to be prosecuted with an imprisonment for five years. Then what will happen to those who can afford to pay one lakh of rupees but who fail to pay this? They would know that this law is equally binding or equally applicable to everybody. They would know that by and large so many

people are not in a position to pay that one lakh of rupees. In that case, everyone will be found guilty and everybody will either be prosecuted or nobody will be prosecuted and if, even those who might be in a position to donate that one lakh of rupees will not comply with that law, then the law itself will come into disrepute because either the law as it stood can be fairly and reasonably enforced or, if the law becomes so artificial that it cannot be reasonably and properly enforced. In that case, it fails to serve its purpose. This is what exactly has happened, I submit with great respect, to Section 58A as it stood. After all, what was the object? The provision was that by the 1st April, 1975 all those deposits should be returned. The law has stood for 2-1/2 years since 1st April, 1973. If the law was well defined or if Section 58A was well defined, and, if any amendment or any tinkering with 58A is now going to be a sort of frustrating the purpose for which it had been enacted, then may I ask what has it achieved? Has it achieved that all those deposits which had been taken and which were required to be returned by 1st April, 1975 had been returned? Has it succeeded?

Enough time has been given to see that Section 58A as it was enacted has been allowed to remain in the statute book for more than 2½ years. If at all it has not achieved that purpose, then what is the good of paying now that that section was designed to achieve a very important purpose and now you are tinkering with that Section. That purpose would not be achieved. You have already seen as to whether that purpose has been achieved or not. It has not been achieved.

An hon. Member was pleased to ask as to how many prosecutions have been there so far and what has been their fate? I have collected figures so far as prosecutions which were launched for the violation of Section 58A are concerned. Well, 35 companies were prosecuted during this period and out of 35 companies, the cases of thirty three companies are still pending. Of

course we know there is law's delay and so on and so forth.

Of the two companies for which the prosecution came to an end, in one case, the directors were also accused persons but they were acquitted by the court. The company was fined a sum of Rs. 400. In the other, prosecution case, it was obviously felt that this is a provision which has not been complied with by anybody. There are so many companies who are not physically in a position to comply with the provisions. The law becomes artificial. The court may also adopt that course. There is a technical offence. They are convicted and some sentence was made. But the provisions of the law do not take a serious notice of that contravention on account of the fact that it is found that the law itself, in many respects is artificial. In the case of the other company, eight directors were convicted. In this case, the directors were convicted and they were also sentenced to imprisonment till the rising of the court. In addition to that, they were fined Rs. 300 each these 8 directors were fined for Rs. 300 each totalling to Rs. 2,400 in all.

This is the experience so far as the provision of the act as it stood. The maximum period is five years. It does not compel the person.

SHRI R. VENKATARAMAN: If you were not in a position to do that, you could have brought an amendment and you could have punished them with imprisonment to life.

SHRI SHANTI BHUSHAN: I am happy about the suggestion which has been given namely to make the law more artificial although a person is not in fault. Because he is not able to comply with the provisions of the law he should be sent to jail. Of course this was the mentality which was in vogue during the period of emergency when if somebody has done something, then he should be sent to jail as if that is going to be a solution. The purpose of penal law, I would like to say with great respect, is not to find some accommodation for some people in jail

[Shri Shanti Bhushan]

The main purpose is to persuade them to act in a particular way so as to punish them with imprisonment for life or even death sentence. If they will not be able to act in the way in which the society wants them to act, then what is the purpose of that penal offence? If, by merely sending them to imprisonment for life, would achieve something, then the amendment need not have been made. On the other hand, if a provision is made that this deterrent will enable or make the person to act in a particular way which the society wants, then, in that case, the law will have to see to it that the law imposes a sanction of a criminal law only against the persons who are not in a position to act in the way in which the society wants him to act, and has the option either of acting or of not acting. That precisely is the reason why this Bill has been brought.

Some hon'ble Members have found fault with the vesting of discretion. The purpose of discretion has been spelt out in the Bill. I will deal with that point. But if I assume and one proceeds on the assumption that the discretion is going to be honestly exercised, it is going to be bonafide exercise and it is going to be exercised for the purpose for which the discretion has been given, let us see what is the purpose of giving this discretion. The purpose is to distinguish between two classes of cases. The law which was introduced in 1974 in the shape of Section 58A had a certain objective. Firstly, to provide some kind of security to the poor depositors because they might be taken by the inducement of a very high rate of interest, namely, to impose certain limitation on the rate of interest which could be given by the companies. Secondly, the limits to which the companies could take these deposits so that, by and large, there is security for the depositors. Those were good objectives. Merely because the amendment was brought by the Congress Government, I am not saying it was wrong. But naturally it is quite possible at that stage it might not have been anticipated in actual working

what will be the result. Now, during the experience of two and a half years it has been found that this provision—such a stringent provision which has the sanction of criminal law—has not succeeded in achieving its object. It has not succeeded in compelling the companies to pay for all these deposits. So, we have to sit and think why is it that such a serious provision has not succeeded in its professed purpose. When we sit down to think we find that the law does not take account of the various difficulties—which may not be the difficulties within the making of the Directors—and even those who are anxious to comply with the requirements of the law are not able to physically comply with the same. So, it shall be the duty of the Government to apply its mind to the facts and circumstances of each company or each class of company. Whenever any company wants that the sanction of this criminal law should not be applied to it, it will have to make out a case of hardship. It is not a blank discretion which is being given to the Government. Government will have to apply its mind to the relevant facts and come to the conclusion whether there is any just and sufficient case. The scheme of the Act is to find out the relevant circumstances and to honestly apply the criteria to the facts of each case. The real thing is to ensure that the Government does not misuse the power or exercise the power for extraneous purposes. That, I submit, has been ensured in two ways. Firstly this power shall be—if the power is exercised by the Government for extraneous reasons or not for the purpose for which it is meant—certainly it shall be questionable before a court of law and nobody could dispute with the court if it finds that power or discretion had been exercised on extraneous consideration or mala fide intention and certainly it would be in a position to annul that exercise of power. That sanction itself would, in my humble submission, be sufficient.

The other point was that the purpose of the vesting of discretion should

be in the law. Why should the justification not be spelt out, what kind of hardship, what just and sufficient reason—these should be specified. If the problem had been so simple it could be stated that for this reason and that reason, these are the various reasons which might create genuine difficulties wherein a company might deserve the exercise of this power. But these are of such multifarious nature that it is not possible for any law to specify or make out a list of reasons and circumstances in which it might become necessary. But so long as government exercises that power *bona fide* for the purpose for which it was meant, I submit there should not be any serious objection to the exercise of that power.

The hon. Seyid Muhammad utilised this opportunity to refer to Section 293A and the opinion of Shri Palkhiwala and the former Chief Justice of India, Justice Shah. These are matters which have already been dealt with my hon. friend Shri Nathwani. All that is prohibited by Section 293A is giving donation to a political party or to a person for a political purpose. Every kind of dealing by a company with a political party had not been prohibited. For instance, a political party has some organisation which is manufacturing, say, paper weights. Merely because the company buys paper weights which are manufactured by a political party and pays the price of the paper weight to that political party, nobody can say that it is contravention of Section 293A; it would be untenable to say that the company is making a donation to the political party. But suppose the paper weight costs Rs. 5 and the company pays an amount of Rs. 5 lakhs saying that that is the price of the paper weight, it gives a cheque for that amount, the bill is made, a voucher is made and all other formalities are completed, would anyone have the slightest doubt that it is not in reality the price of a paper weight.

