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Agrahayana 15, 1900 (Saka)

LOK SABHA DEBATES

Sixth Session



सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

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LOK SABHA

Wednesday, December 6, 1978/Agrahayana 15, 1900 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Nhava-Sheva Satellite Port

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*243. SHRI VIJAY KUMAR N. PATIL:

SHRI ANNASAHEB GOTKHINDE:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the proposal to set up a port at Nhava-Sheva near Bombay has been pending clearance of central authorities and the Planning Commission for a long time;

(b) if so, the details of the proposal and the present stage;

(c) whether the State Government have recently represented to the Central authorities for an early clearance of the proposal; and

(d) what is the reaction of Government to the representation made by the State Government and how soon a final decision in this regard could be expected?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). Yes, Sir.

3407 LS—1

A High level Working Group has been constituted by the Planning Commission in June 1978 to study the establishment of a satellite port at Nhava-Sheva from all angles. The Report of this Working Group is awaited. A provision of Rs. 25 crores has been proposed in the Sixth Five Year Plan for this project.

(c) and (d). Yes, Sir. Maharashtra Government have been apprised of the present position.

SHRI VIJAY KUMAR N. PATIL: Mr. Speaker, Sir, I would like to know from the hon. Minister as to what is the number of ships waiting outside the Bombay harbour for loading and unloading the cargo and what is the reason for delay in giving berth to those ships? I understand that the number of ship-days which are waiting outside the harbour to get berth is increasing day by day. What is the number of ship-days lost during the year 1977-78 in Bombay Port on account of congestion in the harbour? What were the corresponding figures a year ago as also two years ago?

SHRI CHAND RAM: Sir, the number of ships waiting at the Bombay Port is really increasing but the increase is not due to congestion at the Port. It is because of various other factors like less productivity of labour and other factors. In 1974-75, the number of vessels that were held up at Port were 1916 and this number increased to 2426 in 1975-76. In 1976-77 the number of vessels increased to 3039. In 1977-78 the vessels calling on the port was 3162. The number of ship man days lost has gone up from 5223 in 1974-75 to 9347 in 1977-78.

SHRI VIJAY KUMAR N. PATIL: What will be the savings in ocean

freight for import and export, if it is possible to load and unload in vessels of 60,000 D. W. 2 Cargo Packs in containers?

MR. SPEAKER: That does not arise.

SHRI VIJAY KUMAR N. PATIL: What will be the size of shipment of sugar exported abroad from Bombay?

MR. SPEAKER: That also does not arise.

SHRI VIJAY KUMAR N. PATIL: What will be the saving of money through reduction in cost of freight as compared to Bombay Dock and Nhava Sheva Dock?

SHRI CHAND RAM: All these things are being considered by the high level Committee of the Planning Commission. We cannot say what is the actual position. Government will consider to set up the port as soon as the report is obtained by the Government.

SHRI ANNASAHEB GOTKHINDE: In view of the fact that the congestion that took place in July 1978 in Bombay which has been described as a congestion of the century, a Study Group has been constituted and we are told that because of congestion in Bombay there was a loss of more than Rs. 12 crores to the exchequer and the shipping industry in one year. Nhava Sheva is the only remedy to relieve congestion in Bombay port. The answer given is that a provision of Rs. 25 crores has been proposed in the Sixth Five Year Plan for the project. The project as it was originally considered in 1968 was to cost Rs. 51 crores. In 1975 the revised estimate went to more than Rs. 98 crores. The current estimate is Rs. 109 crores. The cost is likely to accelerate further if delay takes place in sanctioning this project. There are certain sections which are interested in

scuttling this project. There are suspicions expressed that Hajira near Surat is being considered for a new port and this project is being abandoned. Will the Government see that enough provision is made for this project and the scheme is sanctioned early? Study Group may also be asked to submit the report as soon as possible.

SHRI CHAND RAM: This is a case for Nhava Sheva project and that is why, we have set up a high level committee. Its report is expected very soon. The other things which he has brought in the question are irrelevant.

