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Wednesday, May 7, 1969  
Vaisakha 17, 1891 (Saka)

# LOK SABHA DEBATES

Seventh Session  
(Fourth Lok Sabha)



LOK SABHA SECRETARIAT  
New Delhi

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*No. 55—Wednesday, May 7, 1969/Vaisakha 17, 1891 (Saka)*

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## LOK SABHA DEBATES

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### LOK SABHA

*Wednesday, May 7, 1969/Vaisakha 17, 1891  
(Saka)*

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

*(MR. SPEAKER in the Chair)*

### OBITUARY REFERENCE

**MR. SPEAKER:** I have to inform the House of the sad demise of Prof. Krishna Chandra who passed away at Meerut on the 30th April, 1969, at the age of 74.

Prof. Krishna Chandra was a member of the First and Second Lok Sabha during the years 1952-62.

We deeply mourn the loss of this friend and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may stand in silence for a short while to express its sorrow.

*The members then stood in silence for a short while*

### ORAL ANSWERS TO QUESTIONS

#### Export of Tea

\*1533. **SHRI BEDABRATA BARUA:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether efforts have been made to sell blended and packeted tea to foreign countries in addition to the usual sale of tea;

(b) whether any efforts have been made to enter markets outside the U.K. with

tea in Indian packets exported directly by India; and

(c) if not, the reasons therefor?

**THE MINISTER OF FOREIGN TRADE AND SUPPLY (SHRI B. R. BHAGAT):** (a) and (b). Yes, Sir.

(c) Does not arise.

**SHRI BEDABRATA BARUA:** So far as the tea trade is concerned, the interest of the British auctioneers and others generally is in the generic promotion of tea but not in the promotion of sale of package tea for obvious reasons. These interests control 98 per cent of the trade. Out of the six auctioneers in Calcutta, four control 98 per cent of the entire trade in tea. Even in the Tea Board as constituted, out of 25 non-official members, 8 are Britishers. What is Government's policy in regard to the tea trade? Is there any proposal to Indianise the auctioning agencies, the brokers?

**SHRI B.R. BHAGAT:** The question relates to the export of package tea. As for the auctions, how much is in Calcutta and how much in London, we have given the information. Now more than 50 per cent of the auctions is done in Calcutta. As to how much is done by British firms, although the sterling companies or firms are owned by the British interests, they function under our regulations here. That is a different matter. I am surprised he said that on the Tea Board, 8 members are British nationals. I do not think that is correct.

**SHRI BEDABRATA BARUA:** The strong tie of Indian tea with the London market is suicidal to our interests. It has also been admitted that the Britishers show some preference for East African tea now. This may ultimately lead to the end of our tea trade. Why is it not possible to make

it obligatory on these auctioneers to function only in India? Why should not the tea auctions be held only in India and not in London? I think it may be possible to insist on this.

Secondly, is it possible to create in the Tea Board an agency which can look to our interests in this respect so that auctions are held only in India so that we may not lose a lot of trade as we do under the present process?

SHRI B.R. BHAGAT: The hon. member had tabled a question on the export of package tea which is different from tea auctions. If he tables a separate question, I will answer.

SHRI D.N. PATODIA: The hon. Minister has stated that efforts have been made to promote the sale of package tea. What are the results of these efforts in the last three years and how much package tea has been exported? Looking at the experience of James Finlay in the direction of exports a few years back which resulted in loss of crores of rupees, what particular incentive do Government propose to offer to those firms which are prepared to export package tea, and has any such incentive programme been drawn up in collaboration with the Tea Board which is wasting lakhs and lakhs of Indian rupees?

SHRI B.R. BHAGAT: The export of package tea amounted to Rs. 2.81 crores in 1968.

SHRI D.N. PATODIA: What a figure!

SHRI B.R. BHAGAT: In 1967, it was Rs. 2.41 crores. It is true the amount is negligible; he is right in saying that it is a very small amount. But as the hon. member knows, it is difficult for package tea to enter sophisticated markets, particularly the European market. In many places, there is a national monopoly. The whole system of internal taxes and other things is such that it is difficult for any outsider, even if it is not legally banned, to enter with the freight cost and all those things. Wherever possible, with our neighbouring countries, we are trying to do our best. The more

important thing is to develop national packaging. It is true that most of the packaged tea which is sold in the country is done by companies like Brooke Bond and others. I have asked the Ministry to give thought to it and see how far the national market packaged tea should be developed either alone or in co-operation with Ceylon and packaged tea should be exported to whichever country we can. All incentives are given. Even this year, the duty on packaged tea has been completely abolished; that is one incentive; other incentives could be thought of.

SHRI HEM RAJ: Is it a fact that the Japanese delegation which toured India recently has complained that there was no propaganda for Indian tea in Japan and that India tea was liked in Japan. What efforts have been made by the Government to popularise Indian tea in Japan?

SHRI B.R. BHAGAT: Japan grows its own tea and its own special variety. Particularly, we know their consumption of green tea and I think the hon. Member is interested in the export of similar varieties. We are trying to develop our exports.

DR. RANEN SEN: Sometime back there was a talk of India and Ceylon forming a consortium for the combined export of tea. I got the impression from what the hon. Minister says that the talks are still continuing. Are the talks still continuing? Have any active steps been taken to begin export of tea?

SHRI B.R. BHAGAT: Working parties have been formed in both the countries and they have submitted their reports; each is studying the others report and another meeting is expected to take place when these aspects will be considered. I have said that we shall go ahead in co-operation with Ceylon if possible; if not, we shall go ahead ourselves.

અલીગઢ મેં પરમાણુ રિએક્ટર

\*1534. બો મહારાજ સિહ ભારતી : કણ પ્રથમ મંત્રી યહ બતાને કી રૂપા કરેંગે કિ :  
(ક) કણ પરમાણુ ઊર્જા આયોગ ને 500 કરોડ રૂપયે કી લાગત સે અલીગઢ મેં એક

परमाणु रिएक्टर स्थापित करने की योजना बनाई है जिससे किसानों के लिये सस्ते उर्वरक, एल्यूमिनियम तथा सस्ती बिजली प्राप्त होने के साथ-साथ 14 प्रतिशत लाभ होगा; और

(ख) यदि हाँ, तो इस परियोजना को शीघ्र पूरा करने के लिए कार्यवाही न किये जाने के कारण हैं?

**उप-मंत्री (श्रीमती नन्दिनी सत्पथी) :** (क) और (ख). परमाणु ऊर्जा आयोग ने अभी तक ऐसी कोई योजना नहीं बनाई है। भारत में बड़े साइज़ के परमाणु बिजली धरों के आस-पास कृषि-उद्योग समूह स्थापित करने की सम्भावनाओं का पता लगाने के लिये परमाणु ऊर्जा आयोग ने जो कार्यकारी वर्ग नियुक्त किया था, उसने एक प्रारम्भिक रिपोर्ट तैयार कर ली है। इस बारे में विस्तृत अध्ययन किये जा रहे हैं। इन अध्ययनों के पूरा हो जाने के बाद ही अन्तिम निर्णय किया जायेगा।

**श्री महाराज सिंह भारती :** परमाणु बिजली के अन्दर इन दिनों जो चमत्कार हुआ है, उससे जो कीमत घटी है और यूरोपियम 235 को अलग निकालने वाली जो सेट्रिफ्यूज़ की नई प्रणाली निकली है उससे तो और भी सस्ता इधन बनने वाला है। जैसा मंत्री जी ने बतलाया उन्होंने योजना तो नहीं बनाई है—योजना कहते हुए उन्हें जरा शर्म आती है क्योंकि लोग कहेंगे कि योजना बनाई है—तो लागू क्यों नहीं करते—पर उन्होंने सर्वेक्षण कराया है, जांच कराई है, और उस जांच से सरकार इस नतीजे पर पहुंची है कि अगर अलीगढ़ में नरोरा के ऊपर एक बड़ा बिजलीधर लगाया जाय, और जैसा मुझको बताया गया है, मैं उसका कनकमैदान चाहता हूँ, उसके हिसाब से आज किसानों को जो बिजली 15 पैसे के हिसाब से मिलती है वह उनको 8 पैसे में दी जा सकेगी और जिस भाव पर आप अल्यूमिनियम के कारखाने को

बिजली दे रहे हैं सस्ती दर पर, उसी पर दे कर अल्यूमिनियम के और भी कारखाने लगाये जा सकेंगे। पूरी विस्तृत जानकारी मंत्री महोदय ने दी है।

मैं जानना चाहता हूँ कि जब अपने ही वैज्ञानिकों द्वारा अपने ही देश में फैबरीकेट होकर अपनी ही स्वदेशी मुद्रा के जरिए एक बड़ा प्लांट बड़ा किया जाता है जिसमें विदेशी मुद्रा की भी आवश्यकता नहीं है तो कौनसे वह कारण हैं जिनकी वजह से उसको नहीं बनाया जा रहा है और चौथी योजना में उसको स्थान नहीं दिया जा रहा है?

**SHRIMATI NANDINI SATPATHY:** It is true that this agro-industrial complex or a high-powered atomic plant is a very exciting idea, but the fact remains that it needs a very heavy resources. As the hon. Member knows, and most of the hon. Members here know, it is not possible at this moment to have those resources. Along with that, though we admit that we have some indigenous knowhow, even then, we need more knowhow for that. So, all these things are being examined. A preliminary report has been submitted by this Working Group which has made a study in the Aligarh region. This report is under scrutiny. After the scientists make a detailed study of this then only anything can be said about it.

**श्री महाराज सिंह भारती :** अध्यक्ष महोदय, यह प्रीलिमिनरी रिपोर्ट नहीं है जैसा कि इस सदन को बताने की कोशिश की जा रही है। उस रिपोर्ट के आधार पर भारत के प्रतिनिधि ने एक अन्तर्राष्ट्रीय समारोह में उस रिपोर्ट को बाकायदा रखा है विश्लेषण के साथ कि इन्डिया में यह फीजेबुल है और यह बड़ा अच्छा है। वह इतना प्रीलिमिनरी नहीं है जितना कि आप कह रहे हैं। आप जो कहते हैं कि साधनों का अभाव है तो साधनों से मतलब आप का क्या है? हमारे पास वैज्ञानिक हैं, बनाने वाले हैं, फैबरीकेशन की हमारे पास यूनिट मौजूद है, फैबरीकेट कर सकते हैं। उस का जो विदेशी कंटेंट होगा वह दस परसेंट से

ज्यादा नहीं होगा 500 करोड़ में से 50 करोड़ से ज्यादा का नहीं होगा। रिसोर्सेज से इंटी मिनिस्टर साहब का क्या मतलब है? रिसोर्सेज से उनका मतलब क्या रूपये से है? पहले इस देश में विदेशी मुद्रा का तो अकाल था क्या आजकल स्वेदशी मुद्रा का भी अकाल हो गया है, क्या मंत्री महोदया यह कहना चाहती है?

**SHRIMATI NANDINI SATPATHY:** No, Sir. I do not want to say that. But I want to draw the attention of the hon. Member to the fact that it is not only the question of resources, as I have already said and it is not only the knowhow, but there are so many other things which are connected with the study of this agro-industrial complex. Even in the advanced countries, the study of this thing is in a preliminary, and rather in an exploratory stage. Here in India, we are also in a preliminary stage. As the hon. Member says, that report is not that preliminary, but the remains that even in the advanced countries nothing has been done as yet, and it is under study. So, I would like to tell the hon. Member that unless and until the scientists of India make a further study of this, he will appreciate that it is not possible for the Government to say anything about it.

श्री महाराज सिंह भारती : ग्राम्यक महोदय, मुझे आपकी सहायता चाहिए क्योंकि यह बड़ी ज्यादती की बात है।

**MR. SPEAKER:** I think I must give protection to her; not to you!

श्री महाराज सिंह भारती : बिजली बनाने के काम में दुनिया इतनी आगे निकल गई है कि उसको कुछ नहीं जानना है, अत्यूभीनियम के सिलसिले में कुछ नहीं जानना है, ट्यूबवैल के सिलसिले में कुछ नहीं जानना है। यह कोई नई खोज की चीज़ योड़ ही है। इन सभी चीजों को इकट्ठा करके लगाने की बात है लेकिन आप ऐसा बतला रही हैं मानों कोई नई चीज़ होने जा रही है।

**SHRIMATI SUSHILA ROHATGI:** Sir, it is a fact that the period required for setting up of an atomic reactor and commissioning is more than five years. In fact, it is about 10 years. If there is no prospect of setting up an atomic reactor in the fourth Five Year Plan, the entire scheme of expansion in relation to atomic energy will be postponed for another 10 years. Keeping that in mind, and apart from the paucity of funds, will the Government re-think over this matter? Also, since I believe that the Planning Commission has already suggested that the location at Narora in Uttar Pradesh is a very suitable site, will the Government consider this point that the setting up of an atomic reactor cannot be postponed for another 10 years in the interests of the progress of the country, and will the Government revise its opinion in this matter?

**SHRIMATI NANDINI SATPATHY:** As I have already said, there is no provision in the Fourth Five Year Plan for a new atomic project, and as such, there is no question of any provision for survey as such, in the Plan.

**SHRI S.K. TAPURIAH:** The preliminary report was submitted sometime in June 68. The report is so objective that it requires immediate scrutiny. It is one of those few reports about which we can say with justification that it is good, because apart from aluminium and fertilisers, it says that this project if undertaken will supply power sufficient to energise tube-wells to irrigate 7 lakh hectares and food production due to such irrigation will be 40 lakh tonnes per year and cereals 7 lakh tonnes per year, which will be enough to meet the needs of 20 million people. In view of this, may, I know by what time the final report will come and whether it is a fact that the preliminary survey made by the working group indicated that the cost of power production will be only 3 paise per KWH?

**SHRIMATI NANDINI SATPATHY:** I have replied to this. It is not so easy to say how long it will take because so many things are involved. It is true that the report mentions about the production of so many tonnes of foodgrains, but there are so many other things also to be studied. If the hon. member has read the recommendations of the working group, he will find that they have

indicated that there are so many other things.

SHRI S. K. TAPURIAH: Like?

MR. SPEAKER: I do not think it is necessary for her to say all those things. It is a highly technical matter.

श्री मूँ अ० शां : मंत्री महोदय ने अभी बतलाया कि चौथे प्लान में नरोरा में बड़ा बिजली घर बनाने की कोई स्कीम नहीं है तो मैं उनको बतलाना चाहता हूँ कि प्रधान मंत्री महोदय ने रायबरेली या उत्तर प्रदेश के अन्य किसी स्थान पर...

MR. SPEAKER: You are going into the location now. She has said it is not possible. Every tehsil will come now.

मूँ अ० शां : उसी के मुताल्लिक बड़ा रेलवेट सवाल है। मैं बतला रहा या कि प्रधान मंत्री जी ने रायबरेली या उत्तर प्रदेश के अन्य किसी स्थान पर पब्लिक मीटिंग में ऐसा इशारा किया है कि इस प्लान के अन्दर एक बड़ा बिजली घर यू० पी० गवर्नमेंट बनाने के बारे में सोच रही है तो क्या डिप्टी मिनिस्टर साहब का यह बयान कि चौथे प्लान में बड़ा बिजली घर बनाने की बात नहीं है, प्रधान मंत्री के उस बयान से एतलाफ नहीं करता है जोकि प्रधान मंत्री जी ने उत्तर प्रदेश में दिया है?

SHRIMATI NANDINI SATPATHY: I do not know what the Prime Minister has said. It may be something about the Planning Commission that he is asking.

श्री मूँ अ० शां : इस के माने यह है कि डिप्टी मिनिस्टर साहब को पूरी जानकारी नहीं है तभी उन्होंने वह प्लानिंग कमिशन की बात कही कि प्लानिंग कमिशन से कोई बात करके उन्होंने ऐसा स्टेटमेंट दे दिया हो। डिप्टी मिनिस्टर साहब को पूरी जानकारी होनी चाहिए।

MR. SPEAKER: She has said she does not know. You must take it.

SHRI SAMAR GUHA: The announcement made by the Atomic Energy Commission that the Tarapur reactor has reached the stage of criticality is a thrilling and most significant news of the year for the whole country. This reactor is not only the biggest in India but in the whole of Asia and it is the second of its kind in this continent. But I do not know why the Government has almost adopted a hush-hush policy as regards the development of nuclear technology in our country. This news of reaching criticality by the Tarapur reactor, which indicates a major breakthrough in the nuclear technology in our country should have been highlighted. Many projects of minor importance receive Government's attention in a pompous way and opening ceremonies of such projects are performed. But nothing has been done in the case of Tarapur. When I visited Tarapur, I felt a bit of anxiety when I found that Tarapur has been established on the sea shore, exposed to attack by any potential enemy, say, by a submarine. In view of this, will Government make an arrangement for the ceremonial opening of the Tarapur reactor with a view to highlight the nuclear achievements of India? For that ceremony, representatives of postgraduate students and science institutes all over the country particularly from universities should be invited...

MR. SPEAKER: What should be served in that party—cashew nut or sweet?

SHRI SAMAR GUHA: Sir, my question is whether a formal ceremonial function would be held to open that Tarapur Institute where post-graduate science students from all universities of India would be invited so as to instil a scientific thrill in them? Secondly, may I know what steps are being taken by the Government to ensure security of Tarapur Nuclear Reactor which is exposed by the sea side?

SHRIMATI NANDINI SATPATHY: About the first part of his question I would like to say Government is not adopting any hush-hush policy about atomic energy and Government is giving full attention to this. The hon. Member asked about ceremonial opening. It is a suggestion for action.

**SHRI SAMAR GUHA:** What about the security of Tarapur? It is on the sea-side and it is exposed to hostile activity by any potential enemy.

**SHRIMATI NANDINI SATPATHY:** All possible arrangements will be made for the security of the atomic reactor.

**ओं प्रकाशवीर शास्त्री :** परमाणु से बनने वाली बिजली के इस केन्द्र के सम्बन्ध में राजधानी के पास नरोरा में बिजली बनाने की यह योजना है। इसके सम्बन्ध में उत्तर प्रदेश के राजपाल श्री गोपाल रेड़ी ने एक विस्तृत योजना केन्द्र को भेजी थी और उसमें स्पष्ट रूप से निर्देश था कि यह परमाणु बिजलीघर न केवल उत्तर प्रदेश को बल्कि हरियाणा और राजस्थान को भी बिजली उपलब्ध कर सकेगा और उसका एक मानविक भी उन्होंने भेजा था। प्रधान मंत्री ने संसद के पिछले अधिवेशन में एक प्रश्न का उत्तर देते हुए यह कहा था कि इस पर बड़ी गम्भीरता के साथ विचार हो रहा है। अभी उपमंत्री महोदया ने बताया है कि चतुर्थ पंचवर्षीय योजना में इसको सम्मिलित नहीं किया गया है। मैं जानना चाहता हूँ कि आपका यह निर्णय तकनीकी निर्णय है या राजनीतिक निर्णय है?

**SHRIMATI NANDINI SATPATHY:** It is not any political consideration. It depends on the resources. As we go along there is review from time to time and if the resources permit then we can consider this thing also.

#### Sino-Pak Shipping Service

\*1535. **SHRI YAJNA DATT SHARMA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has also been drawn to the shipping service;

(b) whether Government's attention has also been drawn to the Peking offer to Pakistan on flood control; and

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

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) and (b). The Government have seen reports to this effect, but are not aware whether these negotiations have, as yet, assumed a concrete shape.

(c) Such collaboration in the economic development field between China and Pakistan would be in line with the policy of the two countries to increase cooperation between themselves.

**ओं यशदत्त शर्मा :** यह स्पष्ट है कि चीन पिछले कुछ दिनों से अपने साम्राज्यवादी और सैनिक मुद्दों से भारत के विश्व पाकिस्तान को भड़का रहा है। इस तरह से वह हमारी सुरक्षा के लिये कुछ नये संकट पैदा कर रहा है। चाहे यह शिपिंग के मामले में कोलेबोरेशन का सवाल हो या प्लड कंट्रोल को लेकर होने वाले कोलेबोरेशन का सवाल हो, हमारी सुरक्षा के लिये बड़ा संकट यह पैदा कर सकता है। भारत सरकार को इस प्रश्न पर देश की सुरक्षा को ध्यान में रखते हुए विचार करना होगा। चीन और पाकिस्तान के बीच में बढ़ते हुए भारत विरोधी गठबंधन की भूमिका के दृष्टिकोण से इसको देखना होगा।

भारत की प्रधान मंत्री जी ने तेरह नवंबर को इसी सदन में यह कहा था कि हम हिन्द महासागर को शान्ति केन्द्र बनाये रखना चाहते हैं। जब यह शिपिंग का सवाल आएगा तो लाजिमी तौर पर चीन अपने सैनिक पोतों को या पानी के जहाजों को लाकर वे आफ बंगाल के अन्दर खड़ा कर देगा, वहाँ उनके लिये ठिकाना बनायेगा और इसके कारण उसकी वहाँ पर वर्कशाप भी बनेगी और बाद में बहुत सी चीजें और होंगी। इस बास्ते में यह जानना चाहता हूँ कि अपनी सुरक्षा की दृष्टि से तथा पुरानी सारी भूमिका को सामने रखते हुए क्या भारत सरकार इस पर विचार करेगी? अभी हाल ही में नेवल स्टडी मूप ने एक सुझाव दिया था कि हिन्द महासागर के अन्दर जो नये संकट हमारी सुरक्षा की दृष्टि से पैदा हुए हैं उनको देखते हुए जापान के साथ, आस्ट्रेलिया

के साथ और मलेशिया के साथ मिल कर, उन को साथ जोड़कर हमको हिन्द महासागर की एक ऐसी विरादरी बनानी चाहिये जोकि चीन और पाकिस्तान के गठबन्धन से जो संकट हिन्द महासागर में पैदा हो रहा है, उसका मुकाबला करने में समर्थ हो सके। मैं जानना चाहता हूँ कि क्या भारत सरकार इस प्रश्न पर इस दृष्टि से विचार करेगी तथा अपनी विदेश नीति में कोई केर बदल करेगी? इसके सम्बन्ध में जो ठोस कदम वह उठाने जा रही है उसकी भी कुछ जानकारी सदन को दी जानी चाहिये।

**बैंडेशिक कार्य मंत्री (श्री दिनेश तिहाँ):** माननीय सदस्य ठीक कहते हैं कि जब कोई बात हो तो उसके हिसाब से हमको अपनी सुरक्षा पर ध्यान देना चाहिये। हम अपनी सुरक्षा पर ध्यान रखते हैं। लेकिन सुरक्षा पर ध्यान रखने का यह मतलब नहीं है कि हर शांतिपूर्ण जो काम हो रहा है, उस पर, उस सब पर हम एतराज़ करें। शांतिपूर्ण दंग से जहाज बहुत से देशों के आते हैं और जाते हैं, एक दूसरे से परस्पर उनका मेल होता है, मिल जुलकर काम करते हैं। हर बात पर हम एतराज़ का भंडा खड़ा रखें, एतराज़ का भंडा लिये रहें, यह न सही होगा और न ही मुनासिब। जहाँ तक सुरक्षा का सम्बन्ध है, उसको हमें देखना है। पाकिस्तान और चीन अगर जहाजरानी के सम्बन्ध में कोई समझौता करते हैं और सामान एक दूसरे देश के लिए ले जाना चाहते हैं और इस क्षेत्र में सहयोग करना चाहते हैं तो हर एक चीज पर हम एतराज़ की निगाह से देखें, मैं समझौता हूँ कि मुनासिब नहीं है। यह मैं माननीय सदस्य को जरूर बताना चाहता हूँ कि जहाँ तक सुरक्षा के अंग का सम्बन्ध है, वह हमेशा हमारे सामने रहता है और अपनी सुरक्षा के लिये जो भी बात करनी होगी, उसको हम हमेशा देखते रहेंगे। सुरक्षा मंत्रालय के कागज के बारे में उन्होंने जो कहा है, मैं नहीं कह सकता हूँ कि उसमें क्या है? लेकिन बीच-बीच में हर चीज की जांच

होती रहती है और सुरक्षा मंत्रालय का काम है कि वह देखे कि देश की किस तरह से हिफाजत होनी चाहिये। मैं नहीं समझता हूँ कि सुरक्षा मंत्रालय को इसमें कोई एतराज़ है।

**श्री यज्ञदत्त शर्मा:** एक स्पष्टीकरण नहीं हुआ है। अपना हूँसरा प्रश्न मैं बाद में करूँगा। मैंने कहा था कि आपके नेवल स्टडी प्रूप ने इंडियन ओशन कम्युनिटी केन्द्र बनाने का सुझाव दिया था और उसके अन्दर कुछ देशों को अभी जोड़ने का और आगे चल कर थाई आदि देशों को भी जोड़ने का सुझाव दिया था, क्या यह सही है? क्या सुरक्षा की दृष्टि से इस प्रकार की भूमिका तैयार करने की बात थी या नहीं थी? इसका उत्तर नहीं प्राप्त है।

**श्री दिनेश तिहाँ:** यह जो कागज माननीय सदस्य बता रहे हैं इसको मैंने नहीं देखा है और इसके बारे में मैं कुछ नहीं कह सकता हूँ। माननीय सदस्य इसके बारे में सुरक्षा मंत्री से पूछेंगे तो जरूर वह उनको सूचना देंगे।

**श्री यज्ञदत्त शर्मा:** मुझे बड़े स्तेद के साथ कहना पड़ता है कि मंत्री महोदय ने हमें सरमन दिये हैं। मैं उनके इन सरमनों का उत्तर देना चाहता हूँ। आप तो अध्यक्ष महोदय जानते ही हैं कि कल जिस बक्त अबसाई चिन के पठार के ऊपर सड़क बनाये जाने की बात आई थी तब भी इसी प्रकार का उत्तर दिया गया था और कहा गया था कि शांति के लिये यह सड़क बनाई जा रही है तिब्बत के विकास कार्यों को आगे बढ़ाने के लिए यह सड़क बनाई जा रही है और इसके पीछे कोई सैनिक मुद्दा नहीं है। तब भी इसी प्रकार के सरमन इस सदन को सुनने के लिये मिले थे। नतीजा हमने देख लिया। तिब्बत मारा गया। आज भी मंत्री महोदय अपनी गलती को मानने के लिये तैयार नहीं हैं। जब कोई प्रश्न किया जाता है तो कुछ शंकाओं को ले कर किया जाता है। पिछले बीस वर्ष में सरकार की नीति और दृष्टिकोण इस प्रकार का रहा है कि देश की सुरक्षा को गम्भीर संकट उसके

कारण पैदा हुए हैं। दूसरों को गलत बताने की मंत्री महोदय को आदत है। अपनी गलती को मानने के लिए वह तैयार नहीं है। वह सीधे हथोड़ेबाजी विरोधी दल के ऊपर करते हैं। मैंने कोई आपत्तिजनक भाषा का प्रयोग नहीं किया था। मैं आश्वासन मंत्री महोदय से चाहता हूँ। वह आश्वासन दें कि जिस तरह से हिमालय संकट का कारण बना था उसी तरह से हिन्द महासागर को वह संकट का कारण नहीं बनने देंगे। जिस प्रकार की परिस्थितियां तब पैदा हो गई थीं उस प्रकार की परिस्थितियों को वह पैदा नहीं होने देंगे। यह शिपिंग का ही सवाल नहीं है, फ्लड कंट्रोल का ही सवाल नहीं है। जब यह चीज़ होगी तब उसके हैलीकोप्टर भी आ कर ठहरेंगे और हमारी सुरक्षा को एक नया संकट पैदा होगा। हिन्द महासागर के अन्दर चीन के सेनिक पोत आ कर खड़े होंगे और तब मंत्री महोदय हाथ ढीले करके कह देंगे कि हम सोये ही सोये पकड़े गए। आज भी हथोड़ेबाजी कर रहे हैं। मैं जानना चाहता हूँ कि वह क्या नीति अपनाना चाहते हैं? मैं जानना चाहता हूँ कि पाकिस्तान और चीन की सम्पूर्ण भूमिका को सामने रखते हुए क्या कोसिंगिन के साथ बातचीत में उन्होंने चीन की शरारत को सामने लाया है?

श्री दिनेश सिंह: माननीय सदस्य ने जो बात कही है उससे वह यह दिखाना चाहते हैं कि इस देश की सुरक्षा के लिए सिर्फ उनको ही दिलचस्पी है। मैं साफ कहना चाहता हूँ कि उन से ज्यादा दिलचस्पी हमारी है। गलत बात वह...

श्री यशवत्त शर्मा: मुझे इसके ऊपर आपत्ति है (इंटरप्रॉफ) अच्छक महोदय, मेरे प्रश्न का उत्तर दिया जाये।

SHRI M. L. SONDHI: This Foreign Minister is guilty of procrastination.....  
(Interruptions)

MR. SPEAKER: Order, order. The whole House is interested in the defence of the country. I am sure there is not one

section that is not interested in the defence of the country. Let us not attribute any motive. All of us are interested in the defence of the country.

SHRI RANGA: I thought he was protesting against the manner in which the answer was not given as complete as it ought to be and proper responsive answer was not forthcoming and I was hoping either you would intervene or the Minister himself would try to supplement his answer. The Defence Minister also happens to be here fortunately. Is it not the duty of the Minister concerned, specially on an important question like this, who is also an important member of the Cabinet that when he comes to give a reply, he should have had prior consultation with the Defence Ministry and the Minister specially in regard to such an important document? Instead of that, the hon. Minister says that he expects the Defence Minister and the Ministry to look into the document. They would know; he does not know anything. Is that a satisfactory way of answering in this House? Can we have a more responsive and more responsible reply from the hon. Minister in regard to that document?

MR. SPEAKER: Only that portion of the question asked by Shri Yajna Datt Sharma about our Prime Minister's talks with Mr. Kosygin may be answered. (Interruption)

SHRI DINESH SINGH: This is the type of dealing they think should be done in international affairs. What comment can any serious person make on such remarks?

May I say that the Prime Minister has had a fairly full discussion with Mr. Kosygin. It would not be desirable for me to indicate the nature of the discussion. It would naturally not be desirable to disclose the details of discussion between the two Prime Ministers even to this august House. So far as the general question of our awareness and the discussion on matters of importance to us is concerned, all the matters important to us have been discussed.

SHRI HEM BARUA: Pakistan has imported from China not only arms and ammunition but also shipping service and

flood control equipment. In the context of that, may I know if Government is aware of the fact that Pakistan and China have both proposed for a joint policing of the Indian Ocean after the withdrawal of Britain from that area in the very recent times and, if so, whether this particular fact was discussed with Mr. Kosygin and, if it was discussed, what was his reaction and, secondly, whether Government are considering or thinking of having measures or steps against this joint move by China and Pakistan on their own?

**SHRI DINESH SINGH:** We are not aware of any agreement between China and Pakistan on the joint patrolling of the Indian Ocean. The question that has been raised is of their maritime collaboration in shipping and not collaboration in the use of their naval forces. Any agreement of this nature is not known to us.

**SHRI HEM BARUA:** The collaboration in shipping is not an innocent matter. This collaboration between China and Pakistan can develop into a collaboration of an aggressive nature.

**MR. SPEAKER:** He is not aware of it; he has replied to that.

**SHRI HEM BARUA:** My question was very specific as to whether China and Pakistan have decided jointly to police the Indian Ocean after the British withdrawal from that area. This has come to light.

**SHRI DINESH SINGH:** May I say that all the possibilities that the hon. Member envisages are possibilities that we can think of and that we have thought of. I am here to give authoritative replies, as I have given. I cannot go into guessing as he can do.

**SHRI S. KANDAPPAN:** I thought that even the Minister conceded this that it could not be ruled out that in future it may lead to some kind of collusion between China and Pakistan in the Indian Ocean—which now starts by way of some trade alliance or some maritime alliance between them. I would like to know this. This is very serious in the sense that during the last week when there was a question about our having some kind of understanding with the countries in

South-East Asia, that was totally reflected by the Government and Government said that they were not intending to enter into any kind of agreement with any country whatsoever. But today a news has appeared in the papers: I find that the Foreign Minister of Indonesia has stated that if at all there is a move from the Government of India, they have to consider the question keeping in view that the Pakistan is also equally a friendly country to them. We have to remember that there is not a single country in South-East Asia whom we can claim as an exclusive friend of India. They are equally friend towards Pakistan...

**AN HON. MEMBER:** Singapore.

**SHRI S. KANDAPPAN:** So, when that kind of development takes place, what will happen? We are very prudently aware of the fact that with regard to our Navy, we are not in a position, in spite of the claims made by our Minister, to protect the vast coastal areas in this country. When we are not in a position to meet even this bare minimum by way of protection through the sea and also when we are not in a position, on willing to enter into any kind of collaboration or agreement or adjustment with any country in South-East Asia, what will happen to the future defence of our country? We should not allow ourselves to be caught unawares and overnight prepare ourselves all of a sudden.

**SHRI DINESH SINGH:** The future defence of this country will be in the hands of Indians who will have to defend their country. I totally fail to understand the concept that has been proposed that just by signing one or two agreements with some countries we will acquire tremendous power to defend the whole area. It is totally unfounded and without any idea of reality as it exists.

So far as we are concerned, we have made a categorical statement about our policy in this area. (Interruptions)

**MR. SPEAKER:** We are not discussing the whole defence policy.

**SHRI S. KANDAPPAN:** Does the Minister mean that we have got sufficient

capability to defend our territories particularly on the coast?

MR. SPEAKER: It is in the hands of Indians. This is what he said.

SHRI HEM BARUA: What is his idea of reality?

MR. SPEAKER: Next Question. Mr. Shri Chand Goyal.

Vatican Status for Nankana Sahib

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\*1536. SHRI SHRI CHAND GOYAL:  
SHRI HARDAYAL DEVGUN:  
SHRI D. C. SHARMA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the International Sikh Brotherhood has submitted a memorandum to the Prime Minister demanding vatican status for the Shrine of Nankana Sahib in Pakistan; and

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

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

(b) The International Sikh Brotherhood has been informed that the Government do not consider it advisable to take up the matter with the Government of Pakistan.

SHRI SHRI CHAND GOYAL: The Shrine of Nankana Sahib, the birth place of Guru Nanak, the founder of Sikh religion, is one of the most sacred places for us and there is no doubt that all Indians should be allowed free access to that city. But unfortunately those Sikhs who want to visit that sacred place are put to lot of restrictions and harassment from year to year. The Nehru-Liaquat Ali Pact, which contemplated that all religious places would be honourably protected and there would be free access, is not being implemented in full, and I feel that this demand for a vatican status for Nankana Sahib has arisen from

the circumstances—because the Nehru-Liaquat Ali Pact has not been implemented in letter and in spirit. I want to know what steps are Government taking to see that there is full implementation, in letter and in spirit, of the Nehru-Liaquat Ali Pact, so that these demands or similar demands do not crop up.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI DINESH SINGH): I appreciate the sentiments expressed by the hon. Member. I can assure him that the Government are active in asking Pakistan to implement the agreement made for the preservation of the religious shrines in Pakistan, as also free access to devotees from India. And on every possible occasion we have taken up the matter. As the House is aware, in 1953, the Prime Ministers came to an agreement. Thereafter the Ministers met, and subsequently the Home Ministers met. The first meeting of the Joint Committee was also held in 1958, and since then we have been trying to persuade Pakistan to hold another meeting. But it has not been possible to get Pakistan's agreement to this meeting. We are constantly endeavouring to persuade Pakistan to start normalisation of relations which will then enable us to press this further, but, as the House is aware, there has been little response from Pakistan. But may I say that this is not necessarily the answer—creation of a State like that. That has grown out of different historical background. But we are anxious and most anxious to see that these shrines are protected and devotees have free access to them.

SHRI SHRI CHAND GOYAL: Vatican is a full-fledged State. It has its own Foreign Minister and ambassadors.

MR. SPEAKER: Everybody knows the status of Vatican.

SHRI SHRI CHAND GOYAL: The question is whether just as the Pope has demanded that Jerusalem be declared an international city, the Government is prepared to consider such a status for Nankana-sahib, to have it declared as an international city.

SHRI DINESH SINGH: A reply has already been given in the body of the main answer.

श्री हरदयाल देवगुण : श्रीमन्, मंत्री महोदय ने यह बताया है कि कुछ समझौते हुए परन्तु पाकिस्तान उन समझौतों पर अमल नहीं कर सका और इन पवित्र स्थानों की पवित्रता को कायम नहीं रख सका। इस संदर्भ में ही मिल सम्प्रदाय ने यह मांग की है कि इतना थोड़ा-सा क्षेत्र जो उनके संस्थापक के जन्म-स्थान से सम्बन्धित है उसको पाकिस्तान के अधिकार से अलग कर दिया जाय। वह कोई बहुत बड़ा क्षेत्र नहीं मांगते। केवल उतना क्षेत्र मांगते हैं जिसमें वह पूर्ण स्वतन्त्रता से जा-आ सकें। यह उनकी मांग है। क्या सरकार इस मांग को उचित समझती है या नहीं और उचित समझती है तो अन्तर्राष्ट्रीय क्षेत्र में इस मांग को उठाने की कोशिश करेगी कि जितने धार्मिक सम्प्रदायों के संस्थापकों के जन्मस्थान हैं वे राजनीतिक नियंत्रण से अलग रहें?

श्री दिनेश सिंह : माननीय सदस्य ने एक बड़ा सवाल उठाया कि जितने साम्प्रदायिक तीर्थस्थान जहां भी हैं वह सब आजाद कर दिये जायं, ऐसी सरकार की कोई नीति नहीं है।

SHRI G. S. DHILLON: The hon. Minister may be aware that the Sikh pilgrims who went to Pakistan this year did not return in a very happy mood. (*Interruptions*) But mention was made about Vatican status and a representation has been submitted by some organization known as International Sikh Brotherhood. But sir, the real representative body of the Sikh religion is the Shiromani Gurdwara Prabandhak Committee where all the various Sikh parties and all sections are represented. There is no system of Pope in our community. Have these people who have submitted the representation given any substitute for Pope and also any proposal for exercise of that status for sending ambassadorial representatives to other countries? I really wonder whereas the real representative of the Sikh community, the SGPC, are silent this International Sikh Brotherhood is so much worried.

SHRI DINESH SINGH: Perhaps the hon. Members who have sponsored this question would be in a position to answer why they did it.

गोलकुण्डा सैनिक प्रशिक्षण केन्द्र से चुराये गये हथ-गोलों की बरामदी

\*1537. श्री भारत सिंह बौहान : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गोलकुण्डा तोप-खाना प्रशिक्षण केन्द्र से चुराये गये कुछ हथ-गोले दिसम्बर, 1968 में भीलवाड़ा में एक व्यक्ति के पास से बरामद किये गये थे;

(ख) कितने हथ-गोले चोरी हुए थे और कितने हथ-गोले इस बीच बरामद हुए हैं; और

(ग) इस सम्बन्ध में कितने व्यक्ति गिरफ्तार किये गये हैं और उनके विशद क्या कार्यवाही की गई है?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) to (c). 12 hand-grenades were stolen from the Artillery Centre, Hyderabad on the 5th November 1968. A recruit who had subsequently deserted was apprehended by the Bhilwara Police on the 27th November 1968 and 5 hand-grenades were recovered from him. 7 persons in all have been arrested in this connection. A Court of Inquiry has been held and disciplinary action is in progress.

श्री भारत सिंह बौहान : ग्रनेट महोदय, मैं यह जानना चाहता हूँ कि जो चोरी हुई वहां अटिलरी में उसको पकड़ने में कितना समय लगा? यह मिलिटरी की चोरी थी, इसको कितने समय में यह पकड़ पाये, यह मैं जानना चाहता हूँ।

SHRI SWARAN SINGH: Sir, this theft took place on 5th November 1968. Subsequently the recruit named Ram Gopal Sharma involved in this had deserted. He was apprehended on 27th November 1968 by Bhilwara Rajasthan Police station staff.

**Publicity Material Circulated by Indian Embassies**

\*1538 SHRI SAMAR GUHA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the amount that has been spent during the last three years by the Indian Embassies for publishing publicity literatures intended to explain various standpoints of India on different national and international issues in countries like U.S.S.R., Eastern Communist countries, U.S.A. and South-East Asia and the circulation of such literatures in each country;

(b) whether any objection has been raised in any of the above countries regarding any of the publicity materials circulated by Indian Embassies;

(c) whether Indian Embassies have information centres in these countries; and

(d) if so, the purpose of and the literatures kept in these information centres and the number of visitors during the period of last three years who sought information from such centres, and if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a), (b) and (d). The information is being collected and will be placed on the Table of the House when received.

(c) Information Wings are located as follows:—

U.S.S.R.

1

East Europe

Yugoslavia

1

Czechoslovakia

1

U.S.A.

3

South-East Asia

Burma

1

Ceylon

1

Indonesia

1

Malaysia

1

Singapore

1

Thailand

1

SHRI SAMAR GUHA: Our great poet Rabindranath Tagore, when he visited the South-East Asian countries, described that area as Greater India or Vishal Bharat. It is known to us that very important documents, very important monuments etc. are there relating to Hindu-Buddhist culture in respect of this South-East Asian region. Sir, during the discussion at the time of the Budget session last year, on my demand, the Education Minister agreed that an Institute of South-East Asian Culture will be established. I want to know whether the Government has accepted that project and has implemented that. I also want to know whether Government has any scheme to collect all the information relating to the Hindu-Buddhist civilisation which prevailed in South-East Asia which will throw light on our Indian civilisation and history. There are innumerable literatures in Indonesia, Cambodia, Thailand and Malaya relating to Hindu-Buddhist culture in their languages. I want to know whether any step has been taken by the Government to have them translated in the Indian languages.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI DINESH SINGH): The House is aware of the traditional bonds of friendship and culture we have had with this part of the world and the important relics that exist there. So far as I am aware a number of people are doing some very useful research work in it and I have had occasion to see some of them myself; though there is need for us to do more research and to establish these links and to further strengthen them. Now, so far as the specific question about a particular project which he mentioned as the Education Minister having said something, is concerned, I shall have to consult my colleague about it and give an answer.

SHRI SAMAR GUHA: According to the information just now given by the hon. Foreign Minister, he has said that in Russia and in other countries there is only one information centre in each country. There is only one information centre in each of the South-East Asian countries, in Russia and in the East European communist countries. It is known to us that in India, not only in Delhi, but in different States, the Russian embassy have opened a number of information centres. They have also

published innumerable literature and almost flooded this country with the literatures of Soviet Russia. I want to know from the Government, has the Government any plan to open more information centres in Russia and also in other East-European Communist countries? We should enlist the cooperation of those countries in respect of cultural, philosophical, historical and religious values and traditions which we have, by sending them all literature relating to these things and by opening up more information centres. So, I want to know, what are the booklets, what are the books, published by Indian embassies in Moscow and in other East European Communist countries?

**SHRI DINESH SINGH:** We would like very much to increase our information offices in Soviet Union and other countries and there is growing interest in the achievements India has made. Unfortunately, the resources at our disposal have not been sufficient to enlarge this work to any very great extent.....

**AN HON. MEMBER:** Not enough money is placed at your disposal.

**SHRI DINESH SINGH:** That could be discussed separately.

So far as the question of books we have translated Russian language concerned, if a separate question is put, I will give the list.

**श्री अनन्दजीत यादव :** अध्यक्ष महोदय, पिछले दस-बारह सालों में इस बात की शिक्षायत विशेष रूप से रही है कि हमारे देश का सही चित्र दूसरे देशों में प्रस्तुत नहीं हो रहा है—खास तौर से राजनीतिक और आर्थिक इन दो प्रश्नों के ऊपर हमारे देश की तस्वीर बहुत गलत तरीके से दूसरे देशों के अन्दर चित्रित की जा रही है। चीन ने हमारे देश पर हमला किया, उसको लेकर दुनिया में काफी दिनों तक भ्रम रहा कि चीन हमलावर है या हिन्दुस्तान हमलावर है। इसी प्रकार से ताशकन्द समझौते का पाकिस्तान वायलेशन कर रहा है या हिन्दुस्तान वायलेशन कर रहा है, इस बात को लेकर भी भ्रम है और इस सम्बन्ध में पाकिस्तान ने दूसरे देशों में जो प्रचार किया है उसमें वह

कामियां भी रहा है। मैं अभी आज ही समाचारपत्र में पढ़ रहा था हिन्दुस्तान के बारे में दूसरे देशों में, खास तौर पर अमरीका में, हिन्दुस्तानियों से यह प्रश्न पूछा जाता है कि तुमको अपने देश में पूरा-पैट खाना मिलता है या नहीं और क्या हिन्दुस्तानियों ने कार भी देखी है या नहीं? इस प्रकार के भ्रम हमारे देश के बारे में दूसरे देशों में फैले हुए हैं। इन बातों को ध्यान में रखते हुए आज की दुनिया में यह बहुत ही महत्वपूर्ण प्रश्न है कि हमारे देश के राजनीतिक प्रश्नों के ऊपर दुनिया को सही जानकारी हो, हमारे देश के आर्थिक और सांस्कृतिक प्रश्नों के सम्बन्ध में अच्छी जानकारी हो। इसके अतिरिक्त आज हमारे देश में बहुत-सी चीजें जो बन रही हैं उनके लिए मार्केट भी मिल सके। इस बात के लिए विदेश मंत्रालय, विदेश-आयापार मंत्रालय और शिक्षा मन्त्रालय इन तीनों मन्त्रालयों की ओर से मिलकर दुनिया के मुख्य देशों में कोई ऐसे केन्द्र क्या स्थापित किए जाएंगे जिनके द्वारा उन देशों में व्यवस्थित रूप से हमारे देश का प्रचार किया जा सके, क्या इस पर सरकार विचार करेगी? इस सम्बन्ध में आम तौर पर साधनों की कमी का प्रश्न उठाया जाता है। मैं प्रार्थना करूँगा कि सरकार साधन मुहैया करे क्योंकि हमारे देश की तस्वीर दुनिया में जिस प्रकार गलत तरीके से पेश की जाती है उससे हमारा सम्मान गिरता है, क्या इसके ऊपर मन्त्री महोदय ध्यान देंगे?

**श्री दिनेश सिंह :** मैं माननीय सदस्य से सहमत हूँ कि हमको अपने देश के बारे में और ज्यादा सूचना खासकर उन देशों को देनी है जो कि हमसे बहुत दूर हैं। हम इस बात के लिए प्रयत्नशील हैं। उन्होंने जो साधनों का जिक्र किया तो जो साधन हैं वह तो सीमित हैं उनको कैसे बढ़ाना है वह तो हम देखते हैं और उनके हिसाब से बांटते हैं। जहां तक इस देश के चित्र का सवाल है मेरे स्पाल से इसी सदन में अलग-अलग माननीय सदस्यों के दिमाग में इस देश के बारे में दूसरा ही नक्शा सामने होगा। वे माननीय सदस्य भी बाहर जाते हैं

और दूसरे लोग भी जो जाते हैं वह वहां पर उसका जिक्र करते हैं। तो हमारे जैसे आजाद देश में कोई एक चित्र बनाना हमेशा सम्भव नहीं है। सरकार की ओर से हम एक सही चित्र का बाहर प्रदर्शन करने की कोशिश करते हैं। जैसा माननीय सदस्य ने कहा कि पाकिस्तान ने बहुत ज्यादा किया, हमने नहीं किया, मैं पाकिस्तान के अखबार में देख रहा था वहां भी इसी तरह की शिकायत है। तो कोई भी देश जो बहुत ज्यादा करता है वह उसके साधन पर निर्भर है। लेकिन सभी लोग हमसे ज्यादा कर रहे हैं, ऐसी बात नहीं है। भारत का जो चित्र अन्तर्राष्ट्रीय समाज में है वह एक अच्छा चित्र है, भारत का सम्मान है, भारत के भावों और आदर्शों का सम्मान है। मैं नहीं समझता कि हमको यह समझ लेना चाहिए कि पूरी दुनिया में हमको कोई एक नीची नजर से देखा जाता है।

SHRI S. M. BANERJEE: Although we are proud of our heritage and philosophy, does the Hon. Minister know that there is a calculated effort on the part of certain individual countries to tarnish the image of India? I am not talking of Communist countries because at least they are not trying to tarnish our image. Some other countries, especially capitalist countries, like USA, are trying to glorify our poverty and other things to their people and to prove before them that India is an uncivilised country and is living on the mercy of the USA.

This is exactly what is being projected through the television also. I would like to know from the hon. Minister what steps are being taken to popularise our achievements in those countries so that they also get the correct picture of our country and not the picture which is being projected by the Anglo-American forces?

SHRI DINESH SINGH: I have answered this question several times in this House and have indicated country-wise the efforts that have been made, and if the hon. Member wishes: he can have a look at the answers to those questions and see what we have done in specific countries. But in a general way, I can say that as and when we feel that there is some weakness about the publicity somewhere, we make

every effort to improve it. The hon. Member has said that in some of the countries they project a certain image. It is true that there have been some cases where an unfortunate image got projected at a time when we were facing shortages and scarcities in this country, and we tried our best to undo it. But even there, some of them quoted some of the speeches that were made even in this House.

श्री क० ना० तिवारी : विदेशों में जैसे "पीस एंड प्रीप्रेस" रशा का है और "अमेरिकन बायस" जो अमेरिका का है या और जो दूसरे कन्ट्रीज हैं वहां पर टेलीविजन और रेडियो से हमारे खिलाफ जो प्रचार होता है और हमारे देश में भी उनकी तमाम मैंगजीन्स पीरियाडिकल्स निकलते हैं जिनके द्वारा वे अपने सिद्धान्तों और दूसरी चीजों का प्रचार करते हैं तो मैं जानना चाहता हूँ कि जैसे अमेरिका और रूस में जो बहुत सी भाषाएँ हैं जैसी कि हमारे यहां भी बहुत सी भाषाएँ हैं, हमारी तरफ से कितनी भाषाओं में रशा में, अमेरिका में या दूसरे देशों में पीरियाडिकल्स निकलते हैं और किस तरह से हमारे खिलाफ जो उनका प्रचार होता है उसका मुकाबिला करने के लिए कौन-कौनसे काम होते हैं?

श्री दिनेश सिंह : अध्यक्ष महोदय, जहाँ तक मुझे याद है हमने इसकी लिस्ट सदन में रखी है। यदि सम्मानित सदस्य चाहेंगे तो मैं उनको फिर से भेज दूँगा।

SHRI M. L. SONDHI: The impact of publicity material depends upon the personnel and the equipment. What reason has the hon. Member got to be complacent? Young people should never be complacent. May I ask him whether he is aware of the fact that the ISI personnel who manages these posts have a feeling of being discriminated against and they feel that the Pillai Committee recommendations have not been applied to them in a full manner, and secondly, the equipment used is also out of date: for example, information is conveyed from Delhi to a foreign mission through the Morse-cast transmissions; it is believed that most of our Morse-caste transmitting machinery is primitive by

modern standards, and by the time the information reaches there, it is stale. Will the hon. Minister give a specific reply to these two questions?

**SHRI DINESH SINGH:** We are looking into some of the difficulties that have been pointed out by the ISI personnel, to which a reference has been made by the hon. Member. We are also examining the possibility of replacing some of our equipment by radio-tele-type equipment. I am glad the hon. Member has mentioned about the complacency of young people. But may I also remind him that young people should be equally responsible and not make vague allegations?

**श्री द्वाठा० ना० तिवारी :** अध्यक्ष जी, मंत्री महोदय जब यादव जी के सप्लीमेंट्री का जवाब दे रहे थे मुझे आश्चर्य हुआ। उन्होंने यहाँ का हवाला देते हुए कहा कि यहाँ के लोगों के दिमाग में भिन्न-भिन्न पिक्चर्स हैं और उसी प्रकार से विदेशों में भी होता है। यहाँ तो लोगों के दिमाग में जो भिन्न पिक्चर्स होती हैं वह पालिटिकली कलड़ होती है लेकिन विदेशों में वह पोलिटिकली कलड़ नहीं होती। मैंने देखा है विदेशों में बहुत सी जगहों में जहाँ आपकी एम्बेसिज हैं वहाँ हमारे नेशनल स्थौहार भी नहीं मनाए जाते। उसका क्या विदेशियों पर असर होता है, यह आप बता सकते हैं। तो मैं यह जानना चाहता हूँ कि हमारे देश में क्या क्या अचीवमेंट हुए, क्या ठोस कार्य हो रहे हैं, इनके बारे में दूसरे देशों के निवासियों को ठीक से जानकारी कराई जा सके, इसके लिए आप क्या ठोस कदम उठा रहे हैं?

**श्री बिनेश सिंह :** अध्यक्ष महोदय, मैं माननीय सदस्य की बहुत इज्जत करता हूँ। लेकिन मैं यह मानने के लिए तैयार नहीं हूँ कि और देशों में कोई राजनीतिक रंग उन बातों पर नहीं है जो कि इस देश में है। बहुत से वहाँ के खबर देने वाले लोग यहाँ पर हैं। वे जैसी खबरें भेजते हैं उनमें देश की सही तस्वीर ही हमेशा बाहर नहीं रखते हैं। वहाँ के लोग भी अपने अलग-अलग इरादे से यह खबरें

खापते हैं। जहाँ तक हमारे देश के जो स्थौहार हैं मैं नहीं जानता किस खास स्थौहार के लिए माननीय सदस्य कहते हैं। मुमकिन है किसी स्थौहार को बाहर मनाने में कोई कुछ कठिनाई आती हो। लेकिन हमारे देश के जो नेशनल स्थौहार हैं वह मुख्यतः दो हैं। उनको तो बाहर मनाया ही जाता है। वहाँ पर जो सुविधाएँ हैं अनुसार यथासंभव काम होता है। यह अवश्य है कि यह ऐसा काम है कि जिसके बारे में हम यह नहीं कह सकते कि हम पूरी तरह से निश्चित हैं और पूरी तरह से संटिफ़िकेइड हैं। यह तो ऐसा काम है कि इस को हम जितना भी करें फिर भी उसमें कमी महसूस होगी और हमेशा उसको पूरा करने की चेष्टा करनी चाहिए।

**SHRI D. N. PATODIA:** When I visited Western Europe two months back, I found that in practically each country, with the exception of West Germany, our embassies were very poorly informed about economic matters, particularly trade, commerce and industry, so much so that they were not even properly informed about the latest legislations and amendments to legislations. Are Government aware of such a bad state of affairs with regard to our embassies in relation to economic matters and are they willing to set right this deficiency? If so, what steps do they propose to take in the matter?

**SHRI DINESH SINGH:** I must confess that we are not aware of the state of affairs where our missions are not aware of our legislation. There may be some specific legislation which may have been in the mind of the hon. Member. If he could bring it to my notice, we shall certainly see that the people concerned are better informed.

**SHRI D.N. PATODIA:** They are very poorly informed.

#### WRITTEN ANSWERS TO QUESTIONS

**India's Rupee Payment Trade with U.S.S.R. and other East European Countries**

\*1531. **SHRI MADHU LIMAYE:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that the present pattern of India's rupee trade with the U.S.S.R., and other eastern block countries might soon lead to serious balance of payments problems;

(b) whether it has led to substantial switch trade;

(c) whether it has deprived India of its traditional markets and earnings of hard currency; and;

(d) if so, the steps taken by Government in this direction?