SHRI JAGANNATH RAO: It is political weight.

SHRI SHANTI BHUSHAN: So it will depend upon the facts and circumstances of each case. That is precisely what Mr. Palkhiwala and Justice Shah had said. In their opinion you have to go into the various circumstances and that is the purpose why this information is being collected from different companies. Every case must stand on its own footing. Until all the facts are examined, it is not possible to say whether a particular company or a director of a company is guilty of contravention of 293A or not.

He also repeatedly asked why the repeal of the 42nd amendment which was promised had not been brought forward. Why the promised electoral reforms and the anti-defection Bill had not come. Now what have those to do with the Company Bill. The repeal of the 42nd amendment is being discussed between the ruling party and other parties in both the Houses. Very soon with the cooperation of everybody we hope to bring a proper Bill before this House and the other House about that matter. I have had other occasions in the past to refer to electoral reforms. It is a very difficult matter; it is a problem which bristles with all kinds of difficulties and it is not a matter on which you can come forward with a Bill straightaway. The matter has to be considered carefully. Various proposals are before the government. Various committees and parties and so on have been making all kinds of suggestions. They are engaging the government and ultimately that would also be a matter which would be discussed with all sections of the two Houses. I hope perhaps a consensus would emerge and it would be possible to reform the electoral law of the country to the satisfaction of everybody, because evidently democracy depends upon proper electoral laws.



[Shri Shanti Bhushan]

Similarly about the anti-defections Bill also, discussions are going on. That also raises certain complicated questions and it is in the process of discussion.

Mr. Kanwar Lal Gupta expressed the apprehension that sometimes the benefit is given to the non-genuine cases. The criteria have been laid down in the provision itself and the courts are there to see whether for proper reasons the power is being exercised. So, there should be no anxiety, particularly in a democracy when Parliament's supervision is there. Every act of the government is questionable in the Parliament. The government is responsible to this House. All these procedures and rules are there by which this House exercises supervision over each and every action of the government. So, there should be no anxiety about such things happening.

Mr. Venakataraman said that this provision should be limited to 1st April, 1978. In that case, it will meet the same fate which the original provision met. If irrespective of the conditions in each individual case you put down an arbitrary date, whether it is 1975 or 1978, it will make no difference. Even 1st April 1975 was not during the period of internal emergency. 1st April, 1978 would be after the emergency. So, there would be no difference. That is why the proposal is you may exempt partly or for a particular period so that the companies can be induced to act on the facts of a particular case. Depending on the facts of a particular case, the company can be told "Yes; your difficulty can be understood. But this is how you can find out funds to pay for the depositors within such and such period. Therefore, the exemption can be granted only for such and such period." So, it will depend upon the circumstances of each case and there can be hope of the order being able to be enforced.

About Section 220, while the proposed amendment was welcomed by

all sections of the House, it was said, why is the provision requiring filing of balance sheet and profit and loss account only with the Registrar and not going further to say that copies will have to be sent to all the shareholders also I very well appreciate the sentiment behind this criticism. After all why does a company not supply the balance sheet and profit and loss account to the shareholders? It is because either it is not ready or it is not willing to make it public. I submit that as soon as it is compelled to make them public by being required to file them with the Registrar, any incentive to withhold it from the shareholders would not be there. Also, it would be open to any shareholder to inspect it in the Registrar's office. There is already Section 219(2) which says that any member can insist and ask for it.

SHRI R. VENKATARAMAN: Will it apply only to Section 219 or will it apply also to 220? Sub-section (2) applies only to Section 219 where the company holds a general meeting and is obliged under Section 219 to send 21 days before a copy of the balance sheet and profit and loss account to all the members. But there is no such thing in Section 220, because no general body meeting is held. Can you say that there is the same obligation under Section 220 as in Section 219?

SHRI SHANTI BHUSHAN: I should not express a legal opinion on a question like this, because I have had to surrender my enrolment certificate when I came and joined here. But I can say that Section 219(2) is not conditional on the holding of an annual general meeting. Therefore, it can be construed as an independent requirement. Sub-section (1) imposes one requirement; sub-section (2) gives an additional right, viz., the last balance sheet. If the balance sheet has already been prepared and filed—in that case—under sub-section (2), why can't a member insist and say, "Here you have got the balance-sheet—because the balance sheet has

been filed with the Registrar—and it is our right to have the last balance sheet. This becomes a last balance sheet which has already been prepared and is ready and available before the Registrar. Therefore, we are entitled on demand to have a copy of the balance sheet?” Therefore, I submit that even if the provision had not been there, once the balance sheet is required to be filed before the Registrar—and it is filed—it is available. It is ready and it can be inspected; and when it can be inspected, why should the management unnecessarily, and without any corresponding gain, try to displease the members by not giving them the copy—if the latter can get the copy and inspect it before the Registrar? Therefore, my submission is that perhaps it is not necessary to go further; and the provision which is being introduced is quite sufficient to meet every situation, so far as the difficulties are concerned.

Many hon. Members welcomed the amendment for raising the amount from Rs. 25,000/- to Rs. 50,000/-, in Section 293. Some of the hon. Members, however, criticized it and asked why was it necessary. Even Dr. Seyid Muhammad asked where was the urgency. I am leaving aside those who want to act contrary to law and sometimes get away with it. That happens with the Indian Penal Code also. All kinds of offences are there; but at the same time we know cases in which people commit all kinds of offences and get away with them. Society can only try to prevent, or at least as far as possible to prevent, them from getting away. But that does not mean that if there is a provision which, if worked properly will do good, it should not be introduced because some people do something wrong under that provision. Therefore, the question is whether it is correct to give the power or right to a company to make a donation. And Section 293(e) is meant for two purposes—not only for charitable purposes, but also for the welfare of employees. For these two objectives,

the amount is sought to be raised from Rs. 25,000/- to Rs. 50,000/-. The concept of charity is well known. After all, companies are making money. They are carrying on business. Normally they are big people, at least in comparison with the poor people. They are the well-to-do section of the society. No person who is below the poverty line will have a share in a company. If these people will get an opportunity, under this provision, to help poor people, through charity; or even to spend money for the welfare of the employees otherwise, what is the harm? Earlier the limit was Rs. 25,000/-; now it is being allowed upto Rs. 50,000/-. I thought that it would be a step which would be welcomed by each and every individual hon. Member, rather than be criticized. But, then, in a parliamentary democracy of this kind, what would the Opposition do if the ruling party brings in only good and proper measures? After all, they should have some role. They should criticize; and they should use their ingenuity to criticize even the good measures etc. So, we can quite appreciate it.

A point was made that even companies which are not really companies, viz. not limited companies, also sometimes advertise and take deposits. So far as this subject is concerned, I quite appreciate the sentiment behind that criticism; but that would not be a matter which would be relevant to Companies Act, because obviously the Companies Act is there for the purpose of regulating the conduct of limited companies which are registered under the Indian Companies Act—not firms, individuals and so on. That may be a matter of debate i.e., whether it should be open for an individual or a firm to invite loans or deposits of a certain kind or to advertise for that purpose. But that matter can be left to be dealt with in other forums for discussion, rather than during a discussion on the amendment of Companies Act.



[Shri Shanti Bhushan]

Shri Kanwar Lal Gupta supported the Bill, and I am grateful to him for that. He also said that it is a half-hearted measure etc. Well, he tried to look fair, that he was not completely satisfied with it. Because he is a member of the ruling party, therefore, he found some occasion to add some qualifications to show how fair and objective he is.