SHRI ANNASAHEB GOTKHINDE: They are not irrelevant.

MR. SPEAKER: They are being considered by the Committee.

SHRI ANNASAHEB GOTKHINDE: Is he expediting the Committee's report?

MR. SPEAKER: He cannot expedite the Committee's report.

SHRI VASANT SATHE: What is the usual size of the ship which carries general cargo to ports in West Germany, Japan and USA? What is the annual loss that the exchequer suffers for want of facility for large-sized ships in Bombay to be taken in and both import and export suffering thereby?

SHRI CHAND RAM: All these things are being considered by the high level committee.

SHRI VASANT SATHE: He does not the size of the ship.

SHRI CHAND RAM: That is why, setting up of an alternate port at Nhava Sheva is being considered because Bombay Port is not taking deep draught ships.

SHRI VASANT SATHE: He is the Shipping Minister. Should the Planning Commission know the size of the ship also?

MR. SPEAKER: What is the normal size of the ship and what is the annual loss that is suffered?

SHRI CHAND RAM: They have bigger size ships of 2.5 lakh to 3 lakh. Even at Nhava Sheva dredging will have to be done. There are only two or three ports, in the country namely, Vizag, Haldia, where we have good draught and where deep draught vessels are accepted.

SHRI R. K. MHALGI: The Minister has said that a high level committee has been appointed in the month of June, 1978. It has also been said that the report is likely to be submitted soon. Has the Government fixed any time-limit or given any particular time to the Committee to submit the report to the Government or the Planning Commission?

SHRI CHAND RAM: I have requested the Planning Commission to expedite the report at an early date. I have myself been to Nhava Sheva to see whether we can do anything. Our Secretary, Transport, is a member of that committee. I have asked the Secretary to have this report expedited.

MR. SPEAKER: Has any date been fixed?

SHRI CHAND RAM: This is a Committee appointed by the Planning Commission. I can only request the Planning Commission to expedite the report. It is so far the Planning Commission to submit the report.

Reconstitution of Second Press Commission

*245. SHRI A. ASOKARAJ: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Indian Federation of Working Journalists has urged

for the reconstitution of the Second Press Commission; and

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

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Press reports to this effect have come to the notice of Government.

(b) Government do not propose to reconstitute the Press Commission.

SHRI A. ASOKARAJ: The answer is not so satisfactory. I would like to know whether any press note was given of the announcement made by the hon. Minister in the Rajya Sabha on May 18, 1978 regarding this press Commission?

SHRI L. K. ADVANI: A formal statement was made by me in the Rajya Sabha on 18th May. Subsequent to that, the Press Commission has been constituted and it has been going round and it will be issuing questionnaire to various bodies...and all the necessary steps that it needs to take to complete this work would be taken.

SHRI A. ASOKARAJ: Sir, during 1952-53 the circulation was estimated to be 25 lakhs by this time. But now the circulation of newspapers has come to some 90 lakhs. Considering the larger increase in the circulation, I would like to know whether the Government is considering any move to set up any body for the welfare of these journalists.

SHRI L. K. ADVANI: In fact, in the statement itself that I made in the Rajya Sabha on 18th May, this factor that the hon. Member referred to was taken note of when we said that since 1954 when the first Press commission gave its report, the Indian press has taken new strides and has acquired an added significance with the continuously expanding readership. So this factor has been taken cogni-

zance of and I am sure that the Press Commission while making recommendations will take note of it.

SHRI K. A. RAJAN: Mr. Speaker, Sir, I would like to know from the hon. Minister whether Mr. Nikhil Chakravarty, the editor of the *Mainstream*, has resigned from the membership of the Press Commission. If so, what is the reason advanced by him?