THE MINISTER OF FOREIGN TRADE AND SUPPLY (SHRI B. R. BHAGAT): (a) No, Sir.

(b) No, Sir. Only sporadic cases of diversion have come to the notice of the Government.

(c) No, Sir.

(d) Does not arise.

#### Export of Steel to Pakistan

✓ 1532. SHRI GEORGE FERNANDES: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether India has been exporting steel to Pakistan; and

(b) if so, the quantity of steel exported annually during the last ten years?

THE MINISTER OF FOREIGN TRADE AND SUPPLY (SHRI B. R. BHAGAT): (a) Yes Sir, upto 1965-66.

(b) A statement is placed on the Table of the House. [Placed in Library See No. LT-1022/69].

#### Cases of Sabotage and Espionage during 1965 Indo-Pak Conflict

\*1539. SHRI S. S. KOTHARI: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that during the last Indo-Pak conflict, certain cases of serious sabotage and espionage were discovered;

(b) if so, the action taken on them generally;

(c) the reasons for not awarding deterrent punishment to the defaulters; and

(d) whether Government propose to consider amending the law to ensure that very strict punishment including capital punishment is prescribed in case of such activities of a serious nature which jeopardise the war efforts during periods of active hostilities?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) No case of serious sabotage had come to the notice of Government. Some persons were arrested on suspicion of espionage.

(b) and (c). Besides preventive measures action is taken to prosecute the offenders where evidence for such prosecution is available.

(d) When a proclamation of emergency under article 352 is in force, special legislation can be undertaken to provide for enhanced punishment for such offences. Section 5 of the Defence of India Act 1962 which was in force during the last emergency included the punishment of death for certain offences.

#### Immigrants to U. K.

\*1540. SHRI BENI SHANKAR SHARMA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that during the Prime Minister's visit to London for the Commonwealth Prime Minister's Conference, the British Foreign Secretary, Mr. James Callaghan, told the Prime Minister that racial tension in Britain was growing and that any increase in coloured immigration would worsen the situation for those immigrants who are already there;

(b) if so, the reaction of Government thereto; and

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

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) to (c). Prime Minister had a discussion with the British Home Secretary Mr. James Callaghan mainly on the question of Asians holding British passports from East African countries. The discussions are confidential and therefore it will not be possible to give the details of discussions. However, Government are aware of the problems of immigrants of Indian origin holding British passports. We have repeatedly emphasised that Britain should take full responsibility for British citizens of Asian origin and that they should not be discriminated against.

#### Financial Assistance to Powerloom Industry

\*1541. **SHRI SITARAM KESRI:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that Government are considering to provide financial assistance to the Powerloom Industry;

(b) if so, the extent of assistance proposed to be given to each State; and

(c) when the decision is likely to be taken?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) to (c). A statement is laid on the Table of the House.

#### STATEMENT

The Government have decided to provide financial assistance to powerlooms which are being installed in the different States in the Co-operative Sector. The assistance is in the form of:

#### 1. LOANS

(a) Cost of powerlooms including cost of motor and other ancillaries subject to

a maximum of Rs. 3,000 per powerloom;

(b) 75% of the share value of Rs. 100.

#### 2. GRANTS

Tapering management grant for Supervisory staff (a Manager, a Secretary or Accountant) for three years, at the rate of 75% for the first year, 50% for the second year and 25% for the third year.

Powerlooms outside the co-operative fold can obtain financial assistance under the State Aid to Industries Act and from Institutional Financing Agencies.

The total Fourth Plan outlay tentatively approved by the Government for the development of the powerloom industry throughout the country is Rs. 10.06 crores. The actual assistance given to the States depends upon the actual expenditure incurred by them on this scheme and is confined to 75% of the total expenditure. The balance of 25% is to be met by the States from out of their own resources.

#### Slicing of Plan Outlay of Delhi

\*1542. **DR. SUSHILA NAYAR:**  
**SHRI A. SREEDHARAN:**  
**SHRI K. LAKKAPPA:**

Will the PRIME MINISTER be pleased to refer to the reply given to Un-starred Question No. 5014 on the 18th December, 1968 regarding slicing of Plan Outlay of Delhi and state:

(a) whether the proposal has since been considered by Government; and

(b) if so, the details thereof?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI):** (a) Yes, Sir.

(b) An outlay of Rs. 155.65 crores has been approved for the Fourth Five Year

Plan of De'hi. Details of outlay are given on page 71 of the Draft Fourth Five Year Plan (1969-74) document already laid on the Table of the House.

**अफ्रीकी-एशियाई राष्ट्रों के लिये संयुक्त राष्ट्र  
में स्थायी स्थान**

\*1543. श्री रघुवीर सिंह शास्त्री: क्या बैदेशिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राष्ट्रवादी चीन को छोड़कर, जिसे भारत ने मान्यता नहीं दी है, कोई भी एशियाई अथवा अफ्रीकी देश, संयुक्त राष्ट्र सुरक्षा परिषद् का स्थायी सदस्य नहीं है;

(ख) क्या सरकार का विचार किसी अफ्रीकी अथवा एशियाई देश के लिये सुरक्षा परिषद की स्थायी सदस्यता सुनिश्चित करने के लिये कार्यवाही करने का है;

(ग) यदि हाँ, तो इस संबंध में क्या कार्यवाही करने का विचार है; और

(घ) यदि नहीं, तो उसके क्या कारण हैं?

बैदेशिक कार्य मंत्री (श्री दिनेश सिंह): (क) जी हाँ।

(ख), (घ). सुरक्षा परिषद् की स्थायी सदस्यता के गठन में कोई परिवर्तन करने के लिए संयुक्त राष्ट्र के सदस्य राज्यों में से जिनमें सुरक्षा परिषद् के सभी स्थायी सदस्य भी शामिल हैं दो-तिहाई की अनुमति से संयुक्त राष्ट्र चार्टर में संशोधन करने की जरूरत होगी। सरकार नहीं समझती कि ऐसे किसी परिवर्तन का प्रस्ताव करने का अभी वक्त आया है।

**Memorandum from Ex-Emergency Commissioned Officers**

\*1544. SHRI GADILINGANA GOWD: Will the Minister of DEFENCE be pleased to refer to the reply given to Unstarred

Question No. 2367 on the 27th November, 1968 regarding the Memorandum submitted by a deputation of Ex-Emergency Commissioned officers in November, 1968 and state the result of examination of the various demands put forth by them in their memorandum?

**THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M.R. KRISHNA):** The 'Honble Member's attention is invited to the Implementation Statement laid on the table of the House on 11th April, 1969.

**Indian Proposal on Damage Caused by Orbiting Objects in Outer Space**

\*1545. SHRI R. BARUA:  
SHRI N. R. LASKAR:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that a draft convention sponsored by India on the question of liability for any damage caused by Orbiting objects in outer space is under the examination of U.N.O.;

(b) if so, the detail of the draft and the proposal that has been made; and

(c) how far this proposal has been welcomed in U.N.O. by other countries?

**THE MINISTER OF EXTERNAL AFFAIRS (SHRI DINESH SINGH):** (a) Yes, Sir,

(b) A copy of the Indian draft Convention is laid on the Table. [Placed In Library. See. No. LT-1023/69]

(c) Draft Conventions on the same subject have also been tabled by Belgium, Hungary, Italy and the U.S.A. Informal meetings between Indian representatives and the representatives of Belgium, Hungary, U.S.S.R. and U.S.A. have been held in New York and New Delhi with a view to exploring the possibility of reaching the broadest measure of agreement on this question. These informal meetings have been useful and this question will be further considered at the next Session of the Legal Sub-Committee next month.

**Request for Resumption of Arms Supply to India by U.S.A.**

\*1546. SHRI D. N. PATODIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether keeping in view the latest supply of Soviet arms to Pakistan, Government have approached the Government of U.S.A. to resume the supply of arms to India to offset the adverse armament position which has been created as a result of the Soviet supply of arms to Pakistan;

(b) if so, the reaction of U.S.A. Government thereto; and

(c) if the reply to part (a) above be in the negative, the reasons therefor?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI DINESH SINGH): (a) No, Sir.

(b) Does not arise.

(c) U.S.A. has herself given large military assistance to Pakistan ignoring India's views in the matter. Government are taking necessary steps to meet the threat posed by Pakistan's armed build up.

**Export of Indian Birds**

\*1547. SHRI ONKAR LAL BERWA: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the names of Indian birds which are in demand in various foreign countries;

(b) the names of countries which offer maximum price for each kind of birds;

(c) the varieties of birds exported during 1968 and the countries to which they were exported; and

(d) the amount of foreign exchange earned thereby;

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM

SEWAK): (a) to (d). All kinds of birds are clubbed under one head 'Birds' in the Revised Indian Trade Classification. A statement showing quantity and value of birds exported, country-wise, during the year 1968 is attached.

**STATEMENT**

**Country-wise Export of Birds during 1968**

S. No.	COUNTRY	1968	
		Quantity	Value
1.	France	303	522
2.	German F. Republic	112	418
3.	Italy	308	485
4.	Japan	516	742
5.	Netherlands	97	348
6.	U.K.	106	673
7.	U.S.A.	142	358
8.	Other countries	163	462
		<b>TOTAL :—</b>	<b>1747 4008</b>

**रूस से अख्लवारी कागज का आयात**

\*1548. श्री हुक्म चन्द कल्पाय: क्या बैद्यकीय व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि:

(क) वर्ष 1969-70 में रूस से अख्लवारी कागज का कितनी मात्रा में आयात किये जाने की सम्भावना है और इसकी रूपयों में कितनी कीमत है; और

(ल) इसका भ्रगतान किस ढंग से किया जायेगा?

वेदेशिक व्यापार तथा पूर्ति भंडालय में उप-मंत्री (श्री चौधरी राम सेवक): (क) राज्य व्यापार निगम ने वर्ष 1969-70 में लगभग 4 करोड़ 60 लाख रु० मूल्य के 40,000 मेट्रिक टन अखबारी कागज के आयात के लिए वी/ओ एक्सपोर्टल्स, मास्को के साथ एक संविदा की है।

(ख) भुगतान, इस समय लागू भारत सोवियत संघ व्यापार तथा भुगतान करार के अन्तर्गत भारतीय रूपयों में किया जायेगा।

#### Relief to Textile Industry

\*1549. SHRI KIRUTTINAN: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that the concessions given to the textile industry in the present Budget will help the composite Mills and Powerlooms only;

(b) if so, the number of composite Mills and Powerlooms in the country, State-wise;

(c) whether it is also a fact that the textile mills in Tamil Nadu are not benefited by this concession and if so, the reasons therefor;

(d) whether Government are aware that abolition of excise duty is made on the yarn which is not marketable and is also not manufactured; and

(e) if so, whether Government propose to shift this concession to the yarn which is marketable and which is actually manufactured?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) No, Sir. The changes made in the duty structure on cotton yarn and textiles would directly or indirectly help not only composite mills and powerlooms but spinning factories and handlooms also.

(b) Does not arise.

(c) No, Sir. The concession given in excise duty to cotton yarn and cotton fabrics

will benefit the textile mills in Tamil Nadu also in the same manner as it will benefit the textile mills in other States. The benefit in absolute terms will however vary from one mill to another depending on actual production.

(d) Duty on yarn in plan reeled kanks of 34 N.F. and more but less than 40 N.F. has been abolished with effect from 1-3-68. It is not correct that yarn falling within this count group is neither marketable nor is manufactured.

(e) Does not arise.

#### Repatriation of Blocked Indian Capital in Ceylon

\*1550. SHRI NARENDRA KUMAR SALVE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have received any representation from the Southern India Chamber of Commerce requesting Government take steps to repatriate blocked Indian capital in Ceylon; and

(b) if so, the action taken thereon?

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

(b) The High Commission of India in Ceylon is ceased of the matter. However, in view of the current foreign exchange difficulties faced by the Ceylon Government it may be difficult to obtain immediately any substantial concessions for the transfer of blocked capital—Government are keeping the situation constantly under review.

#### Coir Industry in West Bengal

\*1551. SHRI JYOTIRMOY BASU: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether Government propose to re-organise the Coir Industry;

(b) whether any special scheme has been formulated for West Bengal; and

(c) whether any method has been found to use the tender coconut fibre usefully?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) Schemes for the re-organisation of the coir industry are drawn up and implemented by the concerned State Governments.

(b) West Bengal State Government have formulated a scheme for coir industry for the IVth Five Year Plan.

(c) Not so far, Sir.

छावनी बोडों के अध्यक्षों की नियुक्ति

\*1552. रामावतार शास्त्री: क्या प्रतिरक्षा मंत्री यह बताने की कृता करेंगे कि :

(क) क्या यह सच है कि छावनी बोडों के अध्यक्षों की नियुक्ति सैनिक अधिकारियों में से की जाती है और निर्वाचित सदस्यों में से नहीं;

(ख) यदि हाँ, तो इसके क्या कारण हैं;

(ग) क्या इस अलोकतंत्रीय पद्धति को बदलने का विचार है; और

(घ) यदि हाँ, तो क्या और यदि नहीं, तो इसके क्या कारण हैं?

**प्रति रक्षा मंत्री (श्री स्वर्ण सिंह) :** (क) और (ख). जी हाँ, छावनी अधिनियम के उपबन्धों के अनुसार।

(ग) और (घ). सिवाय असंनिक अधिकारियों के कि जहाँ प्रशासन पहले से प्रायः निर्वाचित सदस्यों के हाथों में सौंप दिया गया है, छावनीय मूलतः सैनिक स्थान है, और इसलिए छावनी बोर्ड का अध्यक्ष एक सैनिक अफसर ही होना चाहिए।

#### India's Participation in International Fairs

\*1553. SHRI S.K. TAPURIAH: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that India's participation in the two recent World fairs has been of doubtful quality both in terms of design and projection of India's image abroad;

(b) whether it was because the architects for the Indian pavilion at New York World Fair in 1964 were appointed after an unseemly controversy;

(c) whether despite this sad experience of hurried design and assembly, the situation was repeated at the Expo in Montreal in 1967;

(d) whether the decision to participate in the Osaka fair was taken by Government only 3 months back although the invitation was received from Japan sometime in 1967;

(e) if so, the reasons therefor; and

(f) the steps proposed to be taken by Government to improve the country's image abroad?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) No, Sir. The design and projection of India's image at the NY World Fair and as well as Expo, 67, Montreal, were highly acclaimed.

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

(d) and (e). The invitation of the Japanese Government for participation in Expo'70 had to be considered in the context of the prospect of expansion of trade and economic relations and projection of India's image to the Japanese public which necessitated consultations and discussions at various levels, including the Indo-Japanese Round Table Conference held in New Delhi in November, 1968 and the Indo-Japanese Business Co-operation Committee. Besides, the foreign exchange expenditure requirement had to be taken into consideration before making a

final commitment in November, 1968 to participate in the Expo'70.

(f) With the experience already gained, every effort is being made to ensure that the country's participation in the Expo'70 is a success and the projection of India's image abroad is of a high standard.

#### Naga Hostiles crossing over to East Pakistan for Training

\*1554. SHRI CHANGALRAYA NAIDU: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that on the 4th April, 1969 the Security Forces were alerted all along the borders of Manipur, Mizo-Hills and Cachar District of Assam to prevent a gang of 250 Naga hostiles from crossing over to East Pakistan for arms and training; and

(b) if so, how far the Security Forces were in a position to prevent them?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) and (b). On receipt of unconfirmed reports that the Naga hostiles had planned to send a gang of the strength of 200 to 250 to East Pakistan through Tamenglong Sub-Division of Manipur and North Cachar Hills and Mizo Hills of Assam between the 25th March and 10th April, 1969, the Security Forces were deployed to intercept the gang. However, no contact was made with the hostiles.

#### Installation of Spindles in Cotton Textile Mills

\*1555. SHRI R. K. AMIN: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that Government have received a proposal for modifying the policy of total ban on the installation of new spindles for expansion purposes or for setting up new cotton textile mills with a view to allow expansion of well-run mill units to the extent of the Spindlage capacity lost due to closure of sick mills; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) The Ministry of Foreign Trade and Supply is not aware of any such proposal.

(b) Does not arise.

केनिया तथा बर्मा से भारतीयों द्वारा सम्पत्ति लाने पर प्रतिबन्ध

\*1556. श्री यशवन्त सिंह कुशवाह : क्या विदेशिक कार्य मंत्री यह बताने की कृपा करेंगे कि ;

(क) क्या केनिया तथा बर्मा में रहने वाले भारतीयों तथा भारत-मूलक व्यक्तियों को उन देशों को छोड़ते समय अपने साथ अपनी सम्पत्ति लाने की सुविधा प्राप्त है; और

(ख) यदि नहीं, तो इस सम्बन्ध में लगे हुए प्रतिबन्धों को हटाने के लिये सरकार क्या कार्यवाही कर रही है ?

विदेशिक-कार्य मंत्रालय में उप-मंत्री (श्री सुरेन्द्र पाल सिंह): (क) जहाँ तक कीनिया का सवाल है, विदेशियों को जिनमें भारतीय और कीनिया से इतर नागरिकता वाले भारत-मूलक ऐसे व्यक्तियों को जो वहाँ से हमेशा के लिए जा रहे हैं, अपने साथ कुल मिलाकर ज्यादा-टॉ-ज्यादा 7,500 पौंड की आस्तियाँ ले जाने की अनुमति है। इसमें से ज्यादा-से-ज्यादा 2500 पौंड तो कीनिया से रवाना होते समय वे निकाल सकते हैं और उसके ज्यादा-से-ज्यादा 1,000 पौंड प्रति वर्ष के हिसाब से पाँच साल तक निकाल सकते हैं। जहाँ तक बर्मा का प्रश्न है, वहाँ ऐसी कोई सुविधा नहीं दी गई है कि देश प्रत्यावर्ती बर्मा से जब भारत के लिए रवाना हों तो अपने साथ अपनी आस्तियाँ ले जा सकें।

(ख) ये हाल ही में बनाए गए नियम कीनिया में जनवरी, 1969 से ही व्यवहार में

आए हैं। सरकार इस बात पर विचार कर रही है कि इस दिशा में क्या कदम उठाने आवश्यक हैं।

जहाँ तक बर्मा का प्रश्न है, आस्तियों के मुआवजे के सवाल को निपटाने के लिए 1964 से कोशिश की जा रही है। बर्मा के प्राधिकारियों से समय-समय पर कई बार इस बारे में बातचीत हुई है। पिछली बार इस विषय पर उस समय बातचीत हुई थी जब हाल ही में प्रधान मंत्री बर्मा की यात्रा पर गई थीं। बर्मा की सरकार ने इस मामले में अपनी जाँच जल्दी पूरी करने का वायदा किया है।

#### **Inquiry into Cossipore Firing**

\*1557. SHRI SRADHAKAR SUPAKAR:  
SHRI SHASHI BHUSHAN:  
SHRI RAM AVTAR SHARMA:  
SHRI N.R. DEOGHARE:

Will the Minister of DEFENCE be pleased to state:

(a) whether the one-man Commission under the Chairmanship of Shri S. K. Das, retired Judge of the Supreme Court set up to enquire into the firing in Cossipore on the 8th April, 1969 has submitted its report;

(b) if so, the findings thereof; and

(c) Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L.N. MISHRA): (a) No, Sir. The Commission has not yet started functioning.

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

#### **Cash Assistance to Exporters**

\*1558. SHRI R. K. BIRLA:  
SHRI MUHAMMAD SHEREFF:

Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that he, while inaugurating a seminar on export promotion organised by the Delhi State Board of the All-India Manufacturers' Organisation in April, 1969, stated that the procedure for cash assistance to exporters was being simplified;

(b) if so, the details thereof; and

(c) when it is expected to be simplified?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK). (a) Yes, Sir.

(b) and (c). As a part of continuous process of resolving difficulties of exporters and achieving coordination of authority in the matter of grant of cash assistance, the procedure has been simplified in respect of documents of proof required, the authorities in charge of disbursement, and other related matters.

#### **Misappropriation of Government Stores in Bamrauli**

\*1559. SHRI S. M. BANERJEE: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that a court of inquiry was ordered in M.E.S., Bamrauli to investigate into the misappropriation of Government stores on the complaint of the Branch Secretary of M.E.S. Workers' Union, Bamrauli;

(b) if so, whether the inquiry has been completed;

(c) if so, whether any action has been taken against the culprits; and

(d) if not, the reasons therefor?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) Yes, Sir.

(b) Yes, Sir.

(c) and (d). The Court of Inquiry found that the allegations of misappropriation

were incorrect. The question of disciplinary action consequently does not arise.

**Talks with Under-Ground Nagas**

**\*1560. SHRI BAL RAJ MADHOK:**  
Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the Policy of Firmness has paid dividends in Nagaland and that respect for law and authority is being created in the minds of the people;

(b) whether it is also a fact that this has made the so-called under-ground Naga leadership restive and it wants to re-assess its position by having talks with the Central Government;

(c) whether it is further a fact that the Governor of Nagaland is against any talks with the under-ground Nagas since they have no representative character; and

(d) if so, whether Government would declare that it will have no talks with the so-called underground Nagas in future and will deal only with the lawfully constituted Nagaland Government in regard to all questions pertaining to Nagaland?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) to (d). Government's policy towards the misguided elements in Nagaland is well known and has been discussed in the House on several occasions. The Governor and the Government of Nagaland have been fully kept in the picture. Government's stand has been vindicated.

A settlement with the Naga people was reached in 1960 and while all citizens of India including Nagas are free to make suggestions for the betterment of Nagaland to the Governor or the Government of Nagaland, Government of India is not contemplating holding any talks with any party.

**Islamic Conference at Mecca**

**8685. SHRI BABURAO PATEL:**  
Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Shri Mohammad Yunus Saleem, the present Deputy Law Minister, had attended as a delegate a General Islamic Conference held in April, 1965 at Mecca;

(b) whether he was accompanied by Sheikh Abdullah as a co-delegate; and

(c) whether both Shri Mohammad Yunus Saleem and Sheikh Abdullah were a party to an anti-Indian resolution passed by this Conference unanimously regarding Kashmir?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI IINDRA GANDHI):** (a) Shri Mohammad Yunus Saleem was a member of the three-man delegation sent by India, in response to an invitation received from the Secretary General of the Rabita al-Alam-al-Islami, to attend the Second Session of the General Islamic Conference held in Mecca in April, 1965. The delegation was led by Shri Nur-ud-din Ahmed.

At that time, Shri Saleem was not a Minister in Government of India. He was associated with the delegation in his personal and non-official capacity.

(b) Sheikh Mohammad Abdullah was neither a member of the Indian delegation, nor did he accompany the delegation to Mecca. He happened to be in Mecca at that time, on his way back from his European tour, and reportedly attended the Conference on the invitation of the Rabita authorities.

(c) The General Islamic Conference sub-Committee on "Islamic issues and self-determination", whose membership included Shri Nur-ud-din Ahmed and Sheikh Abdullah, *inter alia*, adopted a resolution on Kashmir, suggesting a plebiscite there. The leader of the Indian delegation, Shri

Nur-ud-din Ahmed got his dissent and disapproval recorded. The resolution was adopted without discussion and voting. The members of the Indian delegation met the Secretary General and Director General of the Rabita al-Alam-al-Islami and expressed their indignation in the matter.

**Indian Motion Pictures Export Corporation**

8686. SHRI BABURAO PATEL: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

- (a) the date of inception of the Indian Motion Pictures Export Corporation;
- (b) the number of Indian films exported through I.M.P.E. Corporation so far and the amount of foreign exchange earned, year-wise and country-wise;
- (c) the names of pictures exported to the U.S.A., the prices fetched by each and whether they were commercially shown in the U.S.A. and, if so, the date and the town of premier release of each film; and
- (d) whether it is a fact that producers of popular box-office hits do not export their films through the I.M.P.E. Corporation and, if so, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) 19th September, 1963.

(b) A statement is at annexure-I is laid on the table of the House. [Placed in library. See No. LT-1024/9.]

(c) Two pictures namely MAIN CHUP RAHUNG AND DOOJ KA CHAND were exported to U.S.A. at the FOB price of Rs. 3,891 and Rs. 6,576, respectively. These films are suitable only for non-commercial showing i.e. restricted showing to the Indian community, Film Clubs and Film Societies;

(d) No, Sir.

**Changes of Promotion in Canteen Stores Department (India)**

8687. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of DEFENCE be pleased to state:

- (a) whether it is a fact that with the closing down of retail establishments and abolition of Grade II Managers' Posts in the Canteen Stores Department (India), all avenues of promotion for its class III staff have been blocked;
- (b) whether, as a result of the above situation, the Canteen Stores Department (India) employees have a bleak future in the organisation; and
- (c) if not, the other avenues of promotion which are open to them now and how many persons are likely to benefit immediately therefrom?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** No, Sir. Only some of the retail establishments of CSD(I) have been handed over to Formation HQ/Units for being run under their own arrangements. The post of Grade II Manager has not been abolished and the avenues of promotion for Class III staff have not been blocked.

(b) No, Sir.

(c) Does not arise.

**Departmental Promotions in Canteen Stores Department (India)**

8688. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of DEFENCE be pleased to state:

- (a) the names of personnel and their respective designations who constitute the Departmental Promotion Committee of the Canteen Stores Department (India);
- (b) the criteria which are followed in selecting the personnel of the Departmental Promotion Committee;
- (c) whether it is a fact that the Committee has been inactive for the last two years; and

(d) if not, the number of times it has met in the last two years and the number of people who got promotions at the hands of this Departmental Promotion Committee category-wise and year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA): (a) The constitution of the D.P.C. is as indicated hereunder and the persons holding the posts in question for the time being are members of the Committee:—

(i) General Manager, CSD(I), Bombay	—	Chairman
(ii) Chief Canteens Officer, Quartermaster General's Branch, Army Headquarters New Delhi or his Representative		Member
(iii) Chief Accountant CSD(I), Bombay	—	Member
(iv) Seniormost Section Officer, CSD(I), Bombay	—	Member
(v) Seniormost Depot Manager	—	Member
(vi) Secretary, Board of Administration	—	Secretary

(b) The D.P.C. is constituted with a view to facilitate impartial selection and representation thereon has been given to different Branches Units with a view to make the same broad-based.

(c) No, Sir.

(d) The Committee met twice during 1968 and once in 1969. Details of promotions recommended by the Committee category-wise and year-wise and approved by the Board of Administration are as follows:—

Category	1968	1969
(a) Assistant Manager	2	Nil

(b) Assistant Accountant/ Selection Grade Clerks	23	2
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(c) Storekeepers		
(i) Class I	2	Nil
(ii) Class II	2	Nil
(iii) Class III	5	Nil

**Joint Consultative Machinery in Canteen  
Stores Department (India)**

8689. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of DEFENCE be pleased to state:

(a) whether a Joint Consultative machinery to air the grievances and for taking up other allied matters of its employees is in existence in the Canteen Stores Department (India);

(b) if not, whether such a machinery is likely to be set up in this organisation;

(c) if not, the reasons therefor; and

(d) what other methods for resolving grievances are in existence or are contemplated for this Organisation?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): Yes, Sir. There is a three-tier negotiating machinery in the Canteen Stores Department (India).

(b) to (d). In view of (a) above, the questions do not arise.

**Recommendations made by Study  
Groups Re. Working of Canteen  
Stores Department (India)**

8690. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of DEFENCE be pleased to state:

(a) the findings of the various Study Groups appointed by the Board of Control at the Army Headquarters for toning up of the administration and to bring about efficiency in the working of the Canteen Stores Department (India);

(b) whether Government propose to lay a copy of the findings of those Study Groups on the Table; and

(c) the action which Government propose to take to get the recommendations of these study groups implemented?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** (a) to (c). Government appointed a committee to go into the entire set up and cover *inter alia* all the major problems of the Canteen Stores Department (India) including the following:—

(i) Organisation and set up of the CSD(I) at the level of Chairman, Board of Administration and above.

(ii) Procurement, storage, distribution, disposal of stores and fixation of wholesale and retail prices.

(iii) Staffing problems including selective combatisation in the CSD(I).

(iv) Provision of accommodation.

(v) Organisation and functioning of CSD(I) Cinemas.

(vi) Simplification of accounts, prompt finalisation and audit of annual accounts.

Six Study Groups to examine each of the problems enumerated above were also formed. The Study Groups submitted their recommendations to the Committee which examined the same and forwarded its Report to the Board of Control. The Report of Study Group No. 1 has so far been considered and approved by Government. Orders in implementation of the recommendations have been issued on 17-4-1969 and a copy thereof is placed on the Table of the House. [Placed in Library. See No. LT-1025/69.] The recommendations in respect of matters covered by the other Study Groups are still under consideration of Government.

#### **Employment Provided to Released Army Officers**

**8691. SHRI CHANDRA SHEKHAR SINGH:** Will the Minister of DEFENCE be pleased to state:

(a) the number of released officers of the

Armed Forces who were inducted into various Managerial positions by the Directorate of Employment and Training in the public sector and private sector undertakings separately during the last four years, year-wise;

(b) whether Government propose to lay a list showing their names and positions offered to them by the directorate on the Table;

(c) whether any of them were imparted some refresher training in Management practices by any organisation;

(d) if so, whether any recent assessment has been made about their performance in the said undertakings by his Ministry; and

(e) if so, the results thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA):** (a) to (e). The information is being collected and will be placed on the Table of the House in due course.

#### **Social and Economic Programmes**

**8692. SHRI RAM AVTAR SHARMA:** Will the PRIME MINISTER be pleased to state:

(a) whether there is any proposal under consideration to permit the State Governments to have their own social and economic programmes and divest the Planning Commission of its functions of framing Plans for States;

(b) if so, the details thereof; and

(c) when it is likely to be implemented?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI):** (a) to (c). The States have even now considerable freedom in drawing up their own programmes for social and economic development within the frame work of the national plan and within the resources

available to them. State plans are finalised after discussions between the Planning Commission and the States. The question of divesting the Planning Commission of its functions does not arise.

#### Price of Imported Nylon Yarn

8693. SHRI VIRENDRAKUMAR SHAH: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that the State Trading Corporation do not propose to reduce the price of imported nylon yarn despite excise duty concessions announced in the Budget for 1969-70;

(b) if so, whether this will not defeat the purpose of the Budget concessions; and

(c) the steps Government propose to take in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) No, Sir. The State Trading Corporation has revised the selling prices of imported nylon yarn as a result of excise duty concessions announced in the Budget for 1969-70.

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

#### Confirmation of Supervisors Chargemen in Ordnance Factories

8694. SHRI N. K. SOMANI: Will the Minister of DEFENCE be pleased to state:

(a) the rules for the confirmation of Supervisors/Chargemen working in ordnance factories;

(b) whether it is a fact that a large number of Supervisors/Chargemen who have put in more than 5 years of continuous service have not been declared quasi-permanent or permanent;

(c) whether Government propose to confirm all such Supervisors/Chargemen so

that they may be eligible to appear in the examinations conducted by the Union Public Service Commission in which only confirmed employees can appear; and

(d) if so, when and if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA): (a) to (d). The information is being collected and will be placed on the Table of the House.

#### Acquisition of Land for Construction of a Bomb Dump

8695. SHRI BABURAO PATEL: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that 72 acres of land was acquired in September, 1964 for the construction of a bomb dump while only 18 acres of land was actually needed thus causing continuing loss of several lakhs of rupees per year by way of compensation.

(b) whether it is a fact that the project of constructing the bomb dump was not taken up till January, 1969 and several lakhs of rupees' worth of stores brought on the site were damaged;

(c) the total loss suffered so far in this project by way of delay and damage and by way of compensation paid for the land;

(d) the names and designations of officers responsible for this and the action taken against them, if not, reasons therefor; and

(e) when the project is likely to be taken in hand and when it will be completed?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA): (i) to (d). An investigation is being made and the information will be placed on the Table of the House in due course.

(e) In 1969-70 and is likely to take two years to complete.

**Service Charges in External Affairs Ministry Hostel**

**8696. SHRI JAMNA LAL:**  
**SHRI SHRI CHAND GOYAL:**

Will the Minister of EXTERNAL AFFAIRS be pleased to state;

(a) whether Service Charges are being recovered by his Ministry from the residents of the Ministry of External Affairs Hostel at the rates fixed by the C.P.W.D.;

(b) if not, the reasons therefor;

(c) if the rates are lower than the rates fixed by the C.P.W.D., the extent of loss incurred by Government so far on account of charging of lower rates; and

(d) whether the rates of Service Charges as fixed by the C.P.W.D. take into account expenditure on all types of services provided to residents particularly the pay and allowances of all staff borne on the operational wing of the Hostel, liveries to Class IV staff, telephones, lifts, electricity and power and water?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) to (c). The rents including Service Charges presently recovered are according to the rates approved by Government as provisional rates. The C.P.W.D. have subsequently worked out certain figures which are higher than the provisional rates. These are under examination in consultation with C.P.W.D. and other authorities concerned. Recoveries according to the final rates will be made as and when these are determined, and therefore, until then, the question of any loss or gain to Government does not arise.

(d) The rates worked out by the C.P.W.D. take into account all types of services provided, including the pay and allowances of staff borne on the operational wing of the hostel, and lifts, electricity and power and water charges, but do not include the cost of liveries provided to Class IV staff, and telephones. While fixing the final rates, the cost of liveries will be taken into account. As regards telephones, these are provided only to entitled personnel.

**Counting of Pension at the Time of Re-enrolment**

**8697. SHRI JAMNA LAL:** Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that an *ad hoc* increase in the pension granted to military personnel is being cut down at the time of re-enrolment;

(b) whether it is also a fact that pension is counted with the basic pay for the purpose of calculating dearness allowance admissible to such re-employed military personnel; and

(c) if not, the reasons therefor?

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA):** (a) Yes, Sir, the reason being that the re-employed military personnel are in receipt of dearness allowance.

(b) Yes, Sir, except for that portion of pension which is ignored for the purpose of fixation of pay on re-employment.

(c) Does not arise.

**Issue of Import Licences to Film Companies**

**8698. SHRI K. N. PANDEY:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the names of Film companies in India which have been given import licences during the last three years till April, 1969;

(b) the purpose for which the import licences were given; and

(c) whether these licences have been fully utilised and if not, the action taken against each of them?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) and (b). Details of import licences issued are published in the "Weekly Bulletin of Industrial Licences, Import licences and Export licences", copies of which are available in the Parliament Library.

(c) The information about utilisation of import licences is not available. Non-utilisation of import licences is not an offence.

#### Import of Rigs for Madhya Pradesh

8699. SHRI D. V. SINGH: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether any rigs have been or are being imported for the Madhya Pradesh Government's programme for sinking 7,000 shallow tube-wells which had been approved by the Central Government;

(b) if so, their numbers, the source of supply and the expenditure likely to be incurred thereon; and

(c) when they are expected to be delivered to the State Government?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). Foreign Exchange amounting to Rs. 13 lakhs and Rs. 20.12 lakhs has been released to the Government of Madhya Pradesh for the import of 2 combination water-well drilling rigs from Rumania and 5 medium Duty rotary-cum-down the hole rigs from U.S.A. respectively. The deliveries of these rigs is to be completed by 31st December, 1969.

#### Sale of Imported Goods at higher prices

8700. SHRI BEDABRATA BARUA: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that a large number of imported goods are sold at very much higher prices by the holders of licences; and

(b) if so, whether Government have any proposal to curb this type of profiteering?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) and (b). Bulk of licensing is

in respect of raw materials, components and spares in favour of actual users where the question of resale does not arise. Import of an infinitely small percentage of spare parts etc. is allowed through the established importers where the scope for profiteering on a wide scale is limited. However there is no statutory control on prices in respect of these items.

#### Trade Relations with Pakistan

8701. SHRI GEORGE FERNANDES: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether Government have taken any initiative in improving Trade relations with Pakistan; and

(b) if so, with that result?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) and (b). The trade between India and Pakistan is at standstill since September, 1965. Government of India removed the prohibition on trade with Pakistan in May, 1966; but the Government of Pakistan have not reciprocated, and the trade with India continues to be banned by Pakistan. Government of India have on a number of occasions raised through diplomatic channels, the desirability of resuming trade between the two countries, but the Government of Pakistan have not responded.

#### Export and Cotton Textiles

8702. SHRI SHRI CHAND GOYAL:  
SHRI SITARAM KESRI:  
SHRI INDRAJIT GUPTA:  
SHRI D. C. SHARMA:  
SHRI YOGENDRA SHARMA:

Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether the exports of Cotton Textiles showed an increase during the year 1968-69;

(b) if so, to what extent; and

(c) the steps taken by Government to step up the exports further?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) Yes, Sir.

(b) Exports of cotton textiles, excluding handloom goods, during the financial year 1968-69 aggregated to about Rs. 94.86 crores as against Rs. 82.16 crores during the preceding year.

(c) The existing export promotion measures will be continued intensified to the extent necessary and feasible. Constant watch is being kept and fresh measures as are considered necessary will be taken.

**Electronics Factory at Hyderabad**

**8703. SHRI GEORGE FERNANDES:** Will the Minister of DEFENCE be pleased to state:

(a) whether the electronics factory in the public sector set up at Hyderabad has gone into production;

(b) if so, the value of equipment produced in the country;

(c) the total earnings of the factory to date; and

(d) when the factory is likely to go into full production?

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L.N. MISHRA):** (a) Yes, Sir.

(b) The total value of equipment produced including profit is approximately Rs. 662 lakhs during the three years 1966-67, 1967-68 and 1968-69.

(c) The profit during these three years is estimated at Rs. 9.58 lakhs.

(d) The maximum production planned will be reached during 1969-70.

**Petrol Stolen from Lohegaon Military Airport (Poona)**

**8704. SHRI GEORGE FERNANDES:** Will the Minister of DEFENCE be pleased

to refer to the reply given to Unstarred Question No. 7322 on the 23rd April, 1969 and state:

(a) the names and designations of the Air Force personnel arrested in the clandestine sale of petrol from the Lohegaon military airport near Poona;

(b) the total quantity of petrol stolen by them; and

(c) the action which has been taken against them?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** (a) (i) 220365 corporal Akolekar, Mechanical Transport Driver.

(ii) 264400 Aircraftman G.M. Khan, Flight Mechanic, 'Engine',

(iii) 271414 Aircraftman K. Barua, Flight Mechanic, 'Engine'.

(b) 5,500 liters of aviation fuel were recovered subsequently.

(c) An enquiry was ordered against them and the report is under examination by the authorities concerned.

**लदाख और हिमाचल प्रदेश के बीच सड़क पर सैनिक टैंक और ट्रक चलाना**

**8705. श्री महाराज सिंह भारती :** क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या लदाख और हिमाचल प्रदेश के बीच सड़क पर सैनिक टैंक और ट्रक चल सकते हैं; और

(ख) यदि नहीं, तो इस कार्य में और कितना समय लगने की सम्भावना है?

**प्रतिरक्षा मन्त्री (श्री स्वर्ण सिंह) :** (क) खुले मौसम में लेह से मनाली तक 3 टन गाड़ियां चल सकती हैं। वह किसी बड़ी गाड़ियों के योग्य नहीं कि जो टैंक ढो सकें।

(ख) अन्तिम ब्यौरों के अनुसार, तल कटाई आशा है, 31-12-1969 तक सम्पूर्ण हो जाएगी।

भारतीय विदेश सेवा के अधिकारियों  
के विदेशियों से सम्बन्ध

8706. श्री रणजीत सिंह :

श्री राम गोपाल शालवाले :

श्री इटल बिहारी बाजपेयी :

श्री जगन्नाथ राव जोशी :

श्री बृज भूषण लाल :

श्री सुरज भान :

क्या वैदेशिक-कार्य मंत्री यह बताने की  
कृपा करेंगे कि :

(क) क्या ऐसे व्यक्तियों को, जिनके  
विदेशियों से सम्बन्ध होते हैं, भारतीय विदेश  
सेवा अथवा वैदेशिक-कार्य मन्त्रालय में सेवा  
करने की अनुमति दी जाती है; और

(ख) यदि हां, तो ऐसे व्यक्तियों की संख्या  
कितनी है तथा वे किन पदों पर कार्य कर रहे  
हैं?

वैदेशिक-कार्य मन्त्रालय में उप-मन्त्री  
(श्री सुरेन्द्र पाल सिंह) : (क) कुछ भारतीयों  
को, जिनकी विदेशी पत्नियाँ हैं, भारतीय विदेश  
सेवा में अथवा विदेश मन्त्रालय में भारतीय  
विदेश सेवा (आचार एवं अनुशासन) नियम  
1961 के अन्तर्गत नौकरी करने की अनुमति दे  
दी गई है।

(ख) इस समय विदेश मन्त्रालय में  
अथवा भारतीय विदेश सेवा में 15 ऐसे अधिकारी हैं जिनकी पत्नियाँ विदेशी राष्ट्रिक हैं।  
इन अधिकारियों के नाम और पदनाम सूची में  
दिये गये हैं जो सभा-पटल पर रखा गया है।  
[पुस्तकालय में रखा गया है। देखिये संख्या

LT-1026/69.]

भारतीय राजदूतावासों द्वारा भारतीय  
वस्तुओं का प्रयोग

8707. श्री रणजीत सिंह :

श्री राम गोपाल शालवाले :

श्री इटल बिहारी बाजपेयी :

श्री जगन्नाथ राव जोशी :

श्री बृज भूषण लाल :

क्या वैदेशिक-कार्य मंत्री यह बताने की  
कृपा करेंगे कि :

(क) क्या सरकार ने विदेशों में स्थित  
भारतीय राजदूतावासों को यह अनुदेश दिया है  
कि वे भारतीय वस्तुओं का प्रयोग करें;

(ख) यदि हां, तो इसका व्यौरा क्या है;  
और

(ग) यदि नहीं, तो इसके क्या कारण हैं?

वैदेशिक-कार्य मन्त्रालय में उप-मन्त्री (श्री  
सुरेन्द्र पाल सिंह) : (क) जी हां।

(ख) भारतीय मिशनों को इस प्रकार के  
आदेश दे दिये गये हैं कि जहां तक सम्भव हो  
सके वे भारतीय वस्तु, जैसे पोशाक, स्टेशनरी,  
रैफिजेरेटरों और मोटर गाड़ियों (पडोसी देशों  
के लिए ही) आदि का प्रयोग करें। उन्हें  
स्थायी अनुदेश भी दे दिये गये हैं, जिनमें उनसे  
कहा गया है कि वे पद्धति, दरियाँ, ऊनी कालीन,  
चादर तथा मेज के कपड़े, कलाकृतियों, दैनिक  
प्रयोग तथा विशेष समारोहों के लिए काकरी  
और कट्टलरी जहां सम्भव हो, भारत से खरीदें।  
इससे विदेशी मुद्रा खर्च में कमी होगी और  
भारत के राष्ट्रीय उद्योगों को प्रोत्साहन मिलेगा।  
जब वैध कारणों से स्थानीय खरीद अनिवार्य  
हो जाती है, तब छूट दे दी जाती है, जैसे—  
वस्तु की अप्राप्यता, भारतीय माल के लिए  
स्थानीय मरम्मत की सुविधाओं का अभाव  
और भारत से खेजने में अपेक्षाकृत बहुत अधिक  
किराया आदि।

(ग) प्रश्न नहीं उठता।

भारतीय सैनिकों के शोर्य का वर्णन  
करने वाले प्रकाशन

8708. श्री रमजीत सिंह :

श्री राम गोपाल शालबाले :

श्री अटल बिहारी वाजपेयी :

श्री बग्नानाथ राव जोशी :

श्री बूज भूषण लाल :

श्री सुरज भान :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बहुत से भारतीय जवानों और अधिकारियों ने गत दोनों विश्व युद्धों तथा भारतीय सीमाओं पर अब तक की हुई मुठभेड़ों में सराहनीय शोर्य का प्रदर्शन किया और रण कौशल दिखाया ; और

(ख) यदि हां, तो जन साधारण को इस की जानकारी देने वाले प्रकाशनों के नाम क्या हैं और इस सम्बन्ध में भावी योजना क्या है ?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री ल० ना० मिथ्य) : (क) जी हां।

(ख) कुछ सरकारी प्रकाशन कि जिनमें शोर्य प्रदर्शन करने वाले व्यक्तियों के विस्तार से नाम होते हैं, वह हैं :—

(1) भारत का महायुद्ध (प्रथम विश्व युद्ध) में अंशदान—(भारत सरकार के अधिकार द्वारा प्रकाशित)।

(2) द्वितीय विश्व युद्ध में भारतीय सशस्त्र सेनाओं के इतिहास के 24 ग्रन्थ (रक्षा मंत्रालय के ऐतिहासिक अनुभाग द्वारा प्रकाशित)।

(3) "विकटेरिया कास" नाम की पुस्तिका (जन सम्पर्क निदेशालय जी० एच० क्य० भारत द्वारा प्रकाशित)।

(4) बीर और बीरों के कारनामे—1960 (प्रकाशन डिवीजन, भारत सरकार द्वारा प्रकाशित)।

(5) "सशस्त्र सेनाओं के सम्मान और अवाड" एक पुस्तिका—1963 (प्रकाशन विभाग, भारत सरकार द्वारा प्रकाशित)।

(6) "श्री की फसल" 1965 नाम की पुस्तिका (प्रकाशन डिवीजन भारत सरकार द्वारा प्रकाशित)।

सशस्त्र सेनाओं के साप्ताहिक "सैनिक समाचार" में भी कभी-कभी अपनी सशस्त्र सेनाओं के सेवीवर्ग की उत्कृष्ट वीरता के कारनामे दिये होते हैं।

वर्तमान प्रक्रिया के अनुसार अपनी सशस्त्र सेनाओं को दिये जाने वाले शोर्य अवाड भारत के राजपत्र में प्रकाशित किये जाते हैं, जिसमें उनके शोर्य के कारनामों के संक्षिप्त विवरण भी दिये होते हैं। इस प्रक्रिया को जारी रखना प्रस्तावित है।

तदपि, ऐसा कोई बहुत सरकारी प्रकाशन प्रकाशित नहीं किया गया, कि जिसमें हमारी सशस्त्र सेनाओं के सेवीवर्ग के, प्रथम विश्व युद्ध, और द्वितीय विश्व युद्ध और स्वतन्त्रता के पश्चात् की अवधि में हमारी सीमाओं संघर्षों में शोर्य के कारनामों के संक्षिप्त विवरण दिये हों, और ऐसा करने की इस समय कोई योजना भी नहीं है।

#### Survey of Ministerial Staff

8709. SHRI PREM CHAND VERMA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether any survey of the staff employed was made in the Ministry during 1967-68;

(b) if so, how much surplus staff, class-wise, was found and whether Government proposed to retrench the staff or to absorb them otherwise;

(c) how many additional hands, class-wise, were employed by his Ministry during

the period from the 1st April, 1968 to 30th June, 1968 and how many new posts of Gazetted Officers were created during this period; and

(d) the details of surplus staff working with Ministers, Ministers of States Deputy Ministers etc. for which proper sanction has not been obtained?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) A survey of the staff employed in the Ministry was made by the Staff Inspection Unit of the Ministry of Finance in 1965 and their final report was received in May 1967. Besides this, a survey of some Divisions/Sections in the Ministry was conducted by the Internal work study Unit of this Ministry during the year 1967-68.

(b) The details of the posts found surplus are as follows:

Posts of Branch Officer (Under Secretaries/Attachés)	...4
Posts of Section Officer	...9
Posts of Assistant	...42
Posts of Lower Division Clerks	...47
Posts of Jamadar	...2
Posts of Dafty	...14
Posts of Peon	...21

The sanctioned strength was reduced accordingly but in respect of all categories except Section Officer, the number of officials actually in position was less than the reduced strength. In the category of Section Officer, two persons in position were found to be in excess of the strength approved, and therefore they were retrenched from this Ministry and transferred to the Central Surplus Cell of the Ministry of Home Affairs.

(c) Five (5) I.F.S. Probationers joined the Ministry during the period from 1st April to 30th June, 1968.

Five (5) new posts of Gazetted Officers were created during the same period.

(d) In addition to the authorised strength of staff for the Deputy Minister, one

Lower Division Clerk and two Peons have been provided to him by internal adjustment from within the overall sanctioned strength of the Ministry to cope with the work devolving on his office.

**Madras Boys Debarred from Joining Air Force Officers' Training**

8710 ✓ **SHRI MADHU LIMAYE:** Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that Government's attention has been drawn to the statement appearing in Delhi Edition of the Indian Express that 8 Madras boys otherwise qualified were not allowed to join the Air Force Officers' Training because they did not possess CNCC certificates and the necessary command words in Hindi;

(b) whether it is also a fact that thousands of otherwise fully qualified boys are refused admission or are not selected because they do not possess adequate knowledge of English; and

(c) if so, whether Government would remove knowledge of English or Hindi as a necessary condition for admission or selection of cadets trainees to Indian Air Force, Army and Navy?

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA):** (a) Yes, Sir. Government have seen the press report. In the absence of the details of the 8 Madras boys in question, it is not possible to give a definite reply. It may, however, be mentioned that there are three types of entries for the G. D. (Pilots) Branch:

- (i) N.D.A. entrants
- (ii) N.C.C. entrants
- (iii) Serving Airmen.

Only for N.C.C. entrants, one of the qualifications required for commissioning in General Duty (Pilots) Branch is 'C' Certificate of N.C.C. (Air Wing). Candidates not possessing 'C' Certificate of N.C.C. are not considered for selection in the G.D. (P) Branch, irrespective of the State to which

they belong. Knowledge of Hindi words of command as such is not an eligibility condition.

(b) and (c). The information is being collected and replies will be laid on the Table of the House.

**Permission to Consult Confidential Papers**

**8711. SHRI YAJNA DATT SHARMA:** Will the Minister of EXTERNAL AFFAIRS be pleased to refer to the reply given to Starred Question No. 857 on the 2nd April, 1969 and state the details of the rules that have been framed with regard to the consultation of confidential papers under the Official Secrets Act, 1923?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** The matter is under consideration and being examined by this Ministry in consultation with the Ministry of Home, Law, Defence and Education. The existing rules are under review and no fresh rules have been framed so far, on this subject.

वायु सेना राहत संगठन द्वारा दिए  
गए अनुदान

**8712. श्री भारत सिंह चौहान :**  
**श्री हुकम चंद कलवाय :**

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) युद्ध में बीर गति प्राप्त हुए वायु सेना अधिकारियों तथा वैमानिकों के निकट सम्बन्धियों को वायुसेना राहत संगठन द्वारा 1965 से लेकर अब तक अनुदानों के रूप में कितनी घनरक्षि दी गई;

(ल) क्या अगले एक वर्ष में उक्त सहायता बढ़ाने का प्रयत्न विचाराधीन है; और

(ग) यदि हाँ, तो सहायता की राशि में कितनी वृद्धि की जायेगी और यह वृद्धि किस तारीख से की जायेगी?

**प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह): (क)**  
(1) आई० ए० एफ० कल्याण समिति निधि से :—

ऐसे अफसरों के निकट कुदुम्बियों को दिए गए 95,400 रु.  
ऐसे वैमानिकों के निकट कुदुम्बियों को दिये गये 23,400 रु.

कुल जोड़ 1,18,800 रु.

(2) राष्ट्रीय रक्षा निधि से वायु सेना मुख्यालयों को सौंपे गये वायु सेना राहत निधि से :

ऐसे अफसरों के निकट कुदुम्बियों को दिये गये 26,000 रु.  
वैमानिकों के निकट कुदुम्बियों को दिये गये 3600 रु.

कुल जोड़ 29,600 रु.

(ख) तथा (ग). वायु सेना राहत निधि से कल्याण पूर्वक अनुदान को बढ़ाने के प्रयत्न का निरीक्षण किया जा रहा है। आई० ए० एफ० कल्याण निधि के सम्बन्ध में किसी प्रकार का परिवर्तन विचाराधीन नहीं है।

**Seizure of Indian Property by Pakistan**

**8713. SHRI SAMAR GUHA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that Pakistan has seized and confiscated Indian properties there;

(b) if so, the different heads, estimated valuations, classifications of the properties and under what conditions they have been taken over by the Pakistan Government;

(c) whether compensation have been paid by the Government of Pakistan for the confiscated properties; and

(d) if not, whether the Government of India are trying for that and, if so the result thereof?

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

(b) These properties were seized by the Government of Pakistan during and after the Indo-Pak conflict of August-September 1965. A list of these properties assets complied on the basis of claims registered with the Custodian of Enemy Property, India as on 31-1-1969, giving valuations and other details thereof is laid on the Table of the House. [Placed in Library. See No. LT-1027/69.]

(c) No Sir.

(d) The Government have made numerous requests to Pakistan to discuss this question. Unfortunately Pakistan has not responded constructively so far.

**Seizure of Indian Property by Zanzibar**

8714. **SHRI SAMAR GUHA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that Zanzibar has confiscated and seized Indian properties there;

(b) if so, the different heads, estimated valuations, classifications of the properties and under what conditions they have been taken over by the Zanzibar Government;

(c) whether compensation have been paid by the Government of Zanzibar for the confiscated properties;

(d) if not, whether the Government of India are trying for that; and

(e) if so; the result thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) and (b). Under a Presidential Decree issued in March 1964, the Government of Zanzibar acquired many immovable properties of the people of Indian origin. Almost all these persons were holders of British Passports.

According to our information, 27 houses, eight plantations, one stone crushing mill,

some business houses, uncleared cargo and all beach cottages belonging to Asians, have been confiscated. It is estimated that the persons have suffered a loss of more than Rs. ten crores as a result of confiscation.

(c) to (e). No compensation was paid to the owners of these properties. As the affected persons were British nationals, the question of the Government of India taking up their cases with the Zanzibar Government did not arise. It may, however, be stated here that the repatriates who come to India from this Island for permanent settlement were allowed to avail themselves of all concessions under the liberalised Transfer of Residence Rules to enable them to set up their homes all over again and to earn a livelihood in India.

**Import of X-Ray Films**

8715. **SHRI B.K. DASCHOWDHURY:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether the All-India Radiological Congress has proposed release of *ad hoc* licences for the import of X-Ray films;

(b) if so, the reaction of Government thereto; and

(c) the steps proposed to be taken to start a second photo-film unit to meet the growing demand in the country?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) Yes, Sir.

(b) Production of X-ray films at the Hindustan Photo Film is being stepped up to achieve the scheduled target. During the interim period shortages, especially in certain ranges are being met by *ad hoc* imports through the State Trading Corporation and established importers.

(c) The matter is under examination having regard to the pattern of demand which is likely to develop.

**Import of Wines and other Articles for use of Governors**

8716. SHRI JYOTIRMOY BASU: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state the total value of duty free (i) foreign wines and (ii) other items imported for the use of Governors of States during the years 1965 to 1967 State-wise, years-wise, item-wise and value-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): A statement is laid on the Table of the House. [Placed in Library. See No. LT-1028/69]

**अफ्रीकी देशों के साथ व्यापार**

8717. श्री यशवंत सिंह कुशवाहा :

श्री हरदयाल देवगुण :

श्री बेनी शंकर शर्मा :

श्री छें च० च० शर्मा :

श्री रंजीत सिंह :

श्री बलराज मधोक :

श्री नरेन्द्र कुमार साल्वी :

क्या वैदेशिक व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अफ्रीकी देशों के साथ भारत के व्यापार सम्बन्धों को बढ़ाने के लिए कोई नये उपाय किये जा रहे हैं; और

(ख) यदि हाँ, तो तत्सम्बन्धी व्यौरा क्या है?