Then he asked: why is provision being made for total exemption? He probably mixed up between holding an annual general meeting and making deposits. He probably thought that section 58A was also designed for the purpose of compelling a company to hold the annual general meeting within 58 days. This is not meant for that purpose. It is in regard to making deposits in the companies and so on. Therefore, that question does not arise.

Then he said some companies deliberately mismanage the affairs and make them sick, take out all the money their own investment and also the investment from the financial institutions and so on and asked: what is the remedy, why some remedy was not provided by this amendment. I think that the existing remedies are known. Under section 408, Government can appoint their own directors, if there is a complaint of mismanagement, public interest being affected etc. Shri Ravi referred to this fact of Government directors. He has been very charitable to me. I am very grateful to him for that, because in his speech all the time he said "my party has been mismanaging things doing dishonourable things" this, that and the other, and he expects, and very rightly expects, this Government to right every wrong that has been done by the party then in power. We do not intend to disappoint him. We do expect to set right every wrong which might have been done earlier

Then it was asked what about political donations and so on? The hon. Member, Dr. Ramji Singh, who is especially kind to me always, I was expecting that he would give me another bouquet today, abstained from doing that. He has given notice of an amendment for banning company donations. Probably he has read only section 293, and not 293A, under which that ban is already there.

Of course, one hon. Member said that the ban is unnecessary and it should be done away with. Shri Bedabrata Barua is a member of the Committee. All kinds of suggestions which may come from any section of the House, or any section of the public, can be examined by the Committee. All those things can be considered. But this ban on company donations is still there under section 293A. Therefore, the question of considering that amendment does not arise.

It was stated by Shri Bedabrata Barua that there is too much of a discretion contemplated by this proposed amendment to section 58A, by sub-section (8) which is sought to be introduced. May I invite his attention to sub-section (7) which is already there? Is the discretion proposed larger than the discretion which is already there?

Then a question is asked: if total discretion was already there in sub-section (7), where was the need to bring in this sub-section (8)? I will immediately explain it. Even though a very wide discretion has been given by sub-section (7), the purpose is a limited one, namely, to identify particular companies, on account of the kind of business, or the kind of composition, or the kind of companies so that the provisions of that section can be made inapplicable to that company. So, the purpose of that section, even though it confers a wide discretion is a particular purpose. The purpose is

not that even though a company would be a proper company to be governed by section 58A, yet there should be the power to exempt it, either totally or partially, or for a certain period, from a particular requirement or the other and so on, or merely extend the time. So, the purpose of sub-section (8) is entirely different from the purpose behind sub-section (7). Sub-section (7) does not give power to the Government to impose conditions. If you have to come to the conclusion that the company is not to be governed by section 58A, then you pass an order under sub-section (7). But if you come to the conclusion "all right, there is a case of exemption, you shall do this, within so much time you shall pay so much", it can be done only under sub-section (8) and not under sub-section (7).

A criticism was levelled by Shri Barua that giving this power to the Government would be unconstitutional because it will be arrogating the functions of the Supreme Court. On what concept of law or legal principle this would amount to arrogating the functions of the Supreme Court I have not been able to understand and hence I must frankly confess that I am unable to reply.

SHRI VAYALAR RAVI: What he meant was that it is for the court to punish and that Government is taking away that right.

SHRI SHANTI BHUSHAN: This is a case of criminal legislation. There are certain circumstances in which there is no guilty mind or *mens rea* on the part of a person which is reprehensible or must be deprecated because difficulties have really been responsible for it. So far as this provision is concerned, that power is not with the Supreme Court to identify these cases. If it had been said that it should be done whether the reason is good or bad, the position would have been different. Granting of exemption for a certain period for certain reasons is not a power which the courts can

exercise in a criminal case. It cannot say that exemption is given for such and such a period on these conditions so as to look after the interests of the depositors. These are not things which can be done by the court at all.

I am grateful to Mr. Nathwani for giving general support to the Bill. He also said that there was overlapping between sub-sections 7 and 8, but the point which I have just made, I believe, would satisfy him.

He further said that hardship should have been specified as riot, strike etc. As I said earlier, it is not possible to identify all kinds of situations because if one makes an attempt to identify the various kinds of situations in this complex world and the companies functioning in a complex area, one would fail, the attempt would not succeed at all.

Then, he had another criticism, against the use of the words "in the opinion of."

SHRI NARENDRA P. NATHWANI: The wording in the Bill is "if it considers it necessary". That means the opinion or the satisfaction of the Government. A subjective element is introduced. Instead of that, an objective test should be introduced, and the wording may be "in order to avoid hardship".

SHRI SHANTI BHUSHAN: I fully appreciate the spirit behind what he has said, but may I appeal to the vast experience of Mr. Nathwani as a Judge and say if you make it objective and not subjective, then litigation can start and go on for ten years that it has been exercised for extraneous considerations or is *malafide*? If the other language is used, then the court must judge in each case, with the result that these matters will hang fire for years and years, with the result that everything gets frustrated. The only objection can be that the Government might try to abuse or misuse the power. So long as that is obviated

[Shri Shanti Bhushan]

and the court can intervene to find out if the power has been misused for extraneous reasons, it is good enough. It is not a case where the court can be said to be better equipped than the Government, when both are functioning honestly and for proper considerations. There can be only two reasons for giving the power to the court rather than to the Government, namely that it is better equipped or distrust. Distrust is avoided because the court can always be brought in.

**SHRI NARENDRA P. NATHWANI:**

If it is a subjective test, the court cannot go into the question of the sufficiency or otherwise of the material on which such satisfaction or opinion is arrived at.

Secondly, when you put these words, it creates a psychological atmosphere. When any person looks at it, reads it, instead of focussing the attention on the genuineness or otherwise of the ground, he has to depend on "if you consider it necessary". Ultimately, it is your discretion. That is why I thought it would be better to have this phraseology.

**SHRI SHANTI BHUSHAN:** So far as the points made by the hon. Member, Shri Jagannath Rao are concerned they have already been covered.

I am grateful to Mr. Viswanathan of the Anna DMK party who gave me the most unconditional support so far as this Bill is concerned, even more than what the hon. Members of my party have given. I am specially thankful to him and I am grateful to him for that.

Lastly, coming to the irrespressible Shri Vayalar Ravi, his main objection was that this Bill does not look so innocent as it is made out to be. I do not know whether he referred to the Bill or to the mover of the Bill. However, he has given some interesting and very useful statistics that the

banking system has, at present Rs. 17,000 crores and the companies are also having deposits to the tune of several hundred crores. The object of Section 58A is not frustrated. It is only a sort of device to really enforce Section 58A. Therefore, he need not have any apprehension so far as that is concerned.

As is usual with him, whether something is within the framework of the matter which is engaging the consideration of the House, because his vision is so wide and his scope is so broad that he can oversee everything and he cannot forget his obsession, he referred to Kapadias and the National Rayon. He brought them even in this debate. Except saying generally which I have already said, I do not propose to disappoint him so far as his general desire is concerned that we should under all the mischief and evil for which he might be at least nationally responsible. I would not like to digress much into the National Rayon, etc. As he knows, the Government directors have already been appointed. He was very sorry that Government directors appointed earlier had been removed. He thought that there was no justification for removing Government directors earlier. I take it that he wanted to pay me a compliment that Government directors have been appointed. I thank him for that; I am grateful to him for that.