SHRI L. K. ADVANI: Sir Mr. Chakravarty has tendered his resignation to the Chairman of the Press Commission and this resignation followed appearance of a press report about our Party meeting. I feel that the resignation was based upon a misunderstanding and subsequent to that, the Chairman of the Press Commission has spoken to the Prime Minister and I myself have spoken to Mr. Chakravarty and I hope that the misunderstanding would be removed and Mr. Chakravarty would be serving the Press Commission again.

DR. SUBRAMANIAM SWAMY: Sir, the Emergency is an antithesis of press freedom and the Press Commission is supposed to safeguard the press freedom. At the time of appointment when it was suggested to the Commission that Mr. Nikhil Chakravarty should be appointed, was the hon. Minister aware that the Shah Commission has quoted from Home Ministry's reports what Mr. Nikhil Chakravarty's view was over the Allahabad High Court decision where he advocated basic changes in the Constitution and that the President should waive all disqualifications of the then Prime Minister in consultation with the Chief Election Commissioner, and also whether he is aware that in the July, 12, 1975, issue of *Mainstream*, of which Mr. Chakravarty is the editor, he said:

"...those who have for long been warning about the danger from the

right and tirelessly calling for patriotic unity in defence of democratic values have been vindicated even if it is felt that these measures were long overdue and that there was a convincing case for Emergency measures in the very first week of this year (1975) when a Cabinet Minister had been assassinated in broad daylight, a heinous act which the Prime Minister herself referred to while announcing to the nation the promulgation of the Emergency in the morning of June 26."

and also what he said in the subsequent articles throughout till the magazine closed, and whether the Minister is aware that Mr. Nikhil Chakravarty was out and out a supporter of the Emergency all through, as reflected by his articles up till August 1976, and whether he has brought this to the notice of the Chairman of the Press Commission, when his appointment was made, to say that a man of his stature should not be appointed to the Commission?

SHRI L. K. ADVANI: I can say this much that even during the Emergency, was personally trying to follow how various journalists responded to the traumatic situation that had then arisen and then on the basis of my own assessment, I can say that I regard Mr. Chakravarty as one who (Interruptions). A question has been posed referring to certain statements made by Mr. Chakravarty or said to have been made by Mr. Chakravarty in his journal as a part of his response to Emergency. I am not aware of that particular statement. But I am aware that in all, taken in totality, Mr. Chakravarty proved himself as one of the few journalists who showed professional integrity and stood up to the challenges of that time so much so that he opted and preferred to close down and wind up his journal rather than succumb to the authoritarian pressure of that time.

Glut in T.V. Industry

*246. **SHRI MANORANJAN BHAKTA**: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government are aware of the glut in the T.V. Industry:

(b) whether it is due to unpopular T.V. Programmes and their short ranges; and

(c) if so, details thereof and what steps are being taken to remedy the situation?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) There is no glut in the T.V. industry. In fact, the Department Electronics is constantly under pressure from TV set manufacturers to meet their increasing needs of TV picture tubes for the growing market.

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

SHRI MANORANJAN BHAKTA: If a survey is conducted to elicit the opinion of the TV viewers, the Government will know that the TV is just a status symbol, much less a media of information and entertainment. I would like to know whether any effort has been made to know as to how many hours the TV sets are switched on by the viewers—only for feature films and a few other programmes—if so, what steps are proposed to make it a popular media of entertainment among the viewers.

SHRI L. K. ADVANI: So far as the programmes are concerned, there is a constant effort and a constant exercise in the various TV studios and Stations to improve the quality of the programmes at all levels. Till now, there has been over dependence on filmic content and there has been a conscious effort on the part of the TV

Programme Executives to ensure that this dependence decreased without detracting from the entertaining content and the instructive content of the programmes.

SHRI MANORANJAN BHAKTA: I would like to know whether the Government is considering to make the TV spread out throughout the country, including the isolated and remote Union Territories like Andaman and Nicobar Islands and Lakshadweep Islands.