वैदेशिक व्यापार तथा पूर्ति मंत्रालय में उप-मंत्री (श्री बौधरी राम सेवक) : (क) तथा (ख). विभिन्न अफ्रीकी देशों के साथ व्यापार प्रतिनिधि मंडलों के आवान-प्रदान तथा व्यापार करार संपन्न करने के अतिरिक्त भारतीय उद्यमकर्ताओं को उन देशों में संयुक्त उद्यम स्थापित करने के लिए प्रोत्साहन दिया जा रहा है। अभी तक अफ्रीका में ऐसे 33

उद्यमों की स्थापना की जा चुकी है। इसके अतिरिक्त, भारत सरकार अफ्रीकी देशों के साथ हमारे व्यापार सम्बन्धों को सुदृढ़ बनाने आदि के उद्देश्य से अफ्रीका सम्बन्धी आर्थिक आयोग के कार्य में सक्रिय रुचि ले रही है।

**Indian Air Force strength**

8718. SHRI BAL RAJ MADHOK:

SHRI HARDAYAL DEVGUN:

SHRI BENI SHANKER

SHARMA:

SHRI D.C. SHARMA:

SHRI RANJIT SINGH:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Indian Air Force strength falls short of the target prescribed for it in the defence plan drawn up in the wake of skirmishes with China in 1962;

(b) if so, the reasons therefor; and

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

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) to (c). Consistent with the resources and availability of aircraft, continuous steps are being taken for the build-up of a modern and balanced 45 squadron Air Force as visualised in the Defence Plan.

**Opposition by Western Countries to set up Joint Ventures in Third Countries with Indian Collaboration**

8719. SHRI SITARAM KESRI: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that the decision of Government to set up joint ventures in third countries in collaboration with Indian enterprise has been opposed by some of the Western countries;

(b) if so, the reason therefor; and

(c) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) Government are not aware of any Western country having opposed the idea of Indian participation in the setting up of joint ventures in third countries.

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

#### Foreign Military Delegations in India

8720. SHRI GADILINGANA GOWD: Will the Minister of DEFENCE be pleased to state:

(a) the names of foreign delegations comprising of military experts who visited the country during 1968-69;

(b) the military installations visited by them;

(c) whether the visits of such delegations of our military installations / ordnance factories are detrimental to the security of India; and

(d) if so, the steps being taken to avoid such situations?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) During 1968-69 Service Officers from Nigeria, Tanzania, Ethiopia, Yugoslavia, France, Afghanistan, UK, USA and the USSR visited India on goodwill tours.

(b) *Training Institutions*: Indian Military Academy, Dehra Dun, National Defence College, Kharakvasla, National Defence College, New Delhi, Infantry School, Mhow, College of Telecommunication Engineering, Mhow, College of Military Engineering, Poona, ASC School, Bareilly.

*Regimental Centres*: Raj Rifle Centre, Delhi Cantt., Bengal Engineering Group, Roorkee, Madras Engineering Group, Bangalore, Gurkha Training Centre, Dehra Dun, Artillery Centre, Deolali.

*Production Units*: Ammunition Factory, Poona, Ordnance Factory, Dehra Dun,

Hindustan Aircrafts, Bangalore and Nasik, Bharat Electronics, Bangalore, Clothing Factory, Shahjahanpur, Mazagaon Dock Ltd., Bombay.

*Units and Formations*: Para Brigade, an Artillery Brigade, Remount Depot, Shahjahanpur, Equine Breeding Stud, Babugarh, Army Hospital, Delhi Cantt., a Corps HQ., a Mountain Division HQ., an Air Force Station and Naval Establishments in Bombay.

The above gives the list of the establishments visited. However, each delegation visited only a few of the above establishments.

(c) and (d). Security considerations are duly taken note of while selecting the establishments to be visited and arranging such visits.

#### Scientists in Bhabha Atomic Research Centre

8721. SHRI GADILINGANA GOWD: Will the PRIME MINISTER be pleased to state:

(a) the number of scientists grade-wise working in Bhabha Atomic Research Centre as on March 31, 1969;

(b) the number of scientists permanent and temporary grade-wise;

(c) whether Government is contemplating a new proposal whereby new avenues of promotion will be opened for the scientists of high calibre;

(d) if so, the details thereof; and

(e) the likely date by which it is to be given effect?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI): (a) and (b). A statement giving the required information is laid on the Table of the House. [Placed in Library. See No. LT-1029, 69.]

(c) No new proposal is under consideration now.

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

**Construction of a New Building for Western Air Command at Delhi.**

**8722. SHRI B.K. DASCHOWDHURY:** Will the Minister of DEFENCE be pleased to state:

(a) whether Government propose to construct a new building for Western Air Command Headquarters at Delhi; and

(b) if so, the estimated amount likely to be incurred in the construction of the new building?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** (a) and (b). A new building for Headquarters Western Air Command has already been constructed in Delhi Cantonment, at a cost of about Rs. 50 lakhs.

जबलपुर में जवानों द्वारा एक मकान पर जबरदस्ती कब्जा किया जाना

**8723. श्री हुकम चन्द्र कछवाय :**  
श्री न० च० दीक्षित :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को जबलपुर के एक निवासी से इस आशय की शिकायत प्राप्त हुई है कि जनवरी 1969 में जबलपुर में कुछ जवानों ने उसके मकान पर जबरदस्ती कब्जा कर लिया था और उसकी सम्पत्ति लूट ली थी;

(ख) क्या सरकार ने इस मामले की जांच करवाई है; और

(ग) यदि है, तो इसके क्या कारण हैं और इसके लिए उत्तरदायी व्यक्तियों के विरुद्ध क्या कार्यवाही की गई है?

**प्रतिरक्षा मन्त्रालय में राज्य मन्त्री (श्री ल० ना० मिश्र) :** (क) से (ग). जबलपुर के श्री नवंदा प्रसाद इन्दुरक्षा से कई अभिवेदन प्राप्त हुए हैं। तदपि, मामला न्यायाधीन है।

इस विषय में हिंतीय श्रेणी के प्रथम असैनिक न्यायाधीश द्वारा 3-1-1969 को पारित किये गये आदेश की एक प्रति सभा-पटल पर रख दी गयी है। [पुस्तकालय में रखा गया। देखिये संख्या LT-1030/69]। इसमें मामले के तथ्य दिये गये हैं, जो कि न्यायालय के निष्कर्ष हैं। तदपि, जिला न्यायालय में इस अ.देश के विरुद्ध अपील, असैनिक न्यायालय में मुख्य मुकदमा, और न्यायालय के तिरस्कार सम्बन्धी कई अभिवेदन अभी निलम्बित हैं।

**Development of North Bihar**

**8724. SHRI GUNANAND THAKUR:** Will the PRIME MINISTER be pleased to state:

(a) whether the extent to which North Bihar has been developed during the last twenty years is less as compared to other areas;

(b) whether Government propose to make a special allocation in the Fourth Five Year Plan for the development of North Bihar; and

(c) if so, the basis of allocation and the details thereof?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI):** (a) to (c). The State Government is expected to make suitable provision for North Bihar in the Fourth Five Year Plan of the State in order to bring about speedy development of the area. The problem of backward areas is expected to be tackled by the State as part of its development objectives and it has to evolve its own strategy in the context of its overall plan resources and the general guidance given to States in the matter by the Planning Commission. Precise statistical or other details about the extent of development reached in North Bihar and the allocation likely to be made during the Fourth Plan by the State Government are not known at present.

**Indo-Nepal Agreement on Electrification of Border Towns of Nepal**

8725. **SHRI RANJIT SINGH:**  
**SHRI HARDAYAL DEVGUN:**  
**SHRI BENI SHANKER**  
**SHARMA:**  
**SHRI D.C. SHARMA:**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether any agreement has been signed between the Governments of India and Nepal for mutual supply of electricity and electrification of border towns of Nepal; and

(b) if so, the progress in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) and (b). No Sir. The Government of India have, however, received a proposal from His Majesty's Government of Nepal for mutual supply of hydro-electric power for some border towns in India and Nepal. The proposal is being examined in consultation with the State Governments concerned.

**भारत यूगोस्लाविया व्यापार**

8726. श्री रघुवीर सिंह शास्त्री : क्या बैदेशिक व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या युगोस्लाविया ने भारत से कई नई वस्तुओं का आयात करने और भारत को ट्रैक्टरों का, विमानों के कुछ पुज़ों तथा अन्य नई वस्तुओं का निर्यात करने का प्रस्ताव किया था ;

(ख) यदि है, तो तत्सम्बन्धी व्यौरा क्या था ; और

(ग) उस पर क्या निर्णय किया गया है ?

**बैदेशिक व्यापार तथा पूर्ति बंत्रालय में उप-मंत्री (श्री चौधरी राम सेवक):** (क) से (ग). भारत से नयी मदों के निर्यात को यूगोस्लाविया

से ट्रैक्टर, वायुयान के पुज़े अथवा किसी और मद के आयात से सम्बद्ध करने के बारे में कोई विशिष्ट प्रस्ताव यूगोस्लाविया से प्राप्त नहीं हुआ है। दोनों देशों के बीच व्यापार विनियम, वर्तमान व्यापार तथा भुगतान करार के अनुसार किया जाता है जिसके अन्तर्गत दोनों देश परम्परागत तथा अपरम्परागत दोनों प्रकार की मदों में द्विपक्षीय व्यापार का विकास करने की संभाव्यताओं का पता लगते हैं।

**Indo-Nepal Trade Agreement**

8727. **SHRI MADHU LIMAYE:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that a Member of Parliament has sent two letters on the 1st and 3rd January, 1969 about Indo-Nepal trade to Government and that these letters have remained unrepplied upto now;

(b) the contents of these two letters and the main complaints about the anomalies resulting from the loop-holes in the Indo-Nepal Trade agreement;

(c) if no reply has been sent, the reasons for not giving a point to point reply to these letters;

(d) whether it is a fact that in a meeting of the Secretaries of the concerned Ministries, presided over by the Finance Minister, it was found that the allegations made in these two letters and the previous letters by the said Member of Parliament are substantially true; and

(e) if so, the action which Government have taken or propose to take in the matter?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) Replies to the various letters including those of the 1st and 3rd January, 1969, received from the Hon'ble Member, have already been sent.

(b) The main points referred to in the two letters in question are: (i) heavy imports

of synthetic fabrics from Nepal into India and measures taken to check them; (ii) export of Indian grey cloth, pulses, oilseeds, spices, etc. to third countries through Nepal attracted by the Export Incentives offered by the Government of Nepal. A similar trend has been in existence in respect of export of tea to Afghanistan via Karachi; (iii) certain banks, of late are negotiating and sending large number of bills covering exports to Nepal of unprocessed textiles, spices and seeds from India, and (iv) ban on imports from Nepal of goods not based on Nepalese raw materials.

(c) to (e). The reply sent to the Hon'ble Member on March 25, 1969 fully explains the difficulties in the Indo-Nepal commercial relations. Necessary steps are being taken to resolve these difficulties. This question was also discussed at the inter-Departmental meeting referred to by the Hon'ble Member. In view of the delay in the implementation by Nepal of the decisions taken at the November, 1968 Talks, an Aide Memoire has been sent to His Majesty's Govt. The matter is being pursued. In this connection, a reference is also invited to Starred Question No. 962 and 1111 answered in the Lok Sabha on April 9, 1969 and April 16, 1969 respectively.

**Difficulties Experienced by Civilians  
Working in Border Road Development  
Organisation in Ladakh Region**

8728. SHRI VALMIKI CHAUDHURY:  
SHRI P.M. SAYEED:

Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that civilians particularly those working in the Border Roads Development Organisation in Ladakh region have to wait for a number of days before they get a seat in the planes at Leh while proceeding on leave discharge, etc. or while returning from leave at Chandigarh;

(b) whether any criteria or rules have been laid down for earmarking any quota for civilians in such scheduled air flights;

(c) if not, the reasons therefor; and

(d) the measures which are proposed to be taken to ensure that the above personnel have not to wait for long for the air journeys from Leh to Chandigarh or vice versa?

**THE MINISTER OF STATE IN THE  
MINISTRY DEFENCE (SHRI L.N.  
MISHRA):** (a) The problem of the airlift of civilians, particularly those working in the Border Roads Development Organisation in Ladakh region arises generally during winter, e.g. between the end of November upto the end of April. Due to limited capacity in the air force aircraft, the available seats are allotted to civilians by mutual consultation amongst different organisations like the Army, Border Roads and others locally.

(b) and (c). In view of the limited availability of seats in the aircraft, it is not feasible to earmark any quota for civilians.

(d) Does not arise.

**बिडला काटन एण्ड स्पिनिंग मिल्ज, दिल्ली**

8729. श्री रामजी राम :

श्री अर्जुन सिंह भवौरिया :  
श्री शिव चरण लाल :

क्या बैंदेशिक व्यापार तथा पूर्ति मंत्री बिडला काटन एण्ड स्पिनिंग मिल्ज, दिल्ली के बारे में 18 फरवरी, 1969 के अतारांकित प्रश्न संख्या 136 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या इस बीच अपेक्षित जानकारी एकत्र कर ली गई है;

(ख) यदि हां, तो उसका व्यौरा क्या है; और

(ग) यदि नहीं, तो विलम्ब के क्या कारण हैं?

**बैंदेशिक व्यापार तथा पूर्ति मन्त्रालय में  
उप-मन्त्री (श्री चौधरी राम सेवक) :** (क) नहीं।

(ख) प्रश्न नहीं उठता।

(ग) दिल्ली प्रशासन द्वारा दी गयी जानकारी में एक बात की कमी थी। कम्पनी से अपेक्षित जानकारी प्राप्त करने के लिए प्रशासन से कहा गया है।

#### Relics of Tantia Tope

8730. SHRI BENI SHANKER SHARMA:  
SHRI D.C. SHARMA:

Will the Minister of EXTERNAL AFFAIRS be pleased to refer to the reply given to Unstarred Questions No. 7349 on 23rd April, 1969 regarding relics of Tantia Tope and State the place chosen to keep the Achkan and dock of hair of Tantia Tope?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): Matter is still under consideration of the Government.

#### Indian move in U.N.O. on Rhodesia

8731. SHRI D.N. PATODIA:  
SHRI SHIVA CHANDRA JHA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India has pointed out to the inadequacies in implementing sanctions against Rhodesia in General Assembly of the U.N.O., recently;

(b) whether the Indian representative suggested measures for making them more effective; and

(c) if so, the reaction of other countries in regard to the above proposals?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) to (c). Yes, Sir. At the last Session of the General Assembly in 1968, India co-sponsored a resolution, which affirmed that "the sanc-

tions so far adopted will not put an end to the illegal racist minority regime, unless they are comprehensive, mandatory, strictly supervised by force and complied with, in particular by South Africa and Portugal."

The resolution also called upon the U.K. Government to use force to put an immediate end to the illegal regime, and suggested that the scope of the sanctions should be widened and especially that sanctions should be imposed on South Africa and Portugal, for having refused to carry out the mandatory decisions of the Security Council. The resolution was adopted by 86 votes in favour, 9 against with 19 absents. Those who voted against the resolution were Australia, Belgium, Luxembourg, Netherlands, New Zealand, Portugal, South Africa, U.K. and U.S.A.

#### Compensation Claimed From Pakistan for Persons Injured by East Pakistan Rifles in Maldah District

8732. SHRI D. N. PATODIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that three persons were hurt in firing by the East Pakistan Rifles on the Bamungaon Sector in Maldah District recently;

(b) whether Government have claimed any compensation from the Pakistan Government on this account; and

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

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

(b) The injuries were not of a serious nature. Compensation has been demanded by the State Government and also by the Inspector General of Police, Border Security Force, from their Pakistani counterparts.

(c) Reply from the Pakistan authorities on this point is awaited.

## Misuse of Passports

8733. SHRI GADILINGANA GOWD: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have received any complaints about the misuse of passports by persons during the last three years;

(b) if so, the names of those persons and the details of misuse of passports; and

(c) the action taken by Government in the matter.

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) to (c). The information is being collected.

## Minorities in Pakistan

8734. SHRI D. N. PATODIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have made sure that life and property of the minorities in Pakistan have not been adversely affected as a result of the political turmoil facing the Eastern Wing of Pakistan;

(b) whether any fresh restrictions have been imposed on the movement of minorities from the Eastern Wing of Pakistan to India; and

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

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

(b) No, Sir.

(c) Does not arise.

## Soviet Fleet Moving Towards China

8735. SHRI D. N. PATODIA: Will the Minister of DEFENCE be pleased to state:

(a) whether a Soviet fleet is moving towards China;

(b) whether the fleet passed through the Indian Ocean;

(c) if so, the size of the fleet; and

(d) whether the passage of the fleet has created a tension in the Indian ocean area?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) Government have no information about the movement of a Soviet fleet towards China.

(b) to (d). Do not arise.

दिल्ली में आयोजित शांति संबंधी राष्ट्रीय सम्मेलन में विवार विमर्श

8736. श्री रामाकृतार शास्त्री : क्या बैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 26 से 29 मार्च, 1969 तक दिल्ली में शांति संबंधी एक राष्ट्रीय सम्मेलन आयोजित किया गया था ;

(ख) क्या यह भी सच है कि भारतीय प्रतिनिधियों के अलावा उसमें विदेशों के कुछ प्रतिनिधियों ने भी भाग लिया था ;

(ग) यदि हाँ, तो इन प्रतिनिधियों में प्रमुख व्यक्ति कौन-कौन थे और वे किन-किन दलों के थे ;

(घ) क्या इस सम्मेलन में संसद सदस्यों ने भी भाग लिया था और यदि हाँ, तो उनके नाम क्या हैं ;

(ङ) क्या यह भी सच है कि इस सम्मेलन में अन्तर्राष्ट्रीय समस्याओं के बारे में भी प्रस्ताव पारित किये गये थे और यदि हाँ, तो उनका व्यौरा क्या है ; और

(च) उन पर सरकार की क्या प्रतिक्रिया है ?

बैदेशिक-कार्य मन्त्रालय में उप-मन्त्री (श्री सुरेन्द्रपाल सिंह) : (क) और (च) जी हाँ।

(ग) और (घ). सरकार के पास सूचना नहीं है। शक्ति के लिए नेशनल असेम्बली का गठन एक गैर-सरकारी घटना थी और भारत सरकार का इसके साथ कोई ताल्लुक नहीं था।

(ड) और (च). इस बैठक की कार्यवाही के सम्बन्ध में सरकार को जानकारी नहीं है।

दिल्ली छावनी बोर्ड के कर्मचारियों द्वारा दिया गया मार्गों का ज्ञापन

8737. श्री रामावतार शास्त्री : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी बोर्ड के कर्मचारियों ने एक ज्ञापन दिया है, जिसमें उनकी काफी मार्गों दी गई हैं;

(ख) यदि हाँ, तो उसका व्यौरा क्या है; और

(ग) उस पर सरकार की क्या प्रतिक्रिया है?

प्रतिरक्षा मंत्री (श्री स्वर्ण तिह) : (क) ऐसा कोई अभिवेदन सरकार को निकट भूतकाल में प्राप्त हुआ प्रतीत नहीं होता।

(ख) तथा (ग). प्रश्न नहीं उठता।

सभी छावनी बोर्डों में समान वेतन-क्रम

8738. श्री रामावतार शास्त्री : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश भर में सभी छावनी बोर्डों के लिए समान वेतन-क्रम तथा अन्य सुविधायें निर्धारित करने के प्रस्ताव पर सरकार विचार कर रही हैं;

(ख) यदि हाँ, तो ऐसा नियंत्रण कब तक लिए जाने का संभावना है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री ल० ना० मिश्र) : (क) से (ग), छावनी बोर्ड कर्मचारियों के वेतनमान और भत्ते, छावनी बोर्ड और कर्मचारियों के प्रतिनिधियों के बीच एक समझौते के अनुसार जिस पर शीघ्र ही हस्ताक्षर होना प्रस्तावित है, जिला स्तर पर राज्य सरकारों के समतुल्य वर्गों के कर्मचारियों के वेतनमान और भत्तों के बराबर करना प्रस्तावित है।

छावनी बोर्डों के सदस्यों के लिए वेतन

8739. श्री रामावतार शास्त्री : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि छावनी बोर्डों के सदस्यों को कोई वेतन अथवा भत्ते नहीं दिये जाते हैं;

(ख) यदि हाँ, तो क्या यह भी सच है कि कुछ छावनी बोर्डों ने मार्ग की है कि उनके सदस्यों के लिए वेतन अथवा भत्ते निर्धारित किये जायें; और

(ग) यदि हाँ, तो इस बारे में सरकार की क्या प्रतिक्रिया है?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री ल० ना० मिश्र) : (क) जी हाँ।

(ख) इस संबंध में सरकार को किसी भी छावनी बोर्ड से अभी कोई भी प्रस्ताव प्राप्त नहीं हुआ है।

(ग) प्रश्न नहीं उठता।

Setting up of Satellite Launching Station at Sriharikota Island (Nellore District)

8740. SHRI B. K. DASCHOWDHURY: Will the PRIME MINISTER be pleased to state:

(a) whether a satellite launching station is proposed to be set up at Sriharikota Island of Nellore District;

(b) if so, the amount likely to be spent on this Station; and

(c) the time by which the station is likely to be ready?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI): (a) Yes, Sir.

(b) Detailed estimates are under preparation.

(c) Initially it is intended to use the station for flight testing of indigenously developed rockets. It is expected that this could be done in about 12 months time. Subsequently, the station will gradually be developed into a Satellite Launching Station. This is expected to be ready in about four years time.

#### Strengthening of Pakistan's Defence Strength

8741. SHRI R. BARUA:  
SHRI SITARAM KESRI:

Will the Minister of DEFENCE be pleased to state:

(a) whether Government's attention has been drawn to the reported Statement of Marshal A. Grechko made in Pakistan that U.S.S.R. is interested in Pakistan strengthening its defence strength against its enemy;

(b) whether Mr. Grechko further said that U.S.S.R. was interested in Pakistan maintaining military balance in the region; and

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

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) Government have seen press reports to this effect. (Government consider that such statements, are likely to encourage Pakistan's intransigence against India. The matter was taken up through diplomatic channels with the Soviet authorities, who have now stated that the Soviet Defence Minister who was speaking ex-tempore was referring only in general

terms to the need for strengthening Pakistan's defence against aggression. The Soviet Union have further stated that no reference to India was intended.

(b) The Soviet authorities have stated that they do not subscribe to the notion of a so-called military balance between India and Pakistan and have denied that a reference to it was made by the Soviet Defence Minister.

(c) As the House is aware, Government have already pointed out to the Soviet Union the implications of the further accretion to the armed potential of Pakistan.

#### कपड़ा उत्पादों का नियाति

8742. श्री शशि भूषण : क्या वैदेशिक व्यापार तथा पूर्ति मन्त्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1967-68 में समाप्त होने वाले पिछले तीन वर्षों में मूंगफली के तेल, मूंगफली, मूंगफली की सली तथा अस्थि चूर्ण की कितनी-कितनी मात्रा का नियाति किया गया ; और

(ख) इन वर्षों में प्रति वर्ष पशुओं के दाने और चारे की कितनी मात्रा का नियाति किया गया ?

वैदेशिक व्यापार तथा पूर्ति मन्त्रालय में उप-मंत्री (श्री बौद्धरी राम सेवक) : (क) तथा (ख). एक विवरण सभा-पटल पर रखा गया है। [पुस्तकालय में रखा गया। वैदेशिक संस्था LT-1031/69]

#### कपड़ा मिलों में नियंत्रकों को नियुक्ति

8743. श्री हुकम चन्द कल्दाय : क्या वैदेशिक व्यापार तथा पूर्ति मन्त्री यह बताने की कृपा करेंगे कि केन्द्रीय सरकार द्वारा नियुक्त नियंत्रक किन-किन कपड़ा मिलों में काम कर रहे हैं ?

वैदेशिक व्यापार तथा पूर्ति मन्त्रालय में उप-मंत्री (श्री बौद्धरी राम सेवक) : केन्द्रीय

सरकार द्वारा अपने अधिकार में ली गयी और प्राधिकृत नियंत्रकों / प्रबन्ध प्रभिकर्ताओं के अधीन की गयी और इस समय तक रही सूती कपड़ा मिलों के नाम निम्नलिखित हैं—

1. दि माडल मिल्स लि०, नागपुर ।
2. आर० एस० आर० जी० मेहता स्पि० एण्ड वी० मैन्य० क० (प्रा०) लि०, अकोला ।
3. दि प्रताप स्पि० वी० एण्ड मैन्य० क० लि०, अमलनेर ।
4. दि बंगाल नागपुर काट्ट मिल्स लि०, राजनंदगांव ।
5. दि इण्डिया युनाइटेड मिल्स लि०, बम्बई ।
6. दि मयूर मिल्स क० लि०, कानपुर ।
7. दि हीरा मिल्स लि०, उज्जैन ।
8. दि स्वदेशी काटन एण्ड स्लोर मिल्स लि०, इन्दौर ।
9. श्री भारती मिल्स लि०, पांडिचेरी ।
10. दि महालक्ष्मी मिल्स क० लि०, व्यावर ।
11. दि न्यू मानेक चौक स्पि० एण्ड वी० मिल्स लि०, वहमदाबाद ।

कपड़ा मिलों को वित्तीय सहायता

8744. श्री हृकम बन्द कल्याण : क्या बंदेशिक व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले तीन वर्षों में केन्द्रीय सरकार, ग्रोवोगिक वित्त निगम, राज्य सरकार तथा राज्य वित्त निगम ने भव्य प्रदेश में किन-किन कपड़ा मिलों को छह से दिये हैं ;

(ख) इन मिलों की ओर इस समय राज्य सरकार, राज्य वित्त निगम, ग्रोवोगिक वित्त निगम तथा केन्द्रीय सरकार के छह से कितनी-कितनी राशि बकाया है ; और

(ग) किन-किन कपड़ा मिलों ने वर्ष 1969-70 में केन्द्रीय सरकार से छह से कितनी राशि प्रदान की है और इस सम्बन्ध में केन्द्रीय सरकार का विचार क्या कार्यवाही करने का है ?

बंदेशिक व्यापार तथा पूर्ति मंत्रालय में उष-मंत्री (श्री औषधी राम सेवक) : (क) से (ग). जानकारी एकत्र की जा रही है और सभा पटल पर रख दी जायेगी ।

#### Dispute About Maimasin Mata Temple in Jhansi Cantonment

8745. SHRI GUNANAND THAKUR: SHRI ONKAR LAL BERWA: SHRI P. N. SOLANKI: SHRI D. R. PARMAR: SHRI DEVEN SEN: SHRI KIKAR SINGH:

Will the Minister of DEFENCE be pleased to state :—

(a) whether it is a fact that Dr. Sarojani Mahishi, formerly Parliamentary Secretary to the Prime Minister, and some Members of Parliament had written letters to the Prime Minister and the Minister of Defence in connection with a case of a Mahant (Pujari) Shri Baba Jageshwar Das of Maimasin Mata (Durga Mandir) Jhansi Cantonment; and

(b) if so, the facts of the case and the attitude of Government of this regard?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) Yes, Sir.

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-1032/69]

भारतीय बायु सेना के एक विमान का पंजाब के एक मकान के साथ टकराने की दुर्घटना

8746. श्री द्रुक्षम चन्द्र कल्पवाय : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अप्रैल, 1969 के पहले पखवाड़े में पंजाब में सीटी नामक गांव में एक मकान के साथ भारतीय बायु सेना का एक विमान टकरा गया था जिसके परिणामस्वरूप सारा मकान जल गया आ और कुछ व्यक्ति मारे गये थे तथा कुछ अन्य व्यक्ति घायल हो गये थे ;

(ख) क्या सरकार ने इस दुर्घटना के कारणों की कोई जांच कराई है ; और

(ग) सरकार ने मृत व्यक्तियों के परिवारों तथा क्षतिग्रस्त मकान के लिये कितनी वित्तीय सहायता तथा मुआवजा दिया है ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) : (क) जी हां, अम्बाला के लगभग 15 मील दक्षिण पश्चिम में सीटी गांव के निकट 8 अप्रैल, 1969 को एक बायु सेना की दुर्घटना हुई थी । दुर्घटना के फलस्वरूप एक असंनिक और दो पशु मारे गये थे, और 5 असंनिक घायल हो गए थे । तीन कमरों पर सम्मिलित एक मकान विद्वस्त हो गया था ।

(ख) एक कोटि आफ इन्वेस्टरी दुर्घटना की जांच कर रही है ।

(ग) नियमों के अनुसार देय मुआवजे को अन्तिम रूप रेखा दिये जाने तक मृतक के निकट कुटुम्बी को अन्तरिम मुआवजे के तौर पर 1000 रुपये की एक राशि अदा कर दी गई है ।

#### Indian Textile Industry

8747. SHRI R. BARUA:  
SHRI K. P. SINGH DEO:

Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state ;  
(a) whether the Indian Textile Trade

has suffered a set-back in the textile markets of South-East Asia;

(b) if so, the countries coming up as competitors and the reasons for this set-back; and

(c) whether any corrective measure has been taken to check this downward trend in India's textile trade?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK) : (a) No, Sir; on the other hand, there has been an increase in our exports of cotton textiles to South-East Asian markets from Rs. 588.3 lakhs in the year 1967 to Rs. 1123.8 lakhs in the year 1968.

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

#### Merger of Textile Mills

8748. SHRI R.K. AMIN: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that a proposal for encouraging some sound textile mills to take over weak mills by permitting them to set off the previous losses of weak mills against profits of combined unit for the purpose of income-tax has been received by Government; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK) : (a) Yes, Sir.

(b) The matter is under consideration.

#### Allocation of Powerlooms to States

8749. SHRI R.K. AMIN: Will the Minister of FOREIGN TRADE AND SUPPLY pleased to state:

(a) whether the quota of powerlooms allocated to various States following the

**Ashok Mehta Committee's recommendations has been used by the States concerned;**

(b) if not the States in which the quota is unused;

(c) whether some of the States have asked for more quota; and

(d) if so, when Government propose to allocate the unused quota of power-looms of various States to the States which need larger quotas and the details thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) Some of the States have distributed a portion of their quotas.

(b) None of the States have fully utilized the quota allotted to them.

(c) Yes, Sir. Haryana and Dadra and Nagar Haveli.

(d) Haryana has not installed any powerloom from out of its quota of 1,400 powerlooms allotted to it. Any additional allotment of quota to Haryana will be considered after the present allotment has been fully utilized.

Dadra and Nagar Haveli have been allotted additional quota of 100 cotton powerlooms and 100 non-cotton powerlooms subject to the following conditions :—

- (1) In case of cotton powerlooms preference will be given to handloom weavers,
- (2) In case of non-cotton powerlooms these will not be allotted to a single party.

#### Regularisation of Unauthorised Powerlooms

**8750. SHRI R.K. AMIN:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that the various State Governments find it difficult to regularise installation of unauthorised powerlooms; and

(b) if so, the action which Government propose to take to regularise them?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) Regularisation of unauthorised powerlooms is done by the Textile Commissioner and not by the State Governments,

(b) Upto 1-4-1969, the Textile Commissioner regularised 44381 cotton and 25777 non-cotton unauthorised powerlooms.

**आजाद हिन्द फौज के सदस्यों को क्या गई सुविधायें**

**8751. श्री आरसंहे राय :** क्या प्रतिरक्षा मंत्री यह बताने की कृपा करें कि :

(क) आजाद हिन्द फौज के सदस्यों की कुल संख्या कितनी है;

(ख) आजाद हिन्द फौज के सदस्यों को अब तक क्या और कितनी सुविधायें उपलब्ध की गई हैं; और

(ग) क्या उन्हें स्वतंत्रता संग्राम के सेनानी माना जाता है?

**प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) :** (क) भारतीय सेना के सेविवर्ग की कुल संख्या जो आजाद हिन्द फौज में शामिल हुए 23268 थी। आजाद हिन्द फौज की कुल संख्या के सम्बन्ध में कोई सूचना प्राप्त नहीं है।

(ख) तथा (ग). भूतपूर्व भारतीय सेना के सेविवर्ग के डिसमिस किए जाने के आदेश कि जो आजाद हिन्द में शामिल हुए थे डिस्चार्ज के आदेशों में तबदील किए गए थे। 1948 में सरकार ने इन सेविवर्ग को विभिन्न पेनशनी तथा अन्य वित्तीय लाग दिए थे, जो विस्तार से नीचे दिए गए हैं—

(।) निलम्बित वेतन सहित उनके हिसाब में शत्रु द्वारा पकड़ लिए जाने की तिथि तक बकाया राशि।

(2) डिस्चार्ज या सेवाविमुक्ति के समय वारण किए गए स्थायी-युद्ध कालीन स्थायी पद के, निलम्बित वेतन सहित तीन मास के बतन तथा भत्तों के बराबर राशि, उस वेतन की राशि को कम करके कि जो वह विमुक्ति या नोटिस की छुट्टी के वेतन के कारण प्राप्त कर चुके थे, यदि ऐसी कोई राशि थी ।

(3) सेवा पेनशन उपदान जो डिस्चार्ज की तिथि तक की समस्त सेवा पर निर्धारित किया गया था ।

(4) पूर्ण युद्ध सेवा उपदान, जो डिस्चार्ज की तिथि तक समस्त, युद्ध कालीन सेवा पर निर्धारित किया गया था ।

(5) उस सेविवर्ग को 400 रुपये से 800 रुपये तक एकमुश्त अनुदान कि जो आई० एन० ए० में सेवा के दौरान निर्योग्य हो गये थे, और ऐसे सेविवर्ग को भी कि जो आई० एन० ए० में सेवा करते समय भर गए थे ।

1963 में 50 लाख की एक राशि भूतपूर्व आई० एन० ए० सेविवर्ग में राहत के तौर पर बांटने के लिए अलग रख दी गई थी । तदपि 1967 में सरकार ने भूतपूर्व आई० एन० ए० सेविवर्ग के जब शुद्ध वेतन और भत्तों का वाकाया बहाल करने का फैसला किया ।

वह केन्द्रीय तथा राज्य सरकारों द्वारा स्वीकृत भूतपूर्व संनिकों के तौर पर और राजनीतिक पीड़ितों के तौर पर विभिन्न रियायतों के लिए भी अधिकारी हैं ।

आयुध कारखानों में हथियारों का उत्पादन

8752. श्री रघुवीर सिंह शास्त्री : क्या रक्षा मंत्री यह बताने की कृपा करेंगे :

(क) क्या यह सच है कि आयुध कारखानों में हथियारों के निर्माण का कार्य बहुत

धीमी गति से हो रहा है और इन कारखानों में प्रयोग के लिए आया हुआ लाखों रुपये का आयात किया हुआ माल कई बर्षों से अप्रयुक्त पड़ा हुआ है ।

(ख) यदि हां, तो उसके क्या कारण हैं ; और

(ग) हथियारों के निर्माण के बारे में इन आयुध कारखानों के कार्यकरण को पुनर्गठित करने के लिये क्या कार्यवाही की जा रही है ?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री स० ना० मिश्र) : (क) तथा (ख). यह सच नहीं है कि आर्डनेस फैक्टरियों में आयुधों के निर्माण से संबंधित काम बहुत धीमी मति से हो रहा है । चूंकि आर्डनेस फैक्टरियां भारी संस्था की मदों का निर्माण करती हैं, उनके लिए द्वितीय उपलब्ध प्रक्रिया के अनुसार समय से कहीं पहले उपलब्ध करने पड़ते हैं, कि वह आवश्यक समय पर सम्पूर्ण मदों का निर्माण कर सके । इस उद्देश्य के लिए आवश्यक है कि आयात मदों को काफी राशियों में उपलब्ध किया जाए, और उनका संग्रह आवश्यक होता है कि जब तक समय पर सम्पूर्ण मदों के निर्माण के लिए उनका प्रयोग नहीं हो पाता ।

(ग) आर्डनेस फैक्टरियों के पुनः संगठन के लिए कई व्यापक प्रस्ताव विचाराधीन हैं, परन्तु यह विशेष तौर पर आयुधों के निर्माण से संबंधित नहीं हैं ।

Indo-French Collaboration for Production of Heavy Water

8753. SHRI R. BARUA:  
SHRI MUHAMMAD SHERIFF:  
SHRI TULSIDAS DASAPPA:  
SHRI YASHWANT SINGH  
KUSHWAH:

Will the PRIME MINISTER be pleased to refer to the reply given to Unstarred Question No. 7391 on the 23rd April, 1969 and state:

(a) whether India is self-sufficient in

heavy water; and

(b) whether the Indo-French collaboration will lead to further advantages in our atomic programme?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI): (a) No, Sir, not at present.

(b) Yes, Sir.

#### Contract for Supply of Iron Ore to Japan

8754. SHRI R.K. SINHA:  
SHRI MUHAMMAD SHERIFF:  
SHRI RAGHUVIR SINGH  
SHASTRI:  
SHRI D.N. PATODIA:  
SHRI K.P. SINGH DEO:

Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether India has entered into a long term contract with Japan for the supply of 100 million tonnes of Iron Ore to Japanese Steel Industry;

(b) if so, the terms of the contract; and

(c) whether similar supplies would be made to any other country?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) No, Sir.

(b) Does not arise.

(c) European buyers have so far been making yearly contracts. Continued efforts to secure long term contracts are being made.

#### Use of Atomic Energy for Irrigation Purposes in U.P.

8755. SHRI R.K. SINHA: Will the PRIME MINISTER be pleased to state: (a) whether the Atomic Energy Com-

mission has prepared plans for bringing 72,000 hectares of land under irrigation through use of power from atomic energy as part of agro-industrial complex in Western U.P.;

(b) whether it is a fact that the plan envisages an increase in the production of cereals by 4.5 million tons and that of pulses by 700,000 tons; and

(c) if so, the steps taken to implement the plan?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI): (a) and (b). The Commission itself has prepared no such plans so far. However, a Working Group set up by the Atomic Energy Commission has submitted a preliminary report regarding feasibility studies of setting up Agro-Industrial Complexes around large-sized Nuclear Power Stations in the country. The study relating to one of these sites in Western U.P. inter alia envisages bringing 7,20,00 hectares of land under irrigation and production of 4.5 million tons of cereals and pulses of the order of 7,00,000 tons.

(c) Further studies on the subject are in progress. The Question of a decision in the matter will arise only after these studies are completed.

#### काइसीर के संबंध में संयुक्त राष्ट्र संघ में पाकिस्तान की शिकायत

8756. श्री यशवंत सिंह कुशवाह :  
श्री हेम बरसा :  
श्री चंगलराया नायडू :  
श्री विश्वनारायण शास्त्री :  
श्री राम बरसा :  
श्री निंद रंद लालकर :  
श्री तुलसीदास दासप्पा :  
श्री नरेन्द्र कुमार साल्वे :  
श्री बलराज मधोक :

क्या बैदेशिक-कार्य-मंत्री यह बताने की कृपा करेंगे कि !

(क) क्या यह सच है कि पाकिस्तान सरकार ने काश्मीर के मामले को संयुक्त राष्ट्र संघ में उठाने की घोषणा की है ; और

(ख) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

वैदेशिक-कार्य मंत्रालय में उप-मंत्री (श्री सुरेन्द्र पाल सिंह) : (क) सरकार ने हाल में इस प्रकार की कोई घोषणा नहीं देखी है ।

(ख) सरकार का विचार यह है कि काश्मीर पर पाकिस्तानी आक्रमण से जो स्थिति उत्पन्न हुई है, उसके बारे में विचार-विवरण किया जाये और द्विपक्षीय रूप से इस समस्या का समाधान किया जाये ।

#### Expenditure on renovation of S.T.C.'s Office

8757. SHRI R. K. AMIN: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that the new Chairman of the State Trading Corporation has spent Rs. 1½ lakhs to renovate his office;

(b) if so, the reaction of Government thereto; and

(c) the details of expenditure incurred on foreign books within six months of the arrival of the new Chairman?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) and (b). A reshuffle of the office accommodation was necessary and the six working Directors of the Corporation, including the Chairman, moved from the premises of the Express Building to Herald House which was earlier occupied by one of the Commodity Divisions of the S.T.C. The total cost for renovating the new office for all six Directors and in addition a new Board Room, a new Committee room and eight new staff offices was Rs. 1,47,614. At this quite reasonable cost the Board

office has been organised on modern lines, both physically and operationally, to make it worthy of an international trading house that constantly deals with visitors and delegations from abroad.

(c) The total expenditure incurred by the S.T.C. during the six months after the new Chairman took over, on foreign books and periodicals, was Rs. 5,486.28. The amount was spent in Indian currency except for a sum of Rs. 120 paid in foreign exchange.

#### Posting of Army Officers at Stations of their Choice During the Last Year of Service

8758. SHRI RANJIT SINGH: Will the Minister of DEFENCE be pleased to state:

(a) whether there exist any instruction with the Army Headquarters that any Army Officer including a Junior Commissioned Officer should be given the last posting at a station of his choice during the last year of his service so that he could properly plan his resettlement after retirement;

(b) if so, the details thereof;

(c) if not, whether Government have considered the desirability of issuing instructions in this behalf to help the Army Officers including the Junior Commissioned Officers to resettle themselves soon after retirement; and

(d) Government's reaction thereto?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) and (b). No Sir; under the existing instructions, officers are, permitted to apply for posting at a station nearest to their home stations or other stations of their choice during the last two years of their service prior to retirement and such applications are considered on merits subject to availability of vacancies in those stations.

Similarly, applications of Junior Commissioned Officers for posting near to their home stations, prior to their retirement, are considered and such postings are made a

far as possible, subject to the availability of vacancies. Such postings are, however, a concession and not a right.

(c) and (d). Government consider that the existing procedure is satisfactory and do not propose to issue any new orders on the subject.

**Upgrading of Foreign Policy Planning Set-Up**

8759. SHRI MUHAMMAD SHERIFF: SHRI TULSI DAS DASAPPA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the proposal to upgrade the organisational set-up for foreign affairs policy planning has been abandoned; and

(b) if so, the reasons therefor?

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

(b) Does not arise.

**Short-Falls in Achieving Plan Targets**

8760. SHRI MUHAMMAD SHERIFF: Will the PRIME MINISTER be pleased to state:

(a) whether the latest Planning Commission's assessment of the annual Plan for 1968-69 which ended last month shows short-fall in the achievement of several crucial targets;

(b) the industries in which short-falls have been recorded; and

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

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDRA GANDHI): (a) to (c). Full information as regards the actual achievements of the Annual Plan for the year 1968-69 is not

yet available. However the likely achievements of selected physical targets based on the information available have been given in the Draft Fourth Five Year Plan laid on the Table of the House on April 21, 1969. A critical review will be possible only after complete information becomes available.

**Complaints of Corruption Against Certain Officials of Indian Embassy in Cairo**

8761. SHRI HEM BARUA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have any agency through which investigations into the functioning of the Indian Embassies abroad is conducted;

(b) whether there have been complaints of corruption against certain persons of the Indian Embassy in Cairo; and

(c) if so, the details thereof and the steps taken by Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) The Foreign Service Inspectorate consisting of one Senior officer each from the Ministry of External Affairs and the Ministry of Finance, inspects Indian Missions/Posts abroad from time to time and conducts investigation into their functioning and other related matters.

(b) and (c). A report was received in respect of certain aspects of the functioning, including some irregularities by unnamed officials, of the Indian Embassy in Cairo. This is under examination.

**Tarapur Atomic Power Plant**

8762. SHRI SAMAR GUHA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Tarapur Nuclear Power Plant has been finally activated;

(b) whether this nuclear power reactor is first of its kind in India and perhaps in Asia; and

(c) if so, the part played by the Indian nuclear scientists and engineers in building this nuclear power plant and its impact on the power potentiality of our country?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI IINDIRA GANDHI): (a) Yes, Sir.

(b) The Tarapur Atomic Power Station is at present the largest nuclear power station in Asia and the first of its kind in India.

(c) Indian scientists, engineers and others have been closely associated with all stages of the Project, for which the prime contractors are the General Electric Company of U.S.A. Our scientists and engineers have acquired valuable experience which will be of advantage in setting up future nuclear power stations:

**Chinese Trained Nagas Handed over by Burma**

8764. SHRI YASHWANT SINGH KUSHWAH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that some China-trained hostile Nagas have been handed over to the Government of India by the Government of Burma;

(b) if so, the details thereof; and

(c) the number of such Nagas who have not so far been captured by Government?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) and (b). 76 Naga hostiles, including Dosai Chakasang, were handed over by the Burmese to the Indian authorities on the 11th April, 1969. These persons were part of a gang which was intercepted by the Burmese in June, 1968 while on its way to China.

(c) It is difficult to estimate the precise number of China-trained Nagas who have not yet been apprehended. However, the bulk of them have either surrendered or been captured.

**Trade with Arab Countries**

8765. SHRI BRIJ RAJ SINGH KOTAH: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quantum of trade with Arab countries, country-wise;

(b) the balance of trade with each of them as it exists at present;

(c) the main items of export to these Arab countries; and

(d) the main items of import from them?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) and (b). The quantum of our trade with each of the Arab countries, and present balance of trade with each of them are shown in the statement laid on the Table of the House. [Placed in Library. See No. LT-1033/69.]

(c) In addition to traditional items like tea, textiles, jute manufactures, tobacco, spices etc., the main items of our exports are of chemical and pharmaceutical goods and a variety of engineering and industrial products.

(d) Our main imports from the Arab countries consist of essential raw materials like rock phosphate, cotton, petroleum and food items like rice and dates.

**Outer-space Convention**

8766. SHRI BRIJ RAJ SINGH KOTAH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the brief outlines of the draft Outer-space Convention; and

(b) India's stand thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) and (b). A copy of the Indian Draft Convention on liability for damage caused by the launch-

ing of objects into Outer-space is laid on the Table. [Placed in Library. See No. LT-1034/69]

Draft Conventions on the same subject have also been tabled by Belgium, Hungary, Italy and the U.S.A. Informal discussions between the sponsors of the different draft Conventions and the U.S.S.R. have been taking place with a view to exploring the possibility of reaching the broadcast measure of agreement. No agreement has yet been reached and this question will be further considered at the next session in June, 1969 of the Legal Sub-Committee of the U.N. Committee on the Peaceful Uses of Outer Space.

**Service Conditions of Employees in  
Directorate-General of Border  
Roads**

8767. SHRI BRIJ RAJ SINGH KOTAH: Will the Minister of DEFENCE be pleased to state:

(a) whether the terms and conditions of service of the employees of the Directorate-General, Border Roads are at par with those of the Army;

(b) if not, the reasons therefor; and

(c) the full strength of the Directorate-General of Border Roads showing break-up of regular, temporary and casual employees?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA): (a) and (b). The personnel of the Border Roads Organisation (General Reserve Engineer Force) are basically civilians and, as such enjoy terms and conditions of service which are different from those of Army personnel. Army officers and personnel, serving in the General Reserve Engineer Force on the basis of a tenure, retain their Army terms and conditions of service. Army officers, however, have an option to come over to General Reserve Engineer Force pay and allowances etc.

(c) The total authorised strength of Border Roads Organisation, as on 1-1-1969, is as under:—

Officers	1,311
Subordinates (including Skilled and Semi-skilled personnel)	28,555
Pioneers and equivalent	44,723
Total	74,289

The above posts are at present temporary. Casual personnel are employed on as required basis. The total number employed varies from time to time and project to project.

**Export of Rail Wagons to Hungary**

8768. SHRI K. P. SINGH DEO: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether Government have recently concluded an agreement with Hungary for the supply of rail wagons; and

(b) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) and (b). No, Sir. A contract for the supply of 500 wagons concluded by S.T.C. with the Hungarian enterprise concerned in 1966 has been executed and negotiations are now going on between the two parties for a further supply of railway wagons from India to Hungary.

**Export of Art Silk by State Trading Corporation**

8769. SHRI K. P. SINGH DEO: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that the State Trading Corporation of India is contemplat-

ing to do some direct exports of art silk while continuing its role as a canalising body;

(b) if so, the extent to which the State Trading Corporation propose to do direct business of art silk:

(c) the reasons therefor; and

(d) its likely effect on the petty exporters and the industry as a whole?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) to (b). The trend of exports of man-made fibre fabrics during the past two years showed that the manufacturer-exporters-merchant-exporters were not taking full advantage of the various export promotion measures evolved by Government and that the STC was required to play a more active role to augment the foreign exchange earnings of the Country in the field of export of man-made fibre fabrics. With that objective in view the STC has undertaken either to do direct export business or to enrol certain leading manufacturers exporters as their direct associates beside continuing the export efforts under the existing STC-Rayex arrangements. All this has been done towards furtherance of exports and government do not consider that the above three-pronged approach would in any way adversely affect the industry or trade engaged in exports of man-made fibre fabrics.

**Joint Ventures in Collaboration with Yugoslavia**

**8770. SHRI K. P. SINGH DEO:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether talks were held in New Delhi recently with Yugoslavia for economic collaboration and for setting up joint ventures in third countries; and

(b) if so, the outcome thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) and (b). A delegation headed by Dr. Rikar Stajnar, Chairman of the

Yugoslav Federal Planning Commission visited India from 4th to 14th April, 1969 and had discussions with the Planning Commission and Ministry of Foreign Trade and Supply. The talks related to the possibilities of a long-term economic collaboration between the two countries as well in third countries. It was agreed that detailed studies should be undertaken at the technical level with a view to reaching firm conclusions.

**Indo French Collaboration in Nuclear Field**

**8771. SHRI K. P. SINGH DEO:** Will the PRIME MINISTER be pleased to state :

(a) whether talks were held recently in New Delhi with French Minister for Atomic and Space Research for Indo-French collaboration in nuclear field; and

(b) if so, the outcome thereof?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI):** (a) Yes, Sir.

(b) The talks were aimed at exploring ways and means of furthering collaboration between India and France in the field of peaceful use of atomic energy and space research. An agreement has been concluded with France under which our Atomic Energy Commission will prepare a complete design and project report on building a Fast Breeder Reactor under its own responsibility, but with the help of the French authorities.

**Jute Industry**

**8772. SHRI S. K. TAPURIAH: SHRI HIMATSINGKA:**

will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state :

(a) whether Government's attention has been drawn to the proceedings of the annual meeting of the Indian Jute Mills Association held at Calcutta on 12th April, 1969;

(b) if so, the demands made by the jute industry at the said meeting; and

(c) Government's reaction to each of these demands?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) to (c). The proceeding of the annual meeting of the Indian Jute Mills Association have not been received. A statement showing the points made by the Chairmans of the Association and Government's reaction to each of them is laid on the Table of the House. [Placed in Library See No. LT-1035/169]

#### Unauthorised Powerlooms in Maharashtra

8773. SHRI N. R. DEOGHARE: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to State :

(a) whether it is a fact that during the last few years a large number of unauthorised powerlooms have come up in Maharashtra State which are being run without any licence from the authorities;

(b) whether it is also a fact that such unauthorised powerlooms are not paying to Government any tax or excise duty on their production; and

(c) if so, the steps Government propose to take in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) Yes, Sir.

(b) and (c). Some of the owners of unauthorised powerlooms had obtained excise licences and they are paying excise duty. Steps have been taken to regularise the unauthorised powerlooms existing prior to 28-2-1966.

#### उत्तर वियतनाम के साथ व्यापार

8774. श्री रामावतार शर्मा: क्या वैदेशिक व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार उत्तर वियतनाम के साथ पुनः व्यापार सम्बन्ध स्थापित करने के

प्रश्न पर विचार कर रही है और इस बारे में कुछ पत्र व्यवहार भी किया गया है; और

(ख) यदि हां, तो उसका व्यौरा क्या है और यह सम्बन्ध कब तक स्थापित हो जायेंगे?

**वैदेशिक व्यापार तथा पूर्ति मन्त्रालय में उप-मन्त्री (श्री चौधरी राम सेवक) :** (क) जी नहीं। भारत 1956 से ही वियतनाम लोक-तत्त्वीय गणराज्य से व्यापार सम्बन्ध रखता आ रहा है जब प्रथम व्यापार करार तीन वर्ष की अवधि के लिये किया गया था। इस करार को समय-समय पर बढ़ाया जाता रहा और इस समय यह 21 सितम्बर 1971 तक वैध है।

(ख) प्रश्न नहीं उठता।

#### Godown given on Hire by Canteen Stores Department in Bombay

8775. SHRI BABURAO PATEL: Will the Minister of DEFENCE be pleased to state:

(a) the name of the firm and its proprietors or directors which was given on hire a godown of 17550 square feet in Bombay at a rent of Rs. 4430/- per month on the 1st January, 1965 by the Canteen Stores Department without even a lease agreement;

(b) whether it is a fact that this tenant made a profit of Rs. 2.5 lakhs from May, 1965 to May, 1968 by subletting the godown to the Government of Maharashtra at the rate of Rs. 18,500 per month even though he had no right to sublet;

(c) the name and designation of the officer of the Canteen Stores Department who sanctioned the above lease and precise reasons for hiring such a large godown without inviting tenders; and

(d) the action, if any, taken against the above officer for this lapse and if not, the reasons therefor?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** (a) Tenders were

invited for renting the godown and the highest bid was that of the firm Messrs Sherli Khanmahomed Manekia. Their tender amounted to a monthly rent of Rs. 4,430/- in addition to payment of municipal rates and taxes and the electricity and water charges. The godown was handed over to this firm on 8th January 1965 in anticipation of the execution of a formal agreement.

(b) The State Government used the godown from May 1965 and paid Rs. 18,500 per month to the firm. When the Canteen Stores Department learnt about this arrangement, they enquired from the firm the reasons for the sublet contrary to the understanding with them. The firm replied "The material of Printing and Stationery Department is stored in the godown No. 18 on warehousing, storing and servicing basis and there is no actual subletting as such."

A correct assessment of the profit made is difficult as it would depend on the expenditure incurred by the firm on any services which they may have rendered to the State Government.

(c) Tenders were invited. The Chairman Board of Administration, at that time was Brigadier G.F.de Souza.

(d) As the godown was given on rent as a result of an open tender, no action against the officer was considered necessary.

#### **American Protest against India's Quota in U.N. Secretariat**

8776. SHRI BABURAO PATEL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the U.S. Government have publicly protested against the number of Indians in the United Nations Secretariat through American newspapers, particularly against the appointment of Shri Mangalam E. Chacko as deputy to Leonid Kutakov, the Under Secretary General for Political and Security Council Affairs.

(b) whether one leading newspaper used the phrase 'Indian mafia' in this connection

and abused other Indian officers working with United Nations;

(c) whether any protests have been made to the United States Government for this hostile attitude against the employment of Indian nationals by United Nations; and

(d) if so, the results thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH)** (a) and (b). The U.S. Government has not protested or represented to the Government about the number of Indians employed in the U.N. Secretariat.