Then, he said that the Janata Party has taken some black money from somewhere. Of course, he knows, all these colours and recognises black, white, grey, red, pink, green and so on, all kinds of money. But I must frankly admit that I am almost colour blind as to where and how the black money etc. is taken. So, I will not be able to contribute to this part of the debate.

With these words, I again express my gratefulness to the hon. Members and I request them to support the Bill and adopt it.

MR CHAIRMAN: The question is:

"That the Bill further to amend the Companies Act, 1956, be taken into consideration"

*The motion was adopted.*

17 hrs.

MR: CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill

There is no amendment given notice of to Clause 2.

I shall put it to the vote of the House.

The question is:

"That Clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 3—(Amendment of section 58A)*

SHRI R. VENKATARAMAN: I beg to move:

Page 1, line 16,—

*after "time" insert—*

*"till 1st April, 1978" (4)*

Page 1, lines 17 and 18,—

*omit "or exempt any company or class of companies from," (5)*

Page 1, line 18,—

*omit "or any of" (6)*

Page 1, lines 18 to 20,—

*omit "either generally or for any specified period subject to such conditions as may be specified in the order" (7)*

SHRI NARENDRA P. NATHWANI: I want to speak on a particular aspect of my amendment. Therefore, I am moving that—though I know that my suggestion has no chance of being accepted.

I beg to move:

Page 1, lines 12 and 13,—

*for "if it considers it necessary for avoiding any hardship"*

*substitute "in order to avoid any undue hardship" (10)*

SHRI R. VENKATARAMAN: I have heard with very great attention and respect the explanation given by the hon. Law Minister. He has said that this law is not capable of enforcement. I was really shocked. He gave an instance which, to me, appears something like 'from sublime to the ridicule'. He said, 'If I make a law today that every one of you must pay Rs. 1 lakh to the Andhra Pradesh Cyclone Relief Fund and if I am not able to enforce it, then the law will be absurd; I do not think that any sane man reading section 58A will come to the conclusion that it is such an absurd proposition as passing a law saying that every one must pay Rs. 1 lakh to Andhra Pradesh Cyclone Relief Fund. I want to make this clear. He is a good lawyer, a very clever lawyer; we have read his arguments; and we have now heard him with great attention. I was reminded of a Shakespearian passage:

*"In law what plea  
so tainted and corrupt  
but being seasoned by a sober brow  
obscures the show of evil."*

That applies to him very well. The point is this, Parliament, in its wisdom, wanted to regulate taking of deposits by companies. That was for the purpose of protecting the small investors who have been drawn into depositing money into companies which are not able to honour and pay them back. I can understand the Government saying 'all right, we will give them some more time for the purpose of repaying'. But if the Government wants to take the power to exempt totally from all or any of the

[Shri R. Venkataraman]

provisions of section 58A, it is an unthinkable proposition. It may happen, according to this amendment, that some of the members who have deposited money with some companies will never see the colour of the coin. Government may totally exempt them from section 58A, or give such exemption from time to time for such a long time that the depositors would be dead and even their progeny will not be able to see that money. So, there should be a time limit. That is all what I say.

It is true that the companies have some problems. Some of the companies have accepted deposits when there was no regulation, and those companies should be given time to repay. We have no objection to giving time. If you say time up to 1st April 1978 is not enough for the companies to repay deposits, I would even suggest that you take away that time limit, but let the Government take the power to extend the time. But there should be a time limit to enforce all the provisions of section 58. The depositors have put their money into the companies, and they must get it back. If the Government takes a blanket power to exempt companies from the operation of section 58A and there is no time limit within which they should repay, what happens to the poor depositors who have deposited their money in good faith? Are they not entitled to some sympathy? Who is entitled to sympathy—the erring company or the poor depositors? I leave it to the House to decide it.

I am glad the Finance Minister is present here. I have written letters to him, complaining of a number of instances in which the depositors have not got back their money from the company. The Finance Minister was good enough to tell me that he has forwarded it to the Company Law Administration. But what we get from the Company Law Administration is

not extension of time for applying the provisions, but total power to exempt them from the operation of section 58A. I would say that the provisions of section 58A should be enforced, the money of the depositors should be returned to them, but some time may be given to the companies. I have no objection to that. But to say that blanket power should be assumed by the Government to extend the time, as they feel just in each case, is to deprive the poor depositor, for whose benefit section 58A was introduced, so that the depositors may get back their money. That is why I have moved this amendment.

SHRI VAYALAR RAVI: In reply to the suggestion of Shri Venkataraman, the hon. Minister made a funny statement. The question is who will decide as to who is at fault? Suppose some people have deposited some money in a company and there is mismanagement in that company. Who will decide it? In this case, the Government have taken the right to decide who is at fault. This provision gives discretion to the Government to show favouritism. That is why we object to it. We are insisting that there should be a time limit. It should not be unlimited.

It is true that in order to protect the interests of the depositors you can appoint Government directors. But even after appointing Government directors, you are losing control because the same pattern of functioning is there, as the same provisions of the Companies Act continues.

It is true that I have admitted some mistakes of the previous Government. That does not mean that all that we have done is wrong. Like every human being in the world, the Congressmen in power might have made some mistakes. I only appeal that better wisdom must prevail upon the hon. Law Minister to accept the amendments to protect the interests of the depositors, rather than the

interest of a few companies and their managing directors. That is all I have to say.

SHRI NARENDRA P. NATHWANI: Sir, I am trying to draw the attention of the hon. Minister to the words 'any hardship' in the sentence, i.e., "if the Government considers it necessary for avoiding any hardship". The words 'any hardship' would have as wide a meaning as possible. In the absence of any limitation on qualification it would mean every kind of hardship. I am appealing to the hon. Minister to accept instead the words, "any genuine" or "any undue hardship". This will make the position clear. I know the intention. The intention is not to treat every kind of hardship. Whenever a person has to part with money or he is discharging a debt, he feels some kind of hardship. Therefore, I am suggesting that the word 'genuine' or 'undue' may be inserted before the word 'hardship' so that such protection may be there.

SHRI SHANTI BHUSHAN: I need not make a speech. I will deal with the points raised very briefly. As an illustration I gave the instance of Rs. 1 lakh as donation by each person to Andhra Cyclone relief. It is not my intention that that kind of situation has to be equated with the provision contained in Sec. 58A. That was an illustration and an extreme example only. To illustrate an argument this is what we sometimes do, namely, take some extreme example, to bring home the argument. Then a question was asked as to what will happen to the depositors. So far as they are concerned, I have said this earlier, their right against the company are left completely in tact. They have all the remedies for recovering the amount, including statutory notice and filing winding-up petition. Therefore, their rights are very much in tact. They can report to all those method permissible under the law. So far as Mr. Vayalar Ravi's point is concerned, he had

something to say and he obviously has tried to say something and I have also replied to.

My hon. friend Mr. Nathwani has great experience and he knows that no order could be made on a non-genuine hardship and it would not be accepted by the court. That is all that I have got to say.

MR. CHAIRMAN: I will now put amendments Nos. 4, 5, 6, and 7 to the vote of the House.

*Amendments nos. 4, 5, 6 and 7 were put and negatived.*

MR. CHAIRMAN: Amendment No. 10 Mr. Nathwani.

SHRI NARENDRA P. NATHWANI: I want to withdraw it. I seek leave to withdraw it.

MR. CHAIRMAN: Has the hon. Member leave of the House to withdraw his amendment.

*Amendment no. 10 was, by leave, withdrawn.*

MR. CHAIRMAN: Now the question is:

"That Clause 3 stand part of the Bill."