The *'Washington Post'* in its issue of the 2nd January 1969, *inter alia* made the following comment:—

"U Thant's appointment of an Indian Secretariat official, M.E. Chacko, to a highly sensitive position in the Political and Security Council Affairs has brought widespread criticism in Western Delegations in the U.N. Chacko will now be Deputy to Leonid Kutakov, Under-Secretary General, Political and Security Council Affairs, and a Soviet National. Western diplomats complain that U Thant appealed the 'Indian mafia' rather than choose a European or non-Indian among the 9 candidates for the job. Chacko succeeds another Indian, M.A. Vellodi, whose competence is widely praised."

(c) and (d). No Sir; the U.S. Government is not concerned with the employment of Indian citizens in the U.N. Secretariat.

#### **Redrafting the objectives Chapter of the Fourth Plan**

8777. SHRI D.C. SHARMA : Will the PRIME MINISTER be pleased to state:

(a) whether it is proposed to redraft the Objectives chapter of the Fourth Plan to make it more inspirational;

(b) whether the Fourth Plan has been ushered in on the 1st April, 1969 without redrafting the Objectives Chapter; and

(c) if so, the reasons therefor and the steps proposed to be taken in the matter?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING(SHRIMATI INDIRA GANDHI)**  
 (a) and (c). The draft Plan was approved by majority in the National Development Council and it has been placed before Parliament. The draft will be discussed in all its aspects, both in Parliament and in the country and the main trends of these discussions will be carefully noted. In this connection, attention is invited to Prime Minister's note attached to the Draft Fourth Five Year Plan laid on the Table of the House on April 21, 1969.

**Relief Aid offered to East Pakistan Cyclone Victims**

8778. SHRI P.C. ADICHAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have rendered relief aid for victims of recent East Pakistan cyclone; and

(b) if so, the nature and extent thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) and (b). The Government have offered medicines and clothes worth Rupees One lakh for the victims of recent cyclones in East Pakistan.

**Export of Engineering Goods.**

8780. SHRI RAM AVATAR SHARMA: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that export of Engineering goods has suffered due to shortage of steel; and

(b) if so, the steps Government are taking in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM**

SEWAK): (a) and (b). The Engineering Promotion Council has brought to the notice of Government that there is some delay in the execution of orders for iron and steel by various steel producers, even when the requirement is for stated purposes of export production. It appears that some production shortages have developed in certain categories of iron and steel. The whole question is receiving attention of the Government and it will be ensured that export of engineering goods does not suffer in any way.

ब्रिटेन में भारतीय उप-उच्चायुक्त के निवास स्थान को सजाने पर किया गया व्यय

8781. श्री रामावतार शर्मा : ब्रिटेन में भारतीय उप-उच्चायुक्त के निवास स्थान को सजाने तथा उसमें किये गये परिवर्थनों/परिवर्तनों पर कितनी राशि व्यय हुई?

(क) गत वर्ष ब्रिटेन में भारतीय उप-उच्चायुक्त के निवास स्थान को सजाने तथा उसमें किये गये परिवर्थनों/परिवर्तनों पर कितनी राशि व्यय हुई;

(ख) लंदन में भारतीय उच्चायुक्त ने इस बार अन्य भवनों पर कितनी राशि व्यय की;

(ग) क्या यह व्यय अधिक था;

(घ) यदि हां, तो उसके क्या कारण हैं; और

(ङ) ऐसे व्यय का व्यौरा क्या है?

**ब्रिटेशिक कार्य मंत्रालय में उपमन्त्री (श्री सुरेन्द्र पाल सिंह) :** (क) नूनाइटेक किंगडम में भारत के उप हाई कमिशनर के निवास-स्थान "सन हाउस" में नए निर्माण फेर-बदल पर वित्तीय वर्ष १९६८-६९ में कोई खर्च नहीं किया गया। वित्तीय वर्ष १९६९-७० में सार्व-सज्जा और रख-रखाव तथा मरम्मत पर जो कुल खर्च हुआ वह इस प्रकार है :

## 1. साज-सज्जा

(i) भारत से भेजे गये गलीबों को भेजने का किराया तथा लदाई उत्तराई का खर्च तथा उनकी कोमत	147 पौंड	2946.00 रु०
(ii) छोटी-मोटी सरीद	7 पौंड	126.00 रु०
(iii) छोटी मोटी मरम्मत	5 पौंड	90.00 रु०
कुल	159 पौंड	2862.00 रु०

## 2. मरम्मत और रख-रखाव

(i) चहारदीवारी की मरम्मत	729 पौंड	13122.00 रु०
(ii) मामूली मरम्मत	33 पौंड	594.00 रु०
कुल	762 पौंड	13716.00 रु०

(ख) हाई कमिशनर के निवास स्थान, ६, केंसिंगटन पैलेस गार्डन्स, लन्दन के साज-सज्जा ।  
मरम्मत और रख-रखाव पर नीचे लिखे अनुसार खर्च हुआ :

## 1. साज-सज्जा

(i) फर्नीचर और उपस्कर मरम्मत	100 पौंड	1800.00 रु०
(ii) लिनन और फर्श तथा पालिसिंग कटलरों की तबदीली आदि	110 पौंड	1980.00 रु०
(iii) विविध मरम्मत आदि	31 पौंड	558.00 रु०
कुल	241 पौंड	4338.00 रु०

## 2. मरम्मत और रख-रखाव

(i) नलकारी की मरम्मत, पुनर्संज्ञा, सड़क रख-रखाव, संलग्न “म्यूज़” बेसिन की व्यवस्था और विविध मरम्मत कार्य	1344 पौंड	24,192.00 रु०
(ii) लिडिंगों की सफाई (रख-रखाव)	107 पौंड	1,926.00 रु०
(iii) तस्वीरों को फिर से लगाना	45 पौंड	810.00 रु०
कुल	1496 पौंड	26,928.00 रु०

(ग) यह खर्च ज्यादा नहीं था ; उतना ही था जितना इन इमारतों को ठीक हालत में रखने  
के लिये कम से कम जरूरी है । इसके अतिरिक्त टूटी-फूटी चीजों को बदलने के लिये यूनाइटेड  
किंगडम में मजदूरी बहुत लगती है और चीजों की कीमत भी बहुत बढ़ गई है ।

(घ) ऊपर भाग (क) में दिए गए उत्तर को देखते हुए इसका प्रश्न नहीं उठता ।

(इ) ऊपर भाग (क) और (ख) के उत्तर में यह सूचना दी जा चुकी है ।

## Import of Agricultural Implements

8782. SHRI R.K. SINHA: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether Government have decided to import harvesters, threshers, reapers etc. from the European countries;

(b) if so, the details thereof; and

(c) whether there are any plans to manufacture these implements in the country itself?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) and (b). Yes, Sir. Currently Import of 75 combined harvesters and 13 threshers, reapers, binders and hay rakers etc. is being arranged through the State Trading Corporation for distribution to actual Users.

(c) Threshers are already under production and steps are being taken to manufacture combine harvesters also indigenous.

## Export Promotion Directorate for Small Scale Industries

8783. SHRI R. K. SINHA: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether a Seminar on export promotion for small scale industries held in Delhi in April, 1969 has recommended the setting up of an export promotion directorate in the Small Scale Industries Development Organisation; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) Yes, Sir.

(b) The matter is under consideration of the Dep't. of Industrial Development.

## देश में टैंकों का निर्माण

8784. श्री निहाल सिंह: क्या प्रतिरक्षा मन्त्री यह बताने की कृपा करेंगे कि:

(क) देश में किन स्थानों और कारखानों में विभिन्न प्रकार के टैंकों का निर्माण किया जाता है;

(ख) देश में इस समय कुल कितने टैंक हैं; और

(ग) इन टैंकों के पुर्जों के आयात पर अब तक कितनी विदेशी मुद्रा खर्च की गई है?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री ल० न० मिश्र): (क) विजयंत टैंकों का निर्माण हैवी विहीकल फैक्टरी आवडी में किया जाता है।

(ख) तथा (ग). सूचना देना लोकहित में नहीं होगा।

## सूधर तथा उसके मांस का निर्यात

8785. श्री निहाल सिंह: क्या बैंडेशिक व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि:

(क) गत तीन वर्षों में सूधर, सूप्रर का कच्चा मांस तथा सूधर का सुखाया हुआ मांस किन-किन देशों को निर्यात किया गया;

(ख) उससे कितनी विदेशी मुद्रा कमाई गई; और

(ग) विदेशों को सूधर के मांस का निर्यात करने के लिये किन-किन फर्मों, कम्पनियों तथा व्यक्तियों को लाइसेंस दिये गये हैं?

बैंडेशिक व्यापार तथा पूर्ति मंत्रालय में उप-मंत्री (श्री औबरी राम सेवक): (क) दारिंगियक आसूचना तथा सांस्कृतिक के महानिदेशक द्वारा निर्यात के आंकड़े सूप्रर, सूधर

का मांस तथा बेकन, हैम तथा अन्य सुखाए हुए, नमक युक्त अथवा घूंसित सूअर-मांस के नाम से रखे जाते हैं। गत तीन वर्षों में इन मदों का कोई निर्यात नहीं हुआ है; और

(स) तथा (ग). प्रश्न नहीं उठते।

### राष्ट्रीय विकास परिषद की बैठक

8786. श्री देवराव पाटिल :

श्री आर० बरुआ :

श्री बंगलराया नायडू :

श्री एन० आर० लस्कर :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) राष्ट्रीय विकास परिषद की 19 और 20 अप्रैल, 1969 की बैठक में जिन मुद्दों पर विचार हुआ उनका व्यौरा क्या है; और

(ल) उन पर क्या निरांय किये गये?

प्रधान मंत्री, अनु शशित मंत्री तथा योजना मंत्री (श्रीमती इन्विरा गंधी) : (क) परिषद् ने पंचवर्षीय योजना के प्रारूप पर, पिछड़े क्षेत्रों के प्रभिन्नरिण और पिछड़े क्षेत्रों में उद्योगों को आरम्भ करने के लिए राजकोषीय और वित्तीय प्रोत्साहनों से संबंधित कार्यकारी दलों की रिपोर्टों पर, और वित्तीय वर्ष में परिवर्तन के प्रश्न पर विचार किया।

चौथी पंचवर्षीय योजना के प्रारूप पर किये गये निरांय का निर्देश 21 अप्रैल, 1969 को सभा-पटल पर रखे गये चौथी पंचवर्षीय योजना के प्रारूप के साथ संलग्न नोट में किया है।

दो कार्यकारी दलों की रिपोर्टों के बारे में यह निरांय किया कि सभी मुख्य मन्त्रियों की एक समिति इन रिपोर्टों पर विचार करे। जहाँ तक वित्तीय वर्ष में परिवर्तन का सम्बन्ध है सबका मतैक्य यह था कि कोई परिवर्तन न किया जाये।

### Fourth Annual General Conference of Indian Ex-Servicemen League

8787. SHRIMATI ILA PALCHOURI: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that he inaugurated the Fourth Annual General Conference of the Indian Ex-Servicemen League in New Delhi on the 17th April, 1969;

(b) whether it is also a fact that a memorandum containing certain demands of Ex-Servicemen was presented to him;

(c) if so, the details thereof and Government's reaction thereto; and

(d) when Government is likely to take a decision thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA): (a) Yes, Sir.

(b) A note on certain points needing urgent action mentioned by the President of the League was received from him.

(c) The note contained the following suggestions;

(1) Setting up of a Pension Commission to examine the question of increasing pensions of ex-service personnel.

(2) Formation of a Committee of retired service officers to study the grievances of ex-servicemen and make suggestions for redressing them;

(3) Separate Employment Exchange Cell for ex-servicemen.

(4) Age concession for employment in civil service for ex-servicemen in Public and Private Sectors.

(5) Pre-release training.

(d) These suggestions had already been considered on an earlier reference and a suitable reply has been sent to the President of the League.

**राजकीय व्यापार निगम के कर्मचारियों के लिये मकानों का निर्माण**

8788. श्री शशि भूषण : क्या बैंडेशिक व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कारण है कि राजकीय व्यापार निगम के अधिकारी अपने कर्मचारियों की आवास समस्या को हल करने के मामले में सहयोग नहीं देते जबकि कर्मचारियों की सहकारी समिति ने कर्मचारियों के लिये पहले ही भूमि प्राप्त कर ली है और कर्मचारियों ने अपने लिये मकानों का निर्माण करने के लिये पर्याप्त मात्रा में धन इकट्ठा कर लिया है ;

(ख) उनके मकानों का निर्माण कार्य कब आरम्भ होने की संभावना है ;

(ग) इन कर्मचारियों की सहकारी समिति ने कर्मचारियों के लिये कहां जमीन खरीदी है और इस प्रयोजन से लिये कर्मचारियों ने अब तक कितना धन इकट्ठा किया है ;

(घ) क्या सरकार का विचार इन कर्मचारियों को तब तक अधिक दर पर मकान किराया देने का है, जब तक कि उनके मकान नहीं बन जाते ; और

(ङ) यदि हाँ तो उसका व्योरा क्या है ?

बैंडेशिक व्यापार तथा पूर्ति बंत्रालय में उप-मंत्री (श्री चौधरी राम सेवक) : (क) से (ग). राज्य सरकार निगम के कर्मचारियों की कोई पंजीयित सरकारी गृह निर्माण समिति नहीं है। परन्तु राज्य व्यापार निगम और खनिज तथा धातु व्यापार निगम ने दोनों निगमों के कर्मचारियों के लिए स्टाफ बवाटरों के निर्माण हेतु महरौली रोड, नई दिल्ली पर स्थित 39-33 एकड़ का एक भूखण्ड खरीदा है। आर्किटेक्टों के माध्यम से विकास कार्य चल रहा है और इसके अन्तर्बर, 1969 तक पूरा हो जाने की संभावना है। विकास कार्य पूरा

हो जाने के उपरान्त शीघ्र ही यह निर्माण आरम्भ करने के लिए केन्द्रीय लोक निर्माण विभाग द्वारा उपाय किये जा रहे हैं।

(घ) तथा (ङ). राज्य व्यापार निगम ने दिसम्बर, 1968 से आवास किराया भत्ता, सरकार उद्यम व्यूरो द्वारा सुझायी गयी अधिकतम सीमा तक, अर्थात् बम्बई में वेतन का 30 प्रतिशत तथा दिल्ली, कलकत्ता तथा मद्रास में वेतन के 25 प्रतिशत तक, बढ़ा दिया है। इस समय कोई और परिवर्तन करने का विचार नहीं है।

**राजकीय व्यापार निगम में कर्मचारियों की नियुक्ति**

8789. श्री शशि भूषण : क्या बैंडेशिक व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजकीय व्यापार निगम के कर्मचारियों के प्रशासन, कर्तव्यों तथा पदोन्नति के बारे में कोई नियम बनाए गये हैं ;

(ख) क्या सरकार का विचार उन नियमों की एक प्रति सभा पटल पर रखने का है ;

(ग) इस निगम के अधिकारियों तथा कर्मचारियों की पदोन्नतियां रोकने के बाद बाहर से कुछ अधिकारी बड़े वेतन पर बुलाये जाने के क्या कारण हैं ; और

(घ) इसके परिणामस्वरूप इस निगम के अधिकारियों तथा कर्मचारियों में व्याप्त असंतोष के बारे में सरकार की क्या प्रतिक्रिया है ?

बैंडेशिक व्यापार तथा पूर्ति बंत्रालय में उप-मंत्री (श्री चौधरी राम सेवक) : (क) जी हाँ। राज्य व्यापार निगम ने निम्न नियम बनाए हैं—

(1) मर्ती नियम

(2) आचरण नियम  
 (3) सेवा विनियम  
 (4) वर्गीकरण, नियंत्रण तथा अपील नियम  
 (5) अंशदायी भविष्य निधि विनियम  
 (6) उपदान योजना

(ख) प्रतियां तयार की जा रही हैं और सभा पटल पर रख दी जायेंगी।

(ग) तथा (घ). निगम के कर्मचारी वर्ग तथा अधिकारियों की पदोन्नति पर रोक नहीं है। जब निगम में किसी पद के लिए अपेक्षित योग्यता वाले तथा अनुभवी व्यक्ति उपलब्ध नहीं होते, केवल तभी पद बाहर के व्यक्तियों से भरे जाते हैं। सरकारी कार्यालयों से प्रतिनियुक्ति पर आए व्यक्तियों पर सरकार द्वारा निवारित शर्तें लागू होती हैं।

#### बिहार सरकार की योजना का प्रारूप

8790. श्री बाल्मीकी औषधरी : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वर्तमान बिहार सरकार ने राज्य की चौथी पंचवर्षीय योजना का प्रारूप प्रस्तुत कर दिया है जिसमें 441 करोड़ रुपये के परिव्यय की व्यवस्था की गई है;

(ख) यदि हाँ, तो मुख्य स्कीम कौन-कौन हैं और उन पर अनुमानित व्यय कितना है;

(ग) क्या उसमें कृषि को प्राथमिकता प्रदान की गई है;

(घ) यदि हाँ, तो सिचाई स्कीमों का व्योरा क्या है तथा उन पर अनुमानित व्यय कितना है; और

(ङ) राज्य की चौथी योजना के प्रारूप पर सरकार की क्या प्रतिक्रिया है?

प्रधान मंत्री, अच्छे शक्ति मंत्री तथा योजना मंत्री (श्रीमती इन्विरा गांधी) : (क) जी, नहीं।

(ख) से (ङ). प्रश्न नहीं उठता।

#### Export of Looms Parts to Pakistan via Hongkong

8791. SHRI BENI SHANKER SHARMA: SHRI CHENGALRAYA NAIDU:

Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether Government are aware that some Engineering concerns fabricating broad-looms in Calcutta are exporting looms parts to Pakistan via Hongkong or Singapore which on arrival in Pakistan are assembled as complete looms;

(b) whether it is likely to increase Pakistan's production capacity of the Jute carpet backing which is now the mainstay of Indian Jute Industries and possess a serious danger to this industry; and

(c) if so, the steps Government propose to take to stop this malpractice?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). Some reports have been received about export of broad loom parts to Pakistan via Hongkong and Singapore. Enquiries made so far have not substantiated such reports. Further enquiries are in progress, and appropriate measures will be taken in the light of the result of the enquiries. It may be mentioned, however, that Pakistan can get such looms or loom parts from elsewhere also.

#### Nuclear Raw Material Potentialities in Bihar

8792. SHRI SHIVA CHANDRA JHA: Will the PRIME MINISTER be pleased to state:

(a) whether Government have made a thorough survey of the nuclear raw material potentialities in Bihar;

(b) if so, the details thereof; and  
 (c) if not, the reasons therefor?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDRA GANDHI): (a) and (b). The results of surveys for nuclear raw materials carried out so far in Bihar have been mentioned in the Annual Reports of the Department and further work is being carried on in the State.

(c) Does not arise.

#### Indian Atomic Plants

8793. SHRI SHIVA CHANDRA JHA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Indian atomic plants are equipped to determine uranium-233, uranium-235 and plutonium-239;

(b) if so, the details thereof and the progress made in those fields so far; and

(c) if not, the reasons therefor?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDRA GANDHI): (a) Facilities for this type of work are available in the laboratories of the Bhabha Atomic Research Centre, Trombay.

(b) The techniques used for the purpose are mass-spectrometric and radiometric. Mass-spectrometric method uses solid source mass spectrometry and is capable of determining the isotopic composition of uranium as well as plutonium. Radiometric method uses alpha counting and high resolution alpha spectrometry for assay of alpha activity.

(c) Does not arise.

#### Indo-Burma Trade

8794. SHRI R. BARUA:  
 SHRI CHENGALRAYA NAIDU:  
 SHRI N. R. LASKAR:

Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that the Government of Burma have decided to take positive steps during this year to improve bilateral trade with India both in value and range;

(b) whether it is also a fact that trade between India and Burma has been in a poor state since 1962; and

(c) if so, the steps which are being taken by the Government of India to improve the trade between the two countries?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). Foreign trade of Burma has been nationalised and all its imports are affected through Government-sponsored organisations by tenders. Expansion of exports to Burma, therefore, depends largely on the quality and competitive prices of the products. However, a close contact is being maintained with the import requirements of Burma with a view to maximising our exports. During her recent visit to Burma our Prime Minister and the Chairman of the Revolutionary Council of the Union of Burma discussed *inter alia* matters relating to development of mutual trade. They agreed that there was a considerable scope for further expansion of trade between the two countries and confirmed the desire of their Governments to expand mutual trade and commerce. From the table given below it will be seen that there has recently been a considerable increase in our exports to Burma. During the first 9 months of 1968-69, our exports to Burma amounted to Rs. 8.62 crores as against Rs. 3.84 crores during 1967-68.

Rs. in Lakhs

sation suggested by the Indian Delegation was accepted by the Commission.

Year	Exports to Burma	Imports from Burma
1962-63	508	909
1963-64	636	845
1964-65	641	1030
1965-66	360	938
1966-67*	374	4023
1967-68	384	924
1968-69 (April-Dec.)	862	806

**Conference of Asian Developing Countries  
at Singapore**

8796. SHRI CHENGALRAYA NAIDU:  
SHRI R. BARUA:  
SHRI N.R. LASKAR:  
SHRI R.K. SINHA:

Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether it is a fact that India participated in the meeting of Asian developing countries held by the E.C.A.F.E. in Singapore;

(b) whether it is also a fact that the Indian representative suggested for trade liberalization;

(c) if so, how far this proposal was accepted; and

(d) the decisions taken in the conference?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). Yes, Sir India participated in the 25th Annual Session of the ECAFE held at Singapore from April 15-28, 1969. The Six Point Programme of Trade Liberali-

(d) The decisions taken at the Conference are contained in the nine resolutions adopted by the Commission on subjects such as the Second Development Decade, Asian Coconut Community, Mineral Resources of the ECAFE Region, Establishment of the Asian Handicraft Centre, Proposal for the establishment of a Regional Computing Centre, Social Development. Out Posting of Headquarters staff to the regional economic commission, 50th Anniversary of the I.L.O., Amendment to rules of procedures regarding consultations with specialised agencies and the International Atomic Energy Agency. Copies of the resolutions are being placed in the Parliament Library for the use of the Members.

**Indian Trade Council in East Germany**

8797. SHRI BAL RAJ MADHOK: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the reaction of the Federal Republic of Germany to the move of Government to have a Trade Counsellor in East Germany to look after the Indo-GDR trade interest;

(b) whether Government are considering to have a similar Counsellor in Israel to promote the Indo-Israeli trade; and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): (a) Government propose to have a Trade Representative in East Berlin. The present proposal does not envisage the posting of a Counsellor to the German Democratic Republic. The question of the reaction of the Federal Republic of Germany to the posting of a 'Trade Counsellor' does not, therefore arise.

(b) and (c). Government do not propose to open a Trade Office in Israel as it will not serve any useful purpose.

\* Figures for April-May, 1966 have been converted in terms of devalued Rupee.

**Implementation of Orders Re. Gradation of Confidential Reports of Scheduled Castes and Scheduled Tribes Employees**

8798. SHRI A.S. KASTURE: Will the Minister of DEFENCE be pleased to state:

(a) whether the orders issued by the Ministry of Home Affairs on the 11th July, 1968 regarding the method of grading confidential record of Scheduled Castes and Scheduled Tribes employees have been implemented by his Ministry;

(b) if so, the category-wise promotions given to the Scheduled Castes and Scheduled Tribes employees of each Corporation under his Ministry;

(c) if not, the reasons for non implementing the said orders so far; and

(d) whether Government propose to take action against those officers who failed to do so?

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L.N. MISHRA):** (a) to (d). The requisite information is being collected and will be laid on the Table of the House as soon as possible.

**Hindi Knowing Indians Employed in Indian Embassy in Paris**

8799. SHRI A.S. KASTURE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the total number of Indian citizens employed in the Indian Embassy in Paris;

(b) how many of them know Hindi; and

(c) whether Hindi knowing Indian citizens are preferred for appointment to that embassy?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) to (c) Information is being collected and will be laid on the Table of the House in due course.

**Promotion of Employees belonging to Scheduled Castes and Scheduled Tribes**

8800. SHRI A.S. KASTURE: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether the recent orders of the Home Ministry regarding the method of grading confidential record of the employees belonging to Scheduled Castes/Scheduled Tribes are implemented by the various Corporations under his Ministry;

(b) if so, the details of promotions given to the each category of the Scheduled Castes Scheduled Tribes employees in all the Corporations under his Ministry;

(c) if not, the reasons for not implementing the said orders so far;

(d) whether Government consider these reasons as adequate in view of the specific provision of reservation of posts for the Scheduled Castes/Scheduled Tribes in the Constitution; and

(e) whether Government propose to take action against those Officers who failed to do so?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) to (e). The information is being collected and will be laid on the Table of the House.

**Shifting of Naval Headquarters From Bombay to Mormugao**

8801. SHRI SHINKRE: Will the Minister of DEFENCE be pleased to state:

(a) whether Government are aware that Bombay being an industrial and commercial capital of India is facing tremendous burden on transport of imports and exports and the congestion in the Port hampers many a time free movement of Navy ships; and

(b) if so, whether Government propose to shift Naval Headquarters from Bombay to Mormugao taking into consideration

geographical situation and strategic position of that natural Port?

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L.N. MISHRA):** (a) and (b). Government are aware of the pressure on Bombay Port. But for strategic reasons as well as taking into account the investment already made in the establishment of the Naval Dockyard at Bombay and plans under way for its expansion, Government cannot consider shifting the Naval establishments at Bombay.

#### Cultural Delegations to Latin American Countries

**8802. SHRI SHINKRE:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are aware that Latin America is known as a "Home of Fine Arts" and specially of "Music and Dance";

(b) whether Government have advised our Embassies and Consulates in those countries to stage regular programmes of Indian music and dances to attract local people and develop contacts for the benefit of our country; and

(c) whether Government propose to send cultural delegations to those countries to help our Foreign Missions to stage those programmes?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH):** (a) and (c). Yes, Sir. Government are aware of Latin American interest in the fine arts including music and dance. The organising of programmes of Indian music and dance is a regular feature at the cultural activities of our Missions and a provision for this purpose has been made in the current budget.

#### Invitation to heads of Latin American Countries

**8803. SHRI SHINKRE:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are aware that the last goodwill tour of our Prime Minister to the Latin America and specially Brazil has started a new area in our friendly relationship with those countries and it has become necessary that dignitaries should be invited to tour India so that the friendly ties are strengthened;

(b) whether Government have invited some of the heads of the Latin American countries to tour India; and

(c) if not, whether Government propose to invite them in the near future?

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

(b) Yes, Sir. The Heads of States of the Latin American countries visited by the Prime Minister were invited by her during her visits to those countries.

(c) Does not arise.

#### पिछले क्षेत्रों के लिए विशेष वित्तीय साधन

**8804. श्री आंकार लाल बोहरा :** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले राज्यों को अन्य राज्यों के समकक्ष लाने के लिए किस प्रकार के विशेष वित्तीय साधन उपलब्ध किए किये जा रहे हैं;

(ख) वर्ग राजस्थान के सीमान्त क्षेत्र के पिछले पन एवं सीमित वित्तीय साधनों के प्रति कुछ विशेष ध्यान रखा गया है; और

(ग) यदि हाँ, तो रेगिस्तान, आदिम जाति क्षेत्र, अकाल की स्थिति एवं औद्योगिक पिछले पन के कारण राज्य के विकास में विलम्ब होने के लिए केन्द्रीय सरकार कहां तक उत्तरदायी होगी?

**प्रधान मंत्री, जोवानु प्रकृति मंत्री तथा योजना संचारी (श्रीमती इन्विरा गांधी) :** (क) राज्यों में चौथी पंचवर्षीय योजना के लिए केन्द्रीय

सहायता का वितरण राष्ट्रीय विकास परिषद् द्वारा अपनाये गये सूत्र के अनुसार किया जा रहा है। इस सूत्र के अनुसार केन्द्रीय सहायता की बांटी जाने वाली राशि का 10 प्रतिशत अंश उन राज्यों के लिए रखा गया है जिनकी प्रति व्यक्ति आय राष्ट्रीय औसत आय से कम है। और 10 प्रतिशत राशि ऐसे राज्यों में बांटी जा रही है जहां सूखाग्रस्त क्षेत्र, मरुक्षेत्र, आदिम-जाति क्षेत्र, पहाड़ी क्षेत्र, महानगर क्षेत्र, बाढ़-ग्रस्त क्षेत्र जैसी कुछ निर्दिष्ट विशेष समस्याओं का सामना करना पड़ रहा है।

(स) राजस्थान की प्रति व्यक्ति आय राष्ट्रीय औसत आय से कम होने के तथ्य तथा यहाँ मरुक्षेत्र तथा अभावग्रस्त क्षेत्रों की विशेष समस्याओं को ध्यान में रखते हुए राज्य की आवश्यकताओं पर पहले से ही विशेष ध्यान दिया गया है।

(ग) प्रश्न ही नहीं उठता।

#### Quarters for Employees of Ordnance Factories

8805. SHRI JAGESHWAR YADAV: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that facilities of quarters have not been provided at many places to the employees working in the Ordnance Factories and also that some Ordnance Factories do not have their own Estates;

(b) whether it is also a fact that a number of employees working in such Ordnance Factories are living in Labour colonies and Government are compelling them to quite those colonies without providing them any alternative accommodation;

(c) if so, the reasons therefor;

(d) whether Government propose to allot the quarters in labour colonies to such employees as are working in Ordnance Factories and are living in them; and

(e) if so, by what time and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L.N. MISHRA): (a) Residential quarters for employees of Ordnance Factories have been/ are being provided at all the factories. However, the number of quarters actually available does not meet the full requirements of the employees.

(b) to (e). As far as Government are aware, some employees of the Ordnance Factories at Kanpur and some employees of other Defence Establishments at Kanpur are occupying quarters built under the Subsidised Industrial Housing Scheme by the Government of Uttar Pradesh. The Government of Uttar Pradesh has asked these occupants to vacate the quarters. The matter has been taken up with the State Government who have been requested to view the case sympathetically. It has also been suggested to that Government that the occupants who are willing to purchase the quarters on hire purchase basis may be permitted to do so. In the case of others, it has been suggested to the Government of Uttar Pradesh that they may be permitted to reside in the quarters on payment of reasonable rent. The reply of the State Government is awaited.

#### अल्पवारी कागज का आयात

8806. श्री आलमीकि चौधरी :  
श्री तुलसीदास दासप्पा :

क्या अंदेशिक व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रूस, अमरीका तथा अन्य देशों से अल्पवारी कागज आयात करने का कोई प्रस्ताव सरकार के विचाराधीन है; और

(ल) यदि हाँ, तो वर्ष 1959-70 में प्रत्येक देश से कितना अल्पवारी कागज आयात करने का विचार है और इसके आयात पर विदेशों मुद्रा के रूप में तथा रूपयों के रूप में अलग-अलग कितनी बन राशि खर्च होने की सम्भावना है?

विदेशिक व्यापार तथा पूर्ति भंगालम्ब में (स) वर्ष 1967-68 में जलवायी कागज उप-मंत्री (श्री औषधी राम सेवक) : (क) जी के प्रस्तावित आयात के ब्यांगे निम्न विवरण में है।

दिये जाते हैं—

क्र०	देश का नाम जहाँ से आयात	मात्रा	मूल्य	टिप्पणियाँ
सं०	किया जाता है	में० टन	करोड़	रु० में
1.	सोवियत संघ	40,000	4.628	भुगतान रु० में
2.	कनाडा	25,000	2.833	मुक्त विदेशी मुद्रा
3.	कनाडा	13,500	1.645	1968 की कनाडा विकास ऋण सहायता के अधीन
4.	कनाडा	16,000	1.949	1969 की कनाडा विकास ऋण सहायता के अधीन
5.	स्कॉडनेविया के देश	12,000	1.475	मुक्त विदेश मुद्रा
6.	पोलैंड	4,000	0.447	भुगतान रु० में
7.	संयुक्त राज्य अमरीका	3,850	0.443	1968 के अन्तर्राष्ट्रीय विकास अभिकरण के अधीन
8.	संयुक्त राज्य अमरीका	5,650	0.650	1969 के अन्तर्राष्ट्रीय विकास अभिकरण के अधीन

#### Cossipur Gun and Shell Factory

(b) whether there is a clock at the factory gate and if so, since when;

8807. SHRI JYOTIRMOY BASU:  
SHRI SATYA NARAIN SINGH:  
SHRI KAMESHWAR SINGH:  
SHRI UMANATH:

(c) whether the factory officers were asked to come earlier on the 8th April, 1969; and

Will the Minister of DEFENCE be pleased to state;

(d) if so, the reasons therefor?

(a) the total number of workers in the Cossipur Gun Shell Factory and the number of workers who attended work on the 19th September, 1968;

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA): (a) to (d). The information is being collected and will be placed on the Table of the House.

**Misuse of Quota of Raw Films**

8808. SHRI JUGAL MONDAL: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of Raw Films allotted to (i) All-India Pictures, Bombay, (ii) Alankar Chitra, (iii) Anupam Chitra, (iv) Ajanta Arts (v) Associated Film Industries, (P) Ltd., (vi) Arzoo Films, (vii) Ajoy Films, (viii) Ashok Films, (ix) Alpana Films, Bombay, during the last three years;

(b) whether any complaints have been received against these Film companies that they misused and sold their quota of raw films to other Film companies; and

(c) if so, the action taken by Government against each of them?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). The information is being collected and will be laid on the Table of the House.

**Misuse of Quota of Raw Films**

8809. SHRI JUGAL MONDAL: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of Raw Films allotted to the under mentioned Film Companies during the last three years;

(i) Bombay Film Laboratories Pvt. Ltd.,

(ii) Bindu Kala Mandir,

(iii) Bohra Bros.,

(iv) B and C Films,

(v) Chitralok Pvt. Ltd.,

(vi) Cine Deepak Productions,

(vii) Bharat Kala Mandir, Bombay,

(viii) Broadway Pictures;

(b) whether any complaints have been received against these Film Companies that

they have mostly sold their quota of Raw Films to some other Film Companies in black market; and

(c) if so, the action taken against them?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). The information is being collected and will be placed on the Table of the House.

**Allocation of Quota of Raw Films**

8810. SHRI JUGAL MONDAL: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of raw films allotted during the last three years till April, 1969 to film Companies:—

(i) Delux Films;

(ii) Dimple Films;

(iii) Eagle Films;

(iv) Emkay Productions;

(v) East and West Movies;

(vi) Famous Cine Laboratories and Studio Limited;

(vii) Film Yug;

(viii) Filmalaya (P) Ltd.;

(ix) Filimistan (P) Ltd.;

(x) Film Asia;

(xi) Goel Cine Corporation;

(xii) Golden Films; and

(xiii) Geetanjali Pictures;

(b) whether the above film companies had asked Government to increase their quota of raw films during the above period; and

(c) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). The information is being collected and will be laid on the Table of the House.

**Industrial Collaboration with Foreign Countries**

**8811. SHRI JUGAL MONDAL:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether India has entered into any industrial collaborations recently with the South East Asian, African and South American countries; and

(b) if so, the details thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) and (b). Yes, Sir. During the year 1968-69 ending 31st March, 1969, 19 proposals from different Indian Firms/parties for setting up various industrial projects in collaboration with local entrepreneurs in South East Asian and African countries were approved by the Government. No proposals were received for setting up joint ventures in any South American country. The details of approved proposals are appended below:—

S. No.	Country	Project	Indian Collaborator
1	2	3	4
1.	Kenya	Paper & Pulp Project	M/s. Birla Bros. (P) Ltd., Calcutta.
2.	Mauritius	Mosaic Tiles & Rolling Shutters Producing Units	M/s. Sidharath Jasubhai Lalbhai, Ahmedabad.
3.	Uganda	Jute Mill.	M/s. Birla Bros. (P) Ltd., Calcutta.
4.	Zambia	Re-refining used lubricants.	Shri N. V. Desai, Bombay.
5.	Ceylon	Mica Mining.	M/s. Krishna Mining Co, Gudur.
6.	Ceylon	Manufacture of room coolers, air-conditioners etc.	M/s. Electronics Ltd., New Delhi.
7.	—do—	Pharmaceuticals.	M/s. Themis Pharmaceuticals, Bombay.
8.	—do—	Manufacture of AAC/ACSR conductors.	M/s. Mysore Wire & Metal Industries, Bangalore.
9.	—do—	Manufacture of filters.	M/s. Fritz & Singh (P) Ltd., New Delhi.
10.	Afghanistan	Manufacture of sewing thread balls etc.	M/s. Darbar Co. (P) Ltd., Delhi.
11.	—do—	Manufacture of bicycles.	M/s. Pearl Cycle Industries, New Delhi.
12.	Indonesia	Rubber products m un-factoring plant.	M/s. Cosmos India Rubber Works (P) Ltd. Bombay.

1.	2.	3.	4.
13.	Malaysia	Manufacture of ACSR/AAC/PVC Insulated Conductors.	Indian Aluminium Cables Ltd., New Delhi.
14.	—do—	Precision tools and gauge manufacture.	M/s. Gupta Machine Tools (P) Ltd., Calcutta.
15.	—do—	Manufacture of electric fans and sewing machines.	M/s. Jay Engg. Works, Calcutta.
16.	—do—	Confectionary industry.	M/s. Parrys Confectionary Ltd., Madras.
17.	Singapore	Welding electrodes	M/s. M. S. Alloy Electrodes (P) Ltd., Bombay.
18.	Thailand	Steel Re-rolling mill.	Shri S. A. Jifri, Madras.
19.	—do—	Synthetic Fibre Spinning Plant.	M/s. Birla Bros. (P) Ltd., Calcutta.

**Sale of Imported Cars to Persons in Bihar**

the under-mentioned Film Producers during the last three years:

**8812. SHRI JUGAL MONDAL:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the names of persons in the State of Bihar who have purchased imported cars since 1st April, 1967, the purposes for which the cars were purchased and the price paid for each car; and

(b) whether any attempt was made to know if the said cars were being used for the purpose for which they were purchased?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) and (b). The information is being collected and will be laid on the Table of the House.

**Allocation of Quota of Raw Films**

**8813. SHRI K. N. PANDEY:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of Raw Films allotted to

- (i) Shri B. R. Chopra;
- (ii) Shri Kuljit Paul, Bombay;
- (iii) Shri O. P. Ralhan;
- (iv) Shri Roshan Lal Malhotra;
- (v) Shri Ajit Bose, Calcutta;
- (vi) Shri N. C. Sippy;
- (vii) Shri Mehmood;
- (viii) Shri I. S. Johar;
- (ix) Shri J. M. Prakash;

(b) whether any complaints have been received that these film producers have either misused or sold the raw Films Quota allotted to them during the above period; and

(c) if so, the action taken against them?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) to (c). The information is being collected and will be placed on the Table of the House.

## Allocation of Quota of Raw Film

8814. SHRI K. N. PANDEY: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of raw films allotted to each of the following persons during the last three years—

- (i) Shri Nazir Khan;
- (ii) Shri Ramanand Sagar;
- (iii) Shri Kundan Kumar;
- (iv) Shri Pramod Chakraverthy;
- (v) Shri Madan Mohulla;
- (vi) Shri Devender Goel;
- (vii) Shri Devanand;
- (viii) Shri Raj Kapoor;
- (ix) Shri S. D. Narang.

(b) whether the above producers have asked Government to increase their quota of Raw Films; and

- (c) if so, action taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). The information is being collected and will be placed on the Table of the House.

विदेशों में भेजे गये व्यापार प्रतिनिधि मंडल

8815. श्री औंकारलाल बोहरा: क्या वैदेशिक-व्यापार तथा पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों में विदेशों के दौरे पर जाने वाले व्यापार प्रतिनिधि मंडलों की संख्या का संक्षिप्त व्यौरा क्या है, उन्होंने किस-किस देश तथा स्थान का दौरा किया था और ऐसे प्रत्येक प्रतिनिधिमंडल के कितने सदस्य थे और इन दौरों के क्या परिणाम निकले हैं;

(ख) इस वर्ष निर्यात बढ़ाने तथा व्यापारिक सम्बन्ध स्थापित करने के लिए विदेशों में कितने व्यापार प्रतिनिधिमंडल भेजने का विचार है और वे किन-किन देशों का दौरा करेंगे; और

(ग) उनमें कितने संसद सदस्य सम्मिलित किये जायेंगे तथा उनके नाम क्या-क्या हैं?

वैदेशिक-व्यापार तथा पूर्ति मन्त्रालय में उष-मंत्री (श्री चौधरी राम सेवक) : (क) से (ग). जानकारी संकलित की जा रही है और सभा-पटल पर रख दी जायेगी।

## क्षेत्रीय असंतुलनों को दूर करना

8816. श्री औंकारलाल बोहरा: क्या प्रबाल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्षेत्रीय असंतुलनों को दूर करने और देश में आर्थिक समानतायें प्राप्त करने के लिए योजना आयोग द्वारा प्रकाशित चौथी योजना में क्या परिवर्तन किए जा रहे हैं; और

(ख) उत्तर प्रदेश, राजस्थान और बिहार जैसे पिछड़े राज्यों के आर्थिक विकास तथा इन राज्यों में सिचाई तथा बिजली सम्बन्धी सुविधायें उपलब्ध करने के लिए चौथी योजना में विशेष प्रावधान करने के बारे में कब तक अन्त म निरांय लिए जाने की संभावना है?

प्रबाल मंत्री, अबू शक्ति मन्त्री तथा योजना मंत्री (श्रीमती इन्दिरा गांधी) : (क) योजना आयोग ने पंचवर्षीय योजना का प्रारूप जिस रूप में प्रस्तुत किया है, उसमें फिलहाल किसी प्रकार के परिवर्तन नहीं किये जा रहे हैं। प्रारूप राष्ट्रीय विकास परिषद द्वारा बहुमत से 19 तथा 20 अप्रैल, 1969 को स्वीकृत किया गया और इस संसद के सामने विचारार्थ प्रस्तुत कर दिया गया है। उसे जनता के सामान्य विचारन-विमर्श के लिए भी प्रचारित कर दिया गया है। पांचवें वित्त आयोग का

प्रतिवेदन उपलब्ध होने पर, संसाधनों की स्थिति की समीक्षा करने का प्रस्ताव है।

(ख) अन्तर्राष्ट्रीय प्राथमिकताओं तथा पृथक-पृथक राज्यों के संसाधनों के आवंटन के कार्य का निश्चय राज्यों द्वारा योजना आयोग के साथ विचार-विमर्श कर किया जाता है। राष्ट्रीय विकास परिषद् द्वारा अपनाए गए वस्तुपरक कसौटी के आधार पर अब राज्यों के मध्य केन्द्रीय सहायता का वितरण किया जाना है। इसका उद्देश्य सापेक्षतया पिछले राज्यों को कुछ अतिरिक्त सहायता प्रदान करना है। राज्य, उन्हें उपलब्ध होने वाली केन्द्रीय सहायता और अपने संसाधनों को ध्यान में रखते हुए स्वयं यह निश्चय करेंगे कि उनके अद्योगिक विकास या सिचाई व विजली सुविधाओं के प्रावधान के लिए उन्हें किस प्रकार की व्यवस्था करनी है।

#### विदेशों में जान वाले प्रतिनिधि मंडलों के लिए संसद् सदस्यों का चयन

8817. श्री औंकारलाल बोहरा : क्या वैदेशिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले तीन वर्षों में उनके मंत्रालय तथा अन्य मंत्रालयों द्वारा प्रायोजित अथवा विदेशों से प्राप्त निमन्त्रणों पर भेजे गये प्रतिनिधिमण्डलों में कितने संसद् सदस्यों को शामिल किया गया;

(ख) वे किस-किस तारीख को गये और उन्होंने किस-किस देश का दौरा किया;

(ग) वर्ष 1969-70 में ऐसे कितने प्रतिनिधिमण्डल भेजने का प्रस्ताव है;

(घ) क्या इन प्रतिनिधिमण्डलों में शामिल किये जाने वाले प्रतिनिधियों के नाम अन्तिम रूप में निश्चित कर लिये गये हैं; और

(ङ) यदि नहीं, तो अन्तिम रूप में कब तक नाम निश्चित किये जाने की सम्भावना है?

वैदेशिक कार्य मंत्रालय में उप मन्त्री (श्री सुरेन्द्र पाल सिंह) : (क) से (ङ) सूचना एकत्र की जा रही है और सदन की बेज पर रख दी जाएगी।

विदेशों में स्थित दूतावासों द्वारा भारत का सही स्वरूप प्रस्तुत किया जाना

8818. श्री औंकारलाल बोहरा : क्या वैदेशिक, कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) विदेशों में भारतीय जीवन पद्धति, संस्कृति तथा सामाजिक ढाँचे का सच्चा चित्र प्रस्तुत करने के लिये विदेशों में स्थित भारतीय दूतावास क्या प्रयत्न कर रहे हैं; और

(ख) विदेशों में हमारे दूतावासों के उच्च अधिकारी तथा कर्मचारी अपने आचरण, अपनी आदतों तथा जीवन पद्धति द्वारा भारत के लिये संभावना पैदा करने में कहाँ तक सफल रहे हैं?

वैदेशिक कार्य मंत्रालय में उप मन्त्री (श्री सुरेन्द्रपाल सिंह) : (क) विदेश स्थित हमारे मिशनों के महत्वपूर्ण उद्देश्यों में एक उद्देश्य यह है कि भारत की सांस्कृतिक परम्परा का सही चित्र प्रस्तुत किया जाए। अधिकारी मिशनों में सुसज्जित पुस्तकालय हैं, जहाँ भारतीय संस्कृति के विभिन्न पक्षों पर पुस्तकें हैं। विदेश स्थित पुस्तकालयों और शैक्षिक संस्थाओं में भारत पर लिखी जाने वाली पुस्तकों के प्रमुख संग्रह के प्रदर्शन का नियमित रूप से कार्यक्रम प्रस्तुत किया जाता है। भारतीय फ़िल्म दिखलाने का कार्य प्रबन्ध या तो स्वयं मिशन करते हैं या स्थानीय संस्थाओं द्वारा किया जाता है। भारत अन्तर्राष्ट्रीय फ़िल्म समारोहों, पुस्तक मेलों और अन्य सांस्कृतिक

कार्यक्रमों में भी भाग लेता है। भारतीय मिशन अनेक देशों में सांस्कृतिक संघ्याओं का आयोजन करते हैं और स्थानीय संस्थाओं को "भारत दिवस" या "भारत सप्ताह" मनाने में सहायता भी प्रदान करते हैं जिसमें भारतीय संगीत, नृत्य आदि के कार्यक्रम प्रस्तुत किये जाते हैं।

(ब) हमारे मिशनों की रिपोर्टों से यह प्रकट होता है कि हमारे लगभग सभी अधिकारियों ने अपने आचरण और जीवन प्रणाली से भारत के लिए सद्भावना अर्जित की है।

गणतंत्र दिवस समारोह में भाग लेने वाले राज्यों के सरकारी अधिकारी तथा लोक नंतक

8819. श्री राम गोपाल शालबाले : क्या प्रतिरक्षा मंत्री 16 अप्रैल, 1969 के तारांकित प्रश्न संख्या 1125 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) इस वर्ष गणतंत्र दिवस समारोह में भाग लेने के लिए विभिन्न राज्यों से कितने सरकारी अधिकारी तथा लोक नंतक आये और उन पर कितना बन व्यय किया गया ;

(ख) गणतंत्र दिवस से कितने दिन पूर्व लोक नंतक राजघानी में पहुँचे और उनके भोजन और निवास आदि पर कितना बन व्यय हुआ।

(ग) सैनिक परेड में नृत्यों तथा ऐसे अन्य कार्यक्रमों को शामिल करने का आविष्यक क्या है और क्या देश के लिए उनका कोई शिक्षाप्रद महत्व सिद्ध होता है ; और

(घ) यदि नहीं, तो उत्तर कार्यक्रमों को सैनिक परेड में शामिल करने के क्या कारण हैं ?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री ल० न० मिश्र) : (क) तथा (ख). गणतंत्र

दिवस समारोह 1969 में भाग लेने के लिए विभिन्न राज्यों और संघीय प्रदेशों से 107 सरकारी अफसर और 809 लोकनंतक तथा भक्तियों के कलाकार आए थे। वह 12 जनवरी से 25 जनवरी, 1969 के बीच आए थे। तालकटोरा शिविर का हिसाब कि जहाँ उन दुकड़ियों को ठहराया गया था, अभी सम्पूर्ण नहीं हो पाया, और किया गया व्यय दर्शने वाला एक विवरण हिसाब के सम्पूर्ण हो जाने के पश्चात् सभा के पट्टन पर रख दिया जाएगा।

(ग) तथा (घ). गणतंत्र दिवस परेड 1969 में शामिल थे :

1. सशस्त्र सेनाओं की दुकड़ियाँ, सेवा साज-सामान इत्यादि, और

2. सांस्कृतिक कार्यक्रम जिसमें शामिल थे :

(1) हाथी।

(2) झाँकियाँ।

(3) रक्षा संस्थानों के असंनिक कर्मचारी।

(4) स्कूलों के बच्चे।

(5) लोक नंतक।

सांस्कृतिक कार्यक्रम से देश की एकता, विभिन्नता और बहुशाखीयता का प्रदर्शन अभिप्रेत है। इसकी शिक्षा संबंधी महत्व के अतिरिक्त यह राज्यों और संघीय प्रदेशों को संघ की राजघानी में राष्ट्रीय समारोहों में शामिल होने का अवसर प्रदान करता है।

#### Categorisation of Ordnance Factories into Groups

8820. SHRI JAGESHWAR YADAV: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that previously Ordnance Factories were not categorised

into groups and employees working in one factory could be transferred to any other Ordnance Factory;

(b) whether it is also a fact that recently Ordnance Factories have been divided into groups and the employees working under one group of factories cannot be transferred to another group of factories;

(c) if so, whether at the time of categorisation of Ordnance Factories into groups, Government had taken the option of employees working in them to ascertain the group of factories they would like to serve;

(d) if not, the reasons therefor;

(e) whether Government propose to take such an option from the employees working in the Ordnance Factories before finally allocating them to any Group of Factories in view of the fact that a large number of employees now working in factories under Equipment Group have acquired additional technical qualifications and their services can be of greater effective utilisation in Engineering Group of factories; and

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

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L.N. MISHRA):** (a) and (b). It was decided in May, 1967 that out of 27 Ordnance Factories, five factories viz., (1) Clothing Factory, Shahjahanpur; (2) Harness & Saddlery Factory, Kanpur; (3) Ordnance Cable Factory, Chandigarh; (4) Ordnance Clothing Factory, Avadi; and (5) Ordnance Parachute Factory, Kanpur, which are engaged in the manufacture of clothing and general stores should be formed into a separate group called the Ordnance Equipment Factories Group and placed under the control of an Addl. Director General, Ordnance Factories for their day to day administration. The overall control however, continues to vest in the Director General, Ordnance Factories. The remaining factories have not yet been divided into any groups. Notwithstanding the formation of Ordnance Equipment Factories

Group, employees of one factory are transferred to another whenever necessary in the public interest.

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

#### Quota of Raw Films

**8821. SHRI ARJUN SINGH BHADORIA:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of Raw Films allotted by Government to the following Film companies or Film Producers during the last three years and the quantity allotted to each;

(i) K.V.S. Productions, Madras, (ii) Shri D. V. Bavadekar, Bombay, (iii) Joy Films, Bombay, (iv) Kewalji Productions, Bombay, (v) Shri Darshan, Bombay, (vi) Shri Pannalal Maheshwary, Bombay, (vii) Shri Kundan Kumar, Bombay, (viii) Sarvodaya Pictures, Bombay, (ix) Shri H.S. Rawail, Bombay, and (x) Shri B.L. Rawal, Bombay;

(b) whether they have fully utilised the quota of Raw Film allotted to them; and

(c) if not, the action taken against each?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) to (c). The information is being collected and will be placed on the Table of the House.

#### Quota of Raw Films

**8822. SHRI ARJUN SINGH BHADORIA:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of Raw Films allotted to each of the following during the last three years to the Bombay and Madras Film Producers;

(i) Shri Ramniklal Ji Dave, (ii) Shri Mahmood Ali and N.G. Sippy, (iii) Supra

Films, (iv) Lotus Productions, (v) Prasad Productions Madras (vi) Sivaji Films (P) Ltd., Madras, (vii) Movie Mughals, (viii) Venus Pictures, Madras, (ix) Screen Gems, Madras, (x) Shri B.K. Adarsh and (xi) Shri S.J. Rajdeo, Bombay; and

(b) the total amount paid by each to Government and the price at which the Ram Films have been sold to them?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) and (b). The information is being collected and will be placed on the Table of the House.

#### Quota of Raw Films

8823. **SHRI ARJUN SINGH BHADORIA:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether the quota of raw films allocated during the last three years to each of the Film Companies or Film Producers together with the amount paid by each to Government;

(i) P.S.V. Films, Madras; (ii) Balsubramian and Co., Madras; (iii) Shri A. Qadeer Bombay; (iv) Shri Jafferali and Saha Fagu, Bombay, (v) Guru Dutt Films (P) Ltd., Bombay; (vi) Shri K.P. Varma; (vii) Shri Amerjit, Bombay, (viii) J.M. Films Bombay; (ix) Gemini Arts (P) Ltd., Madras; and (x) Rainbow Films, Bombay;

(b) whether any complaints have been received against these film companies or film producers that they sold their quota of raw films to other film companies at higher prices; and

(c) if so, whether Government have investigated into the matter?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) to (c). The information is being collected and will be placed on the Table of the House.

#### Quota of Raw Films

8824. **SHRI ARJUN SINGH BHADORIA:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of raw films allotted during the last three years by Government to each of the following Film Companies or Film Producers who have been given loan by the Film Finance Corporation:—

(i) U.N. Productions, Bombay; (ii) Shri Sudhir Mukerjee, Calcutta; (iii) Shri N.V. Krishnaswamy, Madras; (iv) Shri N. Lakshminpathy, Madras (v) Shri Gajanan Jagirdar, Bombay; (vi) Shri V.M. Joglekar, Bombay; (vii) Shri P.P. Maheshwary (viii) Shri Basu Bhatt Acharya, Bombay; (ix) Bombay Movieton (P) Ltd. Bombay; (x) Shri Sadashiv J. Row Kavi, Bombay;

(b) whether Government have received complaints that these Film Companies or Film Producers have sold their quota of Raw Film to other Film Producers at higher rates; and

(c) if so, the action taken thereon?

**THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK):** (a) to (c). The information is being collected and will be placed on the Table of the House.

#### Allocation of Quota of Raw Films

8825. **SHRI ARJUN SINGH BHADORIA:** Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of Raw Films allotted during the last three years by Government to each of the following Film Producers or Film Companies who have been given loans by the Film Finance Corporation:—

(i) Gope Productions, Bombay; (ii) Shri Ramachandra Thakur, Bombay; (iii) Emges Films, Bombay; (iv) Shri R.R. Dave, Bombay (v) Rajan Films, Bombay; (vi) Bimal Roy Pictures Bombay; (vii) K.G.

Pictures, Bombay; and (viii) Film craft (P) Ltd., Calcutta.

(b) whether Government have received any complaints from these Film Companies that they got less quota of raw films; and

(c) if so, the action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). The information is being collected and will be placed on the Table of the House.

12-00 hrs.

#### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

##### INVALIDATION OF CERTAIN SECTIONS OF GOLD CONTROL ACT

SHRI S.S. KOTHARI (Mandsaur): I call the attention of the Minister of Finance to the following matter of urgent public importance and request that he may make a statement thereon:

The Supreme Court decision invalidating certain sections of the Gold Control Act and the Government's reaction hereto.

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI DESAI): Mr. Speaker Sir, I rise to make this statement on the Calling Attention Notice on the matter arising out of the recent judgment of the Supreme Court declaring certain provisions of the Gold (Control) Act, 1968, invalid.

On 30th April, 1969, the Supreme Court delivered its judgment in three writ Petition matters relating to Gold Control. The petitioners were licensed dealers and/or money-lenders.

The common and the most important plea raised in these Writ Petitions was that the Gold (Control) Act, 1968, was beyond the legislative competence of Parliament under Entry 52 of List I (Union List) and Entry 33 of List III (Concurrent List) of the Seventh Schedule. The Supreme Court

has upheld the constitutional vires of the Gold (Control) Act, 1968 and found it to be entirely within the legislative competence of Parliament.

Apart from this main pleading, the validity of about 26 provisions of the Gold (Control) Act was challenged on the ground of being violative of Article 19(1)(f) & (g) and Article 14 of the Constitution. Most of the impugned provisions have survived the challenge. The provision about which the licensed dealers were most exercised was the one contained in Section 16(7) which requires every licensed dealer and refiner to declare his entire personal belongings of gold articles and ornaments. The validity of this provision has been upheld by the Court.

The provisions declared invalid are—

(i) *Clause (b) of sub-section (2) of Section 5:*

This is a general provision as distinct from the other specific provisions in the Act, empowering the Administrator to regulate by licence, permit or otherwise the manufacture etc. of gold.

(ii) and (iii) *Clause (d) of sub-section (2) and sub-section (6) of Section 27:*

Section 27 of the Act deals with the licensing of the dealers. Clause (d) of its sub-section (2) provides for imposing of conditions in the licence issued to the dealers; and sub-section (6) deals with the issue and renewal of dealer's licence and *inter alia*, lays down the guidelines for the same.

(iv) *Section 32:*

This provides for possession of primary gold by licensed dealers and, *inter alia*, lays down the quantitative limits on the dealers' possession of primary gold other than that in the form of standard gold bars.

(v) *Section 46:*

This provision is a corollary of Section 32 and provides that the primary gold in the possession of the artisans employed by a licensed dealer shall be subject to

quantitative limit applicable to that dealer under Section 32.

(vi) *Section 88:*

This provides for punishment of abetment by a licensed dealer or refiner who knows or has reason to believe that any provision of the Gold (Control) Act or rule or order made thereunder has been or is being contravened by any person employed by him in the course of such employment.

(vii) *Section 100:*

This provision requires a licensed dealer, amongst others, to take reasonable steps to satisfy himself as to the identity of the person from whom he acquires or receives any gold and raises a presumption in the event of his failure to take such reasonable steps.

I should mention that in its judgment the Supreme Court has observed that the provisions which are declared invalid do not affect the validity of the Act as a whole and that the Act still remains substantially an Act as it was passed by Parliament.

The Government have the greatest respect for the judgment of the highest court of the country and will abide by it in its letter and spirit. Although the deletion of the provisions which have been declared invalid by the Court does not affect the basic scheme of Gold Control, some remedial measures will be necessary to fill the procedural void such as that caused by invalidation of Sections 27(6) and 32. The text of the Court's judgment will have to be carefully studied in consultation with Government's Law Officers with a view to considering what remedial measures are necessary and feasible in the light of the Court's judgment. It may be possible to provide for some of these matters by framing appropriate rules under Section 114 of the Act. Immediately after the judgment was delivered in the Court on 30-4-1969, an application was made for urgent supply of a certified copy. The certified copy of the judgment has not yet become available. It is, therefore, not possible for me to state anything more on this matter at this stage.

SHRI S.S. KOTHARI: The Supreme Court has held that the powers conferred

upon the Gold Control Administrator under Section 5(2)(b) of the Act were legislative in character, extremely wide and excessive delegation of legislative powers had taken place. Therefore, this section and others have been held constitutionally invalid. It is hardly surprising that such delegation of powers which was treated as valid under the Defence of India Rules have been declared as invalid under the common law of the land. May I observe that the invalidation of certain important sections of the Act by the Supreme Court constitutes an indictment of the Government's policy of what I should once again call 'fiscal brinkmanship'. What I mean is that Government brings in legislative measures which are on the borderline of constitutionality. That is my principal objection. Why should they take chances and risks and bring in legislation which is on the borderline of constitutionality? I need not go over what has taken place during the last few days in the house; Members are aware of it.

Secondly, I urge upon the Deputy Prime Minister to consider that since certain sections of the Act have been declared as invalid by the Supreme Court, should not the Government in good grace withdraw the Gold Control Act completely. I have some reasons for making this demand. Firstly, it has caused undue misery and hardship to hundreds of goldsmiths; some have even died. My principal objection is this. The fundamental objectives for which the Gold Control Act was brought by the Finance Minister before Parliament have not been fulfilled at all and it has not served its purpose. It has not been able to check smuggling nor could it reduce the disparity between the internal price and the international price of gold. Finally the lure of gold and its storage value have not diminished. Because of inflation, the value of the rupee has depreciated. It is on this account that there is so much of disparity between the internal and the international price of gold. As regards smuggling, it can be better checked by administrative measures.

MR. SPEAKER: I thought you were discussing the Supreme Court judgment. Please come to the question.

SHRI S. S. KOTHARI: I am coming to that. I would say that the Government should not confer upon the administrator excessive powers which would render the administrator dictator, Governor, and pontiff, all rolled into one. Why should you give such dictatorial powers to the executive head? Therefore, I would deprecate the tendency of the Government to delegate such powers and they should in the natural course be clearly defined in the Act; and Parliament itself should legislate in respect thereof.

Secondly, we should not confer excessive powers on the administrator, as otherwise, fundamental rights would be violated. Then, finally, the Government should not act on expediency and ignore human aspect in the matter of legislation. It does not pay in terms of economic welfare or political gains.

May I also most humbly submit to my colleagues that they should be more vigilant in passing any Act,—

MR. SPEAKER: This is not a public meeting where you speak to the audience and appeal to them. This is Parliament where a Calling Attention is being taken up. It is not a mass meeting. You will have to keep certain norms.

SHRI S. S. KOTHARI: I am referring to that because the Supreme Court has questioned the constitutionality of our measures. Now, will the Government squash the Gold Control Act? Secondly, will the Government think fit to appoint an *ad hoc* committee of Members of Parliament to examine the entire scheme of the Gold Control Act and decide as to what measures should be taken in the future? Thirdly, would the Government liberalise the licences to the goldsmiths to enable them to enter into the profession without let or hindrance? Finally, whether the Government would agree not to place any limit upon the amount of primary gold that the artisans and goldsmiths can hold?

SHRI MORARJI DESAI: So far as it relates to the earlier questions that the hon. Member has put, my answer is in the negative. About the last question he has put, I can only reply to it after I see the judgment.

SHRI K. NARAYANA RAO (Dilip Singh): पहले दो सवालों के लिये जो उपप्रधान मंत्री तथा वित्त मंत्री महोदय ने कहा कि उनका जवाब "नहीं" में है तो उन्हें कारण तो बतलाना चाहिए कि ऐसा क्यों है ?

MR. SPEAKER: He said that he has not even seen the judgement.

SHRI K. NARAYANA RAO (Bobbili): During the discussion of the Gold Control Bill, several Members in this House on both sides of the House had expressed their views that some of the provisions of the Gold Control Bill would not be constitutional. This is what we have anticipated. The Supreme Court has struck down certain sections of the Act. In this connection, may I also submit to the hon. Finance Minister that this is not the full story. Still, some more sections are yet to be struck down for the simple reason that this is a petition which, as the hon. Minister himself has said, has been filed by dealers and moneylenders. Under this particular Act, several other sections of society have also been affected.

First of all, about the restriction placed on the goldsmiths, they are yet to be decided by the court. These provisions have not been commented upon in the courts. Similarly, this Act purports to impose a restriction on a broad section of people on the purchase of gold over and above a given quantity. About the nature of the restriction on the ordinary citizen, that has to be decided by the courts of law. (Interruption) The Supreme Court has declared that the invalidation of this section would not affect the entirety of the Act. But in this context, I would draw the attention of the hon. Minister to the observation of the Supreme Court as to what is to be done about this, particularly in the context of section 76. I quote from the judgement:

"It appears, however, to us that if sections 27(2)(i) and 27(6) of the Act are invalid, the licensing scheme contemplated by the words of section 27 cannot be worked in practice. It is, therefore, necessary for Parliament to enact a fresh legislation imposing in appropriate conditions and restriction

for the grant and renewal of licences to the dealers."

Therefore, even though technically the Act is safe, the working of the provisions will be impractical. This is my reading of the entire judgment. In view of the fact that this Act cannot be worked in practice, what I want to submit is this.

I would draw attention to the nature of the restriction imposed for acquiring a certificate to become a goldsmith. According to section 39(4)(2), a certificate can be issued only to a person who at the commencement of this Act is a member of the family of a certified goldsmith and had been assisting him for not less than one year. The implication of this is that for a person to get a certificate, he must be a member of a family of a certified goldsmith...

MR. SPEAKER: I am not an appellate court over the Supreme Court. I thought you are seeking some clarification. I will give you two minutes. You can say what you want. I will close my ears.

SHRI K. NARAYANA RAO: The validity of this particular provision which I have referred to is going to be challenged. In the light of all this, instead of amending the Act piecemeal because of the Supreme Court judgment, may I request the Deputy Prime Minister to keep the Act in abeyance and get advisory opinion about the entire Act, including the other provisions which have not been challenged in the recent case?

SHRI MORARJI DESAI: I have already said that until I go through the judgment and examine it carefully, I cannot give any opinion, as my hon. friend can easily give. He can give it, but I cannot.

श्री रघुवीर सिंह शास्त्री (बागपत) : श्रीमन्, जब इस विषेयक पर यहाँ संसद् में विचार हो रहा था और अनेक सदस्यों ने इसकी विभिन्न धाराओं के सम्बन्ध में जो आपत्तियाँ और चिन्ताएँ प्रकट की थीं सुप्रीम कोर्ट के निराय से वह सच्ची साबित हो गयी हैं।

मोरारजी भाई अपने स्वभाव के अनुसार जिस तरह की हल्की बात कर रहे हैं, सुप्रीम कोर्ट के विषय में कल भी उन्होंने कहा था कि कोई खास बात नहीं है और उससे मूल योजना पर कोई प्रभाव नहीं पड़ता है और आज भी उन्होंने इस वक्त्व्य में कहा है कि उसके ऊपर कोई विशेष प्रभाव नहीं पड़ता है। साथ ही उन्होंने यह भी कहा है कि सर्वोच्च न्यायालय के इस निराय को सरकार सर्वाधिक सम्मान देगी और अक्षरशः और तत्वतः उसका पालन करेगी लेकिन हमें यह डर है और वह यह है कि अब दो तरीके गवर्नमेंट के सामने हैं एक तो यह कि इस ऐक्ट में अमेंडमेंट करके उसे पार्लियामेंट के सामने लायें। दूसरा तरीका यह है कि 114 धारा के अनुसार गवर्नमेंट उन नियमों में संशोधन करे। अब हमारी राय में यह तरीका ठीक नहीं है कि सरकार नियमों में संशोधन करके टेब्ल पर रख दे बल्कि उचित यह होगा कि सरकार इस ऐक्ट में संशोधन करके पुनः पार्लियामेंट के सामने विचारार्थ उसे पेश करे जिससे सदस्यों को अधिक से अधिक अपने विचार प्रकट करने का मौका मिल सके। हमें डर है कि मोरारजी भाई जैसा कि उनका स्वभाव है या तो वह अपने आप में गीता के शब्दों के अनुसार बड़े स्थितप्रज्ञ हैं या उनमें इतना ऊँचा अपने को समझने की बात है कि वह सुप्रीम कोर्ट को कुछ नहीं समझते हैं। इन बातों को देखते हुए मैं समझता हूँ कि यह आवश्यक है कि मोरारजी भाई यह आश्वासन दें कि जो अमेंडमेंट होगा उसमें सुप्रीम कोर्ट की जो भावना है, सुप्रीम कोर्ट की जो स्पिट है उसको अवश्य रखा जायगा और उसमें वह उनकी जो अपनी भावना है उसको उसमें किसी तरह से छुसेड़ने का यत्न नहीं करेंगे क्योंकि हमें डर है कि सुप्रीम कोर्ट की भावना नहीं रहेगी बल्कि वह उनकी अपनी निजी भावना अक्षरशः और तत्वतः रहेगी। मैं चाहता हूँ कि जो ऐक्ट है उसी में अमेंडमेंट लायें और हाउस के सामने उसे विचारार्थ पेश करें और इस तरह से केवल नियमों में मंत्री महोदय संशोधन करके संतोष न कर लें।

श्री मोरारजी देसाई : जो आश्वासन माननीय सदस्य चाहते हैं वह आश्वासन मैं उन्हें नहीं दे सकता । मैं इतना ही आश्वासन दे सकता हूँ कि संविधान और संसद के नियमों के मुताबिक जो जरूरी होगा वही मैं करूँगा ।

12.19 hrs.

## PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER EXPORT (QUALITY-CONTROL AND INSPECTION) ACT 1963  
ETC, ETC

बंदेशिक व्यापार तथा पूर्ति मंत्रालय में  
उप-मंत्री (श्री जीवरी राम सेवक) : मैं निम्न-  
लिखित पत्र सभा-पटल पर रखता हूँ—

(1) नियति (किस्म नियन्त्रण और निरीक्षण)  
अधिनियम, 1963 की धारा 17 की  
उपधारा (3) के अन्तर्गत निम्नलिखित  
अधिसूचनाओं की एक-एक प्रति—

(एक) स्टेनेजेस स्टील के बत्तन (निरी-  
क्षण) संशोधन नियम, 1969, जो  
दिनांक 15 अप्रैल, 1969 के  
भारत के राजपत्र में अधिसूचना  
संख्या एस० ओ० 1428 में  
प्रकाशित हुए थे ।

(दो) अध्रक नियति (निरीक्षण) संशोधन  
नियम, 1969, जो दिनांक 15  
अप्रैल, 1969 के भारत के राज-  
पत्र में अधिसूचना संख्या एस०  
ओ० 1431 में प्रकाशित हुए थे ।

[Placed in Library. See No. LT—1020/  
69.]

(2) (एक) उद्योग (विकास तथा विनियमन)  
अधिनियम, 1951 की धारा  
18 की उपधारा (2) के  
अन्तर्गत बंगल नागपुर, काटन  
मिल्स लिमिटेड, राजनन्दगांव के

प्रबन्ध के बारे में अधिसूचना  
संख्या एस० ओ० 741 (हिन्दी  
और अंग्रेजी संस्करण) की एक  
प्रति, जो दिनांक 20 फरवरी,  
1969 के भारत के राजपत्र में  
प्रकाशित हुई थी ।

(दो) उपर्युक्त अधिसूचना की सभा-  
पटल पर रखने में हुए विलम्ब  
के कारण दशनि वाला एक  
विवरण (हिन्दी और अंग्रेजी  
संस्करण) ।

[Placed in Library. See. No. LT—1021/  
69.]

12.20 hrs.

ESTATE DUTY (DISTRIBUTION)  
AMENDMENT BILL

THE DEPUTY PRIME MINISTER  
AND MINISTER OF FINANCE (SHRI  
MORARJI DESAI): Sir, I beg to move:\*

"That the Bill further to amend  
the Estate Duty (Distribution) Act, 1962,  
be taken into consideration."

This Bill relates to the distribution of  
the net proceeds of Estate Duty among the  
States as recommended by the Fifth Finance  
Commission. The Commission was, among  
other things, required to make recommendations  
in regard to the changes, if any, to be  
made in the principles governing the  
distribution among the States of the net  
proceeds of Estate Duty in respect of  
property other than agricultural land. In  
its interim report, which together with an  
explanatory memorandum on the action  
taken thereon was laid before the Lok Sabha  
on 15th November, 1968, the Commission  
has made final recommendations in this  
regard. The Commission has increased the  
share attributable to Union territories from 2  
per cent to 3 per cent taking into account the  
population of the Union territories as

\*Moved with the recommendation of the President.

constituted following the changes under the Punjab Reorganisation Act. In regard to the balance of the proceeds other than those attributable to Union territories the Commission after having considered various suggestions came to the conclusion that no change was called for. Accordingly the Commission has recommended that the sum apportioned to immoveable property may be distributed in proportion to the gross value of the immoveable property located in each State and brought into assessment in a year and the sum apportioned to other property may be distributed in proportion to the population of each State. The recommendation of the Commission has been accepted by Government and the Bill before the House seeks to give effect thereto.

MR. SPEAKER: Motion moved:

"That the Bill further to amend the Estate Duty (Distribution) Act, 1962, be taken into consideration."

SHRI SHIVA CHANDRA JHA  
(Madhubani): Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1969."

MR. SPEAKER: Both the motions are now before the House.

SHRI R.K. AMIN (Dhandhuka): Mr. Speaker, Sir, the Bill amending the provision for the distribution of the Estate Duty is as a result of recommendations of the Fifth Finance Commission. Between the earlier scheme of distribution and the present one there is not much of a difference, but, for the consideration of the Finance Minister I would like to make one or two observations and I hope he will not get angry as he was last time when he was on the third reading of the Finance Bill.

The first observation which I would like to make is that we have already passed yesterday the wealth tax on agricultural land. This tax is on agricultural land which was excluded from Estate Duty. You are introducing taxes in a tinkering manner, one by one, *i.e.*, in an *ad hoc* manner, without taking into account the entire

picture. In this distribution also you are adopting different principles because you have introduced taxes one by one or bit by bit. Is it not time for the Finance Minister to consider the entire scheme *de novo* and think about this scheme also so that no injustice is being done to any State whatsoever?

Secondly, after the recommendation of the Finance Commission there has been one or two changes. We have a separate Hill State in Assam and very soon probably something about Telengana you are going to think about. Therefore, in order to avoid making changes every now and then would he consider it advisable to refer this matter again to the Finance Commission so that when it gives the final report it can also make a final recommendation in this regard.

The second observation which I would like to make is that the principle adopted here for distribution among the States is that for movable property population is the basis and for immovable property location of the property is the basis. In so far as Estate Duty or even for that matter agricultural wealth tax are concerned the spirit is that the man ordinarily residing in the state should pay or the Centre is raising resources on behalf of the States.

So, what the States would have got if they had introduced these taxes should be their share. If you adopt that principle, there is no need for making this discrimination between movable and immovable property. It could be done on the basis of ordinary residents. So, to adhere to the spirit of the estate duty as well as agricultural wealth tax, which also you have introduced, it is better that the government should consider this scheme *de novo* after referring the matter to the Finance Commission. That is why I say that instead of making changes now, would he consider my suggestion of referring the matter back to the Finance Commission and await their report so that we need not make changes every now and then?

SHRI S. KANDAPPAN (Mettur): I will very briefly refer to the point which was already touched by Professor Amin. Now the tendency among the States is

[Shri S. Kandappan]

to demand that they should be left with more revenues and more areas of taxation so that they can take the initiative and go ahead with their plans. Yesterday, while replying to clause 24 of the Finance Bill, the Finance Minister stated that even in regard to estate duty on agricultural land, which is in the State List, the State have asked the Government of India to enact the legislation. So, it is a Government of India Act and not a State Act. It is true that under article 2521 of the Constitution this enactment came into being in 1953 or so when the monolith Congress rule was there in all the State. Now it is time to consider whether it is not advisable to rationalise the entire tax structure, especially when in addition to estate duty the Minister is thinking of collecting wealth tax from 1970-71, and entrust it to the State Government. I think it will give a psychological impetus to the States to make more efforts for tax collection. After all, there is some difference between States with regard to their stage of development. While some States are doing so well in agriculture, others are not. It should be left to the States to decide whether they should tap more revenues from the agricultural front for their developmental activities, without attaching any blame on the Centre. So, I would request the Finance Minister to reconsider the entire matter.

DR. RANEN SEN (Barasat): This Bill seek to distribute the estate duty collection among the States. When we consider this Bill it is very important to state that the question of distribution of different taxes and duties among the States has come to the forefront and is before Parliament and the whole country because of the change in the pattern of Indian politics after the fourth general elections. Not only United Front and other non-Congress governments but even Congress run governments are demanding more and more financial powers and financial advantages from the Centre. So, we have to look at this amending Bill in the perspective of the changed political relationship between the Centre and the States.

So far as raising the share of the Union Territories from two to three per cent is concerned, I have no objection. But I would agree more or less with Professor Amin and Shri Kandappan that the distribu-

tion of these taxes among the States should be done in such a way that they would get that percentage or quantum which they would have got had they collected it themselves.

This is fair and just and this will not be objected by any State whatsoever because, as I have already stated about the States which are viably very weak namely, Union Territories, their allotment nobody would grudge. This is the point which has been mentioned by many of our friends and I completely agree with them.

The second point which I want to stress is that under article 269 of the Constitution, certain duties and taxes are to be levied and collected by the Government of India but shall be assigned to the States in the manner provided in clause 2 of the Bill. There is a mention of two things, apart from others, namely, succession to property other than agricultural land and estate duty in respect of property other than agricultural land. Now, the Government of India is already levying estate duty on movable and immovable property other than agricultural land. But the difference between estate duty already levied by the Government of India and the duty in respect of succession to property is very thin. One must remember this. Both come under the jurisdiction of the Central Government. The borderline is very thin between succession duty and estate duty. So, the Government of India must make it sure that there is no overlapping and there is no double taxation. This particular point had been stressed by some States when they met the Deputy Prime Minister, and Finance Minister, as far as I know.

To round it up, I come to the position that though the Bill has direct bearing on certain things, it has also indirect bearing on many other things, the Centre-State relationship, the political relationship, between the Centre and the States, the devolution of income-tax and other Union excise duties and other duties collected from the States and also the assignment of political power to the states. Therefore, I consider it very important from all these angles.

Lastly, I endorse the appeal made by Shri S. Kandappan and Shri Amin that each State should get that particular share which

it would have got on its own if it had levied the tax.

12.33 hrs.

[MR. DEPUTY SPEAKER *in the chair*]

**SHRI DINKAR DESAI** (Kanara): Mr. Deputy-Speaker, Sir, I would like to know why the Finance Minister is in such a great hurry in bringing this amending Bill before the House. After all, it is the interim report of the Commission and the final report is awaited.

Today, in the whole of India, the question of inter-States relationship and the Centre-State relationship has assumed very important proportions. Under these circumstances, there should be no hurry at all in bringing this amending Bill as to how the estate duty should be distributed amongst various States. We can certainly wait for the final report of the Commission.

Moreover, the time has also come when we should have a Commission on 5-years or 10-years basis. Every two years, we have got a Finance Commission. By having these temporary Commissions, we are not giving any definite idea to the States. They cannot plan; they do not know how much they will get and so on. We should give a new orientation to the distribution system of duties amongst the States.

One of the principles enunciated by the Finance Commission is, with regard to the immovable property, that the share will go according to the location of the property in a particular State and, with regard to the movable property, it will be according to population basis.

I, for one, feel that we should give more importance to population because, after all, what are the needs of a State?

**SHRI S. KANDAPPAN:** Population control or increase?

**SHRI DINKAR DESAI:** Population control has nothing to do with this Amendment Bill. When the population is more, naturally the needs are more and the State has to spend more on education, more on medi-

cal relief and other facilities to be given to the people. That is why I feel that the distribution of the estate duty must be done on the basis of population only. What does it matter if the property lies in Mysore or Bihar or Maharashtra? After all, it is Indian property. All are Indians. The needs of a State should be determined on the basis of population. That is really very important because if the population is more, the State will have to spend more on so many welfare activities in that State.

I am not very happy with this Amendment Bill. My humble suggestion to the Deputy Prime Minister would be that we should get the public opinion and particularly the opinion of the State Governments; the concurrence of the States may be obtained. The whole question of allocation of resources between the States and the Centre should be properly examined. We should not do this in a hurry. Moreover, the agricultural wealth tax has also come. That is also a point because it is a similar tax. I would like to know why there should be this hurry. I would suggest that this should be done not on a periodical basis of one year or two years, but there must be certain definite principles evolved for distribution and it must be done on a five-year or ten-year basis. If it is four or five years, the States can also plan their resources properly; otherwise, there will be more confusion.

I would request the Finance Minister to give proper consideration to the views that I have expressed.

**SHRI N.K. SANGHI** (Jodhpur): This is a simple legislative Bill regarding redistribution of the proceeds of estate duty between the various States. I do not think that there can be much argument about this. My hon. friend who spoke earlier has suggested that this work of collecting the estate duty should be entrusted to the various States. But that would create more confusion and State feelings. It was a very surprising argument that he had advanced. We want all taxes to be unified and to be worked throughout the country on a uniform basis. The working of the estate duty by the Central Government is the only appropriate manner in which the tax should be recovered. There is absolutely no reason

[Shri N. K. Sanghi]

or argument for the suggestion that this work should be entrusted to the State Governments. Today there has been a demand that the various taxes that are being worked by the different States should be unified. Take, for example, the entertainment tax. This is worked by the States. And there is a feeling that this should be unified and there should be a uniformity. Take also the States' sales-tax: the various States are having different rates; there are different types of legislation, and for every legislative pronouncement, they have to go to High Courts and the Supreme Court. I feel that all these taxes—entertainment tax, sales-tax, estate duty and so on—should be worked by the Central Government so that there will be some uniformity throughout the country.

This legislation has been taken from the English law. The estate duty was introduced in England in 1894. The Indian legislation has taken advantage of the various judicial pronouncements made in various judicatures. In India, complication has been created by our Hindu law; the Hindu law of coparcenary has created a lot of complication. I feel that the Central Board of Direct Taxes should give guidelines for filing of returns. There should be clarifications on problems rather than taking up the matters with the High Courts and the Supreme Court for clarification.

This law has a similarity with wealth tax, income-tax and gift tax. But we find that the various clauses that are given in regard to estate duty are different from what have been given in regard to wealth tax or income-tax. I shall not take much time. I will explain only one thing. For example, in section 10 of the Estate Duty Act, a second proviso has been added which has really simplified that a husband who has gifted the house to his wife can stay in the house and this will not attract estate duty. Similar simplifications should be made by the Central Board of Direct Taxes in other matters also. Take, for example, the valuation of assets. A different method is adopted in regard to wealth tax, a different method is adopted in regard to gift tax and a different method has been laid down for estate duty. What I feel is that the method for the valuation of assets that is followed in regard to wealth tax should be adopted

here also. If such simplification is done, this law can be worked in a satisfactory manner.

Then, Sir, take the valuation of the house property. In the house property we have taken by capitalising the rental value in the wealth tax. This system is not followed in the Estate Duty Act. I think if the valuation has been done in the wealth tax, it will simplify the matters if the same method is adopted for the Estate Duty Act.

We are shortly embarking on the simplification of income-tax law particularly after Bhoothalingam's report. Estate Duty Act is a new Act. A number of references have been lying pending in the High Court, Supreme Court and various tribunals. I think the Government should examine these references and come out with clear-cut clarifications. I remember of a case where a certain assessee went in appeal for certain additions in his E.D. case. The AAC gave all the relief. Then the Department went in appeal to the Tribunal and the Tribunal gave relief. Then again the Department has gone in appeal to the High Court. I do not know if the Department would later again go to the Supreme Court. When they fail in the High Court. My own feeling is that the Income Tax Department should clarify many of these difficulties rather than solving them in the High Courts and Supreme Court. In fact for better administration of tax, simplification of Estate Duty Act should also be taken up.

**श्री शिव चन्द्र भा (मधुबनी) :** उपाध्यक्ष महोदय, जब यह एस्टेट ड्यूटी (वितरण) संशोधन विधेयक पेश किया गया था, तो मैंने यह आपत्ति उठाई थी कि अभी इस विधेयक पर विचार मुलतवी किया जाये और जब पांचवें फिनांस कमीशन की आलिंगी रिपोर्ट आ जाती है, तब इस विधेयक को सदन के सामने लाया जाये। आज भी मैं वही आपत्ति उठा रहा हूँ।

आज स्थिति यह है कि खासकर वित्तीय प्रश्नों को लेकर केन्द्र और राज्यों में तनाव सा पैदा हो गया है। इसमें कोई शक नहीं है कि पांचवें फिनांस कमीशन ने यह सिफारिश की है कि यूनियन टेरीटरीज को कलेक्टर एस्टेट ड्यूटी में से 2 परसेंट के बजाय 3 परसेंट

मिलना चाहिए। हालांकि यह सिफारिश यूनियन टेरीटरीज के सम्बन्ध में है, लेकिन यूनियन टेरीटरीज केन्द्रीय सरकार के अन्तर्गत होने के कारण यह सिफारिश केन्द्रीय सरकार के हित में है, क्योंकि केन्द्रीय सरकार इस रकम को अपनी इच्छानुसार इस्तेमाल करेगी। इसरे शब्दों में जिस सिफारिश से केन्द्रीय सरकार को पायदा होगा, वह उसी सिफारिश को कार्यान्वित करने जा रही है। लेकिन पांचवें फिनांस कमीशन की इनटेरिम रिपोर्ट में और भी कई सिफारिशें हैं, जिनको केन्द्रीय सरकार कार्यान्वित करने के लिए तैयार नहीं हैं।

उदाहरण के लिए इनटेरिम रिपोर्ट में कहा गया है कि राज्यों की तरफ से यह मांग की गई है कि एक पर्मानेंट फिनांस कमीशन बनाया जाये, जो हर साल यह इन्वेल्यूएशन करे कि राज्यों की क्या जरूरतें हैं और केन्द्र क्या दे सकता है, आदि। लेकिन चूंकि इस सिफारिश से केन्द्र को कोई फायदा नहीं है, इसलिए केन्द्रीय सरकार इसको कार्यान्वित नहीं करेगी। ऐसी और भी सिफारिशों को केन्द्रीय सरकार कार्यान्वित नहीं करेगी। वह केवल उन्हीं सिफारिशों को कार्यान्वित करेगी, जिनसे केन्द्र को फायदा हो। जैसे, इस विधेयक के द्वारा जिस सिफारिश को कार्यान्वित किया जा रहा है, भले ही वह यूनियन टेरीटरीज के नाम से हो, लेकिन वास्तव में उससे केन्द्र को फायदा होने जा रहा है।

पिछली दफा नैशनल डेवेलपमेंट कॉसिल की बैठक में एक मुरुर्य मंत्री ने कहा था कि हमको पैसा दे दो, हम चुप हो जायेंगे। उन्होंने बात बाजारूल रूप से कही लेकिन यह हकीकत है कि आज सब राज्य अविकसित हैं और तेजी से अपना विकास करने के लिए उन्हें पैसा चाहिए। कुछ राज्यों में आज ऐसी सरकारें हैं, जो वास्तव में बराबरी का समाज बनाना चाहती हैं और विकास की गाड़ी को तेज चलाना चाहती हैं। इसके लिये उन्हें पैसे की जरूरत है लेकिन केन्द्र की तरफ से कहा जाता

है कि हम इतना देंगे, हम इससे ज्यादा नहीं दे सकते हैं, आप ओवर ड्राफ्ट नहीं कर सकते, आदि। इस प्रकार की पाबन्दियों से केन्द्र और राज्यों में तनाव बढ़ता जा रहा है।

मैं यह नहीं कहता कि केन्द्र की अपनी जिम्मेदारियाँ नहीं हैं। उसकी जिम्मेदारियाँ हैं, उसकी अपनी प्राजेक्ट्स हैं, जिनको पूरा करने के लिए उसके लिए घन इकट्ठा करना जरूरी है। लेकिन आज यह स्थिति है कि बंगाल और केरल में दूसरे दलों की सरकारें हैं, जो अपने प्रदेशों के विकास की दशा में तेज रफ्तार से आगे बढ़ना चाहती हैं। इसी तरह दूसरी राज्य सरकारों की भी यह मांग है कि उन्हें ज्यादा पैसा मिले, ताकि वे तेजी से अपना विकास कर सकें।

इस अवस्था में यह लाजिमी हो जाता है कि जब फिनांस कमीशन की आखिरी रिपोर्ट आ जाये, तभी इस विधेयक पर विचार किया जाये। मोटे तौर पर इस विधेयक के बारे में एतराज नहीं हो सकता है, लेकिन चूंकि फिनांस कमीशन की आखिरी रिपोर्ट नहीं आई है और चूंकि वित्तीय मामलों को लेकर केन्द्र और राज्यों में तनाव बढ़ रहा है, इसलिये यह विधेयक लाने का कदम जल्द-बाजी में और केन्द्र के स्वार्थ से प्रेरित होकर उठाया गया है। इसलिए मैं चाहता हूं कि जब तक फिनांस कमीशन की आखिरी रिपोर्ट नहीं आ जाती है, तब तक के लिये इस विधेयक को मुल्तवी किया जाये।

**SHRI S. S. KOTHARI (Mandsaur):** This is a very small Bill implementing the interim report of the Fifth Finance Commission. The distribution of revenues between the Centre and States has been indicated. 3 per cent goes to the Centre. The balance is distributed in the ratio of immovable property to movable property. The amount derived from immovable property is distributed among States in proportion to gross value of immovable property located in each State and the balance amount distributed in accordance with the popula-

[Shri S.S. Kothari]

tion. In my opinion, the taxes obtained under Art. 269 should form part of a common pool of resources, which should be distributed on uniform principle and this I would say, should be, the respective needs of the States.

There is Madhya Pradesh which I represent, which has a vast area, and a sizable tribal population. There are various underdeveloped districts in Madhya Pradesh; and its needs are great. Compared to Madhya Pradesh, Maharashtra, U.P. or Bihar are prosperous States; and the need of Madhya Pradesh is greater. The percentage of Estate Duty derived from other than immovable property and its distribution is like this: Madhya Pradesh gets only 7.53 per cent, UP gets 17.15 per cent, Maharashtra 9.20 per cent, and Bihar 10.80 per cent. A State like Madhya Pradesh which should get more is getting less. That is the position. What I would say is this. They should keep in view the changed political situation and distribute it according to the needs of each State. The Finance Commission must examine the distribution of the taxes and also of revenues amongst the States *inter se* and then arrive at an equitable basis of distribution which would look to the needs of the various States and the requirements for development of the various regions in those States. During the last 20 years the development of various States has not been uniform. Some States have gone far ahead; some States are still backward. The needs of the backward States should be taken into account.

There is one more point and it is this.

I am concluding within two minutes. When you look at this side pointedly, I feel I have to hurry up.

My next submission is that the States have only two important taxes, namely, sales tax and entertainment tax. Most of the major sources of revenue are in the hands of the Centre. Of course, we want a strong Centre. My submission is this: Let the whole scheme be reviewed and reconsidered by the Finance Commission. After all, it is a body of objective and learned people who understand their job.

Let them arrive at some conclusion and reallocate all the taxes and revenue derived from the taxes among the various States in accordance with some equitable principle which would particularly give an attention to the relative needs of the various States, particularly the underdeveloped ones.

SHRI MORARJI DESAI: I have not quite understood the idea behind the objection raised and the suggestion made that this should be postponed. Postponed for what? Postponed till the final report of the Fifth Commission? This is the final report so far as this item is concerned. There is not going to be any change in this.

श्री शिव चंद्र ज्ञा : क्या उन लोगों ने यह कह दिया कि यह फाइनल है ?

SHRI MORARJI DESAI: This particular thing is final. There is not going to be any change in it. They have further said:

The existing principles of distribution were enunciated by the Second Finance Commission, and they were fully endorsed by the subsequent Commissions, with only a minor change in respect of the portion attributable to Union territories. These Commissions were of the view that the levy and collection of the taxes and duties specified in Article 269 of the Constitution had been placed under the Union Government so as to ensure uniformity of taxation and convenience of collection. They considered that although that Article did not rule out any principle of distribution, the principles to be laid down should be such as to secure for each State, as nearly as possible, the amounts which it would have itself collected if it had the power to levy and collect such tax or duty. The basis of location of the property subject to estate duty was considered by them to be the most appropriate principle of distribution. However, as this basis of location could not be applied to movable property, they felt it necessary to have some general principle of distribution for the part of proceeds of the duty relating to such property; and for this purpose they adopted the basis of population.

I do not know what change can be made in this, even if it is postponed for any

length of time. It is going to be the same—all Commissions have said this—except that one more per cent has been given to the Union territories in view of the population and a change is accordingly made. No other change is being made.

I do not know what the learned professor from the Swatantra Party wanted to suggest by saying that a Hill State is being formed. It will not be separately formed. It is part of Assam State. It is internal and that will be taken care of by the Re-organisation Act, if there is any necessity, It will go to the State from which it will share it. That is all what is going to happen,

He mentioned also Telengana. There is his desire. But his desire is not always going to be fulfilled. As a matter of fact, the desire is unholy in my opinion. These are opinions and everybody is free to give his opinion. I cannot go on thinking that something will happen in future and therefore I should postpone it. It is not necessary to postpone it. As a matter of fact this report came in 1968 and we have got to give effect to their recommendations. That is why this Bill is brought forward. I do not see why my honourable friend, Shri Kothari, said that everything should be taken into account and distribution should be made according to some equitable principle. Nobody can make redistribution unless the Constitution is changed. When the Constitution gets changed, it will take care of this. I do not say that the Constitution will be changed. It is not possible for those who want to change it, to change it also. Therefore, this is not a matter on account of which this can be postponed.

**SHRI S. KANDAPPAN:** What about my suggestion to have a scheme of things by which the entire initiative of collection may be left to the States?

**SHRI MORARJI DESAI:** This is what the States have themselves...

**SHRI S. KANDAPPAN:** That was in the fifties. Now the situation has changed.

**SHRI MORARJI DESAI:** But the principle holds good. For the States it

becomes a difficult matter when properties are distributed in different States. Therefore, they will find it difficult to recover this and there will be more quarrels thereby. That is why they have handed it over to the Centre. The Centre is not interested in any revenue; all that the centre is interested in is to see that the maximum goes to the States and it goes to them according as they would receive it if they were levying it separately. Therefore, I do not see how any other method would be useful.

If any changes have come in the political situation in 1967, that is not the final word; there can be other changes also in the future and with every change we cannot go on changing the Constitution as we like.

**SHRI S. KANDAPPAN:** If it is left to the States, there will be more initiative on their part.

**SHRI MORARJI DESAI:** This country is a stable country and no instability can be brought about by any such accidental results of elections. I, therefore, do not accept what my hon. friends have stated.

**MR. DEPUTY-SPEAKER:** The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31, December, 1969.". (1)

*The motion was negatived.*

**MR. DEPUTY-SPEAKER:** The question is:

"That the Bill further to amend the Estate Duty (Distribution) Act, 1962, be taken into consideration".

*The motion was adopted.*

**MR. DEPUTY-SPEAKER:** Since there are no amendments of the clauses, I shall put them together to vote.

The question is:

"That Clause 2, 3, and 1, the Enacting Formula and the Title stand part of the Bill".

*The motion was adopted*

*Clauses 2, 3 and 1, the Enacting Formula and the Title were added to the Bill.*

SHRI MORARJI DESAI: I beg to move:

"That the Bill be passed".

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed".

*The motion was adopted.*

SHRI NATH PAI (Rajapur): Is it accurate for you to declare that the Bill is passed. Rather it is ignored. For, look at the strength in the House?

MR. DEPUTY-SPEAKER: It is no use raising that point at this stage.

SHRI NATH PAI: I did not use the word 'quorum' at all.

SHRI MORARJI DESAI: Whatever is the House is the House.

12.58 hrs.

**REGISTRATION OF BIRTHS AND DEATHS BILL—contd.**

*Clause 10—contd.*

MR. DEPUTY-SPEAKER: The House will now take up further clause-by-clause consideration of the Bill to provide for the regulation of registration of births and deaths and for matters connected therewith, as passed by Rajya Sabha.

Clause 10 and all the amendments thereto were discussed threadbare, now we have only to put them to vote.

First, I shall put amendment No. 20 by Shri Lobo Prabhu to vote.

SHRI BENI SHANKER SHARMA (Banka): I submit that this may be taken up after lunch. There is no quorum also in the House now.

MR. DEPUTY-SPEAKER: All right, we shall take it up after lunch.

12.59 hrs.

*The Lok Sabha adjourned for Lunch till Fourteen of the Clock.*

*The Lok Sabha reassembled after Lunch at three minutes past Fourteen of the Clock.*

[MR. DEPUTY-SPEAKER IN THE CHAIR]

**RE : LEGISLATION FOR ABOLITION OF UPPER HOUSES IN TWO STATES**

SHRI S. M. BANERJEE (Kanpur): I have a submission to make. During the lunch recess, I got a telephonic message from Shri Jatin Chakraborty, Minister of Parliamentary Affairs, West Bengal, informing me that all the formalities required by the Centre to clear the Bill regarding the abolition of the Upper House in West Bengal have been completed by the West Bengal Government. He further told me that the Bill has been sent back. My information is that the Bill has come back here.

It requires two, three or four hours for discussion and disposal here. I also met the Minister of Parliamentary Affairs today. Since the matter is very urgent, I would only request you to see that some time is found to discuss and pass that Bill in this session itself. I would request you to ask the Minister to do something about it because it is very urgent.

SHRI K. NARAYANA RAO (Bobbili): Has it become very urgent because Shri Banerjee says it.

SHRI SHRI CHAND GOYAL (Chandigarh): I have to add that so far as Punjab is concerned, the Punjab Government has sent the Resolution through a messenger so that this may be taken up in this very session. It is feared that otherwise this might not be passed this session here.

SHRI SHEO NARAIN (Basti): There is no emergency in the country today.

MR. DEPUTY-SPEAKER: No question of emergency. I am not allowing any discussion here now. If there is some urgency about it, I can understand. You know the procedure; you are an old Member of this House. You should go to the Business Advisory Committee. I am told that it is meeting at 4 O'clock today. The Minister of Parliamentary Affairs is there and if possible he can accommodate it during the current session. I cannot say anything about it here.

SHRI S. M. BANERJEE: There was a telephonic message for him also. I only wanted to submit to him through you.....

अधीक्षण नां तिवारी (बेतिया) : उपाध्यक्ष महोदय, दो बजे रोज इसी प्रकार से एक न एक सवाल यहां पर उठाया जाता है। मैं जानना चाहता हूँ क्या हाउस का सारा विजेन्स रोक करके इनके प्रश्नों को पहले लिया जाया करेगा ?

MR. DEPUTY-SPEAKER: You are perfectly right in raising this point. But such questions are raised not only by this side but by the other side also sometimes. People get up and I have to point out the position. Let us proceed with the Bill now.....(Interruption.)

SHRI SHEO NARAIN: No Government will act on telephonic message. What is he saying?

14.06 hrs.

REGISTRATION OF BIRTHS AND DEATHS BILL—*contd.*

*Clause 10—contd.*

MR. DEPUTY-SPEAKER : We have had threadbare discussion on clause 10 and amendments were moved. I shall now put the amendments to the vote of the House. First I shall put amendment No. (old) 20 of Shri Lobo Prabhu moved in the last session.

*Amendment No. (old) 20 was put and negatived.*

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY): I have tabled an

official amendment similar to the one moved by Shri Beni Shanker Sharma which is No. (old) 26. So, we are accepting his amendment.

MR. DEPUTY-SPEAKER: I shall put amendment No. (old) 26, moved in the last session, to the vote of the House. The question is:

Page 6.

*omit lines 8 and 9 (26—old).*

*The motion was adopted.*

MR. DEPUTY-SPEAKER: I shall put amendment No. (old) 28 of Shri Kundu, moved in the last session, to the vote of the House.

*Amendment No. (old) 28 was put and negatived.*

MR. DEPUTY-SPEAKER: Amendment No. 3 is barred as identical amendment No. (old) 26 had been moved and adopted.

I shall now put Government amendment Nos. 9 and 10 to the vote of the House. The question is:

Page 6, line 10.—

*for "(iii)" substitute "(ii)" (9)*

Page 6, line 13.—

*for "(iv)" substitute "(iii)" (10)*

*The motion was adopted.*

MR. DEPUTY-SPEAKER: I shall now put amendment No. 11 of Shri D. S. Patil to the vote of the House.

SHRI DEORAO PATIL (Yeotmal): It has been accepted by the Government.

MR. DEPUTY-SPEAKER: It has not been accepted by the House. I shall put amendment No. 11 to the vote now.

*(II) Amendment No. 11 was put and negatived.*

MR. DEPUTY-SPEAKER: There are three more amendments—No. 15 by Shri Om Prakash Tyagi and Nos. 16 and 17 by Dr. Ranen Sen and I shall put them to vote now.

*Amendments Nos. 15, 16 and 17 were put and negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 10, as amended, stand part of the Bill."

*The motion was adopted*

*Clause 10, as amended, was added to the Bill*

*Clauses 11 and 12 were added to the Bill.*

*Clause 13—(Delayed registration of births and deaths)*

MR. DEPUTY-SPEAKER: Shri Shiva Chandra Jha. Are you moving your amendments?

SHRI SHIVA CHANDRA JHA (Madhubani): Yes, Sir. I move:

Page 7, lines 8 and 9, for "on payment of such late fee" substitute "without payment of any fee." (23)

Page 7, lines 19, and 20 for "on payment of the prescribed fee" substitute "without payment of any fee." (24)

उपाध्यक्ष महोदय, यह विधेयक मोटे तौर पर अच्छा ही लगता है कि बर्थ और डैथ का रजिस्ट्रेशन हिन्दुस्तान में हो। यह एक अच्छी बात है, चूंकि हमारे समाज में यह भी पता नहीं है कि कब किसका जन्म हुआ। क्या आप बता सकते हैं सरदार वल्लभ भाई पटेल का कब जन्म हुआ? कोई रेकार्ड नहीं है। जो भी आप इतिहास में देखते हैं सो कालड रेकार्ड है वह हकीकत में रेकार्ड नहीं है, बल्कि एक, दो साल पहले उनका जन्म हुआ था। ऐसी बहुत-सी घटनायें हैं। इसलिए यह बिल अच्छा है। मेरा जो संशोधन है वह इसलिए है कि इसमें रजिस्ट्रार होगा, चीफ रजिस्ट्रार होगा, उसके नीचे लोकल रजिस्ट्रार

होंगे और एक-दूसरे को खबर करेंगे, उस पर फाइन देने का जो सवाल है वह अनुचित है। एक तो वह बेचारा खबर करेगा और इसमें फाइन देने का जो प्रोवीजन है वह मैं चाहता हूं कि निकाल दिया जाय और उसकी जगह "विदआउट पेमेंट आफ ऐनी फी" रख दिया जाय। यदि देर करके ही कोई आदमी खबर देता है, तहसीलदार, चौकीदार या गांव का मुखिया अगर देर से खबर करता है तो उस पर फाइन नहीं होना चाहिए।

इसी तरह से क्लाज 13 के सब-क्लाज (3) में "ग्रौन पेमेंट आफ दी प्रेस्क्राइब्ड फी" की जरूरत नहीं है। मैं समझता हूं कि जो इस बिल की दिशा है उसमें यह फिट नहीं करता इसलिए मैं चाहता हूं कि "विदआउट पेमेंट आफ ऐनी फी" रख दिया जाय।

श्री स० मो० बनर्जी (कानपुर): मैं इस संशोधन का समर्थन करता हूं, और एक बात माननीय मंत्री जी के ध्यान में लाना चाहता हूं कि यह तो अच्छी बात है कि बर्थ रेकार्ड हो। लेकिन इसमें एक सवाल आता है कि बर्थ सटिफिकेट में नाम तो लिखा नहीं होता। जो मजदूर सरकारी इदारों में काम करते हैं और उनके ऐक्सटेंशन का सवाल आता है तो बर्थ सटिफिकेट मांगते हैं। जब हमारे देश में कोई बच्चा पैदा होता है तो उसका नाम नहीं लिखा जाता है, खाली यह लिखा जाता है कि लड़का पैदा हुआ या लड़की पैदा हुई, मुन्ना पैदा हुआ या मुन्नी पैदा हुई। अब मान लीजिए कि मेरा नाम राम लाल है तो चूंकि बर्थ सटिफिकेट में कोई नाम नहीं लिखा होता है, क्योंकि नाम तो बाद में रखा जाता है, तो यह साबित करने के लिए कि मेरा नाम ही राम लाल है इसके लिए हनफनामा देना पड़ता है। तो मैं मंत्री जी से जानना चाहता हूं कि इस दिक्कत को कैसे ओवर कर करना चाहते हैं। और लेट फी नहीं होनी चाहिए। एज के लिए स्कूल लीविंग सटिफिकेट मांगते हैं वह नहीं मिलता तो कहते हैं कि बर्थ सटिफिकेट लाग्ना। बर्थ सटिफिकेट मिला तो

लड़का है या लड़की है, और लड़का है तो उसका नाम क्या है, यह दिक्कत होती है क्योंकि उसमें नाम तो लिखा नहीं होता।

**SHRI K. S. RAMASWAMY:** The object of the Bill is to have compulsory registration of births and deaths. For delayed registration, we have prescribed certain fines in three ways: for delays of 30 days, for delays of one year and for delays of more than one year. We have prescribed certain fines for these delays, but the actual fee will be prescribed by the rules. Here, the hon. Member, Mr. Jha, has moved an amendment for the deletion of the late fee up to 30 days, and by another amendment, after one year. But for the fee between 30 days and one year he has not moved any amendment. So accepting his amendments would be meaningless. And the fee also will be very much less.

**MR. DEPUTY-SPEAKER:** If you accept the principle, the other things can be done later.

**SHRI K. S. RAMASWAMY:** We are not accepting the principle. It is only a very nominal fee.

**SHRI S. M. BANERJEE:** Sir, there is one difficulty. He has not given us any explanation. There is a basic difficulty. Now, you are not serving the Government even as a Deputy-Speaker. But Government servants have to produce a certificate. You need not produce a certificate. The whole thing is, they have to produce a certificate. Whether it is a boy or a girl the name is not known at the time of registration. Later on, when the name is given, the people do not accept it and they have to file an affidavit. This is a very serious matter.

**SHRI K.S. RAMASWAMY:** In clause 14, we have provided that where the birth of any child has been registered without a name, the parent or guardian shall give information regarding the name of the child to the Registrar within the prescribed period.

**MR. DEPUTY-SPEAKER:** I shall now put amendments Nos. 23 and 24 to the vote of the House.

*Amendments No. 23 & 24 were put and negatived.*

**MR. DEPUTY-SPEAKER:** The question is:

*"That clause 13 stand part of the Bill."*

*The motion was adopted.*

*Clause 13 was adopted to the Bill*

**Clause 14—(Registration of name of child)**

**SHRI DEORAO PATIL (Yeotmal):** I beg to move:

Page 7, line 30, add at the end—

*"and shall give free of charge an extract of the particulars to the person concerned"*

मेरा संशोधन बहुत ही उपयुक्त है और सादा है। धारा 14 के मुताबिक रजिस्ट्रेशन आफ नेम आफ चाइल्ड का प्रोवीजन किया गया है, और रजिस्टर कराने वाला जब रजिस्ट्रार के पास जायगा, जो सूचना देगा उसका नाम बता देगा लड़के का या लड़की का, तो उसको रसीद नहीं दी जायेगी। सेक्षन 8 और 9 को देखा जाय इसमें जो सूचना देने की व्यवस्था है तो सूचना देने के बाद जो वहां अधिकारी रहता है वह उसको रसीद देता है। लेकिन इस क्लाऊज में यह प्रोवीजन नहीं है। जैसा कि उपाध्यक्ष महोदय आप क्लाऊज 12 में देखिये।

*"Extracts of registration entries to be given to informant: The Registrar shall, as soon as the registration of a birth or death has been completed give, free of charge, to the person who gives information under section 8 or section 9..."*

लेकिन 14 में यह प्रोवीजन नहीं है। इसलिए मेरा अमेंडमेंट है:

*"and shall give free of charge an extract of the particulars to the person concerned"*

[Shri Deorao Patil]

नाम का महत्व बहुत जरूरी है और उसकी रसीद उसको मिलनी चाहिए। इसलिए मेरा संशोधन है और मैं चाहता हूँ कि यह मेरा संशोधन स्वीकार किया जाय।

श्री स० मो० बनर्जी : उपाध्यक्ष महोदय, इसमें यह कहा गया है कि :

"Where a child has been registered without a name..."

लड़का या लड़की जब पैदा होता है तो फॉरन तो नाम नहीं रखते पहले तो 6 दिन तक देखते हैं कि बच्चा जीता है कि नहीं तब नामकरण संस्कार होता है। और आजकल मालन्यूट्रीशन के जमाने में जिन्दा रह जाये तो बहुत भाग्य की बात है, उसके बाद नाम रखा जाता है। आप कहते हैं जहां किसी बच्चे की पैदाइश बिना नाम के रजिस्टर हुई है तो उस बच्चे के गार्जियन एक निश्चित समय में बच्चे के नाम के बारे में सूचना देंगे। लेकिन मेरा कहना यह है कि नाम तो बाद में रखा जाता है, पहले कैसे रख लेंगे। ऐसा तो होगा नहीं कि पेट में बच्चा आया और नाम रखना शुरू कर दिया। बच्चा पैदा ही नहीं हुआ तो मामला ही खत्म हो गया। इसलिए यह बड़ा अनरीयलिस्टिक है।

MR. DEPUTY-SPEAKER: You have emphasised the prevailing custom in your area. It is for the Government to consider.

SHRI S.M. BANERJEE: It is a very serious matter, Sir. Four children born to my mother survived and she named them Ram, Lakshman, Bharat and Chatrugna. My original name was Chatrugna. But in the school, nobody could pronounce my name and ultimately I had to change it to Satyendra Mohan.