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*Clause 4 was added to the Bill.*

*Clause 5—(Amendment of Section 220)*

MR. CHAIRMAN: I now come to clause 5. There are two amendments to this clause. Are you moving?

SHRI R. VENKATARAMAN: I move:

Page 2, line 133—

*after 'Registrar' insert—*

"and be sent to every person entitled to receive under section 219 of this Act" (8)



SHRI VAYALAR RAVI: I move:

Page 2, line 13,—

after "Registrar" insert—

"and be sent to all persons entitled under section 219 of this Act." (9)

SHRI R. VENKATARAMAN: Mr. Chairman. I will say only a few words. Of all the arguments which the hon. Law Minister has advanced, his case is very weak when he comes to Clause 5. He himself conceded that the shareholders have a right to have copies of the balance sheet and the profit and loss account. He said they can go and inspect them in the Registrar's Office. There, my simple question is this. Should the shareholders, as part of the company, who have contributed to the capital be put in a position of an outsider to go to the Registrar's Office and inspect the documents? Is he not entitled under Sec. 219 of the Companies Act to receive a copy of these documents before the annual general meeting?

Then, the Law Minister said that Clause 2 of Sec. 219 will apply to Sec. 220 also. On that point his interpretation is that even when under Sec. 220, where an annual general meeting is not held, there is an obligation cast on the company to circulate the balance sheet and the profit and loss account to the members of the company. Then, he said that he had not been called upon to give a legal opinion on this matter. It is a very simple one. A shareholder of a company is entitled to receive the balance sheet. When an annual general meeting is not held, you compel him to file the documents with the Registrar. How does it affect the Government if the company is told or forced to do that? After all, it is being sent to the persons entitled under Sec. 219. You throw in the post boxes the documents for being given to all the members as well as those entitled to receive them under Sec. 219, namely, the debentures trustees and creditors. Are they not entitled to get them? Why should the Law Minister stick

to it? It is not a matter of prestige; there is no a question of serious implication in it. After all, you are going to extend the same facility which already exists in 219 under the new clause which you have brought forward. I also support it by saying that you give them to the shareholders of the company also. I think that this is a very reasonable amendment and I am surprised with all the reasonableness which the Law Minister has put forth in his very able arguments he is unable to find his way to accept this. I would only appeal to him to accept my amendment.

SHRI SHANTI BHUSHAN: I would like to draw the attention of the hon. Members to sub-section (2) of Sec. 219. The language is very clear. If somebody rises a difficulty, I think, the court will meet with that difficulty because the language is very clear.

"Any member or holder of the debenture of the company, whether he is entitled or not to get the copies of balance sheet, shall on demand, be entitled to be furnished without any charge....."

Therefore, this is un-conditional and I should take it *prime facie* this itself creates the right. If it does, it would be wrong to duplicate the provision when it is not required.

SHRI R. VENKATARAMAN: Sir, I just want one clarification. 219 relates to the situation in which the company holds a general meeting and the Section says that before holding a general meeting—twenty-one days before holding the general meeting—you should circulate to the members the documents mentioned therein. If such a document is not circulated and general meeting is held then Section 219 (2) says you have the right to receive. Now, read the Section as a whole. It will relate only to cases where general meeting is held and not, perhaps, to cases where a general meeting is not held.



**SHRI SHANTI BHUSHAN:** So far as sub-section (1) is concerned it applies to cases where general meeting is held and so far sub-section (2) is concerned it gives general right to a member to demand the documents and they have to be supplied.

**MR. CHAIRMAN:** I shall now put amendments No. 8 and 9 to the vote of the House.

*Amendments nos. 8 and 9 were put and negatived.*

**MR. CHAIRMAN:** The question is:

"That Clause 5 stand part of the Bill."

*The motion was adopted.*

*Clause 5 was added to the Bill.*

**MR. CHAIRMAN:** There is one amendment No. 12 on Clause 6 by Dr. Ramji Singh. He is not moving. The question is:

"That Clause 6 stand part of the Bill."

*The motion was adopted.*

*Clause 6 was added to the Bill.*

**MR. CHAIRMAN:** There is one amendment by Mr. Kapoor on clause 7. He is not moving. The question is:

"That Clause 7 stand part of the Bill."

*The motion was adopted.*

*Clause 7 was added to the Bill.*

*List of Supplementary Demands for Grants (General) for 1977-78 submitted to the vote of Lok Sabha*

No. of Demand	Name of Demand	Amount of Demand for Grant submitted to the vote of the House
---------------	----------------	---

1

2

3

Revenue  
Rs.Capital  
Rs.

# MINISTRY OF AGRICULTURE AND IRRIGATION

2	Agriculture	10,00,00,000	..
5	Forest	1,00,000	..

*Clauses 8 and 9 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**SHRI SHANTI BHUSHAN:** Sir, I move:

"That the Bill be passed."

**MR. CHAIRMAN:** The question is:

"That the Bill be passed."

*The motion was adopted.*

17.22 hrs.

## SUPPLEMENTARY DEMANDS FOR GRANTS—(GENERAL) 1977-78

**MR. CHAIRMAN:** Now, we take up discussion and voting on the Supplementary Demands for Grants in respect of the Budget (General) for 1977-78.

Motion moved:

"That the respective Supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order paper be granted to the President out of the Consolidated Fund of India to defray the charges that will come in course of payment during the year ending the 31st day of March, 1978 in respect of the following demands entered in the second column thereof—

Demands Nos. 2, 5, 7, 12, 16, 32, 34, 40, 49, 53, 56, 63, 64, 82, 84, 86, 89, 100 and 105."

1	2	3
7	Department of Rural Development . . . . .	20,00,00,000 ..
	MINISTRY OF CHEMICALS AND FERTILIZERS	
12	Chemicals and Fertilizers Industries . . . . .	25,01,86,000 3,01,89,000
	MINISTRY OF COMMERCE .	
16	Foreign Trade and Export Production . . . . .	29,00,00,000 139,87,00,000
	MINISTRY OF ENERGY	
32	Power Development . . . . .	6,11,01,000 117,80,00,000
	MINISTRY OF EXTERNAL AFFAIRS	
34	Ministry of External Affairs . . . . .	.. 5,38,00,000
	MINISTRY OF FINANCE	
40	Transfers to State and Union Territory Governments . . . . .	121,95,00,000
	MINISTRY OF HEALTH AND FAMILY WELFARE	
49	Medical and Public Health . . . . .	4,29,30,000 87,76,000
	MINISTRY OF HOME AFFAIRS	
53	Department of Personnel and Administrative Reforms . . . . .	10,92,000 ..
56	Other expenditure of the Ministry of Home Affairs . . . . .	2,000 ..
	MINISTRY OF INDUSTRY	
63	Industries . . . . .	5,00,00,000 20,00,000
64	Village and Small Industries. . . . .	.. 4,50,00,000
	MINISTRY OF SHIPPING AND TRANSPORT	
82	Ports, Lighthouses and Shipping ' . . . . .	.. 20,55,00,000
	MINISTRY OF STEEL AND MINES	
84	Department of Steel . . . . .	.. 1,000
86	Mines and Minerals . . . . .	.. 12,20,79,000
	MINISTRY OF SUPPLY AND REHABILITATION	
89	Department of Rehabilitation . . . . .	3,86,00,000
	DEPARTMENT OF ATOMIC ENERGY	
100	Atomic Energy Research, Development and Industrial Projects . . . . .	5,00,00,000
	DEPARTMENT OF SPACE	
105	Department of Space . . . . .	.. 56,00,000

MR. CHAIRMAN: There are many cut motions.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I beg to move:

"That the demand for a supplementary grant of a sum not exceeding Rs. 10,00,00,000 in respect of Agriculture be reduced by Rs. 100."