गांवों में क्या होता है कि लोग अगर पूछते हैं कि तुम कब पैदा हुए तो कहने लगे कि बबूल का जब पेड़ पैदा हुआ था तो लड़का भी पैदा हुआ था। एक साथ बबूल का पेड़ लगा और तभी लड़का पैदा हुआ। हमारी बदकिस्मती है कि कोई अपरेटर्स नहीं हैं हमारे देश में। असलियत

है कि जिस दिन जन्म होता है उस दिन उसका नाम नहीं रखा जाता है और बर्य स्टिफिकेट जो मिलता है उसमें सिफ़ यह लिखा जाता है कि मेल चाइल्ड या फीमेल चाइल्ड है। विद्यावरण शुक्ल जी घर में पूछकर देख लें कि जिस दिन वह पैदा हुए उस दिन उनका नाम नहीं रखा गया था। इसलिए मैं कहता हूँ कि यह नाम देने के बारे में प्रैक्टिकल डिफिकल्टी है और इसको ओवरकम करने के लिए कोई रूल बनाइये। इसमें यह दिया है :

"the parent or guardian of such child shall give within the prescribed period give information about the name of the child". Then it is said: "from the statement of the individual or statement by the medical practitioner". In the absence of a valid document like the school Leaving Certificate or a Birth Certificate the Certificate of the doctor will be regarded as correct. I may say that I am 35 years old but the doctor may say that I am 46. One day a crazy doctor in an ordinance factory certified every appointed person as 35. Even a worker aged 20 was certified as 35. We had to refer to the Home Ministry and get it rectified. To eliminate that difficulty let them have the rules framed like that.

SHRI K.S. RAMASWAMY: As soon as a report is made about the birth of a child an extract is given by the Registrar to the person concerned. When the child is named that person reports to the Registrar and the Registrar will then make an entry about the name in the same extract. So there will not be any duplication. with regard to framing rules the State Governments are given powers.

MR. DEPUTY-SPEAKER: If you accept the suggestion made and if you want to incorporate it in the rules you may give an assurance that you will direct the State Governments. In that case there is no difficulty. You must commit yourself on this position if you accept the contention of hon. Members.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): Why should anybody commit himself, Sir?

SHRI K.S. RAMASWAMY: We have given powers to the State Government to frame rules. The State Government will frame the rules and they will also consult us.

MR. DEPUTY-SPEAKER: They will consider the points raised here.

SHRI K. S. RAMASWAMY: Yes.

MR. DEPUTY-SPEAKER: That is all right. I shall put the amendment, No. 12 to the vote of the House.

*Amendment No. 12 was put and negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 14 stand part of the Bill."

*The motion was adopted.*

*Clause 14 was added to the Bill.*

*Clauses 15 to 22 were added to the Bill.*

clause 23—(*Penalties*)

MR. DEPUTY-SPEAKER: There are some amendments to clause 23.

SHRI DEORAO PATIL: Sir, I beg to move:

Page 10, line 3,—

*for "fifty rupees" substitute—*

"twenty-five rupees" (13)

DR. RANEN SEN (Barasat): Sir. I beg to move:

Page 10, line 3,—

*for "fifty rupees" substitute—*

"one hundred rupees" (19)

Page 10, line 16,—

*for "ten rupees" substitute—*

"fifty paise." (20)

SHRI SHIVA CHANDRA JHA: Sir, I beg to move:

Page 10, lines 7 and 8,—  
*for "fifty rupees" substitute—*

"one hundred rupees" (25)

Page 10, line 12,—

*for "fifty rupees" substitute*

"one hundred rupees" (26)

श्री देवराव पाटिल : उपाध्यक्ष महोदय, कलाज नम्बर 23 में जो 50 रुपये की पेनाल्टी का प्राविजन किया गया है उसके बदले मैंने अपने अमेंडमेंट के द्वारा 25 रुपये करने का सुझाव दिया है। इसमें पेनाल्टीज के कलाज के मातहत यह लिखा हुआ है कि अगर कोई आदमी निश्चित अवधि के अन्दर रजिस्ट्रार को अपने बच्चे के जन्म या मृत्यु के सम्बन्ध में सैक्षण्स 8 या 9 के अनुसार इतिला नहीं देता है तो उसे 50 रुपये जुर्माना की सजा दी जा सकेगी जिसे कि मैं घटाकर 25 रुपये अपने अमेंडमेंट के द्वारा करना चाहता हूँ।

उपाध्यक्ष महोदय, राष्ट्रीय नमूना सर्वेक्षण के अनुसार इस देश में 80 प्रतिशत जनता देहात में रहती है और उनकी आमदनी एक रुपये रोज से भी कम होती है और जैसा कि आपने कलाज 23 के मातहत प्रोवाइड किया है अगर उनसे कुछ गलती हो जाती है तो उन पर 50 रुपये जुर्माना किया जायेगा तो मेरा कहना है कि इसे घटा कर 25 रुपये कर दिया जाय।

कलाज 8(1) (ए) एन्ड (बी टु ई) जिसमें आखिर में जो श्लोडस्ट मेल परसन होगा उस पर यह बध्दं और डैम्प्स को रजिस्टर कराने की जिम्मेदारी डाली गई है कि लिखायेगा कि लड़का हुआ है या लड़की हुई। मेरा सुझाव यह था कि इसके लिए घर का कोई भी बड़ा आदमी जा सके। कोई भी एडल्ट जाकर रजिस्टर करा सके। लेकिन जैसा कि सैक्षण 8 मंजूर हुआ है उसके मुताबिक घर का जो

## [श्री देवराव पाटिल]

सबसे ओल्डेस्ट मेल परसन होगा वही जाकर यह इनफोरमेशन दे सकेगा। मेरा सुझाव मंजूर नहीं किया गया कि प्रमुख की गैरहाजिरी में किसी भी घर के ऐडल्ट के लिए यह इनफोरमेशन सप्लाई करने का प्राविजन होना चाहिए।

इस वर्तमान क्लाज 23 में मैंने देश की आज की आर्थिक अवस्था को देखते हुए सुझाव दिया है कि 50 रुपये के बदले जुर्माने की रकम 25 रुपये कर दी जाय।

DR. RANEN SEN: The provisions of the Bill which we are now discussing show that even a good Bill, an important Bill, in the hands of certain parties or governments, turn into a very rigorous penal measure. The main object of the Bill should have been to educate people, to persuade people to go and register births and deaths. Instead of doing that, penal measures have been brought in for non-compliance with the provisions of this Bill. Thanks to 22 years of Congress rule, an overwhelming majority of the people living in the villages are still illiterate. First of all, you penalise the people by making them or keeping them illiterate. Then, taking advantage of their illiteracy, you go on further penalising them for non-fulfilment of the provisions of the Bill by informing the proper authorities of birth or death within the prescribed time. This is not the way to do things. The people should be educated and persuaded to comply with the provisions of the Bill. They will do it if they know that it is for the good of the country. I hope the hon. Minister will consider the implications of the penal provisions and withdraw them.

श्री शिव चन्द्र माः : उपाध्यक्ष महोदय, क्लाज नम्बर 23 पेनाल्टीज से सम्बन्धित है। उसमें बतलाया गया है कि किन किन हालतों में पैनाल्टी लगेगी।

क्लाज 23(2) में पेज 10 पर यह बतलाया गया है कि जो रजिस्ट्रार या सबरजिस्ट्रार होगा वह बर्थ और डेथ रजिस्टर करेगा, उसका तमाम हिसाब वह रखा करेगा। वह

सरकारी कर्मचारी होगा और कोई माने नहीं हैं कि वह मुस्तैदी से अपनी ड्यूटी को अंजाम न दे। अगर वह अपने काम को मुस्तैदी से नहीं करता है तो उसके माने यह होते हैं कि और विभागों में या प्रशासन में जो सरकारी कर्मचारी हैं वह भी सुस्त हो जायें इसलिए मैं इस बात को कर्तव्य नहीं पसन्द करता कि रजिस्ट्रार या सब-रजिस्ट्रार की ढिलाई को किसी तरह से हल्केपन से लिया जाय। जो भी सरकारी कर्मचारी काम करते हैं जब तक वह काम करते हैं मुस्तैदी से काम करें। इसलिए यह आवश्यक है कि अगर रजिस्ट्रार या सबरजिस्ट्रार बर्थ या डेथ रजिस्टर करने में नेगलैक्ट करता है या बगेर रीजनेबुल कोजे के बैसा करने से इंकार करता है तो उसको सजा मिलनी चाहिए। इससे साफ जाहिर हो जाता है कि वह अपने काम से, अपनी जिम्मेदारी से भागता है और गवर्नर्मेंट को उसकी यह नैगलैक्ट बर्दाश्ट नहीं करना चाहिए। इस तरह की नैगलैक्ट या सुस्ती को हम बर्दाश्ट नहीं कर सकते हैं और इसलिए मैंने अपने अर्मैडमैट द्वारा यह चाहा है कि उस पर बजाय 50 रुपये जुर्माना होने के 100 रुपया जुर्माना किया जाय। शायद मंत्री महोदय ने कुछ और समझा। यहाँ घटाने की बात नहीं है। सरकार डाइरेक्शन देती है। इसलिए मैं चाहता हूँ कि रजिस्ट्रार पर जुर्माना 100 रु हो।

श्री देवराव पाटिल : आप डेफिनिशन को देखिये।

श्री शिव चन्द्र माः : क्लाज 23 के सब-क्लाज पर मेरा संशोधन है। उसमें रजिस्ट्रार और सब-रजिस्ट्रार के ऊपर जुर्माने की बात है। मैं चाहता हूँ कि वह जुर्माना 100 रु हो।

इसी तरह से क्लाज 23 का सब-क्लाज (3) है। उसमें यह है कि जो मेडिकल डाक्टर गुजर जाने वाले आदमी को अटेंड करता है, जो वहाँ पर गया था भरीज को देखने के लिए, अगर वह सर्टिफिकेट नहीं देता है तो उसको क्या सजा दी जाएगी। यह सब-क्लाज 3 में

दिया गया है, और उसमें जुर्माने की बात है। विधेयक के अनुसार उस पर 50 रु. जुर्माना हो सकता है। मैं इसको भी उसी रूप में देखता हूँ, जैसा पहले कह चुका हूँ, कि डाक्टर अपनी जिम्मेदारी से भागता है। उसने उस आदमी की देख-भाल की है। वह जानता है कि वह गुजर गया, तभी उसका फर्ज हो जाता है कि वह सर्टिफिकेट दे। वह मरीज कब गुजरा, किस वजह से गुजरा, अगर डाक्टर इसका सर्टिफिकेट नहीं देता तो वह अपने कर्तव्य से पीछे हटता है। उस पर जो 50 रु. के जुर्माने की बात रखती गई है वह बहुत कम है। ऐसे डाक्टर के ऊपर कम-से-कम 100 रु. जुर्माना किया जाना चाहिए।

**श्री हेम राज (कौंगड़ा) :** उपाध्यक्ष महोदय, जो अर्मेंटेंट श्री पाटिल ने रक्ता था मैं उसको सपोर्ट करता हूँ। जहाँ तक क्लाज 23 का सम्बन्ध है, उसमें दिया गया है कि जो आदमी “(a) fails without reasonable cause to give any information.....” बात उन्होंने कही है। जो देहात की जनता है वह बहुत ही गरीब है। वह इतनी पड़ी-लिखी नहीं है कि फौरी तौर पर लोग अपना नाम दर्ज करवायेंगे। अगर उनके ऊपर जुर्माना करके इस एक्ट पर अमल दरामद कराना है तो मैं समझता हूँ कि जो देहात की जनता है उसके साथ बड़ी बेंडसाफी होगी। श्री शिवचन्द्र भा ने कहा कि यह कम नहीं होना चाहिए। लेकिन जो क्लाज 23 है उसके सब-सेक्शन (ए), (बी) और (सी) का सम्बन्ध किसी आफिशल से नहीं है, उसका सम्बन्ध प्राइवेट सिटिजेन से है।

**श्री शिवचन्द्र भा :** इसके बारे में मेरा संशोधन नहीं है, वह है सब-क्लाज पर जिसमें रजिस्ट्रार के तंग करने की बात है।

**श्री हेम राज :** जहाँ तक रजिस्ट्रार का सम्बन्ध है, उसके बारे में जो कुछ है उस पर मुझे कोई ऐतरज नहीं है। लेकिन जहाँ तक प्राइवेट सिटिजेन का सम्बन्ध है, वहाँ पर 50

रु. जुर्माना करना ठीक नहीं है। उसको तो 25 करना ही चाहिए, बल्कि हो सके तो 5 रु. कर दिया जाना चाहें।

आज जो जरूरत है कि लोगों को एजुकेट किया जाये। जैसा डा० रणेन सेन ने कहा है आज लोगों के एजुकेशन की जरूरत है। इसलिए अगर उनके ऊपर जुर्माने की बात रखी जाय तो बहुत ज्यादती होगी। इसलिए जहाँ पर 50 रु. जुर्माना रखता गया है उसकी जगह पर 25 कर दिया जाय, बल्कि 5 रु. कर दिया जाए तो बेहतर होगा।

**श्री तुलसीदास जाष्ठव :** उपाध्यक्ष महोदय, क्लाज 23 में जो बात कही गई है वह मेरी समझ में नहीं आती। उसको क्लाज 8 और 9 के साथ पढ़ने से यह बात आई कि घर का जो बड़ा आदमी है, जो कर्ता है उसको खबर देनी चाहिए। अगर वह नहीं देता है तो उस पर 50 रु. तक जुर्माना हो सकता है। दूसरे जो रजिस्ट्रार है, जिसने रजिस्टर में दर्ज करने से इन्कार किया है या आनाकानी की है, उस पर भी 50 रु. तक जुर्माना हो सकता है, भेडिकल आफिसर जो है, जिसके हास्पिटल में बच्चा पैदा हुआ है या कोई मरा हो, वह भी अगर सर्टिफिकेट न दे तो उस पर भी 50 रु. जुर्माना हो सकता है। उसके बाद के जितने क्लाजेज हैं, उनके अनुसार न चलने पर भी किसी आदमी को 10 रु. तक का जुर्माना देना पड़ सकता है। मेरी दृष्टि से एक जगह पर 10 रु. और दूसरी जगह पर 50 रु. होना, चाहे वह भेडिकल आफिसर हो चाहे घर का कोई आदमी हो, गलत है। इस तरह का दण्ड रखने का कोई कारण नहीं है। इस तरह से जनता को शिक्षा देने का कोई अर्थ नहीं है। अभी तक हर किसी प्रान्त में जन्म घोर मरण को दर्ज कराने की जो रीति है उसके लिए दण्ड देने जैसी कोई व्यवस्था नहीं है। जिस दबालाने में मृत्यु या जन्म हो, अगर कोई हस्पताल में गुजरे और वह पड़ा-लिखा आदमी हो, तब तो मेरी समझ में आता है कि उसको 50 रु. का दण्ड दिया जाये, कोई होटल हो, रेस्टोरंस हो, जहाँ पच्छे-

## [श्री तुलसीदास जाधव]

अच्छे लोग जाते हैं, वहाँ अगर दण्ड रखा जाय तब भी कोई बात नहीं, लेकिन देहात के लोगों के लिए जो दण्ड की व्यवस्था की गई है वह गलत है। मेरी राय है कि यह दण्ड नहीं होना चाहिए। अगर दण्ड रखना ही है तो पहले आप 5 या 10 रु. रखिये, उसके बाद अगर आपका काम न चले तब आप अर्मेंडमैट लाकर ज्यादा दण्ड रख सकते हैं, लेकिन शुरू-आत से ज्यादा दण्ड रखना उचित नहीं है। श्री पाटिल ने जो 25 रु. रखा है, मैं उससे भी सहमत नहीं हूँ। हाँ अगर 10 रखने में कहाँ पर कोई दिक्कत हो तब बाद में अर्मेंडमैट लाकर उसको 25 किया जा सकता है।

**SHRI ANANTRAO PATIL (Ahmednagar):** I am very sorry that the persons responsible for drafting this Bill have not taken into consideration the conditions prevailing in the rural areas. There are hundreds and hundreds of villages in this country from where people cannot easily reach the taluk town or district town for registration. It is natural for them to take at least a week to go and register. The conditions may be such that the husband may stay far away from the village and suppose a child is born in that house, for that man to reach the Registrar's office will be very difficult. And suppose he fails to go in time and make the registration, a penalty of Rs. 50/- will be imposed on him. This is doing an injustice to illiterate villagers and tribal people who are living in remote villages.

What has been done here? There will be a penalty of Rs. 50/- if a person fails to make the registration, but a penalty of Rs. 25/- only will be imposed in the case of a Registrar or Sub-Registrar who is an educated person, who is a responsible person and who has the duty to do this. This is a great injustice.

There is a provision that the registration should be done by the oldest man. Suppose a child is born posthumously, and there is no relative. What will be done in that case? There must be some provision for that also.

**SHRI K. NARAYANA RAO (Bobbill):** While I share the sentiments and anxieties

expressed by my hon. friend, I feel that this is largely misconceived. If we read the clause, it will be quite clear. It does not say that each and every lapse is going to be penalised. The Bill says, '...fails without reasonable cause'. If a person fails but establishes that his failure is due to certain valid reasons, he is not going to be penalised. So, many of the difficulties will be wiped out.

Secondly, only the maximum penalty has been specified. The penalty is to a maximum of Rs. 50. There is a large amount of discretion left with the penalising authority. It may be one rupee or two rupees depending on the circumstances and the other factors, and care can be taken at this juncture.

**श्री श्रीचन्द्र गोयल (चण्डीगढ़) :** उपाध्यक्ष महोदय, इस सदन के अनेक माननीय सदस्यों ने इस बात पर आपत्ति की है कि यदि कोई घर का आदमी मर जाय, या पैदा हो और यदि सबसे बड़ा वयस्क सदस्य किसी के पैदा होने या मृत्यु की सूचना किसी कारण से न दे सके, तो उसके ऊपर इतना भारी जुर्माना किया जाय। यह ठीक नहीं। आज जब अपने देश की स्थिति यह है कि लोगों में भारी अज्ञान है, मैं एक वकील के नाते कह सकता हूँ कि जो भी कानून हैं, जिनको पार्लियामेंट पास करती है, वह कानून की किताबों में ही मिलेंगे लोगों को उनका पता नहीं। मैं नहीं समझता कि इस कानून के पास होने के बाद भी सरकार की तरफ से कोई पग उठाये जायेगे ग्राम ग्राम में, पहाड़ी क्षेत्रों में, वनवासी क्षेत्रों में इस बात की जानकारी पहुँचाने के लिए कि अब कानून पास हो गया है और यदि किसी की पैदा इश अथवा मृत्यु की सूचना समय पर नहीं दी जायेगी तो जुर्माना किया जायेगा। जो अधिकारी इसके ऊपर अमल दरामद करायेंगे वे विना लोगों को सभी जानकारी दिये हुए, बिना लोगों को सभी प्रावधानों से अवगत कराये हुए, करायेंगे और इसका नतीजा यह होगा कि लोगों पर भारी जुर्माने होंगे। इस एकट का मंशा यह है कि सरकार के पास सही जानकारी आए और

साथ ही साथ अनेक प्रसंगों पर जब लोगों को यह सिद्ध करना पड़ता है कि उनकी या उनके बच्चों की फलां-फलाँ जन्मतिथि है, उनको ऐसा करने में सुविधा हो। इस कानून का मंशा यह नहीं है कि रेवन्यू इकट्ठा किया जाय या धन कमाया जाए। यह कोई टैक्स या कर नहीं है। धर के मालिक या वयस्क पर यह जिम्मेदारी डाली गयी है कि वे समय पर इसकी सूचना दें। अगर उनसे समय पर सूचना देने में भूल-चूक हो जाती है तो उन पर बड़ा भारी जुर्माना करना उचित नहीं होगा। आपने जुर्माने की जो राशि पचास रुपये रखी है, इसको आपको निश्चित रूप से कम करना चाहिये। इसको कम करके पाँच रुपये पर आपको लाना चाहिये। दल से ऊपर ऊठकर आपको सदन की भावनाओं का आदर करना चाहिये। सभी दलों के सदस्यों ने जो विचार व्यक्त किये हैं, उनका आपको आदर करना चाहिये और आदर करते हुए इस जमाने की आप कम करें, ऐसी में आपसे अपेक्षा करता हूँ।

**SHRI JAIPAL SINGH (Khunti):** There is no quorum in the House.

**MR. DEPUTY-SPEAKER:** The bell is being rung. Now there is quorum. Mr. Visakhatnam.

**SHRI JAIPAL SINGH:** My arithmetic is not bad. There is no quorum.

**MR. DEPUTY-SPEAKER:** It has been now ascertained that there is quorum Mr. Viswanatham.

**SHRI TENNETI VISWANATHAM (Visakhatnam):** Mr. Deputy Speaker, Sir, the process of making everybody in this country a criminal must have some limits. Every year, on an average, I believe there are at least 52 lakhs of births in this country and they do not take place all in cities where the householders are educated or literate. Therefore, it is reasonable to presume that 80% of these births take place in villages and the average literacy is not more than 24-25 per cent in this country. In these circumstance I suggest

that the Minister should consider the omission of the provision regarding fines. Here everybody in and around is made responsible to give the information. I can understand if this duty is imposed upon some literate people who have already been accustomed to report births and deaths.

A birth should be reported. Supposing by the time the birth is reported and by the time the person walks back 4 miles, he finds the child is dead, again he has to walk another 4 miles to give this notice. In some cases the village officers are not present. There is a group of villages in my part of the country where the same villages officer serves three or four villages. What I would suggest is that you give a period of training to this country, first restrict the fining process to responsible people and educated persons and exempt others, in the present stage of education in this country.

**SHRI S. M. BANERJEE (Kanpur):** I fully support the measure. Let us assume that we are discussing India as a whole where 75% is the rural population. Compared to such vast population we have 5 or 6 lakhs of post offices. If you want them to send the information in writing or post them, that will not do. It has been provided here in clause 23(1)(c) that any person who refuses to write his name, description and place of abode or to put his thumb mark in the register as required, by section 11 shall be punishable with fine which may extend to fifty rupees.

उपाध्यक्ष महोदय, मुझे इस वक्त इस सवाल के बारे में इतना ही कहना है कि सूचना कौन देगा? मान लीजिये कि मैं हूँ और मेरी बीवी है। एक बच्चा पैदा होता है। मैं किसी को कह नहीं सकता हूँ, कोई बड़ा और है नहीं जिसके द्वारा मैं सूचना भिजवा सकूँ। फिर आज कल तो फैमिली प्लानिंग का जमाना है। अब मान लीजिए कि बीवी की हालत खराब हो जाती है। फौरन खबर ऐसी अवस्था में नहीं दी जा सकती है। सूचना देने में दस-बीस दिन लग सकते हैं। अगर ऐसी हालत में देरी हो जाती है तो क्या किया जा सकता है? पहले जमाने में तो ऐसा होता था और आज भी देहातों में ऐसा होता है कि सबसे पहले

[**Shri S. M. Banerjee**]

हिंजड़ों को खबर होती है कि फलां घर में सड़का पैदा हुआ है। वे ढोलक बजाते हुए आ जाते हैं। सब लोगों को मालूम हो जाता है कि फलां घर में लड़का पैदा हुआ है। वे तो अब सब अनेम्पलाय हो जायेंगे। बर्थ रजिस्टरेशन वर्गरह की सब बात हम मानने के लिए तैयार हैं। कोई आदमी अगर रजिस्टर करने से इन्कार करे तब तो जरूर उस पर फाइन होना चाहिये। लेकिन सूचना देने में अगर देरी हो जाती है तो उस पर फाइन नहीं होना चाहिये और संशोधन को मान कर फाइन की जो राशि है उसको आपको कम कर देना चाहिये। लोग समझने लग गए हैं कि उनको सूचना देनी चाहिये। लोग काफी कांशस हो गए हैं। वे गलती नहीं करेंगे। लेकिन यदि किसी से किसी कारणवश देरी हो जाती है, भूल-चूक हो जाती है और उस पर पचास रुपये फाइन कर दिया जाता है तो वह यही कहेगा कि अच्छा बच्चा पैदा किया कि पचास रुपये देने पड़ गए। यह तो कलंक का टीका हो गया। लक्ष्मी घर से जाने लग गई। लड़की अगर हो जाती है तो वैसे ही लक्ष्मी जाती है और यह फाइन और उसको अदा करना पड़ेगा। इस वास्ते अगर आप संशोधन को मान लें तो बहुत अच्छा होगा।

**SHRI K. S. RAMASWAMY:** Sir, as regards maximum punishment, it is not necessary that maximum punishment should be imposed on poor people. The economic condition of the people will be taken into consideration by the Presiding Officer and the minimum will be imposed. Regarding Sub-clause (2), the Registrar and Sub-registrar are all officers and they will be proceeded against departmentally also; in addition to the departmental action this fine has been proposed.

In sub-clause (3) of Clause 23, regarding medical practitioners, we are fixing the fine at Rs. 50/- as in certain other cases. In Clause 24 by which the offence can be compounded, the maximum fine is fixed at Rs. 50/- Therefore, there is no use saying that

it should be more than Rs. 50/- I think this is reasonable...*(Interruptions)*.

**DR. RANEN SEN:** What about 23(1)?

**श्री मूर्ख लां (कासगंज)** : यह पायंट बलीअर नहीं हुआ है। इसमें कहा गया है कि घर का जो भी बड़ा हो, वह खबर करे। जैसा कि श्री बनर्जी ने कहा है, बच्चा होने के बाद जब बीबी मरने के करीब हो गई हो, तो क्या वह बीबी की तरफ ध्यान देगा या खबर देने के लिये भागेगा? इसमें एमेंडमेंट करनी चाहिए कि घर का कोई भी जिम्मेदार आदमी इत्तिला दे दे। हिन्दुस्तान में बच्चे का नाम उसके पैदा होने के महीने दो महीने के बाद रखा जाता है। इसलिए जब उसका नाम रखा जाय, तब इत्तिला दे दी जाये। गवर्नरेंट को ज्यादा जिद नहीं करनी चाहिए और इस बात को मान लेना चाहिए।

**MR. DEPUTY - SPEAKER:** There might be some force in all these. But it is for the Government to consider. What can I do?

**श्री मूर्ख लां :** हिन्दुस्तान में यह आम बात है कि बच्चा पैदा होने के बाद औरत की हालत खरब हो जाती है। ऐसी सूख में कोई शूस अपनी बीबी को बचायेगा या खबर देने के लिए जायेगा?

**MR. DEPUTY - SPEAKER:** I have called the Minister now...*(Interruptions)*

**SHRI TENNETI VISWANATHAM:** One clarification.

**MR. DEPUTY-SPEAKER:** Clarification you can ask for.

**SHRI TENNETI VISWANATHAM:** There are quite a number of people who are going to be fined. What is the order in which they will be fined—failing (a), failing (b), failing (c)—or, will all of them be fined together?

**SHRI K. S. RAMASWAMY:** It is not for delayed report. There is another clause where one fails to report.

SHRI P. RAMAMURTI (Madurai): What is the difference?

SHRI K. S. RAMASWAMY: Under clause 20...

SHRI TENNETI VISWANATHAM: There are quite a number of people who are made responsible for giving the information. Will all of them be fined or some of them will be fined and in what order will they be fined—regressive or progressive order?

SHRI K. S. RAMASWAMY: One is where one fails without reasonable cause. One can explain always why he has failed.

SHRI TENNETI VISWANATHAM: Quite a number of people are made responsible.

SHRI K. S. RAMASWAMY: Sub-clause (b) says:

gives or causes to be given, for the purpose of being inserted in any register of births and deaths, any information which he knows or believes to be false regarding any of the particulars required to be known and registered;

MR. DEPUTY-SPEAKER: When this Bill was debated on the last occasion, I said that more care should be taken while drafting this measure. I had made that observation. It is now for the Minister.

SHRI S. KANDAPPAN: How far has the Minister complied with your observation?

SHRI S.M. BANERJEE: I want some clarification. We have crossed fifty and there is no risk as far as we are concerned. But we are passing this legislation for the future generation. Let us...*(Interruptions)*

MR. DEPUTY-SPEAKER: Please resume your seat. The question was raised not only by Shri Banerjee, but by several other Members. Shri Viswanatham pointed out. When the Minister has replied, he has taken everything into consideration. That is my presumption. Now, I am going to put to vote all these amendments...*(Interruptions)*. I am putting amendments Nos. 13, 19, 20, 25 and 26 to Clause 23 together, unless somebody wants me to put a particular amendment separately.

AN HON. MEMBER: Amendment No. 13.

MR. DEPUTY-SPEAKER: Amendment No. 13 is by Shri D.S. Patil.

AN HON. MEMBER: He says he is not pressing it.

MR. DEPUTY-SPEAKER: He has moved it. I will put it to vote.

The question is:

"Page 10, line 3,—

for "fifty rupees" substitute—

"twenty-five rupees" (13)

*The Lok Sabha divided:*

**Division No. 18]**

**AYES**

**[15.01 hrs.**

Ahmed, Shri J.  
Banerjee, Shri S.M.  
Bharti, Shri Maharaj Singh  
Biswas, Shri J.M.  
Deb, Shri D.N.  
Ghosh, Shri Ganesh  
Gowda, Shri M.H.  
Goyal, Shri Shri Chand  
Jha, Shri Shiva Chandra  
Kandappan, Shri S.

Krishna, Shri S.M.  
Kushwah, Shri Y.S.  
Mangalathumadam, Shri  
Meghachandra, Shri M.  
Misra, Shri Srinibas  
Muhammad Ismail, Shri M.  
Naik, Shri G. C.  
Patil, Shri N. R.  
Ram Charan, Shri  
Ramamurti, Shri P.

Samanta, Shri S. C.  
Satya Narain Singh, Shri  
Sen, Dr. Ranen  
Shah, Shri T. P.  
Sharma, Shri Benishanker  
Shastri, Shri R.  
Shinkre, Shri  
Sonavane, Shri  
Viswanatham, Shri Teneti  
Yadav, Shri Jageshwar

## NOES

Agadi, Shri S. A.	Lakshmikanthamma, Shrimati	Randhri Singh, Shri
Ankineedu, Shri		Rao, Shri Jaganath
Barua, Shri Bedabrata	Laskar, Shri N. R.	Rao, Shri K. Narayana
Bhandare, Shri R. D.	Mahadeva Prasad, Dr.	Rao, Shri J. Rampathi
Bhanu Prakash Singh, Shri	Mahajan, Shri Vikram	Reddi, Shri G. S.
Bohra, Shri Onkarlal	Chand	Roy, Shri Bishwanath
Chanda, Shrimati Jyotsna	Mandal, Dr. P.	Roy, Shrimati Uma
Chandrika Prasad, Shri	Marter, Shri Bhola Nath	Sambasivam, Shri
Chaudhary, Shri Nitiraj Singh	Masuiya Din, Shri	Sapre, Shrimati Tara
Choudhury, Shri J. K.	Mishra, Shri G. S.	Savitri Shyam, Shrimati
Dasappa, Shri Tulsidas	Naghnoor, Shri M. N.	Sayeed, Shri P. M.
Desai, Shri Morarji	Oraon, Shri Kartik	Sayyad Ali, Shri
Deshmukh, Shri Shivajirao S.	Pahadia, Shri Jagannath	Sen, Shri Dwipayan
Dinesh Singh, Shri	Paokai Haokip, Shri	Sen, Shri P. G.
Dixit, Shri G. C.	Parmar, Shri Bhaljibhai	Sethuraman, Shri N.
Dwivedi, Shri Nageshwar	Partap Singh, Shri	Shambhu Nath, Shri
Gandhi, Shrimati Indira	Parthasarathy, Shri	Shankaranand, Shri
Ganesh, K. R.	Pramanik, Shri J. N.	Sharma, Shri Naval Kishore
Gavit Shri Tukaram	Raghu Ramaiah, Shri	Sheo Narain, Shri
Iqbal Singh, Shri	Raj Deo Singh, Shri	Shukla, Shri S. N.
Jadhav, Shri Tulsidas	Rajasekharan, Shri	Shukla, Shri Vidya Charan
Kavade, Shri B. R.	Ram, Shri T.	Tiwary, Shri D. N.
Khan, Shri M. A.	Ram Sewak, Shri	Virbhadra Singh, Shri
Khanna, Shri P. K.	Chowdhary	Vyas, Shri Ramesh Chandra
Kinder Lal, Shri	Ram Swarup, Shri	Yadav, Shri Chandra Jeet

MR. DEPUTY-SPEAKER: The result\* of the division is *Ayes*; 30 *Noes*: 72.

*The motion was negatived.*

MR. DEPUTY-SPEAKER: I shall now put the other amendments to clause 23 to vote.

*Amendments Nos. 19, 20, 25, 26 were put and negatived*

MR. DEPUTY-SPEAKER: The question is:

*"That clause 23 stand part of the Bill."*

*The motion was adopted.*

*Clause 23 was added to the Bill.*

*Clause 24—(Power to compound, offences)*

SHRI DEORAO PATIL: I beg to move:

*Page 10, line 26, for 'fifty rupees' substitute 'one hundred rupees'. (14)*

उपाध्यक्ष महोदय, मेरा यह संशोधन आफेस को कम्पाउंड करने के बारे में है। हम देखते हैं कि सरकार की वृष्टि में एक सरकारी कर्मचारी की प्रतिष्ठा देश के साधारण नागरिक से ज्यादा है।

लोक प्रतिनिधि से कर्मचारियों की प्रतिष्ठा ज्यादा है और जनता से भी कर्मचारी की प्रतिष्ठा ज्यादा है। बारा 23 देखिये। जो कोई भी रजिस्ट्रार या उप-रजिस्ट्रार जन्म या मृत्यु को रजिस्टर नहीं करता है या नेग्लेक्ट करता है उसको 25 रुपये जुर्माना और सामान्य गरीब मजदूर जो है वह अगर वही गुनाह करता है तो उसको 50 रुपये जुर्माना होगा और बाद में जुर्माना करने के बाद, कोई में केस

\*The following Members also recorded their votes for AYES: Sarvashri H. Ajmal Khan and D. Amat.

दाखिल होने के बाद कोई अधिकारी कम्पाउंड केस करता है तो 50 रुपया देने पर वह केस खत्म हो जायगा । मैंने पहले ही बताया कि इस देश में गरीबी का सवाल है, अर्थात् सर्वेक्षण के अनुसार देखा जाय यो इस देश में 80 प्रतिशत जनता जो है उसमें से 50 प्रतिशत जनता की रोजी 1 रुपये रोज पर चलती है । वह कम्पाउंड केस करने के लिए नहीं जायगा । उसको पनिशमेट हो जाय वह दे देगा । लेकिन जो अमीर लोग हैं या कर्मचारी लोग हैं वह जब क्राइम करेंगे सेक्षण 2 में तो उनका केस कम्पाउंड हो जायगा । लीगल प्रैविटेनर अगर क्राइम करता है तो उसका केस कम्पाउंड हो जायगा । और इसलिए मैंने कहा कि 50 रुपये का जो है वह 50 रुपये तो पहले ही फाइन है, पहले गुनाह होता है तो 50 रुपये फाइन ले सकते हैं । लेकिन केस कोर्ट में रजिस्टर करने के बाद, अगर वापस लेते हैं तो ज्यादा पैसा लेना चाहिए । नाट एक्सीडिंग फिफटी रुपीज जो लिखा है उसकी जगह नाट एक्सीडिंग हॉटेड रुपीज हो जाय यह मेरा संशोधन है । उसमें हॉटेड रुपीज लेना ही चाहिए, ऐसी बात नहीं है । सबजेक्ट दु सच कंडीशंस ऐज में बी प्रेस्क्राइब यह होने से ऐसी बात नहीं होगी कि हॉटेड ही देना होगा । इसलिए 50 के बजाय उसके लिए 100 का प्राविजन होना चाहिए, यह मेरा संशोधन है ।

15 hrs.

श्री श्रीचन्द्र गोयल : यह मिस्टर पाटिल ने जो संशोधन रखा है मैं उसका विरोध करता हूँ । मिस्टर पाटिल ने यह नहीं समझा कि यह जो जुमानी लग रहा है, यह केवल अधिकारियों पर नहीं लग रहा है बल्कि जो नागरिक हैं, वह भी यदि कोई अपराध करते हैं .....

श्री देवराव पाटिल : मैंने पहले ही बताया कि नागरिक कभी आपस में समझौता करने नहीं जायगा । उसके पास इतना पैसा ही नहीं है । तो वह इसके लिए नहीं जायगा ।

श्री श्रीचन्द्र गोयल : आप अपनी बात कह चुके हैं । आपने यह समझा ही नहीं है कि यह 50 रुपये से 100 रुपये बढ़ाने की जो सिफारिश कर रहे हैं इसमें नागरिकों पर भी बोझ आयेगा क्योंकि किसी नागरिक के अपराध का केस आता है और उसके बाद यह धारणा अधिकारी की बनती है कि उसने अपराध किया या अपराध करने की कल्पना उसके बारे में बनी और उस पर जुमानि के सिलसिले में कोई किमिल कार्यवाही चली तो 50 रुपये तक देने पर फैसला हो सकता है । आपस में फैसला होने पर 50 रुपया अधिक से अधिक रखा है, उसमें दस रुपया भी हो सकता है, पांच भी हो सकता है, 2 भी हो सकता है । कोई 50 रुपया लेना जरूरी नहीं है । आपके कहने के अनुसार 100 रुपया रख दिया जाय तो यह नागरिक के विश्वद बात जाती है, उसके अहित में यह जाती है, इसलिए मैं इसका विरोध करता हूँ । और जब जुमानि की राशि 50 रुपये है इस कारण उस केस के सिलसिले में समझौता करते हुए 50 रुपये से अधिक की राशि नहीं रखी जा सकती । मैं समझता हूँ कि उन्होंने इसको समझा नहीं है, इसलिए यह संशोधन दिया है, मैं इसका विरोध करता हूँ ।

SHRI K. S. RAMASWAMY: The maximum penalty fixed for the offence is Rs. 50. This clause deals with compounding of offences. When there is compounding, it means there is only a presumption of guilt and it is not proved. So it cannot be more than Rs. 50 maximum.

MR. DEPUTY-SPEAKER: The question is:

Page 10, line 26,—for "fifty rupees", substitute—"one hundred rupees". (14)

*The motion was negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 24 stand part of the Bill."

*The motion was adopted.*

*Clause 24 was added to the Bill*

MR. DEPUTY-SPEAKER: There are no amendments to clauses 25 to 32.

SHRI BENI SHANKER SHARMA (Banka): Sir, I have an amendment to clause 30.

MR. DEPUTY-SPEAKER: That was not moved at the proper time. It is not on record. You are too late. I am sorry.

SHRI BENI SHANKER SHARMA: I shall just read out from the proceedings of the House dated 18th February, 1969, and quote what you have been pleased to say on that day:

"All the amendments were received and fresh notices were given. They were not there before. It is not very clear whether they had all been circulated. Therefore, it is not possible to put them to vote now. So, I shall put the clauses and amendments to vote on the next occasion."

This is what you have said.

MR. DEPUTY-SPEAKER: You are under a misconception. They ought to have been revived again by giving notice. I am very sorry.

SHRI BENI SHANKAR SHARMA: You had said that all the amendments were revived and fresh notices were given.

MR. DEPUTY-SPEAKER The revival will take place after the notice. If you want to say something on the clause, I will permit you. There is no question of any amendment.

SHRI BENI SHANKER SHARMA: My amendment is to the effect that instead of the State Government, the rule-making power should be taken by the Central Government. I have suggested that the word "State" should be substituted by "Central" and the words "with the approval of the Central Government" should be deleted.

This is a Central enactment, and I do not understand why the State Governments should be allowed to make rules. For the purposes of uniformity, it is the Central

Government that should have the power of making rules. That is my only submission.

SHRI S. M. BANERJEE: Sir, I rise to oppose this. More powers should be given to the States.

SHRI K. S. RAMASWAMY: We have given the power to the States to frame the rules. Different systems prevail in different States. For instance, with regard to the naming of the child, we do not know in how many days the name is given in the different States. So, it is better to leave all these things to the States.

MR. DEPUTY-SPEAKER: I am putting to the vote clauses 25 to 32. The question is:

"That clauses 25 to 32 stand part of the Bill."

*The motion was adopted.*

*Clauses 25 to 32 were added to the Bill.*

*Clause 1—(Short title, extent and Commencement)*

MR. DEPUTY-SPEAKER: There is a Government amendment. It is No. 7.

*Amendment made:*

*Page 1, line 6, for " 1968" substitute "1969" (Shri K. S. Ramaswamy)*

MR. DEPUTY-SPEAKER: The question is:

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

*Enacting Formula*

MR. DEPUTY-SPEAKER: There is one amendment to the Enacting Formula by the Government. It is amendment No. 6.

*Amendment made:*

Page 1, line 1, for "Nineteenth" substitute "Twentieth" (*Shri K. S. Ramaswamy*)

MR. DEPUTY-SPEAKER: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

*The motion was adopted.*

*The Enacting Formula, as amended was added to the Bill.*

*The Title was added to the Bill*

SHRI K.S. RAMASWAMY: I move:

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER Motion moved:

"That the Bill, as amended, be passed."

SHRI TENNETI VISWANATHAM: Sir, As I said, there are about 52 lakhs of persons who will be born every year, and hereafter, on the passing of this Bill, the parents children will have to be born each with Rs. 50 in its hands, the fingers, in order to pay the fine, because their parents or relations or their keepers or somebody else might fail to report about their birth. This is the great gift which the Home Ministry is giving to the masses of this country.

MR. DEPUTY-SPEAKER: I am putting the motion to the vote. The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

12.10½ hrs.

**UNION TERRITORIES (SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS) BILL**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI

VIDYA CHARAN SHUKLA): Sir, I beg to move:

"That the Bill to provide for the separation of judicial and executive functions in Union Territories, as reported by the Joint Committee, be taken into consideration."

15.11 hrs.

[SHRI VASUDEVAN NAIR in the Chair]

This Bill was referred to a Joint Committee of both the Houses. The Joint Committee went thoroughly in the entire scheme of the Bill. After holding several sittings, this Bill was amended in certain respects and the Bill as amended by the Joint Committee is now before the House. Many amendments which have been moved, particularly by Shri Srinivas Misra, were also considered by the Joint Committee, but none of them has been incorporated. I will briefly explain why it is so. There is no minute of dissent and so it can be safely presumed that those hon. members who served on the Committee not only agree with the scheme which is unexceptionable but also with the details set out in the clauses.

Mainly this Bill seeks to achieve the object set out in article 50 of the Constitution. It is one of the Directive Principles that the "State shall take steps to separate the judiciary from the executive in the public services of the State." While drafting the Bill, we have taken most of the provisions from the Punjab (Separation of Judicial and Executive Functions) Act and the Bombay (Separation of Judicial and Executive Functions) Act of 1951. This provides for the classification of the magistracy into judicial magistrates and executive magistrates and investing judicial magistrates with the function of trial and disposal of cases and the executive magistrates with the power of enquiring into and disposing of matters of a non-judicial character. The principal regarding classification has been set out in clause 5. Clause 3 seeks to amend the Cr. P.C. in the manner and to the extent specified in the Schedule to the Bill.

[Shri Vidyacharan Shukla]

Some new territories were added to Himachal Pradesh by dividing Punjab into Punjab and Haryana. Therefore, certain Acts of the former Punjab State were applicable to those parts of Himachal Pradesh. In clause 6 we have tried to repeal those Acts so that there is complete uniformity about separation of judiciary from the executive. Our intention is, there should be no difference between one Union Territory and another. We have tried to do it by clause 6.

I will now mention some important amendments moved by Shri Srinibas Misra. His main anxiety seems to be that none of the judicial functions should be entrusted to executive officers and *vice versa*. That is also our viewpoint. He has given amendments regarding the power to take security for keeping the peace under section 107 and for good behaviour from vagrants and suspected persons under sections 109 and 110. He wants all these powers to be entrusted to judicial magistrates. Here his exception would have the effect of seeing that these powers would remain with the district magistrates and they will also remain with the judicial magistrates of the first class. But he wants to take away these powers from the executive magistrates of the first class. I would like to submit that these powers are law and order keeping powers. These are not judicial powers. The executive magistrate while he has the powers does not have to decide about any judicial matter. Supposing there is a bad character and a security has to be taken from him it is not a judicial function. If a person who has been convicted for theft and on whom there is police surveillance is asked to report to the police and for that matter a security is asked it is not necessarily a judicial function, it is more or less a law and order keeping function which should properly be entrusted to an executive magistrate. In our Bill we have kept all these powers to executive magistrates and we have not kept them for the judicial magistrates.

As I said earlier, the Joint Committee gave very careful consideration to the provisions of this Bill. We have made some changes in the Bill mainly to clarify and emphasise the provisions that we have incorporated in it. During the delibera-

tions of the Joint Committee, I remember, there was almost complete unanimity about the provisions of the Bill and also the arms of the Bill. I am sure that unanimity would be reflected here also.

I want to assure the hon. House it is our intention that there should be a very effective separation of judicial functions from executive functions and if any hon. Member can point out that in any particular section or clause of the Bill that is before us this separation is not being made in a proper manner and certain functions which are entrusted to judicial magistrates should be transferred to executive magistrates or *vice versa*, we shall be prepared to consider that. Is not our intention to stand on prestige as far as this particular matter is concerned, but here we must be convinced that those functions which belong to judicial magistrates are going to be given to executive magistrates or *vice versa*. If the functions belong to law and order and if they belong to the executive field of administration they will have to be entrusted to executive magistrates.

With these introductory remarks, Sir, I would request this hon. House to pass this Bill which has been very carefully considered by the Joint Committee.

MR. CHAIRMAN: Motion moved:

"That the Bill to provide for the separation of judicial and executive functions in Union territories, as reported by the Joint Committee, be taken into consideration:"

SHRI SHIVA CHANDRA JHA: Sir (Madhubani) I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 16th August, 1969." (15)

MR. CHAIRMAN: Both the motions are now before the House.

SHRI M. MEGHACHANDRA (Inner Manipur): Mr. Chairman, Sir, I want to make a few submissions on this important Bill relating to the Union Territories. As a matter of fact, I do not want to go into the details because as a member of the

Joint Committee I have given my support to this Bill. I am sure the House will also support this particular Bill.

I only want to submit that this particular Bill has come after nineteen years. Our Constitution under article 50 envisages that the State shall take steps for separation of judiciary from the executive. It was since 1952 or 1953 that efforts were made for the separation of judiciary from executive in different States and the process has been going on. Now, in the year 1969 the position of separation of judiciary from executive in the Union territories is being recast in this particular Bill. As the Minister has said, this particular Bill seeks to separate the judicial functions from the executive and there has been amendment of the Code of Criminal Procedure, 1898 and provisions for appointment of judicial magistrates.

In this connection, I want to say something about the judicial, in the Union Territory of Manipur and Tripura. In clause 8 and many other provisions of this Bill there is an expression "in consultation with the High Court having jurisdiction in relation to the Union territory concerned", which is very important. In Manipur and Tripura we have Judicial Commissioner's Court which is a one-man's court. It does not function whole-time either in Manipur or in Tripura. The one-man judge will stay for 15 days in Tripura and another 15 days in Manipur. Moreover, there is inadequacy in the administration of justice when a one-man judge is giving judgments and carrying out the administration of justice.

In this connection, I want to submit that there has been a long-standing demand from the people of Manipur for a separate court. The Manipur bar also passed a resolution in the year 1968 and made a recommendation to the Home Ministry of the Government of India to this effect. Moreover, it is not possible to dispose of all the pending cases by one judge who is not working whole-time. In reply to Unstarred Question No. 6847, answered on 18th April 1969, about the disposal of cases in Judicial Commissioner's Court Manipur, it has been stated:

"396 cases as on 1.4.69 including two applications for leave to appeal to the Supreme Court."

So, even application for leave to appeal to the Supreme Court takes one year for disposal, which is not a satisfactory state of affairs. Nearly 400 cases are pending in the court of the Judicial Commissioner as on 1-4-69. Therefore, if this process of separation of judiciary from the executive is to be carried to its fullest extent, then the question of upgrading the Court of the Judicial Commissioner to that of a High Court should also be taken up.

In clause 8, relating to power to remove difficulties, it is stated that the Central Government can do it "in consultation with the High Court having jurisdiction in relation to the Union territory concerned". Therefore, I would appeal to the House and the Home Ministry to take action to see that there will be a High Court in Manipur and Tripura. Here I would like to quote what the Manipur Bar had said in a resolution passed by them on 12-1-68:

"...the present arrangement under the provisions of the Judicial Commissioner's Court (Declaration as High Courts) Act, 1950 which gives power to the Judicial Commissioner to exercise the powers of the High Court for certain purposes has proved inadequate and cannot therefore be substituted for a High Court exercising jurisdiction in the States and concurrently over some of the Union territories.

"The administration of justice by one judge as High Court even for some purposes needs to be avoided even in the interest of justice. While some Union Territories are under the jurisdiction of some existing High Courts and certain Union Territory is having its own High Court, only a few Union Territories are having the Judicial Commissioner's Courts with only one judge to administer justice. This arrangement is found inadequate and has its own inherent defects.

While under Article 241 of the Constitution, Parliament has to constitute a High Court for a Union Terri-

[Shri M. Meghachandra]

tory or declare any court in any such Territory to be a High Court for all or any other purposes of the Constitution, it is time for the Union Territory of Manipur to have a High Court of her own. This will meet the aspirations of the people and the desire of the members of the Bar and ultimately the cause of justice."

So, my humble submission is that in passing this Bill, the Government should take up the question of upgrading the Court of Judicial Commissioner and at least Manipur and Tripura should have High Courts having at least two Judges. If that is done, I think, the cause of justice will be met and the separation of judiciary from executive which this Bill seeks to do will be met.

With these words, I support it.

**SHRI HEM RAJ (Kangra):** Mr. Chairman, Sir, I rise to support the Bill. It was a long-standing need that the Union Territories which were directly under the Central Government should have the benefit of the separation of the judiciary from the executive. It was due much earlier. Anyhow, belated though it may be, it is a happy thing that it has come about.

So far as the integrated areas of Punjab with Himachal Pradesh are concerned, there the separation of the judiciary from the executive was already complete. So far as the old Himachal Pradesh area was concerned, there it was not done. Now, after this Bill is passed, both the areas will have a uniform law and so also all the Union Territories.

Before I come to the main provisions of the Bill, I am rather surprised to see that the Home Ministry which is running the show in the Union Territory of Himachal Pradesh has not been able to, for the last 2½ years, put the seniority of officers in order. On the 1st of November, 1966, the integration of the Punjab hill area took place with old Himachal Pradesh. At that time, 13 judicial officers from Punjab were transferred to Himachal Pradesh. Out of those 13 officers, one has gone back to Haryana and three have gone back to Punjab. So, nine officers remain there. At the same time, there were only eight officers

in Himachal Pradesh judiciary and, out of them, one has gone back to his parent post and seven officers remain there. For these 16 officers, in the last 2½ years, the Home Ministry has not been able to put the seniority in order. With the consequent result, what is happening is that in respect of all these officers who have been transferred from Punjab, though they are senior, their seniority is being ignored. What I am submitting is that, at the present moment, in Himachal Pradesh, *ad hoc* appointments are being made simply to favour certain persons in order to mar the seniority of persons who have been transferred from Punjab. This is not only happening in one department. This is happening in all the departments in Himachal Pradesh. The officers of the old area of Himachal Pradesh are being given *ad hoc* promotions simply for the purpose of marring the chances of seniority of the people who have been transferred from Punjab.

Therefore, I would request the Home Ministry to take early steps, not only in respect of judicial department but in respect of all the other departments also, and see that the seniority of the officers who have been transferred from Punjab areas to Himachal Pradesh is fixed as early as possible. Already 2½ years have passed. I want to know from the hon. Home Minister how much longer time would they take to decide the seniority of those officers, 16 judicial officers and other officers who are serving there. This should be done as early as possible so that the dissatisfaction that is prevailing in the minds of those officers may be removed.

The Himachal Pradesh Government have issued a circular that no further *ad hoc* appointments will be made, but having issued that circular, they are ignoring it and are still making appointments. I would request the hon. Minister to take an early peep into this matter and remove the dissatisfaction that is prevailing in the minds of those officers.

The second point that the hon. Minister was kind enough to tell the House was that the executive functions have been entrusted to the executive magistrates. So far as clause 5 is concerned, I have not been able

to understand the expressions—sanctioning prosecution and withdrawing prosecution.

They have also been entrusted to the executive magistrates. I think, both these require a judicial mind—sanctioning prosecution and withdrawing the prosecution. Therefore, these two powers should not be given to the executive magistrates and should remain with the judicial magistrates.

So far as hill areas are concerned, I would make a request to the hon. Home Minister. Now that he has separated the judiciary from the executive in very subdivision, so far as the hill areas are concerned I would request him that all such judicial magistrates should also be given the powers of a sub-judge. In the hill areas, a very wide distance has to be covered. If a separate judicial magistrate is to be put, why should he not be invested with the civil powers? This may be done so that all those persons who have to travel miles together in the hill areas—it will take two or three days for those areas to be covered—may be able to get justice at a central place, both civil as well as criminal. I would request the hon. Home Minister to take this into consideration and recommend to the High Court that the judicial magistrates should also be given the civil powers.

A point has been raised by my colleague, Shri Misra, regarding cases under sections 107, 109 and 110. If that is not acceptable to the hon. Home Minister, he may kindly consider section 144, 145 and 147, because, they concern property and here a judicial mind has to be applied. So far as the cases under sections 144, 145 and 147 are concerned, they should be taken out from the purview of the executive magistrates and they should be entrusted to the judicial magistrates.

I think, the hon. Minister will consider all my suggestions and will take early steps for fixing the seniority of the judicial officers who have been transferred from Punjab and also for recommending to the High Court to invest all those judicial magistrates with civil powers also.

With these words, I support the Bill.

**SHRI SRINIBAS MISRA (Cuttack):** Mr. Chairman, although very late, still after

a period of about 22 years this Government is coming forward with a Bill to separate the judiciary from the executive in order to implement the Directive Principles under Art. 15, at least in a limited sphere of the Union Territory.

So far as the principle is concerned, I whole-heartedly welcome the Bill because it is a measure in the right direction. But I will take the Minister at his word that he will bring certain matters within the purview of the Judicial Magistrate if it is pointed out that they really come within the judicial sphere. Also there are compelling circumstances which will compel the Minister to bring certain matters within the judicial sphere although he has in the Bill put them under the executive sphere.

For the purpose of separation of judicial functions from the executive functions two things are to be borne in mind. What is a judicial function? What is an executive function? The judicial function is that which involves the exercise of judicial mind, involves examination of witnesses, sifting of evidence and coming to a conclusion. That is the judicial process. It is separate from the executive process of taking action on certain things whatever may be the reason. It does not mean examining witnesses, examining documents, coming to a decision and sifting of evidence. Here in clause 5 of the Bill this distinction has been clearly kept in mind:

"Where under any law the functions exercisable by a Magistrate relate to matters which involve the appreciation or sifting of evidence or the formulation of any decision which exposes any person to any punishment, or penalty, or detention in custody pending investigation, inquiry or trial or would have the effect of sending him for trial before any court, such functions shall, subject to the provisions of this Act and the Code of Criminal Procedure, 1898, as amended by this Act, be exercisable by a Judicial Magistrate...."

So this Bill fixes it as a principle as to what is a judicial function and rightly so. Now it has to be seen whether this principle has been observed in the body of the Bill.

[Shri Srinibas Misra]

This Bill consists of two parts—(1) the Bill proper and (2) the Schedule. After enunciating the principle and giving certain power to the Magistrates of the Union Territories which is another step in the right direction, a schedule has been appended to the Bill. Some amendments are sought to be made in the Criminal Procedure Code for giving effect to the provisions of this Bill. So the Schedule is subject to Sec. 5.

In this Bill the Criminal Procedure Code is sought to be amended so as to put such provisions of Sections 107, 108, 109 and 110 of the Cr.P.C. and also 113 and 145 under the Executive Magistrate. We all know how the British regime used Sections 107 to 110 against the freedom fighters and against the people of this country. Even now some Governments are also showing an expert hand in making use of Sections 107-110 for curbing popular agitation. These are handy weapons in the hands of Police and in the hands of Magistracy to suppress the people whenever the executive wants it. That is why there has been a regular agitation that these provisions should be taken out from the hands of the executive and should be entrusted to the judiciary.

Secondly in certain States where there has been a separation of the Executive from the Judiciary, these matters have been left undecided. We expected that when the Union Government is coming forward with such a Bill, they would take a clear stand regarding these matters. To illustrate I will refer to those sections of the Criminal Procedure Code and try to show to the Minister so that he will be true to his word and will transfer the matters from executive to the judiciary. These sections relate to shifting of evidence, appreciation of evidence and coming to a conclusion and subjecting some citizen to some disqualification, detention and imprisonment.

Section 107 says like this. I do not want to read out the whole section. I will read the heading only. I say: "Security for keeping the Peace in other cases and security for good behaviour." Except the cases mentioned, in other cases, security is necessary. Section 108 provides for "Security for good behaviour from persons disseminating seditious matter." I will now point out how it is being used.

Section 109 provides for security for good behaviour from vagrants and suspected persons.

Now, while moving about from Delhi to Haryana, I may be called a vagrant and may be sent to prison.

Now, section 110 provides for security for good behaviour from habitual offenders.

The procedure for the exercise of the powers under sections 107 to 110 are laid down in Sections 112 to 117.

Section 112 requires that the order should be communicated, notice should be given in writing to the person concerned. Section 113 requires that if the person in respect of whom such order is made is present, in court it shall be read over to him, or, if he so desires the substance thereof shall be explained to him.

I would like to mention Section 117. It says:

"117(1) When an order in section 112 had been read or explained under section 113 to a person present in Court, or when any person appears or is brought before a Magistrate in compliance with, or in execution of, a summons or warrant issued under section 114, the Magistrate shall proceed to inquire.....

I want to underline these words—*shall proceed to inquire.....*

".....into the truth of the information upon which action has been taken, and to take such further evidence as may appear necessary."

And, Sir, the power to inquire and to take evidence is exercised under Section 117, sub-clause (1). Now, shall I read sub-clause (2)? It says:

"Such inquiry shall be made, as nearly as may be practicable, in the manner hereinafter prescribed for conducting trials and recording evidence in summons cases."

Sir, it is a trial and then recording of evidence as in the summons cases. We all know this. It is common-knowledge that the summons cases are types of cases which are tried under this procedure. That is where criminal offence cases are tried under summons procedure. This is done under summons procedure. And, Sir, summons procedure is prescribed in Sections 107 to 110. Now, I will read sub-clause (3) of Section 117. It says:

"Pending the completion of the inquiry under sub-section (1), the Magistrate, if he considers that immediate measures are necessary for the prevention of a breach of the peace or disturbance of the public tranquillity or the commission of any offence or for the public safety, may, for reasons to be recorded in writing, direct the person in respect of whom the order under section 112 has been made to execute a bond, with or without sureties for keeping the peace or maintaining good behaviour until the conclusion of the inquiry and may detain him in custody until such bond is executed or, in default of execution, until the enquiry is concluded."

Under the principle laid down in clause 5, an order will be passed. It is a decision which imposes any punishment or penalty or detention in custody. The procedure prescribed for inquiring into matters pertaining to Sections 107 to 110 are all covered by the provisions under Clause 5 of the Bill which is clear. It is a clear case where judicial powers are being exercised and it ought to be triable by judicial magistrates. Then section 133 provides.....

MR. CHAIRMAN: At this stage, is it necessary to go all over because we are having a second reading?

SHRI SRINIBAS MISRA: After this I shall say "I move my amendments". I need not say anything further. I want to give the Minister time to consider whether he can accept this or not.

Section 133 provides for removal of public nuisance. Here the Magistrate may make a conditional order requiring the person causing such obstruction or nuisance

or carrying on such trade or occupation or keeping any such goods or merchandise, or owing, possessing or controlling such building, tent, structure, tank, well or excavation, or owing or possessing such animal or tree, within a time to be fixed in the order...So many Magistrates can do so many things under this section. Section 133 also provides that no order duly made by a Magistrate under this section shall be called in question in any Civil Court. That means the order passed by the Magistrate cannot be challenged in a civil court. Then, what is the prescribed procedure? Summary procedure. Section 134 says that a notice regarding 133 would be served on the person. Section 135 relates to the person to whom order is addressed and he has either to obey or show cause. Section 137 says:

If he appears and shows cause against the order, the Magistrate shall take evidence in the matter as in a summons-case.

So, under 137, the Magistrate shall take evidence; he has to sift the evidence. Therefore, the judicial mind comes into play.

If the Magistrate is satisfied that the order is not reasonable and proper, no further proceedings shall be taken in the case.

If the Magistrate is not so satisfied the order shall be made absolute.

Section 138 provides for inquiry into 133 matters with the help of a Jury. If all these judicial procedures are prescribed, why should such a case be tried by an executive Magistrate? It is in the fitness of things that it should be tried by a judicial Magistrate as laid down in Clause 5 itself. Then comes the most controversial and the most tantalising section—section 145. This section relates to possession of land and immovable property.

SHRI R. D. BHANDARE (Bombay Central): Here the power of the civil court is not taken away.

SHRI SRINIBAS MISRA: And therefore people have the remedy to go to the civil court ultimately. But that does not take away the character of the inquiry.

[Shri Srinibas Misra]

It is a judicial inquiry. Whatever may be the ultimate result after going to the civil court or High Court or even the Supreme Court, the inquiry under section 145 is a judicial inquiry. I shall prove it from the Section itself. Sub-section (4) of section 145 says:

The Magistrate shall then without reference to the merits or the claims of any of such parties to a right to possess the subject of dispute, peruse the statements, documents and affidavits, if any; so put in, hear the parties and conclude the inquiry, as far as may be practicable, within a period of two months from the date of the appearance of the parties before him, and, if possible decide the question whether any and which of the parties was at the date of the order before mentioned in such possession of the said subject:

Provided that the Magistrate may, if he so thinks fit summon and examine any person whose affidavit has been put in as to the facts contained therein.

The Magistrate also may summon persons and hear them: That means there will be examination, cross-examination, sifting of evidence and coming to conclusion regarding possession. It is a judicial decision as to which person or which party is in possession of the property. How can it be said that it is an executive function? If it has to be decided between claims and counter-claims it must be a judicial decision. Executive cannot decide it showing favours and saying: "This property is in your possession."

That cannot be done. Under section 144, the executive has got that right, and if there is some possibility of breach of peace, the executive can exercise that right. But here, one has to decide a claim and a counter-claim between two contestants. Therefore, it is a judicial process. So, it must legitimately go to the judicial magistrate.

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I hope that the hon. Minister will be as good as his word, and after being convinced that these are really judicial processes, he will at least agree to include sections 107, 110, 133 and 145 in the Schedule under the

heading 'triable' and as being within the jurisdiction of the judicial magistrate.

SHRI R. D. BHANDARE (Bombay Central): After hearing the arguments of my hon. friend Shri Srinibas Misra, I have to support him *in toto*. Perhaps, there may be some doubt regarding 145.

While supporting my hon. friend I would like to draw your attention to the Statement of Objects and Reasons. I think the constitutional position is quite clear. The constitutional obligation under article 50 clearly says that the executive power should be separated from the power of judiciary. Not only have we accepted the theory of separation of powers but we have also accepted the Directive Principle in the Constitution itself that the judiciary must be separate from the executive.

Now, what is the difference between the judiciary and the executive? The executive magistrate is responsible to the executive, while judicial magistrate is responsible to the High Court. Under the Union Territories Act, it has been clearly mentioned that there would be two types of magistrates, namely the executive magistrates and the judicial magistrates. In the Bill it has been provided that the appointment of judicial magistrates will be done with the approval of the High Court. So, the judicial magistrate is responsible to the High Court, in the matter of appointment as well as for all other practical and theoretical purposes. In other words, what I want to suggest is that the judicial magistrate will be impartial and will not be amenable to any suggestion or pressure from the executive.

In clause 5, the functions of the judicial magistrates are very well defined. It has also been laid down who can be called a judicial magistrate, what his functions are and so on. Even an ordinary trial or inquiry is considered to be a function of the judicial magistrate. So, apart from the question of trial, even in an enquiry, the judicial magistrate shall have to apply his judicial mind. In other words, when the judicial magistrate functions in his judicial capacity, he has to apply his judicial mind and a judicial approach is made, and there is exercise of the judicial mind. When the

executive powers are exercised by the executive magistrate, then such judicial approach need not be there. Of course, it is incumbent on the part of the executive magistrate also that he should act in a judicial manner. But it is not compulsion. But in the case of the judicial magistrate, there is such a compulsion. So, in every trial that is conducted by a judicial magistrate, he has to exercise his judicial mind and make a judicial approach to the question before him.

In the light of these general propositions, let us apply our mind to the Cr. P.C. sections 107-110 and 133 along with 137, 138 and 145. The heading of that chapter is Prevention of Offences. Who is to determine whether certain acts are considered to be offences or not? It is the police which has to do it. And who is to decide whether that act should be prevented or not? Again it is the police which has to determine whether that particular act is considered to be an act which is an offence and which ought to be prevented at all costs.

Coming back to sec. 107, it speaks of security for keeping the peace. Now here the police exercises its discretion, takes the person before a magistrate. If he is taken before the executive magistrate, then two minds are likely to coincide, likely to come to the same conclusion, and then the innocent person may be asked to give a bond of good behaviour for the purpose of keeping the peace. The mind of the police is already determined. Along with that, if the executive magistrate were to deal with the offence, then the magistrate's mind also may be determined. Therefore, we say that such types of prevention of offences or such type of actions or the procedure for dealing with them should be entrusted to a judicial magistrate.

Then coming to sec. 108, it relates to security for good behaviour from persons disseminating *sedition* matter. Whether a matter is seditious or not and whether the act is of a disseminating nature or not ought to be decided by a judicial mind and not by the executive mind. Hence Shri Misra's plea that inquiry under this section should also be entrusted to a judicial magistrate.

I need not deal with sections 110, 117 and 118. I will come to sec. 133. Take an illustration. There is a house which is abutting on a public road and the police officer takes it into his head that it is a public nuisance. Therefore, he gives notice and that person is taken to an executive magistrate. What remedy can the poor fellow have? His house is just near about the road. The matter is already decided by the police that it is a public nuisance. If again the executive magistrate is to decide, then there is the end of the matter.

Then sec. 137 is quite clear. Civil proceedings are completely barred under it.

If there is any slightest possible doubt, whether this matter should be enquired into by the executive magistrate or by the judicial magistrate, we have to read section 138. Section 138 deals with the seriousness of the matter. This clause clearly lays down that if the public nuisance is to be determined, it should be determined and decided with the help of the jury. Our law-makers have gone to the extent of saying that the determination of public nuisance is such a serious matter, and it should be decided with the help of the jury. Even clause 133 should therefore be taken out of the jurisdiction of the executive magistrate.

#### 16 hrs.

With these words, I support the plea made by my friend and I also request the hon. Home Minister just to apply his mind...

**SHRI SRINIBAS MISRA:** Not executive mind, but judicial mind.

**SHRI R. D. BHANDARE:** Yes; judicial mind, to the plea and to the points which we have raised before this House.

**श्री महाराज सिंह भारती (मेरठ) :** सभा-पति महोदय, पूरी दुनियां तानाशाही और जनतंत्र में से जनतंत्र को पसन्द करती है। जो लोग अपने यहां जनतंत्र नहीं रखते, वे भी उसे जनतंत्र ही बताया करते हैं। क्या फैक्ट है दोनों में? तीन काम होते हैं; एक, नीति निर्धारित करना; दूसरे उस नीति को अमली जागा पहनाना और तीसरे, उस नीति का

## [श्री महाराज सिंह भारती]

मतलब बताना। तानाशाही में ये तीनों काम एक ही जगह होते हैं। जो तानाशाह ने कह दिया, वही नीति है। वही उस पर अमल करेगा और वही अपने हिसाब से उसका मतलब बतायेगा। जनतंत्र में ये तीनों काम अलग-अलग एजेन्सीज द्वारा होते हैं। जो राजनीतिज्ञ हैं, वे नीति निर्धारित करेंगे। जो कार्यपालिका है, वह उस पर अमल करेगी और जो न्यायपालिका है वह उसका अर्थ बताएँगी: अगर ये तीनों काम अलग-अलग नहीं होते हैं, तो फिर जनतंत्र का कोई मतलब नहीं रह जाता है।

इस देश में 20, 22 साल तक यह पाप होता रहा—न्यायपालिका और कार्यपालिका एक जगह मिल कर चलते रहे, जिससे इस देश में कई किस्म की भ्रांतियाँ और भगड़े पैदा हुए। सरकार को इतने दिनों के बाद बुद्धि आई, यह बड़ी अच्छी बात है। कहते हैं कि देर आयद, दुरुस्त आयद। लेकिन कुछ मर्जं ऐसे होते हैं, जिनमें अगर जहरत से ज्यादा देर हो जाये, तो बहुत ज्यादा नुकसान हो जाता है।

आज लोग हमारी जुडिशरी के ऊपर वाले हिस्से पर उंगली नहीं उठाते हैं—बहुत कम उठाते हैं, लेकिन जुडिशरी के नीचे वाले हिस्से पर बड़े पैमाने पर उंगली उठने लगी है, उसका एक बड़ा कारण यही है कि कार्यपालिका के लोगों ने अपने और जुडिशरी के, इन दोनों अधिकारों के मिलने के बाद न्यायपालिका को बदनाम किया है। जब एक दफा अट्टाचार चालू हो जाता है, तो उसके बाद फिर वह अट्टाचार जरा दूर तक चल जाया करता है। इतनी देर के बाद यह कानून लाया गया है, यह एक अच्छी बात है और मैं उसकी तारीफ करता हूँ। लेकिन जनतंत्र में ऐसा हुआ करता है कि अगर कोई छोटी सी गलती हो जाए, तो कभी-कभी उसके बड़े खराब नतीजे निकला करते हैं।

जैसे, अंग्रेजी जमाने के छोड़े हुए आई० सौ० एस० और मौजूदा जमाने के आई० ए०

एस० प्रशासन के विशेषज्ञ हैं। उन लोगों को जब किसी विशेषज्ञ विभाग का विशेषज्ञ बना दिया जाता है, जैसे इंजीनियरों या डाक्टरों के ऊपर बिठा दिया जाता है, या कृषि, रेलवे बिजली के ऊपर बिठा दिया जाता है, तो चूंकि वे प्रशासन के पंडित उस विभाग के विशेषज्ञ नहीं होते हैं, इसलिये आज के तकनीकी विकास के युग में कई तरह के भंडाट लड़े हो जाते हैं और वे महकमे चौपट हो जाते हैं। पिछले बाईस सालों से हम यह देखते चले आ रहे हैं। जिन बूढ़ों को तजुर्बेकार कहा जाता है, अगर उन बूढ़े तजुर्बेकार प्रशासन के विशेषज्ञों के बजाय कम उम्र के सम्बद्ध विषयों के विशेषज्ञों को ऊपर बिठा दिया जाता तो कहीं ज्यादा अच्छी सरकार चलती और वे लोग कहीं ज्यादा अच्छा मशवरा सरकार को देते।

यह नहीं समझ लेना चाहिये कि कार्यपालिका और न्यायपालिका के एक जगह चलने से तकलीफ सिर्फ जनता को हुई है। बहुत से ऐसे कार्यपालिका में काम करने वाले अफसर भी हैं, जिनके सामने कई बार ऐसे घर्म-संकट लड़े हो जाते थे कि वे बेचारे परेशान हो जाते थे। मैं इस सम्बन्ध में एक घटना बताना चाहता हूँ।

कई साल पहले ‘अंग्रेजी हटाओ’ आंदोलन में मैं लखनऊ में गिरफ्तार हुआ। एक ए० डी० एम० के यहां मेरा केस था। अमीनाबाद पार्क के डाक्लाने के सिर्फ अंग्रेजी वी वाले हिस्से को मैंने तारकोल से पोता था। एक दिन अचानक वह ए० डी० एम० जेल देखने के लिए चले आये। किसी आदमी ने उन्हें मेरा नाम बताया था। वह सीधे मेरे पास चले आये। मैं एक बेड के नीचे बैठा किताब पढ़ रहा था। उन्होंने कहा, “आपका नाम भारती है?” मैंने कहा, है तो। उन्होंने कहा, “मैं आपसे मशवरा करना चाहता हूँ।” मैंने पूछा, “जनाब का परिचय?” उन्होंने जबाब दिया, “मैं ए० डी० एम हूँ।” आपका केस मेरे यहाँ है।” मैंने कहा कि वह मेरे और लीडरों से बात करें। “नहीं, आपसे बात करनी है,”

उन्होंने कहा । “क्या बात करनी है ?” उन्होंने कहा, “देखिए आपने अंग्रेजी का थोड़ा सा हिस्सा तारकोल से भिटा दिया । दो रुपये का नुकसान हो गया होगा । उसके लिए मैं आपको क्या सजा हूँ ? जुडिशस माइन्ड तो कहता है कि आपको अदालत के उठने तक की सजा दे हूँ । लेकिन मैं ए.डी.ए.म० हूँ । मैं प्रशासन का हिस्सा हूँ । मैं कार्यपालिका का हिस्सा हूँ । अगर मैं कम सजा हूँगा तो मेरी जिदी खतरे में पड़ जायेगी, मेरे बाल-बच्चे खतरे में पड़ जायेंगे । मेरी हैसियत नहीं है कि मैं आपको कम सजा हूँ और खास तौर से उस हालत में जबकि माइनारिटी कम्युनिटी, अल्प-संख्यक वर्ग का आदमी हूँ ।” वह बेचारा परेशान था ।

मैंने उसको कहा कि वह मुझे ज्यादा सजा दे दे । उसने जवाब दिया, “अगर ज्यादा सजा हूँ, तो अपील होगी और आप छूट जायेंगे । मेरे सिलाक स्ट्रिक्चर पास होंगे । मेरे करेक्टर रोल में एन्टी होगी । आपकी राजनीति की लड़ाई में मैं मर जाऊंगा ।”

मेरा घंट-संकंप आप समझ सकते हैं । मैंने कहा, “महाभारत के युद्ध में दिन भर दोनों पक्ष लड़ते थे और रात को जाकर एक पक्ष के लोग पूछते थे कि बाबा, तू तो मरता नहीं है, कोई तरकीब बताओ कि तुम्हें मार दें । बाबा ने कहा कि किसी हिंजड़े को सामने खड़ा कर दो और मुझ पर तीर चलाते जाओ, मैं हथियार फेंक दूंगा और तुम्हारा काम हो जायेगा ।” मैंने ए.डी.ए.म० साहब से कहा, “उमी तरह से आप मुझसे पूछने आये हो कि हम किस तरह से मर सकते हैं । हमारे लीडर, डा० राम मनोहर लोहिया, का कहना है कि सत्याग्रह करो तो दो चार दिन नींटकी के लिए न जाना, चार छः महीने के लिए जाना । अगर जुर्माना धर वालों को होगा और हमें अपील करनी पड़ेगी और अगर छः महीने की सजा होगी, तो हम अपील नहीं करेंगे । हम नैतिकता से, अपने लीडर के कथन से, बंधे हुए हैं ।” उसने कहा, “छः महीने ! छः महीने से तो सरकार परम् प्रसन्न हो

जायेगी ।” वह अगले दिन से उसने छः महीने की सजा ठोकनी शुरू कर दी, जुर्माना नहीं किया । मेरे सब साथी चप्पल उठाकर मेरे पीछे आये । उन्होंने कहा कि उसकी हिम्मत जुर्माना, या ज्यादा से ज्यादा एक हफ्ते की सजा, से ज्यादा करने की नहीं थी, तुमने छः महीने की सजा करा दी । मैं क्या करता ?

कार्यपालिका के उस आदमी को न्यायपालिका का काम दिया हुआ था । वह दोनों काम कर रहा था । फिर भी उसका दिमाग बहुत परेशान था । वह पाप नहीं करना चाहता था । वह आदमी अब रिटायर हो गया है, वर्ना कोई ताज्जुब नहीं कि सरकार अब भी उसको कुछ कहती ।

सरकार ने कार्यपालिका को न्यायपालिका से अलग किया, लेकिन वह कार्यपालिका के मैजिस्ट्रेट बना रही है । बड़ा पाप उसने खत्म कर दिया, लेकिन छोटा पाप वह अब भी कर रही है । दफा 108 और 110 अब भी हैं । जानते हैं कि उसका क्या नतीजा निकलेगा ? जो गरीब आदमी चाहे बिना अपराध के ही जेल में चला गया, वह पुलिस की नजर में क्रिमिनल हो जाता है, उसका रजिस्टर कायम हो जाता है । जब भी पुलिस को कोई गवाही दिलवाने की जरूरत होती है, तो उस गरीब आदमी को तुलवाया जाता है । अगर वह भूठी गवाही नहीं देता है, तो वह मारा जाता है । ला.एन्ड.प्राईंस रखने वाले मैजिस्ट्रेट के हाक में दफा 108 और 110 रखकर उसको न्यायपालिका के उन अधिकारों की वजह से अमीर का कुछ बिगड़ने वाला नहीं है ।

किसी अमीर का तो वैसे भी नहीं ब्रिगड़ता है । लेकिन जो गरीब हैं, जो उसका शिकार है, वह तो बराबर उसका शिकार रहेगा और उसी तरह से उसकी स्थिति रहेगी । वह जिन्दगी भर के लिए क्रिमिनल बन जायगा और फिर जो आपके राजनीतिक प्रतिद्वंद्वी हैं उनको किसको कहाँ तक माफ करेंगे ? शुक्लाजी से व्यक्तिगत रूप से मैं प्रभावित हो

## [श्री महाराज सिंह भारती]

सकता हूँ। यह इत्मीनान कर कहता हूँ कि शायद यह आपने प्रतिद्वंद्वियों के साथ बुरा बताव न करें। लेकिन जिन्दगी भर न शुकला जी की गारन्टी है, न चलाण साहब की गारन्टी है। यह तो राजनीति है, कबूलतरखाना है, रोज़ यहाँ लोग आते हैं, राज जाते हैं। सरकारें बनती हैं, टूटती हैं। मिनिस्टरों के मुहकमे बदल जाते हैं। जरा सी बैंकिंग कम हो जाय तो उसी के अनुसार महकमे मिला करते हैं। तो इसकी कोई गारन्टी नहीं है। कानून इस तरह का होना चाहिए कि जिसका दुरुपयोग न हो सके। लेकिन इसको आप देखेंगे तो कार्यपालिका को जो थोड़ा सा न्याय-पालिका का अधिकार दे रहे हैं उसका निश्चित रूप से दुरुपयोग होगा। यही मुझे आशंका प्रतीत होती है। वरना तो जूडिशियरी और एग्जीक्यूटिव के अलग करने का सब लोग स्वागत करेंगे और मैं भी स्वागत करता हूँ इसका। सिफ़र वहीं हमारी शंका है। इन शब्दों के साथ मैं इसका समर्थन करता हूँ।

**श्री प्रेम चन्द वर्मा (हमीरपुर):** सभापति जी, मैं आपका धन्यवाद करता हूँ कि आपने मुझे थोड़ा सा समय दिया है। इस विषेयक का सम्बन्ध यूनियन टैरीटरीज से है और मैं भी हिमाचल प्रदेश जो कि यूनियन टैरीटरी है उससे आता हूँ। मैं इस विषेयक का स्वागत करता हूँ। जूडिशियरी और एग्जीक्यूटिव को अलग अलग करने का यह अच्छा प्रयत्न है। मैं समझता हूँ कि इसे पहले हो जाना चाहिए था। इसमें देरी हुई। लेकिन खैर, ठीक है, अब यह हो गया है।

इसका जहाँ मैं स्वागत करता हूँ वहाँ एक चिन्ता भी व्यक्त करता हूँ और वह यह है कि जब एग्जीक्यूटिव और जूडिशियरी इकट्ठी थी तो कई बार बैंसफियों का अजाला जो है वह सियासतदानों के जरिये हो जाता था। मैं इसको मुनासिब नहीं समझता हूँ, ठीक नहीं समझता हूँ। लेकिन हो जाता था। लेकिन अब पोजीशन यह होगी और मैंने देखा

है पंजाब में, मैं पंजाब में रहा हूँ जब पंजाब में यह अलग-अलग हुए थे, जूडिशियल मैजिस्ट्रेट जो बन जाते हैं, उनमें मैं यह नहीं कहता कि सब बुरे होते हैं, या सब बहुत अच्छे होते हैं, लेकिन कुछ लोग ऐसे भी होते हैं जिनको हम करपान से दूर नहीं कह सकते। वह उसमें रहते हैं। मैं आपके जरिए होम मिनिस्टर साहब से अर्ज करना चाहता हूँ कि अगर जूडिशियरी वाले करपान की तरफ बढ़ें और उनके फैसले उस रूप में होने लगें तो उम्रका कोई इलाज मुल्क के अन्दर नहीं है। ऐसे उदाहरण मेरे पास हैं कि अगर उनके खिलाफ शिकायत करते हैं तो कनटैप्ट आफ कोट्ट बनता है, अगर उनके खिलाफ कोई आन्दोलन करते हैं तो बात बनती नहीं है, उनके खिलाफ मुकदमे दर्ज होते हैं, तो उस सिलसिले में जब ऐसी बात हो जायगी तो फिर हिन्दुस्तान ऐसा मुल्क है जिसमें कोई भी आदमी यह नहीं कह सकता है कि जिस आदमी को जूडिशियरी में लाएंगे, जूडिशियल जज बनाएंगे, या कोई और महकमा देंगे या इंसाफ के लिए बिठाएंगे वह ऐसा दूष से धोया हुआ होगा कि बिलकुल वह इंसाफ पर चलेगा, बिलकुल पैसे के लिए या किसी चीज के लिए भी वह इंसाफ से नहीं ढिगेगा, यह हम नहीं कह सकते हैं। मैं आपके द्वारा होम मिनिस्टर से फिर कहना चाहूँगा कि जहाँ वह जूडिशियरी को अलग कर रहे हैं वहाँ इस बात का पूरा प्रयत्न करें और पूरी इस बात की शंका रखें अपने मन में कि वहाँ भी करपान हो सकता है और गरीब लोगों के साथ इंसाफ का खून वहाँ भी हो सकता है। इसलिए उसके लिए मैं उनसे अर्ज करूँगा कि कोई न कोई ऐसा तरीका अस्त्यार करें कि उनके खिलाफ जो शिकायतें हों वह सुनी जा सकें, उनके खिलाफ एन्वायरी हो सके, उन बातों की जांच हो सके। यह बहुत जरूरी चीज है जो कि जूडिशियरी को अलग करने में सोचनी होगी।

दूसरी बात मुझे यह अर्ज करनी है कि आज हिमाचल प्रदेश का हाई कोर्ट और दिल्ली का हाई कोर्ट एक है। मेरी माँग है कि

हिमाचल प्रदेश 22 हजार मुरब्बा मील का बहुत बड़ा प्रदेश है और उस 22 हजार मुरब्बा मील के प्रदेश में स्किट बैच वहां पर बैठती है, तो मेरी अजं इतनी ही है कि वहां पर पूरा हाई कोर्ट हिमाचल प्रदेश के लिए होना चाहिए। हिमाचल प्रदेश हाई कोर्ट बनना चाहिए। अब कभी दिल्ली में रहते हैं, कभी हिमाचल में रहते हैं, तो हमारे लिए यह बड़ा मुश्किल है। इसके साथ-साथ मैं अजं करना चाहता हूँ कि हिमाचल प्रदेश के दो इलाके हैं—एक कांगड़ा का इलाका 12 हजार मुरब्बा मील जिसका रकबा है और एक ओल्ड हिमाचल है। हम यह चाहते हैं और लोगों की बड़ी मांग इसके लिए है कि वहाँ पर एक स्किट बैच होनी चाहिए। साल में दो बार, तीन बार, चार बार जो भी हो लेकिन वहां के इलाके के लोगों को जोकि गरीब लोग हैं, फौजी लोग हैं उनको सत्ता न्याय मिले, इसपर भी वह विचार करेंगे।

इसके साथ मैं इस बात का भी स्वागत करता हूँ कि अगर हिमाचल प्रदेश का हाई कोर्ट और दिल्ली का हाई कोर्ट अलग-अलग हो जाता है तो दोनों प्रदेशों के लोगों को—जो वहां पर वकील हैं या छोटे जज हैं, उनको तरक्की करने का मौका मिलेगा। यह बहुत अच्छा साइन है कि जो पिछड़े हुए प्रदेश के लोग हैं उनको भी आगे आने का मौका मिलेगा। इसके अलावा मैं एक और बात अजं करना चाहूँगा और वह यह है कि जुडिशियरी में भर्ती के सिलसिले में और तरक्की के सिलसिले में जो बहुत से रूल्स और रेग्लेशन्स हैं, जो हाई कोर्ट के नीचे हैं सारे के सारे उन पर आपको दोबारा गौर करना होगा। यह मैं इसलिए इस सिलसिले में अजं करना चाहूँगा कि बहुत सी तरकियाँ, बहुत से एप्वाइंटमेंट्स सही तौर पर काम करने वालों को नहीं मिलते हैं। जो लोग इंसाफ करते हैं वास्तव में, उनसे नाराजगी पैदा होती है और वे किसी को खुश नहीं कर सकते हैं। इसलिए मेरी होम मिनिस्टर से अजं है कि एप्वाइंटमेंट्स जो हों,

जो प्रमोशंस हों, उनके बारे में इस तरीके से, इस ढंग से कोई इलाज किया जाये जिससे कि सही तौर पर जो काम करने वाले हैं, कोनिफ-डेंशल रिपोर्ट जिनकी अच्छी है, मासेज के अंदर जिनकी रेप्यूटेशन हो—इंसाफ का मतलब यह नहीं है कि वह जो किताबों में देखें बल्कि असल क्या है और इंसाफ क्या है उसको देखें, इंसाफ के ऊपर जो आदमी चलता है, जो सही इंसाफ करता है उसके बारे में होम मिनिस्ट्री को अपने तौर पर या हाई कोर्ट को अपने तौर पर जिस तरह से भी हो सके, यह मैं नहीं कह सकता किस तरह से हो सकता है, लेकिन जैसे भी हो यह बात जरूर होनी चाहिये कि वह लोग जो किसी बात में घबराएं नहीं, किसी बात से डरें नहीं, करक्षण नहीं करें, पैसे के लालच में या किसी तरीके से भी वह अपने इंसाफ को न छोड़ें, इंसाफ करें, उन की तरक्की के अंदर किसी तरह की रुकावट नहीं होनी चाहिए। मुझे इतना ही कहना या। यह कहते हुए मैं फिर इस विषेयक का स्वागत करता हूँ और समझता हूँ कि यूनियन टेरिट्रीज के लिए होम मिनिस्टर बहुत अच्छा विषेयक लाये हैं जिससे हम लोगों को सही तौर पर इंसाफ मिलेगा। इन शब्दों के साथ मैं आपका फिर धन्यवाद करता हूँ।

SHRI K. NARAYANA RAO (Bobbili): So far as the principle underlying this Bill is concerned, there is no dispute in this House. But, as regards the extent of the powers that are to be given to the executive magistrates, that has remained a bone of contention. The hon. Minister has stated the reasons why the powers have to be given to the executive magistrates. Equally strongly, Shri Srinibas Misra and Shri Bhandare suggested why it should not be done. To my mind, the truth lies somewhere in between.

The nature of the powers that have been given to the executive under this provision imply the appreciation of evidence, assessment of evidence, arriving at broad conclusions as well as an element of, what I could call, punitive measures. So far as the judicial functions are concerned, they are largely preventive in character—preventing a

nuisance, prevention of dissemination of seditious matter and so on. The authority has to take a decision then and there to prevent further deterioration of the situation. So, there is an element of urgency and also an element of judicial test. Such being the case, I do not know whether we have to trust the judiciary alone or we can give this power to the executive also. To my mind, we cannot give this power to the executive, as it is at present constituted. We have to carve out a new functional executive, slowly giving them the responsibility of assessing evidence and arriving at broad decisions, preventing people from doing certain things. Sir, we know pretty well the nature of the present executive. They discharge their functions, as part and parcel of the other executive functions, whereas the nature of the qualification and training required of an executive magistrate are totally different. Therefore, much can be said on both sides.

As the hon. Minister has said, this practice is not going to be confined only to particular areas. For instance, in Andhra Pradesh executive magistrates have been given functions like that. So, we have to consider the larger issue. I understand that there is going to be revision of the entire Code of Criminal Procedure. In that context, we may perhaps discuss it on a larger plane, when the States may be associated with it and we can also elicit public opinion on it and then arrive at broad conclusions.

SHRI P. RAMAMURTI (Madurai): Mr. Chairman, Sir, we have all been victims of preventive provisions of the Criminal Procedure Code. Those people, perhaps, some of them, may not be aware of them because in the Congress Party we find many new entrants who never have had the taste of proceedings under these Sections 107 to 110 of the Criminal Procedure Code.

I know it, as a matter of fact, that in many States, including Andhra to which he was referring, there are a number of cases and I know there are a number of cases in Telengana—I had a discussion with Mr. Brahmananda Reddy about four months ago; I do not want to divulge that—and I know there are cases in a number of States. The Chief Ministers find it very convenient to use these preventive Sections of the Criminal Procedure Code. They get executive officers to start proceedings against

political opponents and political workers. I know in Andhra alone nearly about 200 cases under these Sections of the Criminal Procedure Code have been started against members of our party during the last few years and the cases are never disposed of. I know similar things happening in some Union Territories also and I know similar things happening in a number of other States wherever the Congress Party is in power...

AN HON. MEMBER: What about States where Opposition is in power?

SHRI P. RAMAMURTI: We have not started that; we have said, we are not going to use that.

SHRI SRINIBAS MISRA: It is being used in Orissa.

SHRI P. RAMAMURTI: Orissa is a different matter. We have never used in Kerala and in West Bengal.

SHRI M. A. KHAN (Kasganj): Uttar Pradesh also.

SHRI P. RAMAMURTI: We are not there; I am not responsible for that. By whoever it might be, the fact is that it is being utilised against political workers or parties which are opposed to the party in power. That is the major question. It is very convenient for the Chief Ministers when this matter is entrusted to executive magistrates because they are, after all, under the disciplinary control of the executive itself. It is very easy for the Chief Ministers, for the Ministry, to start such proceedings and harass political workers and parties which are opposed to them. If the matter is entrusted to really judicial magistrates who will exercise judicial discretion and who, normally, will not be subject to the pressures from the executive, there is some likelihood of these people realising that it will be futile to start such proceedings and, if in spite of that they go on starting proceedings, there will be some other remedy. Therefore, I say, if you really want to separate judiciary from the executive, don't have this Bill. Don't try to deceive the people. All that I am pleading is, if you want to continue the present practice, you continue that but don't try to deceive

the people saying, "We have separated judiciary from the executive" and all that. Why have this farce? If you are really serious, you agree to put all these Sections 107 to 110 and Section 145 of the Criminal Procedure Code, all these things also, in the Schedule which fall under the judicial magistrate.

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA):** Mr. Chairman, Sir, many hon. Members, while speaking on the Bill, have referred to their local difficulties. Mr. Meghachandra from Manipur and Mr. Hem Raj and Mr. Prem Chand Varma from Himachal Pradesh have mentioned their local problems. These local problems could be considered in a different way and they would be, I am sure, considered in consultation with the hon. Members and could be solved. Here, I wish to limit myself with the main points that have been raised by the hon. Members.

I am very happy that this Bill has found unanimous support amongst the Members except that there was some difference of opinion about which powers are really judicial in nature and which are executive in nature. Regarding this particular question, I would say that Sections 107 to 110 and other Sections that have been quoted by the hon. Members, Mr. Srinibas Misra, Mr. Bhandare and Mr. Ramamurti are really the preventive sections of the Criminal Procedure Code.

I would not say that any executive power cannot be misused. Any executive power, whether it is under this section or some other sections, can be misused. But the prevention of misuse cannot be done at the courts. If the executive powers are misused, there are forums like Parliament, Vidhan Sabha and other places where any abuse of the executive powers can be brought forward and can be prevented by bringing public pressure, the pressure of public opinion and other things. But if the executive powers, which are really preventive powers, are handed over to judicial magistrates or judicial body, then it would be difficult to even conceive of running the administration in a proper manner. I would request Mr. Ramamurti to consult his own party members who are running two State Governments.

**SHRI P. RAMAMURTI:** I am sure.

**SHRI VIDYA CHARAN SHUKLA:** I am not absolutely sure of the present position.

**SHRI P. RAMAMURTI:** I am sure.

**SHAI VIDYA CHARAN SHUKLA:** But I would say that if judiciary has been separated from executive in West Bengal and Kerala, I am quite sure that these sections of the Criminal Procedure Code have been entrusted to the executive magistrates and they have not changed the situation so far. And they would be using it from time to time for their executive purposes. What I am saying is that these powers are mainly relatable to maintenance of law and order and for prevention of crime and other unhealthy activities. These are preventive. Even in the Criminal Procedure Code, the heading is 'Prevention of Offences. It is not as if these are clauses which enable the officers to determine who is the offender or to determine who has committed the offence...

**SHRI P. RAMAMURTI:** That is a much worse. Instead of deciding that so and so is a criminal, it will be much worse if I were to say that I am convinced that so and so is likely to be the criminal.

**SHRI VIDYA CHARAN SHUKLA:** This is a decision which has to be taken continuously by the executive officer—who is likely to cause a breach of peace. Suppose there is some dispute about property or trespass and immediately some action has to be taken. If it is entrusted to the judicial magistrate or if the judicial process has to be followed, then it will take so much of time that in the meanwhile there will have been breach of peace because of that dispute. I have carefully considered these. It is not that I am just out of hand rejecting all these things. As I have mentioned earlier, in the Joint Committee also there was discussion about these clauses because these amendments which were moved by Shri Misra were moved even before the motion referring it to the Joint Committee was moved. And the Joint Committee, which consisted of the representatives of almost all parties, did go carefully into this matter and ultimately came to the conclusion that it would be safe, it would be better, to leave

[Shri Vidya Charan Shukla]

these powers in the hands of executive magistrates rather than in the hands of judicial magistrates. I would not say that Mr. Misra has no case. Definitely he has a case in this matter. But if you balance the factors, it appears that it would be more beneficial from the point of view of public interest to have these powers in the hands of public servants who are doing the executive functions rather than in the hands of those who are doing judicial functions. If these powers are given in the hands of judicial magistrates, there might be some disturbances and delays in handling law and order matters which might affect public interest in an adverse manner. Looking to the exigencies of administration and the situation prevailing, I think, it will be in public interest to keep these powers in the hands of executive magistrates rather than in the hands of judicial magistrates.

Therefore, I would request the hon. Member to withdraw his objections and let the Bill, which has received his support of all sections of the House, to be passed unanimously.

**SHRI SRINIBAS MISRA:** Is he giving an assurance that he is thinking of dividing this section, and so far as preventive action, which is required to be taken at once, will be taken by the executive, but the decision part will go to the judiciary? (*Interruption*) After the trial, the judgment of the judiciary should prevail. Is he giving any such assurance?

**SHRI VIDYA CHARAN SHUKLA:** We will consider it.

**MR. CHAIRMAN:** Mr. Shiva Chandra Jha, are you withdrawing your amendment?

**श्री विद्या चरन शुक्ला :** मैं यह कहना चाहता हूँ कि मुझे या तो आप इसी समय बोलने दें या किर थड़े रीढ़िग के समय बोलने दें।

**MR. CHAIRMAN:** The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 16th August, 1969." (15)

*The motion was negatived.*

**MR. CHAIRMAN:** Now, the question is:

"That the Bill to provide for the separation of judicial and executive functions in Union territories, as reported by the Joint Committee, be taken into consideration."

*The motion was adopted.*

We will now proceed with clause by clause consideration.

#### Clauses 2 to 9

**MR. CHAIRMAN:** There are no amendments to these clauses. So the question is:

"That clauses 2 to 9 stand part of the Bill."

*The motion was adopted.*

#### Clauses 2 to 9 were added to the Bill.

#### The Schedule

**MR. CHAIRMAN:** Now there are two Government amendments, Amendments 3 and 4.

**SHRI VIDYA CHARAN SHUKLA:** I beg to move:

Page 5, line 16,—

for "1968" substitute—  
"1969". (3)

Page 7, line 10,—

for "1968" substitute—  
"1969". (4)

**SHRI SRINIBAS MISRA:** In view of the assurance given by the Minister that he will consider the question of separation of executive and judicial part of Sections 107 to 110 and 133 and 145 in future, I am not pressing those amendments.

**MR. CHAIRMAN:** Mr. O. P. Tyagi has not moved his amendments.

**MR. CHAIRMAN:** I shall now put Government's amendments 3 and 4 to the vote of the House. The question is:

Page 5, line 16,—

for "1968" substitute—  
"1969". (3)

Page 7, line 10,—

for "1968" substitute—  
"1969". (4)

*The motion was adopted.*

MR. CHAIRMAN: Now the question is:

"That the Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*The Schedule, as amended, was added to the Bill.*

*Clause 1—(Short title, extent and Commencement.)*

*Amendment made:*

Page 1, line 4,—

for "1968" substitute "1969" (2)

(*Shri Vidya Charan Shukla*)

MR. CHAIRMAN: The question is:

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

**Enacting Formula**

MR. CHAIRMAN: There is a Government amendment.

*Amendment made:*

Page 1, line 1,—

for "Nineteenth" substitute—  
"Twentieth" (1)

(*Shri Vidya Charan Shukla*)

MR. CHAIRMAN: The question is:

"That the enacting formula, as amended, stand part of the Bill."

*The motion was adopted.*

*The Enacting Formula, as amended, was added to the Bill.*

*The title was added to the Bill.*

SHRI VIDYA CHARAN SHUKLA: I move that the Bill, as amended, be passed.

MR. CHAIRMAN: Motion moved:

"That the Bill, as amended, be passed."

**श्री विद्या चरण शुक्ला (मधुवनी) :** महोदय, मैं इस विषेयक का मोटे तौर पर समर्थन करता हूँ। यह बात सही है कि जो इन्साफ करने वाला है वही जब ऐंजीक्यूटिव का भी अधिकारी हो जाता है तो सही रूप में इन्साफ नहीं हो पाता है। इसमें ज्यादा मतभेद नहीं हो सकता। लेकिन जो बात मैं आपके सामने रखना चाहता हूँ वह यह है कि जब आप यूनियन टैरीटरीज में यह कदम उठाने जा रहे हैं तो क्या आप ऐसा भी सोच सकते हैं कि संविधान में परिवर्तन लायें जिसके अनुसार जो हमारे लोअर जेज दों, डिस्ट्रिक्ट जेज दों, वे इलेक्टेड हों? जज का चुना जाना यह एक आश्चर्य की बात है। लेकिन मैं समाजवादी और साम्यवादी देशों की बात नहीं करता जहां कि कोशिशें हुई हैं डेमोक्रेटाइज करने की। मैं पूँजीवादी देशों की बात कर रहा हूँ। दुनिया में ऐसे भी राज्य हैं जहाँ पर चुने हुए जेज होते हैं। आपको पता है कि कैली-फोरनिया में सकिट कोर्ट के जेज इलेक्टेड होते हैं। दिलीप सिंह, जो सीनेट के मेस्टर थे, वह सकिट कोर्ट के जज चुने गये जनता द्वारा। तो यह तरीका जनतन्त्र के आदर्श के लिए एक अच्छी बात है। मैं चाहता हूँ जहाँ तक हो सके हमारे रिप्रेजेनेटिव, जेज चुने जायें। इसलिए संविधान में संशोधन करके क्या आप

[श्री शिव चंद्र भाजे]

ऐसा सोच रहे हैं कि जबेज़ चुने जायें, जुड़िशियरी इलेक्टेड हो अपने देश की परिस्थितियों के मुताबिक़ ?

मैं मानता हूँ कि अमरीका के पुराने इतिहास में जायें तो हो सकता है कि वहाँ कुछ ऐसी परिस्थितियाँ रही हों। लेकिन वैसे भी जज का चुना जाना जनतन्त्र के आदर्शों के मुताबिक मालूम होता है। इसलिए यूनियन ट्रीटीट्रीज में जब जुड़िशियरी और एजीस्यूटिव को अलग करने जा रहे हैं तो यह अच्छी बात होती कि सरकार इस बात पर गोर करती कि जुड़िशियरी के जो आदमी हैं वह चुने जाये। इस तरह का रास्ता यदि सरकार अपनानी तो सोने में सुगन्ध की बात हो जाती।

MR. CHAIRMAN: Now, the question is:

"That the Bill be passed."

*The motion was adopted.*

MR. CHAIRMAN: We pass on to the next item—Companies (Amendment) Bill. The hon. Minister.

— — —

16.39 hrs.

#### COMPANIES (AMENDMENT) BILL

THE MINISTER OF INDUSTRIAL DEVELOPMENT, INTERNAL TRADE AND COMPANY AFFAIRS (SHRI F.A. AHMED): Sir, I beg to move:

"That the Bill further to amend the Companies Act, 1956, be taken into consideration."

I would like to remind the House that some time in 1967 when a Private Member's Bill was introduced by the hon. Member (Shri Madhu Limaye) I had given an assurance to the House in December, 1967, that I would introduce a Bill to serve the same purpose which the hon. Member had in view, that is, to bar donations by companies to political parties and individuals for

political and elections purpose. The Bill, which is now before this House, fulfills the assurance given by me.

In this Bill, as the hon. Member might have noticed, there are provisions which will make it impossible for a company to make any contribution to political parties. Under existing provisions, a company can give a donation to the extent of Rs. 25,000 or 5% of the average profit of 3 years preceding the year when the donation is made.

This Bill seeks to do away with this right of the company and even of the Board of Directors to give any donations to political parties particularly for election purposes.

It also provides that any one found guilty, for violating this provision, can be punished upto a term of 3 years.

These are the two main provisions which have been made and which will serve the purpose of prohibiting companies from giving donations to political parties either for political purposes or for election purposes.

I need not refer to the reasons regarding this prohibition because this matter has been discussed both outside and also in this House on several occasions. In fact, even before Shri Madhu Limaye introduced this Bill in the present Lok Sabha, many members in the earlier Lok Sabha had also tried to introduce a Bill seeking the authority of this House to ban contributions to political parties. But for one reason or other, these cou'd not be pursued by this House and it became necessary for Shri Madhu Limaye to introduce the Private Member's Bill. When that Bill was discussed I gave the assurance to introduce a bill on behalf of the Government and I am fulfilling that assurance now.

Not much argument is required to support these provisions and I hope that the House will unanimously support the move of the Government. This, I think, will be in the interest of the country and will help in clean public behaviour. All kinds of suspicions and doubts are now raised. I think the ban to give donations to political parties will remove such doubts and it will be better both for the Government benches

and also others to feel that the public life is clean and the means by which a company or any one who has something to do with these companies can have any influence over political activity or elections.

The second important provisions which this Bill includes is in respect of abolition of managing agency system. I think the Hon. Members will agree with me that this system of the managing agency is an outmoded system.

**SHRI M. R. MASANI (Rajkot):** Question.

**SHRI F. A. AHMED:** It was a system actually introduced in this country by the British people and this ought to have gone with the British rule. But it has remained in our country, though the people who had introduced this system and who were actually the beneficiaries at that time are no longer in charge of administration of our country. I think, Hon. Members will also agree with me that, apart from U.K., in no other country this managing agency system exists or is given that opportunity which has been given in our country for managing the affairs of companies. Under the existing provisions, the authority has been given to Government by notification to abolish the managing agency system. On the basis of the report of a Committee, it was decided that in five industries this managing agency system should be abolished, under the notification the opportunity has been provided to these units to wind up their business by 1970. As a result of this action taken by the Government, about 226 companies will not have any managing agency system by the end of March 1970. But instead of leaving this authority to the Government and instead of allowing this inequitable position this Bill seeks to make a provision for abolishing the managing agency system in all the companies. Under the proposed amendment time is given to the companies that is to say by the 3rd of April 1970 all the managing agencies which have not in the meanwhile ceased to exist will be abolished. Therefore this bill also includes and the very good provision which will be helpful for the clean development of company affairs in our country.

Recently, we had also introduced the system of secretaries and treasurers. We found that that system also was not very useful and it suffered more or less from the same evils as the managing agency system. Therefore, we have provided in this Bill a provision which will do away with the system of secretaries and treasurers. These are the main provisions of this Bill.

I need not at this stage enter into further detail before the House. I am sure hon. Members realise the utility or usefulness of the provisions for which I now seek the sanction of this House and therefore it is not necessary for me to give in detail the reasons for these amendments in the Act which placed before the House. If any question arises in the course of discussion and if any hon. Member requires any matter to be clarified, I shall be glad to do so, after I have had the benefit of views from hon. Members. At the present moment, I only command my motion for the acceptance of the House.

**MR. CHAIRMAN:** Motion moved:

"That the Bill further to amend the Companies Act, 1956, be taken into consideration."

The time allotted for this Bill is only 4 hours. So, I would request hon. Members to be very brief.

**SHRI M. R. MASANI (Rajkot):** I beg to move:

Companies Act, 1956 be referred to a Select Committee consisting of 21 Members, namely: Shri N. Anbuczezhian, Shri Frank Anthony, Shri Surendranath Dwivedy, Shri Hari Krishna, Shri Hem Barua, Shri Humayun Kabir, Shri S.M. Joshi, Shri Kameshwar Singh, Shri S. S. Kothari, Shri J. B. Kripalani, Shri D. K. Kunje, Shri Bal Raj Madhok, Shri H. N. Mukerjee, Shrimati Sharda Mukerjee, Chaudhary Nitiraj Singh, Shri P. Ramamurti, Shri N.G. Ranga, Shri Narendra Kumar Salve, Shri Prakash Vir Shastri, Shri S. N. Shukla; and Shri M.R. Masani.

"That the Bill further to amend with instructions to report by the last day of the first week of the next session."

(5)

[Shri M. R. Masani]

The 21 names cover Members of all parties including the ruling party and it is our wish that this Bill, which is highly controversial, should be scrutinised and carefully examined by a Select Committee representative of this House.

There are two entirely unrelated provisions in this measure to which the hon. Minister has referred. There is nothing in common between them except that they both make amendments, as it happens to the same law.

The first change that is proposed is to do away with contributions or donations by companies to political parties and to individuals for political purposes.

As it happens, the first time this issue was raised in this House was by myself in 1960 when the Companies (Amendment) Bill was before the House. I had then moved an amendment in precisely the same sense as the hon. Minister has now belatedly come round to doing. Unfortunately, the Congress Party alone in this House had the distinction of opposing that reform. Shri Lal Bahadur Shastri, who was then in charge of the Bill was, however, a good and sympathetic friend of mine. He conceded on the floor of the House that there was a great deal to be said for my amendment and he was rather sad for reasons he did not disclose to have to oppose it but he would meet part of the proposal and he made a compromise which he offered, which was the compromise to which the hon. Minister has referred, namely a ceiling of Rs. 25,000 or 5 per cent of the profit whichever was greater; and another amendment which I had moved he accepted, namely, that the amount should be shown in the balance sheet of the company for the year in question. I was sorry to have to turn down his compromise and insisted on dividing the House. I am glad to say that all Opposition Parties without exception voted for my amendment except the great socialist party led by the great socialist, Pandit Jawaharlal Nehru. Now, at least nine years later, these gentlemen have picked up enough courage to do without a part of the funds that they extort and extract from organised business.

We support clause 3 of the Bill, which is the first part of this measure for two or

three very good reasons of principle. We in this Party are opposed to money power on the strength of which the Congress Party has ruled India to its disaster for the last twenty years. We are opposed to the use of money power whether it comes from the rich or it comes from a totalitarian dictatorship abroad to their Fifth Columns in this country; both are equally objectionable. The second reason why we oppose company contributions to political parties is that this has become particularly pernicious in a controlled economy. Where there is unfettered free enterprise, the hold of Government over enterprises is minimal, and business can decide for itself what it wants to do. But where, as in India, a State-Capitalist economy is operated under the specious name of 'socialism' and Government have got all enterprises by the throat, they can not only get free contributions made from the heart but also extort them, as they are in the habit of doing, and in which they excelled on the eve of the February 1969 elections in Northern India.

So, in a controlled economy, such a measure is objectionable also because it becomes an engine of oppression and extortion which the Congress Party has used to its own advantage and to the harm of the country. A "New Class" has come on top consisting of my hon. friends sitting on the Treasury Benches and their corrupt friends in business who jointly exploit the common people.

This is our "New Class" a mixed Class in a mixed economy. They are together and have got together for this purpose. Serajuddin and Malaviya are a good prototype of the alliance of the unscrupulous businessman and the unscrupulous politician.

Thirdly, we are opposed to company contributions because the shareholders do not come together for the purpose of political activities. The shareholders of a company come together in order to make a legitimate profit in producing goods or services for the needs of the country. They come together completely indifferent about the political affiliations of one another. They buy shares in the market without knowing the political affiliations of the company. Now, if thousands of share-

holders in a political judgment and to make a political contribution, what complications would result? When corporate enterprises are asked to make contributions, then inevitably it is a great injustice to thousands of shareholders who may not agree with the decision of the board or of the majority in the general body meeting of that company. This would lead to further complications because then quarrels would start, injunctions would be obtained and the very purpose, the good purpose, for which the company was formed, namely, to make a profit in the service of the community, is lost on the way; political factions might start within the company.

So for all these reasons, contributions made by corporate bodies are bad, and we in our country, as in the United States, the world's leading liberal democracy, should ban them.

I may be accused by some people of being a little politically naive. I may be asked: 'Why do you suppose this Government would not get contributions? Don't you know about corruption? Don't you know about their extortions? Don't you know that they work hand in glove with disreputable industrialists in this country?' We do know about all these practices and our blood boils when we think about them. But I would rather take the risk despite these doubts about the motives of the hon. Mover of this Bill.

It is suggested that the motive of my hon. friend is that the Congress Party, with its capacity for extortion while it is in office—it is not good, honest to God, open contributions made by the boards and general bodies of companies, as were made in 1962 and 1967—would benefit much more in the process. It is true that they have benefitted much more than we or anyone else on these Benches. But perhaps they would like to hurt to us by denying us a few lakhs even if they deny themselves a few crores. But then the Congress can make up for it by getting black money under the counter, as they are in the habit of doing, and as they did only last January for the February elections.

It is possible that is their motive. It is possible their own calculations are right.