[Allocation of relief to cyclone and flood affected areas from plans/assistance contrary to the request from concerned States that it be non-plan assistance. (1)]

That the demand for a supplementary grant of a sum not exceeding Rs. 10,00,00,000 in respect of Agriculture be reduced by Rs. 100.

[Failure to give adequate assistance to cyclone and flood affected areas for rehabilitation of victims. (2)]

That the demand for a supplementary grant of a sum not exceeding Rs. 1,00,000 in respect of Forest be reduced by Rs. 100.

[Failure to take adequate measures to protect and develop forest areas where such measures are required for prevention of soil erosion (3)]

That the demand for a supplementary grant of a sum not exceeding Rs. 20,00,00,000 in respect of Department of Rural Development be reduced by Rs. 100.

[Need to settle without further delay long standing grievances of employees of Food Corporation of India. (4)]

That the demand for a supplementary grant of a sum of not exceeding Rs. 5,20,00,000 in respect of Industries be reduced by Rs. 100.

[Continued refusal to entertain the requests of small scale manufacturers of steel products for exemption from heavy excise duties. (5)]

That the demand for a supplementary grant of a sum not exceeding Rs. 5,20,00,000 in respect of Industries be reduced by Rs. 100.

[Continued refusal to entertain requests of hosiery manufacturers for relief from high rate of general excise duty. (6)]

SHRI P. K. DEO (Kalahandi): I beg to move:—

That the demand for a supplementary grant of a sum not exceeding Rs 10,00,00,000 in respect of Agriculture be reduced by Rs. 100.

[Acute flood situation in Orissa in last September. (7)]

That the demand for a supplementary grant of a sum not exceeding

Rs. 10,00,00,000 in respect of Agriculture be reduced by Rs. 100.

[Man-made flood in Kalahandi District by the bursting of the incomplete Pipalnala Dam where rain water was impounded. (8)]

That the demand for a supplementary grant of a sum not exceeding Rs. 1,00,000 in respect of Forest be reduced by Rs. 100.

[Working of the State Forest Development Corporation in Orissa and large scale denudation of forest in Kalahandi District by contractors. (9)]

That the demand for a supplementary grant of a sum not exceeding Rs. 123,91,01,000 in respect of Power Development be reduced by Rs. 100.

[Desirability of expediting the construction of the Indravati Project and reassessing the Hydro-electric power potential in the country. (10)]

SHRI K. SURYANARAYANA (Eluru): Mr. Chairman, while supporting the demands for grants. I want to make a few observations about the lack of adequate and proper financial assistance to the victims of cyclone affected areas in Andhra Pradesh.

[SHRI M. SATYANARAYAN RAO in the Chair]

The House is aware of the calamity that befell the country, especially the Andhra Pradesh, on 19th of last month and the colossal loss that we had to suffer because of that. The Government of India had sent a study team of 8 Members and it is expected to send its report shortly. The Government of India should come to the rescue of the Andhra Government. Unfortunately, I do not know, the assistance that they have given comes only to Rs. 75.13 crores. The Government of Andhra Pradesh have estimated that relief measures would cost Rs. 216.18

[Shri K. Suryanarayana]

crores but the Government of India had given only Rs. 75 crores. The Andhra Pradesh Government have distributed already nearly Rs. 10 crores for some purposes. There is loss of cattle to the extent of 23 crores, sheep 75 lakhs, poultry worth one crore, pigs worth Rs. 2.50 crores; loss of houses or damage to houses 63.85 crores. Food and cloth to the people who were victims is estimated at 44.40 crores. They have so far given about 2.40 crores. Protection of cattle is Rs. 0.35 crores. On social welfare they have already spent 40 lakhs. On rehabilitation assistance to fishermen and artisans 8.10 crores. On assistance to agriculturists they estimated 3411 crores. On restoration of government buildings, public buildings, roads, bridges, port facilities in coastal areas, repairs to major and medium irrigation they estimated 5.50 crores, restoration of electrical installations 10 crores and so on. That is all estimated at 216 crores. This is beyond the capacity of the Andhra Government. Unless you provide 216 crores now, the entire area would be affected, especially these two or three district, would find it difficult to survive. After Prime Minister visited that place people expected that things would move quickly. He told us frankly there that money was not a problem; he told us that we should go and inspect and see all the facts, and he assured us that Government of India would come to their help. The total loss is estimated at 1000 crores—that is the total damage caused to public and private property. This is the worst in this century and Andhra alone cannot bear it. The entire country must come to its rescue. The Finance Minister is also here. Everywhere there is insurance for industry. Industry is being financed almost cent per cent by banks and public institutions. But we, agriculturists, put our own hard-earned money. For development and production they are giving loans. But for industry, the entire capital is provided by you

and there is insurance also. When they suffer losses due to cyclone or other reasons, they get back their money cent per cent. Of course, unfortunately some industrialists, without expecting cyclones, did not insure.

As I said, it is beyond the State Government's capacity to meet the situation. Several times members have expressed sympathy. Not only this country, but other countries also are giving assistance. The collectors have been given all the powers and the expenditure actually incurred by the collectors now is Rs. 10 crores. Every hut dweller is being given Rs. 150 to Rs. 400. If there is loss of cattle, Rs. 1000 are given as grant for a Buffalo. In this matter, there is no question of big or small farmer. All are equal. The Agricultural Commission has given the figure that those holding 10 acres and above constitute only 4 per cent of the total holdings and the area operated by them is 30.5 per cent, i.e. more than one-fourth, but their population is only 4 per cent. Sir, I was staying there for ten days and studying the situation. The farmers are very much depressed. Big farmers have no capital. Already they have borrowed a lot and no bank is coming to their rescue. Reserve Bank, land mortgage banks etc. are simply planning but no help has come from them yet. I request that there should be a moratorium for three or four years and also interest-free loans should be given for production. Otherwise, the economy will suffer. Future production of foodgrains will suffer. All we need is financial assistance for reclaiming the land and producing foodgrains. You please take up the responsibility of reclaiming the saline land and the sanded land. There are four feet of sand on sugarcane fields. All the crops have been damaged and the farmers are being neglected now. Of course, we are very grateful for the assistance that has been given—Rs. 150 for building huts, Rs. 500 for the goldsmiths, carpenters, barbers, washermen and others. We do not want any subsidy. Farmers with 1 or

2 acres of land may be given subsidy. But for those owning 5 acres and above, there must be interest-free loans. That is the only request we are making to the Government of India. That is the immediate necessity. The second crop will have to be raised and want 200 lakh tonnes of fertilisers on loan. The Andhra Government has no money to give even as loan. So, the State Government has sent a memorandum and other details to the Central Government. The Central Government should immediately come to the rescue of the Andhra people. There is no use of lip sympathy. Our people are laughing at us. The Prime Minister had been there I do not want to blame anybody. Ordinary people think so. There is a competition among people for going there. The point is, how best can we help the affected people—whether it is help from the Government of India, or from the Government of Andhra Pradesh. People don't think in terms of the Janata government, or the Congress government. The present government in Andhra Pradesh may be there, or may not be there. The Prime Minister and many other Ministers have said that agriculturists should be given priority. There is a provision now for spending Rs 15,000 crores on irrigation plans. For whose benefit will it be? Only for the benefit of agriculturists. These seriousness of the problems of the agriculturists in Andhra should also be considered in such a manner.