But I believe in certain moral principles, My party is prepared to take the risk that while we will be denied honest funds given by honest business, they may continue to export money or get it from their corrupt accomplices. But two wrongs do not make a right. I am prepared to take that risk and forgo good company contributions, given openly by the finest institutions in business in our country, to my party. I am prepared to take this challenge and go without them. We shall go to the common people of this country and raise money and we will take the risk of these gentlemen going and squeezing it out of big business by misusing the controlled economy.

Sir, if this was the only part of the Bill, I would not have asked for referring it to the Select Committee, though there is a point which needs examination as to what its political purpose. There is no definition either in this Bill or in the Companies Act as to what is a political purpose, and when we are told that the company may not make a contribution to political parties, that is easy. But when it says that they may not make a contribution to an individual for a political purpose, I can see complications coming in. It is not a well worked out measure. My hon. friend has done his homework rather poorly. So, a Select Committee might be useful in order to lay down what is a political purpose for which contribution may not be made, because sometimes educational and political and other purposes come very close and it may well be some very good cause like, let us say, the All India Sarva Seva Sangh of Acharya Vinoba Bhave and Jaiprakash Narain, may not get a contribution from a company because somebody might say: "This is a political purpose." And who is going to argue this, when the law is silent on the subject? However, that is a minor point.

Now, I come to the other part of the Bill: the proposal to abolish the managing agency system. This, Sir, is a hasty and ill-conceived move. The hon. Minister has tried to mislead the House by trying to give a dog a bad name and then hang him. The managing agency system in India is responsible for the larger part of the process of industrialisation which took place under British rule, and in the face of a

[Shri M. R. Masani]

great deal of obstruction from the British Government in India.

16.57 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Our cotton textile industry, our steel industry, our jute industry and many other industries were established in India, all the way back, till 1947-48, against the opposition and obstruction of the British Raj, and yet, the Minister had the effrontery to suggest that the managing agency system was a kind of stooge of the British Raj. This kind of perversion of history he probably takes from his friends in Moscow.

The managing agency system has a very honourable and constructive record in this country. The managing agents, the earlier ones, did a good job of pioneering Indian capital was very timid. They brought it into the money market by giving a hallmark of honest and good administration provided by the founders of the original managing agency system. It is a well-proven system. In a way, it was an anticipation of what we today call scientific management. It came in when scientific company management was not known. Now, under the impact of modernisation, this system as it is fading out. The laws of economics and technology are working and the managing agency system is going, and if the Minister and the Government would not interfere, it would go in God's good time.

Let me come now to the figures. On 31st March, 1956, just before the last Companies Act was passed, there were 5,055 companies with managing agents, out of a total of 29,874 companies. This is from the 11th Annual Report on the Working and Administration of the Companies Act published by the Government. In other words, almost a sixth of the companies had managing agents. But gradually, the number has gone down. By 31st March, 1963, there were only 1,450 companies left with managing agents, and the last figure we have, as on 31st March, 1967, is this: only 720 companies were left with 429 managing agents.

As far as new companies are concerned the managing agency is not very much

favoured. In 1964-65, there were proposals for 15 new companies to be formed with managing agents. In 1965-66, there were only four such proposals. And in 1966-67 there was only one proposal to have a new managing agency. This shows that without any of the unnecessary and unwarranted meddlesom interference on the part of my hon. friends opposite, technology and modern management are having their way, and there is no need to disturb what has already grown up in this country, which has roots in this country. Therefore, if they were left alone, very soon managing the agency system would normally, in another 30 to 40 years, become a thing of the past.

It is said that there are abuses. Of course there are abuses. Are there no abuses in the Managing Director companies which we are now going to have? Are there no misuses in Government? Do we not know of corrupt officials and corrupt Ministers? Have we not had enough evidence of this in the Union Government and in the States? So, because of the abuse, abolish managing agents, and because there are corrupt Ministers, abolish the Government and have anarchy in this country. This is the precious logic of my hon. friend opposite.

Our opposition to this is based on two grounds of principle. We in our party believe in two principles which this provision violates. The first is the principle of maximum competition and minimum governmental interference or regulation. The second is the principle of freedom of choice for the producer, for the investor, for the worker, for the industrialist, and for the consumer. How does it violate these two principles?

17 hrs.

How you run your company when you form one is your own business. It is none of the business of the Government to poke its nose into this matter. If five or ten people form a partnership or if a hundred people form a limited company, who they put in charge of the company and how they run the management is their business. Today there are three ways of doing it. One is to appoint a managing director. Another is to appoint secretaries and

treasurers. The third is to appoint a managing agent. It is entirely the job of the shareholders to decide how to run their business. It is none of the business of Government to poke its meddlesome nose into their affairs. It is in this way that this measure interferes with the freedom of choice of the investor to choose the kind of management that he believes in and we oppose this provision. We are not particularly wedded to the managing agency system. I am neutral. As a management consultant, I think a managing director or secretaries and treasurers or a managing agent are all perfectly legitimate ways of running a company. Some of each kind are good and some of each kind are bad. It is not that all managing agents are bad and all managing directors are good. I wish it was so, because the majority are managing directors. We feel there are enough powers under the Companies Act with the Government to stop abuses, whatever the nature of the abuse may be.

I want to warn my farmer friends against the principle of this measure. If today Government asserts the right to interfere with the way in which shareholders manage their business, what principle will then stop Government from poking their nose into the running of farms and telling the farmer how to run his farm? The principle having been conceded, I want to warn my agriculturist friends that this is the thin end of the wedge by which collective farming, under the name of joint co-operative farming, will then be produced to them as a "progressive" way of managing their farms. These are the reasons why we are opposed to the second part of this Bill.

It is not only an academic opposition. If clauses 4 and 5 of the Bill are passed, considerable damage to our economy is going to be done after a year. Managing agencies are a cheap and economic form of management, because the same services are given to all the companies at cheap cost. If managing agencies are broken up, each of these companies will have to duplicate these services. Parkinson's Law will begin to operate. Each company will want a public relations officer, a labour relations officer, a marketing officer, and so on. Today all these functions are performed by one set of officials for a whole group of

companies. What does this mean? It means that the cost of management in India is going to go up. When the cost of management in 720 companies goes up, the cost of products to our consumers is going to go up. Two years from now, the consumer will have to thank Mr. Fakhruddin Ahmed and his colleagues for multiplying them unnecessarily by raising the cost of products. Because the cost of our products will go up, our competitive capacity in the markets of the world to foster our exports will be damaged. Already, we are a high-cost economy and we find it difficult to compete. If this measure is passed, I can promise the House that two years from now, our capacity to export will be badly damaged in so far as 720 major companies are concerned.

Today we are short of experienced managerial talent. I happen to know because I have a management consultancy firm which advertises for talent. Even if we offer Rs. 2,000 or 3,000, we cannot get good talent which we can give confidently to our clients and say: "Here is a man who will suit you." Quite often, we have to apologise and say: "Nobody comes forward to take up your Rs. 2,500 job." I am talking of qualified, technically equipped managerial talent. When we are in this condition, is it right to insist that we make a further drain on our scarce managerial resources? These are some of the considerations which have been overlooked.

In the Statement of Objects and Reasons, the Minister has taken the liberty of misquoting the Monopolies Commission of 1965 and given the impression, by quoting out of context, that the Monopolies Commission did not like the managing agency system and wanted its abolition. Quite the contrary. The Monopolies Commission refused to recommend the abolition of managing agency system. On page 188 of their report the Monopolies Inquiry Commission of 1965 dealt—right at the end of their report—with this. They have given reasons why they do not advise the abolition of managing agency system. They say:

"The reasons are more than one. The most important of these is that we are doubtful whether even the total abolition of the managing agency system at the present stage would have any

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marked effect in curbing the growth of concentration of economic power. We are inclined to believe that even if the managing agency system goes, its place would quickly be taken by some other system of group management, or some other method which it will not be practicable to prevent. Secondly, the question of what action, if any, should be taken as regards managing agency system has to be decided—what action, if any, in addition to what is provided in the Companies Act—not only on a consideration of its effect on concentration of economic power but on full and careful assessment of the effects of any proposed action on the process of industrial advancement in the country, which is hardly possible for this Commission to undertake."

Now, Sir, it is because of this conclusion of the Monopolies Commission that I propose that we appoint a Select Committee to carry out the function that the Monopolies Commission says should be performed before the managing agency system is touched in the manner that is proposed here. Let us appoint a Select Committee. Let that Committee take two or three months to go into it and let it come before us with its proposal.

MR. DEPUTY SPEAKER: The amendment is also before the House.

श्री प्रेम चन्द्र बर्मा (हमीरपुर) : उपाध्यक्ष महोदय, मैं आपका बड़ा आभारी हूँ कि आपने मुझे ऐसे समय पर बोलने का भौका दिया जबकि स्वतन्त्र पार्टी के नेता, श्री मसानी साहब ने बड़े अच्छे ढंग से अपने केस को रखा। उन्होंने कहा कि हमारी पार्टी चन्दा लेने के विरुद्ध है—पहले भी रही है और आज भी है। मैं इस बात का स्वागत करता हूँ। उन्होंने कहा कि कांग्रेस पार्टी ने मेरे विधेयक की मुखालिफत की और वह विधेयक पास नहीं हो सका था। मैं समझता हूँ अगर ऐसा हुआ—मुझे मालूम तो नहीं—तो कांग्रेस पार्टी ने अपनी भूल को अब सुधार लिया और आज कांग्रेस पार्टी इत्तकाक राय से इस विधेयक को पारित्यामेंट के सामने लाई है। तो जब कांग्रेस पार्टी ने

अपनी भूल को सुधार लिया है, मैं समझता हूँ विरोधी दलों को भी पीछे की तरफ से कान में हाथ नहीं लगाना चाहिए बल्कि जवांमदाँ की तरह बहारुरों की तरह और स्टेट्समेन की तरह उस बात को मान लेना चाहिए। इस बात से कौन इनकार कर सकता है कि जितने पूँजीपति हैं—जैसा कि मसानी जी ने कहा है वह बहुत अच्छा कहा है—उन पूँजीपतियों और व्यापारियों का राजनीतिक पार्टियों पर कोई प्रभाव नहीं होना चाहिए। लेकिन वह प्रभाव तभी नहीं होगा जबकि हम उनसे चन्दा न लें। अगर चन्दा लेंगे तो प्रभाव होगा। दायें हाथ से, बायें हाथ से, पीछे से, आगे से, चुपचाप खामोशी से या किसी ढंग से भी अगर हम चंदा लेंगे तो उसका प्रभाव रहेगा। बार-बार विरोधी दलों की ओर से यह कहा गया कि कांग्रेस पार्टी जान-दूर कर इसको लाना नहीं चाहती है। मैं श्री कल्पराज अली अहमद और उनके सहयोगी श्री रेडी को मुबारिकवाद देता हूँ कि वे इस विधेयक को लाये हैं और इस गंभीर से लाये हैं कि यहां पर इसको पास करना है लेकिन अब श्री मसानी जी कहते हैं कि इसको ज्ञाइंट सेलेक्ट कमेटी के सुपुर्द कर दिया जाये ताकि इसको गड़े में डाला जा सके। मेरी तो ऐसी वारणा रही है कि जिस काम को न करना हो या जिस काम को लेट करना हो या जिस काम में कोई रोड़ा अटकाना हो, उसको सेलेक्ट कमेटी के सुपुर्द कर दिया जाता है। ज्ञाइंट सेलेक्ट कमेटी बना दी जाय, कोई किसी प्रकार की कमेटी बना दी जाय। मैं इस बात का विरोध करता हूँ मसानी जी का कि इस विधेयक को पास करने में कुछ विलम्ब किया जाय। मैं चाहता हूँ कि एक दिन के लिए भी इसका पीछे नहीं करना चाहिए, बल्कि मैं तो कहता हूँ कि जब यह सदन आज उठे तो इस विधेयक को पास करके उठे और जो पूँजीपति सारे समाज और राजनीति पर छाये हुए हैं उन्हें इस बात का पता लग जाय कि सारा सदन उनके विरुद्ध है और चाहता है कि पूँजीपतियों का प्रभाव किसी प्रकार से भी

राजनीति पर नहीं रहने देना चाहते हैं। अपेक्षा जब हमारा समाज बदल रहा है, पुराने लूढ़ों की बात कही है, मैं उस बात में नहीं जाना चाहता, अंग्रेज बले गये, लूढ़े भी आहिस्ता-आहिस्ता जा रहे हैं, अब जवानों का जमाना आ रहा है तो नये तरीके से, नये ढंग से समाज को ढालना होगा और इस समाज के अन्दर वह रीतियाँ लानी होंगी, वह तरीके लाने होंगे जिनसे कि जो कहें वह करें और जो सोचें वह करें। अभी जो उनकी राजनीति है मैं समझता हूँ कहते कुछ हैं और करते कुछ हैं, मन में कुछ है और जबान पर कुछ है। आज हमें उसको बदलना होगा। जो भी राजनीतिक दल हैं जो जबान से कहें वही करें। लेकिन यह बातें यहाँ पर मान्य नहीं हैं। मैं स्वतंत्र पार्टी के बारे में केवल इतना ही कहना चाहता हूँ।

इसके बाद मैं यह भी जरूर कहूँगा कि उनके नेता प्रोफेसर रंगा बड़े आदरणीय हैं, मैं उनका मान करता हूँ, लेकिन अफसोस यह है कि जब नीतियों का मामला आता है तो राजनीति में कांग्रेस और स्वतंत्र पार्टी में मेल नहीं है क्योंकि वह पूँजीपतियों को रेप्रेजेन्ट करते हैं और हम गरीब जनता को रेप्रेजेन्ट करते हैं।

इनके साथ ही उन्होंने कहा है मैनेजिंग एजेन्सी सिस्टम के बारे में। यह सिस्टम सबसे बड़ा चोरी का एक जरिया है। मैनेजिंग एजेन्सी सिस्टम ऐसा है कि जो सारे गरीब शेयर होल्डरों को लूटता है, खामोशी से लूटता है, कैची से लूटता है, उनके साथ धोखा करता है। और मैनेजिंग एजेन्सी सिस्टम, जैसा श्री मसानी ने भी माना है और हमारे मन्त्री महोदय ने भी कहा है कि यह अंग्रेजों के जमाने को देन है, अंग्रेजों को एक लानत है जो यह सिस्टम हमारे उद्योग में है, अगर मैं आँकड़े पेश करूँ, चूंकि समय नहीं है, इसलिए सब नहीं पेश कर सकता हूँ लेकिन उन आँकड़ों से पता चलता है कि 75 खानदानों के पास हिन्दुस्तान की आधी दौलत मैनेजिंग एजेन्सी सिस्टम की वजह से चली गई है, वह खानदान लूटकर ले गये हैं। जो 55 करोड़ लोगों ने अपने खून-

पसीने की गाढ़ी कमाई इन कम्पनियों में लगाई है उसको इन 75 खानदानों ने जैसे लूटा है उसका वरणन करना समय की कमी की वजह से सम्भव नहीं है, लेकिन मोनोपली कमीशन ने उसका जिक्र अपनी रिपोर्ट में किया है। माननीय मसानी जी ने मोनोपली कमीशन की रिपोर्ट से वकीलों की तरह वहीं पढ़कर सुनाया जो उनके पक्ष में जाता है, लेकिन वह नहीं पढ़ा जहाँ मोनोपली कमीशन ने कहा है कि अगर पूँजीपतियों की इन सारी चीजों को नहीं रोका गया तो सारा का सारा समाज और राजनीति इन 75 आदमियों के हाथ में होगी। मैं मोनोपली कमीशन के बारे में ज्यादा नहीं कहना चाहूँगा। केवल यही कहूँगा कि जो मैनेजिंग एजेन्सी सिस्टम है इसके साथ यह कहते हैं कि सेक्रेटरी बना दें, खजान्वी बना दें वह जो यह कहते हैं कि खजांची और सेक्रेटरी रखने जाने चाहिए तो मेरा कहना है कि यह तो वही पुरारी शराब को महज नई बीतलों में रखने की बात कही गई है। मैं समझता हूँ कि इस मैनेजिंग एजेंसी रूपी शराब के कारण हमारे मुख्य का बहुत नुकसान हुआ है और इसके कारण से देश में आर्थिक असमानता और अधिक बढ़ी है। अभी और गरीब के बीच की खाई इससे और अधिक चौड़ी हुई है। इस मैनेजिंग एजेंसी सिस्टम का परिणाम बड़ा घातक हुआ है और तमाम देश की दौलत चन्द एक हाथों में सिमट कर रह गई है और इसलिए यह जो उनकी तरफ से खजांची और सेक्रेटरी रखने का सुझाव आ रहा है यह उसी पुरानी शराब को नई बीतलों में रखकर पेश करने का प्रयत्न किया जा रहा है। जैसा मैंने अभी कहा इस शराब के जरिये अभी और गरीब का फर्क बढ़ता चला गया है और वह और अधिक बढ़ता चला जायगा। यह बात बिलकुल स्पष्ट है कि अगर हमें इस आर्थिक असमानता को दूर करना है, अभी व गरीब की चौड़ी खाई को पाटना है तो हमें इस मैनेजिंग एजेंसी सिस्टम की लानत को देश से खत्म करना होगा। मैं चाहूँगा कि सरकार के ऊपर स्वार्थी तत्वों द्वारा, पूँजीपति

[प्रेम चन्द वर्मा]

वर्ग द्वारा किसी तरह का दबाव इसे किसी न किसी रूप में जारी रखने का यदि लाया जाय जोनि लाया ही जायगा, तो सरकार उसके असर में कदापि न आये। सरकार इस तरह के किसी भी सुभाव को मानने से साफ इंकार कर दे कि इस बिल को ज्ञान-एंट सेलेक्ट कमेटी के मुपुर्दे किया जाय क्योंकि वह महज इस लानत को ज्यादा से ज्यादा देर तक बनाये रखने की कोशिश है। सरकार को बिना देरी किये इस बिल को पास कर देना चाहिए।

इसके साथ ही साथ मैं एक बात और कहना चाहूंगा। मेरे पास आँकड़े मौजूद हैं और अगर मैं उनको सदन में रख दूँ तो माननीय सदस्य हैरान रह जायेंगे। उधर के लोगों द्वारा आये दिन हम कांग्रेस वालों पर जो यह इलजाम लगाया जाता है कि कांग्रेस पार्टी को कम्पनीज से बहुत पैसा मिला करता है अगर मैं उन्हें आँकड़ों के द्वारा यह सिद्ध करके बतलाऊं कि सन् 1967 के चुनाव में कांग्रेस पार्टी की अपेक्षा दूसरी पार्टियों को ज्यादा पैसा मिला है तो आप लोग हैरान हो जायेंगे। यह बात मैं दावे के साथ कह रहा हूँ और अगर जरूरत हो तो मसानी साहब और मैं बैठ जायेंगे और मैं नाम वार इसकी तफसील उन्हें बतला दूँगा कि कांग्रेस पार्टी के मुकाबले उन पार्टियों को ज्यादा पैसा कैसे मिला है। मेरे पास नाम सहित सारा विवरण मौजूद है...

SHRI S.K. TAPURIAH (Pali): If he has made a statement, let him prove it. Why does he want a private hobnobbing with Mr. Masani? If he is truthful, let him give the figures.

श्री प्रेम चन्द वर्मा : मैं कह रहा हूँ कि हम और वह बैठ जायेंगे और मैं उन कम्पनियों के नाम उन्हें मय तारीखों के बतला दूँगा कि किस-किससे किस-किस तारीख को इतना पैसा मिला है। वह जो अपने को दूष का घुला हुआ मानते हैं हकीकत यह है कि उनको हमारे मुकाबले अधिक पैसा चुनावों के दौरान मिला।

वह पैसा जो उन्हें मिला वह केवल ड्राफ्टों और चैकों के जरिये ही नहीं उन्हें दिया गया बल्कि अलग से भी। चैकों के तो मैं नम्बर तक बतला सकता हूँ। यहां तक मैं बतला सकता हूँ कि वह किस-किस बैंक में कैश हुए हैं? मेरे इधर के दोस्त इस बात को छोड़ दें तो अच्छा होगा क्योंकि मैं कीचड़ नहीं उछालना चाहता लेकिन अगर वह फैक्ट्स एंड फीगर्स पर आयेंगे तो मैं अधारिटी के साथ कह सकता हूँ कि आप लोगों को हमारे मुकाबले कम्पनियों से अधिक पैसा मिला है। लेकिन जैसा मैंने कहा मैं यह कीचड़ नहीं उछालना चाहता और उचित यही होगा कि जो विषेय इस समय पेश है उसी के मुतालिक हम लोग बातचीत करें। मैं अपने उन मित्रों से कहूँगा कि कांग्रेस स को इस बारे में बदनाम करने से पहले वह खुद अपनी चारपाई की नीचे झाँकिकर देख लें कि वहाँ पर तो गडबड़ नहीं है। मुझे मालूम है कि उनके वहाँ काफी गडबड़ मौजूद हैं। पिछले दो साल में मैंने इस बारे में काफी फैक्ट्स एंड फीगर्स इकट्ठा की हैं और उपायक महोदय अगर चाहें तो मैं उन्हें उनके कमरे में बैठकर वह सब बतला दूँगा। वहरहाल मैं इस बात को यहाँ पर छोड़ता हूँ।

इसी के साथ-साथ मैं यह कहना चाहूंगा कि सरकार जो यह कानून बनाने जा रही है वह बिला शक एक उचित व सराहना योग्य कानून है लेकिन उसे इस बात पर भी ध्यान देना चाहिए कि इस पर अमल भी ठीक तरीके से हो और इस कानून को इस तरीके से उचित रीति से लागू कराया जाय ताकि इसमें किसी प्रकार की खराबी न रह जाय। और जिन बातों से आज हम राजनीतिज्ञों के तौर पर बदनाम हैं, यानी यह कि हम सरमायेदारों से पैसा लेते हैं और पालियामेंट में चले जाते हैं, मैं समझता हूँ कि उनसे हम को दूर रहना चाहिये। अगर हमें इस सदन की शान को बरकरार रखना है, अगर हमको हिन्दुस्तान की लोक सभा में या राज्य सभा में 55 करोड़ लोगों की नुमाइन्दगी करनी है, तो जब हम यहाँ आते हैं तब हम कम से कम

इस बात का जरूर ध्यान रखें कि जितने भी सदस्य यहां आते हैं वह सरमायेदारों के पेसे पर नहीं आते हैं बल्कि अपने बलबूते पर आते हैं, जनता हमको चुनकर भेजती है, हम दोलत के बल पर यहां नहीं आते, सरमायेदारों के बल पर यहां आते हैं। अगर हम दोलत के बल पर यहां आते तो यहां डिमाक्रेसी नहीं होती। तब यह होता कि पूँजीपति सारे समाज पर कब्जा कर लेते और समाज की बागडोर उनके हाथ में होती। तब सारे पूँजीपति कह सकते कि जितने एम पीज हैं सब हमारी जेब में हैं। किसी भी पार्टी का मेम्बर हो, अगर कोई सरमायेदार उसके लिये कहता है कि पार्लियामेंट के मेम्बर हमारी जेब में हैं, यह हमारे लिये शर्म की बात है और इस सदन की शान के खिलाफ है।

मैं समझता हूं कि अगर इस देश की सरमायेदारी निजाम को स्थित करना है और पुरानी परम्पराओं को स्थित करना है तो मैं नीतिंग एजेन्सी सिस्टम और पार्टीज के चन्दे बन्द होने चाहिये। मैं इस विधेयक का समर्थन करता हूं और हाजस से रिक्वेस्ट करता हूं कि वह उसको सर्वसम्मति से पास करे।

**श्री प्रकाशबीर शास्त्री (हापुड़) :** उपाध्यक्ष महोदय, किसी अन्य माननीय सदस्य के भाषण आरम्भ करने से पहले मैं निवेदन करना चाहता हूं आपकी मार्फत अपने मित्र श्री वर्मा से कि वह कांग्रेस पार्टी के मिनिस्टरों को भी सलाह दें कि जब वह प्रश्नों के उत्तर दें तो इस तरह से दें जिससे उनको कोई दिक्कत न हो। 1967 के चुनावों के बाद से आज तक के चन्दों के बारे में उत्तर देते हुए श्री फलश्रीहीन अली अहमद ने कहा था कि कांग्रेस को 66 लाख और स्वतन्त्र पार्टी को 20 लाख रुपये मिले। मंत्री लोग इस तरह के उत्तर न दें, जिनसे वह स्वयं फंस जायें।

**श्री प्रेमचन्द वर्मा :** असल बात यह है कि सरमायेदार जान-बूझ कर जो चन्दा कांग्रेस पार्टी को देते हैं उसकी इन्कार्मेशन देते हैं,

दूसरों के बारे में सारी इन्कार्मेशन को खा जाते हैं। (व्यबधान)

**श्री जश्च भूषण (खारगोन) :** सरमायेदार व्हाइट मनी का जो चन्दा देते हैं उसकी खबर देते हैं लेकिन वह दूसरी पार्टियां को जो ब्लैंक मनी का चन्दा देते हैं उसकी खबर नहीं देते। (व्यबधान)

**एक माननीय सदस्य :** वह भी कह रहे हैं कि कांग्रेस को चन्दा मिलता है।

**श्री कंबरलाल गुप्त (दिल्ली सदर) :** उपाध्यक्ष महोदय, मैं मंत्री महोदय को बधाई देना चाहता हूं कि उन्होंने सदन के सामने यह विधेयक रखा है। मुझे आशा नहीं थी क्योंकि जो विधेयक पिछले सेशन में आना चाहिये था और पास होना चाहिये था, वह पिछले सेशन में नहीं आया। क्यों नहीं आया? क्योंकि मिड टर्म-पोल थे और इस पार्टी को बड़े-बड़े सरमायेदारों से चन्दा लेना था। इसकी बजह से यह पोस्टपोन किया गया। अब चूंकि मिड-टर्म पोल समाप्त हो गये, इस लिये अब उसके बाद यह आया है। लेकिन यह आज भी आ गया, इसके लिये मैं मंत्री महोदय को बधाई देना चाहता हूं।

अभी श्री वर्मा ने कहा कि कांग्रेस वाले सरमायेदारों के पीछे नहीं हैं। मुझे मालूम नहीं कि वह कौनसी कांग्रेस का जिक्र कर रहे हैं। कई तरह की कांग्रेस हैं। मैं कांग्रेस के अध्यक्ष श्री निजलिंगप्पा के विचार आपके सामने रखना चाहता हूं।

"On 4th November, 1968, the Congress President, Shri Nijalingappa, opined, 'any blanket ban on company donations is likely to result in malpractices, under-table dealings and corruption' and further stated, 'there is nothing wrong in political parties accepting company donations as long as these are willingly given'."

मैं जानना चाहता हूं कि वर्मा किस कांग्रेस के मेम्बर हैं। क्या वह उसी कांग्रेस के मेम्बर

[श्री कंवर लाल गुप्ता]

हैं जिसके अध्यक्ष श्री निजलिंगप्पा हैं या कोई और कांग्रेस है ?

इतना ही नहीं, श्री एस्ट० के० पाटिल, अतुल्य घोष और कांग्रेस वर्किंग कमेटी के आधे से ज्यादा भेन्डर हैं जिन्होंने इस बात का विरोध किया है कि ब्लैकेट बैन कम्पनियों पर लगाया जाय। जब कांग्रेस वर्किंग कमेटी में यह सवाल आया और उन्होंने प्रधान मंत्री को दबाया तब प्रधान मंत्री ने भी यह कहा कि हम इस पर पुनर्विचार करेंगे ।

एक माननीय सदस्य : दबाव डाला ।

श्री कंवर लाल गुप्त : दबाव डाला, यह कहना ज्यादा उचित है ।

मैं मंत्री महोदय को बधाई देना चाहता हूँ कि उन्होंने इस बिल को यहाँ ऐसे अवसर पर उपस्थित किया है जबकि कांग्रेस वर्किंग कमेटी, कांग्रेस प्रधान और स्वयं प्रधान-मंत्री भी डांवाडोल हो रहे थे, उनका दिल डांवाडोल हो रहा था । इसको यहाँ लाने के लिए मंत्री महोदय सचमुच बधाई के पात्र हैं ।

कांग्रेस कैसे चलती है, इसका नमूना आप देखें । कांग्रेस संगठन एक तरफ जा रहा है और कांग्रेस की सरकार दूसरी तरफ जा रही है । अच्छा हो ये दोनों एक ही रास्ते पर चलें ।

इस बिल के उद्देश्य के बारे में कोई दो रायें नहीं हो सकती हैं । बबर देश में प्रजातंत्र को चलाना है तो इस बात को स्वीकार नहीं किया जा सकता है कि कुछ लोग पैसे के जरिये लोगों की भावनाओं को, लोगों के जमीन को खरीदकर जिस रास्ते पर देख को चलाना चाहते हैं चलायें, जिस रास्ते पर उसको चलाना ठीक समझते हैं, उस रास्ते पर चलायें । कुछ लोग जिनके पास धन है, सम्भवत है वे राजनीति को कुरट करें, भ्रष्ट करें, इसकी शास्त्रा किसी भी प्रजातंत्रीय देश में किसी भी व्यक्ति या व्यक्तियों के समूह को नहीं दी जा सकती है । उपाध्यक्ष महोदय, आप तो जानते ही हैं

कि अमरीका में भी इलैक्ट्रोज घर बहुत पैसा खर्च होता है । वहाँ पर भी इस पर पाबन्दी लगाई गई है । लेकिन उसके बावजूद वहाँ काकी पैसा खर्च होता है । यहाँ जो पाबन्दी अब लगाई जा रही है इसको बहुत पहले लगा देना चाहिए था । लेकिन आप देखें कि ये पाबन्दी कब लगा रहे हैं ? उस वक्त लगा रहे हैं जब कांग्रेस लत्म हो रही है, जब उसको पैसा मिलना आहिस्ता-आहिस्ता कम हो रहा है । बन्द हो रहा है, यह मैं नहीं कह सकता हूँ लेकिन कम जरूर हो रहा है ।

उपाध्यक्ष महोदय कल की ही बात है कि गूजर मल्ल मोदी को टायर का लाइसेंस दिये जाने वारे में सवाल किया गया था । श्री मोदी को पद्म विभूषण की उपाधि से भी सम्मानित किया गया था । कल यह आरोप लगाया गया था कि मिड टर्म पोल में पैच लाख रुपया कांग्रेस को दिया गया था और इसके बारे में सवाल पूछा गया था । इसके जबाब में यह कहा गया कि हमने लाइसेंस पैसे के लिए तो नहीं दिया । लेकिन मंत्री महोदय ने यह नहीं बताया कि उन्होंने पैसा दिया था या नहीं दिया था । मैं जानना चाहता हूँ कि उन्होंने कांग्रेस से को लाखों रुपया इस मिड टर्म पोल में दिया या वहीं दिया ? क्या उन्होंने केन्द्रीय नेताओं को बलग और राज्य के नेताओं को जलग नहीं दिया ? दो तरफ से लाइसेंस लेने के लिए पूछा करनी पड़ती है । लाइसेंस के लिए दो तरफ से रिकोर्डेशन होना जरूरी है । स्टेट घवनमेंट को भी रिकोर्डेड करना पड़ता है और स्टेटर को भी करना पड़ता है । दोनों पुकारियों की पूछा होशी तब लाइसेंस मिलेगा । मैं चाहता हूँ कि इसका स्पष्टीकरण हो । अगर यह कहा जाए कि पुजा नहीं हुई तो इनको चाहिए कि ये चैलेंज करें कि कांग्रेस को उनसे जब नहीं मिला ।

इतना ही नहीं, मैं बड़ी जिम्मेदारी से कहना चाहता हूँ कि इस मिड टर्म पौल में सी० पी० डब्ल्यू० डी० के ठेकेदारों को गवर्नरमेंट

के इंजीनियर ने बुला-बुलाकर यह कहा कि आप कांग्रेस को चला दें। इन ठेकेदारों ने पेइज एकाउंट के चैक आल इंडिया कांग्रेस कमेटी के नाम दिये हैं। एक ठेकेदार ने नहीं बहुत ठेकेदारों ने दिये हैं। मैं चाहता हूँ कि आप इसकी इन्वायरी करें।

MR. DEPUTY-SPEAKER: The hon. Member may resume his speech on the next occasion.

श्री शशि भूषण : क्या यह आज खत्म हो गया है? हम भी दिल्ली जन संघ के बारे में बताने वाले थे।

MR. DEPUTY SPEAKER: It is not over. It is to be continued.

17.30 hrs.

[SHRI GADILINGANA GOWD *in the Chair*]

BUSINESS ADVISORY COMMITTEE  
 THIRTY-SIXTH REPORT

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH): I beg to present the Thirty-sixth Report of the Business Advisory Committee.

SHRI SEZHIYAN (Kumbakonam) : What is the recommendation? Is there any change in the programme now?

SHRI RAGHU RAMAIAH: Tomorrow it will come before the House. For tomorrow it will be planning discussion. It has already been announced.

17.30<sup>1</sup>. hrs.

HALF-AN-HOUR DISCUSSION

PENDING APPLICATIONS FOR SCOOTERS AND CARS.

SHRI S. S. KOTHARI (Mandsaur): The Government's policy regarding scooter manufacture is characterised by procrastination, sluggishness, and red-tape. The

Ministry is reluctant to part with licences as a miser is reluctant to part with his gold. This is the position. The delay of about 4 years in the issuance of licence for scooters indicates that the Government is not interested in establishing new scooter factories. It wants to perpetuate the shortage. That is the only conclusion that can be drawn.

Sir, it is stated that it takes more time to obtain an industrial licence in this country than to establish an industry in Japan or West Germany. That is the deplorable state of affairs which is existing today. If you criticise other Ministries, they at least go through what is stated and try to rectify matters, but this Ministry is impervious to criticism and does not want to learn from past mistakes they go on perpetuating the mistakes.

About the demand for scooters, I have the figures with me, which show that in 1964, there was a registered demand of about 1.5 lakh scooters, which rose to 2.5 lakhs in 1968 about 3 lakhs in 1969, that is, at present. Yet, in 1964, the Ministry, in its wisdom, decided to ban the licensing of new units. In March, 1965, the Ministry woke up from its slumber and decided to invite applications from new entrepreneurs for licences to establish new scooter factories. The response was excellent. A total of 191 applications for industrial licences was received. The Ministry dilly-dallied with those applications and after 2 or 3 years, 70 applications were selected. Later on, some mathematical genius in the Ministry reduced the selected applications from seventy to seventeen. So, these seventeen were selected. In March, 1968, when the Ministry felt that they could not delay any further, they decided to select 3 out of 17 applications. Further there were more of discussions, more committees were appointed, licensing committees, sub-committees and so on. And then they became wiser and decided to issue one license for the establishment of a factory for 50,000 scooters.

Then, the funniest part is this that even that decision had to be reconsidered. They have invited the various applicants to send their representatives. The licensing committee would re-examine the whole situation and it may take another 3 or 4 months

[Shri S. S. Kothari]

before a licence is finally granted to some company.

Now, I would appeal to my Congress friends, who are taking keen interest, to look into these matters and see that necessary action is promptly taken. If I am wrong, I would like to be corrected. I would admit my mistakes. But make the Minister also admit his mistakes. That is my request.

As against the registered applications for about 3,00,000 scooters, the production was 35,000 scooters during 1968 and it may increase to 40,000 in the years to come. At this rate, the excess of demand over supply per year is officially expected to rise to 2,00,000 per year in 1970-71.

Sir, it is remarkable that when coal is concerned, the demand has been heavily over-estimated. When it comes to scooters, the demand has been under-estimated at 2,00,000. My opinion is that the actual demand is likely to be about 2,50,000 per year. Then, there is the tremendous backlog of 3,00,000 unit demand to be met. With this backlog plus the demand of about 2½ to 3 lakhs scooters per annum, by 1972-73, the capacity of the manufacturers would still be insufficient to meet the shortage. No doubt, the existing manufacturers say they are going to increase the capacity.

But what is the past record? Firstly, they are not able to utilise the installed capacity. Secondly, they are not interested in expansion. There is a magnificent black-market of Rs. 2,000/- per scooter. Why should the existing industries expand their capacity? That will only bring down the blackmarket. It was stated by an official spokesman of the Ministry that when the production reaches between 50,000 and 70,000 scooters, then the price will be brought down to Rs. 1,500 or so per scooter. But unless production goes up, what is the use of bringing down the official price? Only the gap between the official price and blackmarket price will increase. That gap will increase and the money will go to the scooter manufacturers or whosoever blackmarkets them. As to who has benefited from it, I do not know. The Ministry ought to know better. It is their job.

Assuming that my figures are slightly wrong in regard to demand and actually the production exceeds the demand, then, even in that case, there is a tremendous market in the middle-east, in South East Asia and various other developing countries, particularly in Africa, where-so scooters can be exported. The Minister may say that we have to spend some foreign exchange when we issue licences and we have to import some components. Agreed. But then if you are able to attain sufficient production, you can not only meet the internal demand, but even export by which you would be able to recover the foreign exchange that is consumed. Therefore, keeping in view the export potential also, I would submit and strongly urge the Minister to sanction at least three applications for establishing factories. That is most necessary.

I would submit that there is a proposal pending before the Ministry with regard to what is known as Haldia Scooter Project. West Bengal has a number of engineering complexes. They have developed an infrastructure. They have skilled labour also. It is an idle site for a scooter project. I would suggest that this Haldia project should be sanctioned, because West Bengal needs employment. After all, if you want to solve the problems of West Bengal, you cannot solve them on the political plane. It is only on the economic plane that you can find a solution. My friends from West Bengal will bear me out when I say that there is a terrible state of unemployment in West Bengal. West Bengal needs industries. Unless those industries come up, the problems cannot be solved. May I appeal to the good sense of the Minister to sanction at least this scooter project?

I would say that there has been a spate of trenchant criticism of the working of the Industrial Development Ministry during the last few months. As an experienced Minister, I believe, he would realise that it does good neither to his public image nor to the public image of his Ministry. I would submit three suggestions. First, applications for industrial licences should be processed within three months and entrepreneurs should be encouraged to embark upon new ventures. Secondly, whenever there is scarcity of supplies, licensing capacity should be promptly increased, and

thirdly, projects should not be shelved or postponed on political or ideological grounds. These are my three suggestions and I hope the Minister will consider them, because they will be to his benefit. I am not a sadist. I do not want to criticise anybody because it does not help. Probably other Ministries do not have to bear my criticism so much as this Ministry. I always make constructive criticism. If there is an edge to my criticism of this Ministry, there are reasons for it and the Minister is well aware of them. Let him think over and let him search his conscience, if he has one.

May I submit once again that in order to close the gap between demand and supply, in order to eliminate black-market and to build up surplus for export, the Ministry should at least sanction three factories for producing 50,000 scooters each. Then only the existing dismal state of affairs would discontinue and the black chapter in the history of this Ministry will close.

MR. CHAIRMAN: Now, the hon. Minister.

SHRI TULSHIDAS JADHAV (Baranmati): I had sent my name.....

MR. CHAIRMAN: His name has not come, and he is not going to get any chance now. The ballots have been drawn and only four names have come. I am not going to allow any others. Now, the hon. Minister.

THE MINISTER OF INDUSTRIAL DEVELOPMENT, INTERNAL TRADE AND COMPANY AFFAIRS (SHRI F. A. AHMED): I am grateful to Shri S. S. Kothari for raising discussion in this matter which will enable me to clarify the position on behalf of Government. Before I do so, I also welcome the three suggestions which he has made to overcome the difficulties in the way of the industrial development of the country.

The first question which he has raised is about the undue delay in giving licences so far as the manufacture of scooters are concerned. I am glad that he has specifically referred to scooters and not raised other matters. although I would have no objection

to discuss the question of not only scooters but any other items which hon. Members may have in view, because that would enable me to clarify the position, and also to remove defects as are found in any directions. Such discussions will really help me...

SHRI S. S. KOTHARI: I welcome the suggestion. I shall meet the hon. Minister personally.

SHRI F. A. AHMED: Such discussions would help me to overcome many difficulties which might have been felt by those engaged in the industry.

So far as scooters are concerned, I would like to point out that when it was felt that the licensed capacity was not enough to meet the demand, applications for scooter manufacture were called for as long ago as 1965 I would like the hon. Member to bear with me when I say that it was not enough that applications for scooter manufacture were made but those applications ought to have include all the details necessary for the purpose of scrutiny. 191 applications were received but it was found that most of them were lacking in necessary details which would have helped the Ministry to select such applications as may be considered by the licensing committee. So, the applicants were written to supply the details which they had not furnished. Delay was not the fault of the Ministry but also of those applicants who took over a year's time in furnishing the necessary details. After the necessary details were furnished, the Ministry was ready to refer the matter to the licensing committee. In the meanwhile the Planning Commission intervened and directed that unless and until the target for the Fourth Plan was fixed the licensing committee and the Ministry should not take any decision. So, I would like to point out that it is not the fault of the Ministry that the applications were so long pending in the Ministry. They were kept pending because there was a ban from the Planning Commission that unless and until the target about the requirements of scooters had been fixed by the Planning Commission, we should not undertake the question of licensing a further unit. This correspondence went on till my predecessor decided that no action should be taken on those applications till we had known the final position with regard to

[Shri F.A. Ahmed]

the demand for scooters in the country. That was just before I took charge of this Ministry. Hon. Members will recall that after I took over a large number of questions were asked and I had promised to look into this question. And in spite of the fact that I had no clearance from the Planning Commission I decided that those applications should be processed. Then, the processing started. We appointed a steering committee to select such applications as deserved consideration by the licensing committee. This steering committee went into this question and sent a number of questions to the applicant. After receipt of replies, out of those 191 applications, 13 were selected by the steering committee and were placed before the licensing committee. The licensing committee in the meanwhile received appeals from those persons whose applications had been rejected by the steering committee.

Hon. members will appreciate that it was not an easy matter for the Committee which had to examine carefully these appeals filed by as many as 160 or 170 persons. They went through all these appeals. Then they decided that four more applications deserved consideration. Thus instead of 13, there were 17 applications to be considered. They were asked to submit details with regard to finances, collaboration, the country of collaboration and so on. That took some time.

After the details were available, the Licensing Committee took a decision that out of these 17, about three applicants deserved consideration in detail. In the meanwhile, one of the applicants who was considered suitable, filed an appeal saying that he did not receive the questionnaire which was sent to all others. He had given his old address and new address. The questionnaire had been sent to his old address and new address. But the envelopes were returned saying that he was not found. When he saw in the newspapers my replies to certain questions in the Rajya Sabha, he filed a representation before the Licensing Committee saying 'How can you shut me out when I did not receive this questionnaire?' So he was also given time.

These things have happened not only because of delay in the Ministry, but delay on the part of some of the applicants. What the hon. member has suggested is a very good thing, that these applications should be disposed of by the Ministry concerned within about three months. For this purpose, I have laid down the procedure. Now we have a proforma requiring all details by the applicants; if these details are filled up no further enquiries are made from the applicants, I can assure him that the applications made will be disposed of within a reasonable period.

So far as scooters are concerned, I hope hon. members will appreciate that it is not only the Ministry, not only the Licensing Committee, but the applicants themselves who are to be blamed for this delay. To a certain extent, the matter was kept pending because decision was not taken by the Planning Commission regarding the requirement, target, for the Fourth Plan.

So far as production and licensing capacity in respect of scooters are concerned, may I inform him that we have no separate assessment about scooters. But we have an assessment with regard to scooters, mopeds, cycles and three-wheelers. According to the target fixed for the Third Five Year Plan, there was an expected demand of 60,000 by the end of the Plan with the capacity licensed for all these categories, our demand would be met. On that basis of demand the licenses were given for a capacity over 60,000. I do not have the exact figure here; perhaps it was for over 70,000 for all these categories. But in spite of licences having been given, some of those who were given the licence, have not started manufacturing. The production was reached capacity of about 35,000 or 36,000. Therefore, there was this shortage.

Now, we have again assessed the demand upto 1973-74. For all these three or four categories, it is expected to be about 2 lakhs. Our assessment regarding the demand for the scooters is over one lakh. Therefore, we are considering that instead of giving a licence to a small unit, licence may be given for a big unit, so that it may be possible not only to provide a scooter to the consumer but also to provide a scooter at a cheaper price. If a licence

for a big unit is given there is the possibility of getting a scooter for the consumer at a cheaper rate. May I here inform the hon. Members that from the trend of applications which are under consideration, it is possible that if licence for a big unit is given, the price of the scooter will come down and the consumer will also—

AN HON. MEMBER: How much?

SHRI F. A. AHMED: I am told that it will be Rs. 1,600 at which a scooter will be available. I entirely agree that at present there is inadequate production of scooters on account of which it may not be possible for the consumer to get scooters easily. There are a large number of applications pending both under the Central quota and for private citizens. For that reason, we are trying to hasten the steps to increase production.

Recently, a decision was taken by the Licensing Committee and they made recommendations. In respect of these recommendations may I inform the hon. Member that certain objections were taken. Some appeals were also received. When the recommendations of the Licensing Committee were placed before me, I had asked for all the details so that it may be possible for me to take a decision on merits. I am told that all these details are being made available and within a fortnight's time, they will be placed before the Licensing Committee, and the matter will be placed before me, I hope an early decision in this matter will be taken.

So far as the third and the fourth points are concerned, it is true that a large number of applications are pending both in the Central quota and for the private persons. This requirement can only be overcome by increasing the production, and for that purpose, we are taking as early an action as possible. The three suggestions, which he has given in order to expedite the disposal of applications not only with regard to the scooters but others also, will receive our consideration. I think the hon. Member, if he goes through the procedure, will find that there is considerable improvement now in the disposal of licences and the disposal of applications during the past few months. Every fortnight, I am looking into the figures

of arrears, delay, and wherever any action is called for, action is taken.

SHRI S. K. TAPURIAH (Pali): I will confine my questions to the matter of pricing of scooters which the Minister has just now mentioned. I have heard the Minister and the Deputy Minister often crying hoarse over the price of cars. In effect, the scooter is a common man's vehicle. 60 per cent of the cars sold in the country go in company accounts and if they take care about the price of scooters, they would have a better claim to calling themselves a people's party.

My questions are: (a) the Minister just now mentioned that the price level of a scooter later on would be approximately, Rs. 1,600. At what production capacity? Will it be at 50,000 production or more? If it is at 50,000, what is the capacity of the present firms and why the prices are high? (b) and (c). these arise from the fact that because of the shortage in production, as has been mentioned, the price of a Vespa scooter is now Rs. 5,000, and the price of a Lumberetta is now Rs. 4500. As you know, production is going to take time, and the whole procedure of going into production will take further time, as we all know. So, may I ask him two questions which might to some extent go to reduce the black market prices? One is, will he extend the period of prohibition of re-sale of scooters because, what happens is, people go in for scooters, sell the scooter and get a premium on it and buy a new one. Will he extend the prohibition period for resale?

Secondly, will he prohibit the sale of scooters on company accounts because the company, when it gives a scooter to its employees, probably can arrange an alternate method, but what about the person who is self-employed, who is in service and who wants to buy one on his own account? Will he get priority?

श्री शिवचन्द्र शा (मधुवनी) : मंत्री महोदय ने कहा कि कार और स्कूटर मैनुफैक्चरर्स ने अपने टार्गेट पूरे नहीं किये, इसलिए प्लैनिंग कमिशन बीच में था गया और उसके बाने पर लाइसेंस देने की बात रोक दी गई। लेकिन

## [श्री शिव चन्द्र भा.]

अब फिर विचार हो रहा है। मैं जानना चाहता हूँ कि जितनी वृहत्तियाँ हैं, जिन पर आप विचार कर रहे हैं क्या उनकी तरफ से आपको कोई ऐश्योरेंस या गारेन्टी मिली है कि वह अपना टार्गेट पूरा कर देंगे?

बाकी जो लाइसेंस आपने दिये हैं मैंनुपैक्चरसं को कार और स्कूटर्स के, क्या यह बात सही नहीं है कि उसमें प्रिएक्शन बहुत होता है, और कुछ लोग ऐसे थे जो डिजार्ब नहीं करते थे लेकिन उनको लाइसेंस दिये गये और जो नये लोग लाइसेंस चाहते थे उनको नहीं मिले। जो पहले के एस्टेलिशमेंट लोग थे उनको ही लाइसेंस दिये गये?

तीसरा सवाल यह है कि अभी आप कितनी फारेन कारें और स्कूटर इस्पोर्ट करते हैं और उस पर कितना फारेन इक्स्चेंज स्वर्च करते हैं? यदि आप फारेन इक्स्चेंज स्वर्च करते हैं तो साउथ-ईस्ट एशिया में कितना स्वर्च करते हैं?

मेरा आखिरी सवाल यह है कि जब क्वालिटी वर्गेर ह की और दूसरी खराबियाँ हैं तब आप इस इंडस्ट्री को नैशनलाइज क्यों नहीं करते? क्या वजह है कि आप आटोमोबाइल इन्डस्ट्री को नैशनलाइज नहीं करते? मान सीजिये कि स्कूल में कोई विद्यार्थी केल हो जाता है, तो इस का यह अर्थ तो नहीं है कि स्कूल ही बन्द कर दिया जाये। मैं मानता हूँ कि नैशनलाइजेशन में खराबियाँ आ जाती हैं, लेकिन इस का यह मतलब नहीं है कि जो प्रशस्त तरीका है उस को आप छोड़ दें। आज मैं जानना चाहता हूँ कि आप इस इंडस्ट्री को नैशनलाइज क्यों नहीं करते?

श्री सीता राम केसरी (कटिहार): मंत्री महोदय ने भी श्री कोठारी के प्रश्न के उत्तर में कहा कि योजना कमिशन की तरफ से ऐसी बात कही गई है कि जो जनता मध्यम वर्ग की है वही इससे अफेस्टेड होती है और उनकी ही यह मांग है क्योंकि वही स्कूटर इस्तेमाल करते

हैं। मैं जानना चाहता हूँ कि जो 109 ऐप्लि-केशन्स पढ़ी हैं क्या उनसे आपको पता नहीं चला कि कितनी मांग आपके सामने है? आपको योजना कमिशन को लिखना चाहिए या कि आज देश में स्कूटरों की इतनी मांग है।

दूसरी बात यह कि आज हमारे देश में जो स्कूटर बिक रहे हैं, और मेरे दोस्त ने अभी कहा, तथा आप भी मानते हैं, कि स्कूटरों की ब्लैक मार्केट प्राइस काफी बढ़ रही है। इसलिए मार्केट में कम्पिटीशन लाने के लिए, आपने एक प्रश्न के उत्तर में 11 मार्च को कहा था, हमने एक लाइसेंस किसी व्यक्ति या यूनिट को दिया है जिसमें कुल 50 हजार स्कूटरों का प्रोडक्शन होगा और उससे मांग में सुगमता आयेगी। इसी प्रश्न के उत्तर में आपने यह भी कहा है कि आज से दस साल पहले से ही यह महसूस किया जा रहा है कि स्कूटरों की इतनी मांग देश में आ चुकी है। जब दस साल से आपकी सरकार यह महसूस कर रही है कि इस देश में स्कूटरों की आवश्यकता बढ़ गई है तब चूंकि जो स्कूटर कम्पनियाँ बनी हुई हैं और मांग को पूरा नहीं कर रही है, तब मैं जानना चाहता हूँ कि आप कितने यूनिटों को लाइसेंस देना चाहते हैं?

तीसरी बात मैं जानना चाहता हूँ कि विहार से स्कूटर फैक्टरी लगाने के लिये आप को कोई ऐप्लिकेशन मिली है या नहीं? जहाँ तक मुझ को खबर है गोवा से दो ऐप्लिकेशन्स आई हैं।

आखिरी बात यह है कि स्कूटर के संबंध में आर्टिफिशल रबर के लिये देश में तीन चार स्टेट्स हैं, ये पी है, विहार है, यैसूर है और महाराष्ट्र है। चूंकि आज स्कूटर के लिये आर्टिफिशल रबर की बहुत ज़रूरत है, और इन स्टेट्स से आपको आर्टिफिशल रबर मिल सकता है, इसलिए क्या आप कम से कम ज्ञार लाइसेंस देंगे जिसमें दो लाख स्कूटरों का प्रोडक्शन हो सके, और पब्लिक सेक्टर के अन्दर भी सरकार की तरफ से कोई लाइसेंस

दिया जायेगा जिसमें कम से कम दाम में और कम्पनीजान के प्राधार पर लोगों को स्कूटर मिल सके?

**SHRI N. K. SANGHI (Jodhpur):** With the very heavy backlog of orders booked by the common man for scooters, would the Minister consider and devise some way by which a genuine buyer who wants a scooter today is able to get it? Would he care to consider the suggestion that a certain percentage of total production of scooters be allotted to the State Trading Corporation, so that they can auction it to the needy buyer, who wants it genuinely? Sir, I personally feel it is a very important point. It is a necessity of the common man. He is not able to get the scooter. I would request the hon. Minister to consider this suggestion.

18 hrs.

My next question is, the Government of Rajasthan has made an application for a scooter factory to be put up in the public sector. I would like to know whether any thought has been given to this application and, if so, if he is thinking of setting up a factory in the public sector may I know whether Rajasthan has a chance of getting it?

**SHRI F. A. AHMED:** Sir, I would like to reply to some of the important questions which have been raised, particularly by Shri Tapuria. I have already said we are thinking of giving a licence to only one unit for about 50,000. One of our conditions is that the price should be reduced so that it may be possible for the consumer also to get the scooter at a cheaper price. According to the estimate which has been submitted to us such a unit will be able to provide a scooter at about Rs. 1600 ex-factory excluding the excise duty etc. At present the ex-factory price of Lambretta is Rs. 2389, of Vespa it is Rs. 2400 and of Fantabulus is Rs. 3200. Their licensed capacity is about 24000. It will be possible

for this unit, if the licensed capacity is 50,000, to give the scooter at cheaper price.

So far as his other suggestions are concerned, to meet the demand and to overcome the shortage of supply he has given two suggestions. He has suggested to increase the period for replacement of a scooter. I will certainly take that suggestion into consideration. He also has suggested that instead of delivering scooters to the company applications from individual may be considered.

Another hon. member has given a suggestion that distribution should be given to the STC and done through auction. I think that will increase the price of the scooter and make it very difficult for the poor man or a person with small means to purchase a scooter in auction.

It has been asked whether applications from various States like Bihar, Rajasthan and others have also been taken into consideration. I have already stated that as many as 191 applications where considered out of which 17 were selected in the first instance, then 13 were selected out of those 17, then 4 were selected out of those 13, then two and finally one was recommended. I have asked for certain details and I think we shall accept one application which will conform to our requirement of producing scooter of the best type at cheaper price. I think it is these considerations which must weigh with us rather than the consideration of giving this particular industry to one place or the other. I hope the hon. Member will be satisfied. I think in about a month's time decision will be taken by Government which will remove all the doubts regarding the Ministry, keenness to manufacture adequate scooters in our country.

18.05 hrs.

*The Lok Sabha then adjourned till  
Eleven of the Clock on Thursday  
May 8, 1969.—Valsakha 18,  
1891 (Saka)*