We know how much money has been spent in Nagarjunasagar. We have spent beyond our limit. It should now be taken over by the Centre. The Ganga-Kaveri project should also be considered immediately. Financial assistance may be obtained from the World Bank and other international bodies.

Once again I request the Finance Minister to keep in mind the serious plight of the Agriculturists and to grant them interest-free loans to the extent of Rs. 1000/- or Rs. 1500/- each.

All the commercial crops in the Guntur district have been destroyed. Even people having 20 acres or 100 acres do not have food. Some of them may have food, but they have no capacity for future production. Apart from rice mills, there is only one rural industry in the villages, viz. sugar mill. We are giving some relief to the factories by way of reduction in excise duty. We do not object to it; we are happy about it. But the grower is not getting anything from it. The percentage of recovery was not fixed earlier. The recovery basis now is Rs. 8.50 per quintal, with a premium of 10 paise per quintal for recovery of 0.1 per cent additional recovery. All the sugarcane crops have fallen down. We have lost them in 4 or 5 districts. Government should come to their rescue. There was a report by the Marathe Committee. Governments are not giving any attention to its recommendations. The previous Government had not given due consideration to it. You are showing special consideration to sick mills and other sick industries. You should now treat the agriculturist in Andhra Pradesh also as you treat a sick industry, i.e. especially in the 4 districts of Andhra Pradesh affected by cyclone and tidal waves.

Lastly about the sugar industry. I happen to be the president of one co-operative. There was a committee and one Mr. Sampath had recommended certain things. In 1975, taking into consideration the cost of production, they have miscalculated everything. One Shri Sampath was entrusted with this work. He recommended that this concession may be given even to those who have constructed sugar factories with lesser cost. I have given a representation against this to the Agriculture Ministry.

The sugar industry has four husbands—the Department of Co-operatives, Ministries of Agriculture, Industry and Finance. Yet, nobody is willing to hear their problems, even though the Finance Minister is a retired ICS officer, he comes from an

[Shri K. Suryanarayana]

agricultural family and he knows the needs and problems of the agriculturists, including that of the sugarcane growers.

I have taken up this question with the Andhra Pradesh Government that they are giving concession to those who have constructed factories with lesser cost. At the same time, we are penalised and not given any concession, because Shri Sampth has recommended like that. He is a retired IAS officer, who does not know anything about sugarcane. Yet, he is appointed the Sugar Adviser. I do not know why they are allowing such things.

We in our general body meeting passed a resolution that unless the Government come to the rescue of the co-operative sugar factories, they are going to liquidate them. What is the alternative? I have invested Rs. 10,000 out of which Rs. 6,000 was borrowed from a bank. Now the bank has given me notice. I am not able to repay it because the co-operative has no profit and is not declaring any dividend. On the other hand, if it had been a joint stock company, we would have been able to dispose of our shares in the stock exchange.

Finally, I would say that sugar co-operatives should be given interest-free loans. Sick industries in this sector should be helped. There should also be provision for insurance.

In the end, I thank you, Sir, for giving me this opportunity.

श्री जगदीश प्रसाद माथुर (सीकर) :  
सभापति महोदय, ये पूरक मांगें माननीय वित्त मंत्री महोदय ने प्रस्तुत की हैं। मैं उनका समर्थन करने के लिए खड़ा हुआ हूँ।

सभापति महोदय, हमको मालूम है कि जो बायदे हमने जनता के सामने किये थे, वे एक तकनीक दृष्टि से सरकार के बारे

के सारे बायदे पूरे करती आ रही है। लेकिन जहाँ तक आर्थिक स्थिति का सवाल है, मुख्य रूप से कीमतों में वृद्धि का, उनके बारे में हमने जो प्रावधान किया है कि महंगाई को रोका जाएगा, उसमें हम पूरी तरह से सफल नहीं रहे हैं : मैं एक उदाहरण आपको देता हूँ। बाजार से सरसों का तेल गायब हो गया है। सरकार ने इसका दस रुपये किलो भाव तय कर दिया था। मैं जानना चाहता हूँ कि कौन से कारण थे जिन से वशीभूत हो कर सरकार ने इस प्रकार का एक भाव तय किया और अगर भाव तय किया तो सरकार के पास ऐसी व्यवस्था होनी चाहिए थी जिससे उपभोक्ताओं को वह चीज उपलब्ध कराई जाती। जब उनको वह चीज उपलब्ध नहीं होती और सरकारी स्तर पर घोषणा कर दी जाती है कि भाव तय कर दिया गया है तो इसका सीधा प्रभाव सरकारी नीतियों पर भी पड़ता है, उसके आचरण पर भी पड़ता है और इसका दोष जनता हम को भी देती है और हम लोगों को भी इस चीज को सहन करना पड़ता है। अगर आप समझते हैं कि यह एक अभ्यावहारिक निर्णय था तो इस प्रकार का निर्णय आपको नहीं लेना चाहिए था। अगर निर्णय लिया गया था तो उस निर्णय की कार्यान्विति भी होनी चाहिए थी। वित्त मंत्री जी मंत्रिमंडल के प्रमुख सदस्य हैं। इस प्रकार का निर्णय ले कर जो दैनिक उपयोग की वस्तु है वह अगर बाजार से गायब हो जाती है तो वह कोई अच्छी बात नहीं है। इतना ही नहीं जन साधारण की जो अपेक्षा थी बजट से वह बात भी नहीं हुई है। आप सप्लीमेंटरी डिमांड्स ले कर आए हैं और जिस प्रकार के आपने इस में प्राधान किए हैं, उनको सदन ने पहले भी स्वीकार किया है और अब भी करेगा। लेकिन जिस प्रकार की हमारी घोषणाएँ रही हैं उनकी पूर्ति भी होनी चाहिए ताकि लोगों की हम पर

आस्था जमी रह सके । इस वास्ते जो कुछ आप कहते हैं उसकी कार्यान्विति की व्यवस्था भी होनी चाहिए ।

करोड़ों रुपया आप का खर्च होता है जिस का कोई बहुत ज्यादा उपयोग नहीं होता है और उस तरफ भी आपको ध्यान देना चाहिए । मैं खास तौर पर इस संदर्भ में राजस्थान की जो समस्या है उसकी और आपका ध्यान आकर्षित करना चाहता हूँ । हमारे प्रान्त में लगभग पचास हजार शरणार्थी इस समय हैं । इन पर सरकार हर साल तीन चार करोड़ खर्च करती है । 1971 की लड़ाई के बाद ये लोग आए थे । तब से लगातार इन पर हर साल इतना पैसा खर्च होता आ रहा है । सरकार ने उनके बारे में अभी तक कुछ निर्णय नहीं लिया है । इसका नतीजा यह है कि प्रतिवर्ष उनका भार हमारे बजट पर पड़ता रहता है, उन पर तीन चार करोड़ प्रतिवर्ष खर्च हो जाता है । अगर स्थायी रूप से उनकी पुनर्वास की व्यवस्था हो जाए तो यह राया बच सकता है और हमारे ज्यादा जरूरी कामों पर खर्च हो सकता है । प्रतिवर्ष यह भार हम अपने बजट पर डालते हैं । सरकार के जो वरिष्ठ नेता हैं उनकी मान्यता है कि जो लोग आए हैं वे पाकिस्तान वापिस नहीं जाएंगे । अगर नहीं जाएंगे तो करोड़ों प्रतिवर्ष उन पर खर्च करने के बजाये एक बार में दस बीस करोड़ खर्च कर दिया जाये और उनका पुनर्वास कर दिया जाए तो यह जो हर वर्ष हम को खर्च करना पड़ता है यह बच सकता है । अभी तक आपने इस का कोई हल नहीं निकाला है और इसका नतीजा यह है कि व्यर्थ में हम हर साल इतना पैसा खर्च कर रहे हैं । मैं चाहता हूँ कि मंत्रिमंडल से विचार विमर्श करके जो करोड़ों रुपया इस प्रकार से खर्च होता है इसको आप बचाएं और उनको

स्थायी रूप से आप बसाने की व्यवस्था करें ।

SHRI P. K. DEO (Kalahandi): I share the concern of the nation at the national calamity which befell Andhra Pradesh, and on which there has been a full-dress debate a few days ago. I do not want to speak on that subject on which much has been said, and shall confine my observations to some of the Supplementary Demands that have come before us.

Demand No. 2 refers to floods and the various measures that the Central Government is taking such as grant-in-aid in the shape of wheat to the various States to the tune of 80,000 tonnes. This will go a long way to help those areas which have been affected by floods. Though this paragraph does not mention my State, Orissa, and refers only to Assam and West Bengal, I know very well that a Central high power team visited my State when there were floods there in September. I sent a telegram to Shri Surjit Singh Barnala, the Minister of Agriculture and Irrigation, and he was very kind enough to send a central team which made an on-the-spot study of the flood situation in Orissa and, more particularly, in my district of Kalahandi.

These Supplementary Demands also suggest a supplementary appropriation of a short-term loan to the tune of Rs. 25 crores in addition to Rs. 75 crores which had been budgeted for this year. So far as the flood situation in Orissa is concerned, the State Government of Orissa prepared a memorandum on the floods in Orissa, in 1977, and submitted it to the Central Government for a Central assistance to the tune Rs. 18 crores. Now, it has been increased to Rs. 25 crores. If you will kindly go through this report, you will find a very peculiar feature. The Kalahandi district which has never been a flood-affected district which is located in the hilly area has been the worst affected district by the cloud bursts which took place on 9th, 10th



[Shri P. K. Deo]

and 11th September, 1977. There has been a rainfall of more than 11 inches. It created an unprecedented flood causing a lot of damage to life, both human beings and cattle, and to property. If you see the casualty list, you will find that the estimated value of houses damaged in the Kalahandi district tops the list of all the districts affected by the flood of 1977. So far as the paddy and sugarcane fields affected by the flood are concerned, again, the Kalahandi district tops the list. Thousands of acres have been affected by this flood.

We experienced the last flood in 1967 when there was a rainfall of 13 inches in one night. But the magnitude of the damage was not so much 10 years ago as it has happened this time. It is because there has been a continuous denudation of forests in the catchment areas of the various rivers. If you study the topography of the Kalahandi district, you will find that in south Kalahandi, the four major river systems have their beginning there. They originate from there. The rivers are: Vansadhara, Nagarvali, Indravati, and Hati which is the main tributary of the Tel river. The Tel river itself arises from very close to that point. In the second Lok Sabha, Sardar Swaran Singh was the Minister of Agriculture. I brought to his notice that at least the catchment areas of the Tal river should not be disturbed and they should not be denuded of forests. But to our misfortune, all the forests were completely cleared and bull-dozed. The entire Dandakarnaya area was denuded of forests because new lands had to be created for the East Bengal refugees for their rehabilitation there. As a result, on those hilly tracts where the gradient is very steep, because there are no forests, all the rainfall that falls rushes through and all the devastation takes place in a matter of a day or two. That has been the experience this year. In Demand No. 5 on forests, a very good

suggestion has been made. An Indian Institute of Forest Management is going to be started in collaboration with the Indian Institute of Management, Ahmedabad, for which the Swedish International Development Agency is likely to make a substantial sum available. The personnel who would be trained there will man the operations of the State Forest Development Corporations in the various States. It is a very good suggestion. I hope that the forest operations will be done now in a scientific way; the working plan in respect of forests will be executed in a scientific way and there will be no indiscriminate felling of forest trees. There was a pious Resolution brought by the previous Orissa Government in the course of the last two years that henceforth they would put an end to forest operations by contractors and they would not auction forests. But in the last minute, because of the influence of powerful contractors, the resolution was given a go-bye and forests were put under auction. The unscrupulous contractorse to make profits go on felling trees indiscriminately and the petty forest officials are subjected to all kinds of bribe and corruption. Thus, we lose our national wealth. It takes a hundred years for a tree to mature, but it hardly takes ten or fifteen minutes to cut down a tree. So, artificial desert conditions are being created there and soil erosion follows.

I would be failing in my duty, while discussing the floods if I do not bring to the notice of the Government of India certain discrepancies which have not been pointed out in this memorandum to the Agriculture Minister. Shri Barnala, regarding Pipalnala Minor Irrigation Project. This is a small minor irrigation project, and even though there were lower tenders received, the contract was given to a blue-eyed contractor of the previous Government—Shri Ramavatar Agarwal. There was a half-an-hour discussion in the last Session. He owed nearly Rs. 68 lakhs to the Government of Orissa

and to the Food Corporation of India. He did a very bad job in the Pipalnala Project. The main dam was yet to be completed another 14 feet high. Before the completion of the dam, the rain water was impounded and when there was a cloud-burst, the main Pipalnala dam burst. As a result man-made flood thousands of acres of land were sand-cast. Bhawanipatna, the district headquarters, was inundated. Several houses collapsed and many lives were lost—both cattle and human beings. All the approach roads to Bhawanipatna were cut off; all the bridges were washed away—cutting off the district headquarters from outside world....

MR. CHAIRMAN: Please try to conclude.

SHRI P. K. DEO: I will finish in three or four minutes.

MR. CHAIRMAN: You have already taken ten minutes. Please try conclude now.

18 hrs.

SHRI P. K. DEO: Lastly, I would like to highlight the importance of the Upper Indravati Project. This is a multi-purpose project which has been recently cleared by the Technical Advisory Body of the Planning Commission and it is going to be included in the Sixth Plan. But I doubt if the resources of the Orissa Government can accommodate it in the Orissa Plan. I suggested that it should be split up and the power portion should be taken up by the Central Government; the National Hydro-Electric Corporation of India can take it up. It is going to cost Rs. 142 crores and it would generate 600 megawatt of hydro power at a very

cheap rate. The irrigation part of this project, which would cost Rs. 78 crores and will irrigate 5 lakh acres of chronically drought affected area may be taken up by the Orissa Government and could be spread over five years. Further, there should be some time-limit to complete this project, otherwise the cost will further escalate and it would be beyond our capacity.

MR. CHAIRMAN: Please conclude now. You may supply all other facts to the Minister and he will reply tomorrow and will take those facts into account.

SHRI P. K. DEO: Sir, I have made certain specific suggestions and I would like to get specific answers to these points

MR. CHAIRMAN: Mr. Alagesan.

SHRI O. V. ALAGESAN (Arkonam): Mr. Chairman, Sir,....

MR. CHAIRMAN: You may continue tomorrow.

## BUSINESS ADVISORY COMMITTEE

### TENTH REPORT

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): I beg to present the Tenth Report of the Business Advisory Committee.

18.02 hrs.

*The Lok Sabha adjourned till Eleven of the Clock on Wednesday, December 14, 1977/Agrahayana 23, 1899 (Saka).*