SHRI L. K. ADVANI: Expansion of TV network would very much depend upon the availability of resources and Members would appreciate that this consideration would not make the expansion of TV a very high priority in our over all plan strategy. But within this limit, we would certainly like to reach out as many people as possible.

SHRI MANORANJAN BHAKTA: Specifically asked about reaching the people in the remote areas like Andaman and Nicobar Islands. The Minister has not said anything about that.

MR. SPEAKER: Your place also comes within the parts of India.

PROF. P. G. MAVALANKAR: Mr. Speaker, Sir, in reply to parts (b) and (c) of the question, the Minister has said, "Do not arise", because he assumes in part (a) that there is no glut in the TV industry. Apart from that answer may I ask him whether it is not a fact—although TV has been now an established industry and unit of Government programme in this country accepted by the people also—that the TV programme planning is not yet as attractive and as imaginative and educative in import as it ought to have been, especially in view of the fact that the impact of this mass media is tremendous in a country of our size and illiteracy?

What is the Government doing in regard to that?

SHRI L. K. ADVANI: I would not deny there is ample scope for improvement, and constant efforts in this direction are going on. In fact, in this me has been drawn up to cover, especially, the T. V. plays, and for that, we are taking recourse to the non-lapsable fund we have. Certain programmes that have been conceived have really attracted appreciation from the audience.

श्री श्रीम प्रकाश त्यागी: अध्यक्ष महोदय, मैं मंत्री महोदय से यह जानना चाहता हूँ कि सरकार ने जो योजनाएँ जनहितार्थ बनायी हैं—पंचवर्षीय योजनाओं में सामाजिक कुरीतियों दूर करने के बारे में जो योजनाएँ हैं जिन से देश में बहुत बड़ा खतरा उत्पन्न हो रहा है—क्या उन योजनाओं में टेलीविजन के प्रोग्राम का कोई डायरेक्ट सम्बन्ध है? मेरा तो ऐसा अनुभव है कि इन सामाजिक कुरीतियों जैसी समस्याओं के सम्बन्ध में टेलीविजन के कोई डायरेक्ट सम्बन्ध नहीं बैठता है। क्या या इस सम्बन्ध को स्थापित करने की चेष्टा करेंगे?

श्री लाल कृष्ण आडवाणी: सम्मानित सदस्य ने जो बात कही है, वह सही नहीं है क्योंकि जो देखने वाले दर्शक हैं उन में से अगर किसी की शिकायत होती है तो वह यही होती है कि इस में इस्टिम्बल कन्टेन्ट ज्यादा है, इसे और मनोरंजक बनाया जाना चाहिए। वे यह भी कहते हैं कि हमारा उद्देश्य यह है कि...

श्री श्रीम प्रकाश त्यागी: कुरीतियों को दूर करने की दिशा में आप का योजना के साथ कोई सम्बन्ध है या नहीं?

श्री लाल कृष्ण आडवाणी: इसका शिक्षणात्मक जो पहलू है उस का योजना से ही सम्बन्ध है। अन्त्योदय के जो प्रोग्राम टी० वी० पर दिखाये जाते हैं वे इसी उद्देश्य से दिखाये जाते हैं। लेकिन मुझ को जो दर्शक मिलते हैं वे कहते हैं कि टी० वी० पर अन्त्योदय का कार्यक्रम दिखाना तो अच्छा है लेकिन हमको टी० वी० पर मनोरंजन भी चाहिए। मैं उन को बताता हूँ कि इस के द्वारा मनोरंजन भी होगा, साथ साथ शिक्षण भी होगा और हिन्दुस्तान जैसे देश केवल मनोरंजन के लिए टी० वी० का उपयोग नहीं हो सकता है।

New Mini Cement Plants

*247. **SHRI BIRENDRA PRASAD:** Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have identified ninety sites for setting up

mini cement plants to be based on lime stone deposits;

(b) whether more sites are likely to be identified later; and

(c) out of these how many sites are situated in the State of Bihar?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). Cement Research Institute have identified 46 potential sites in 19 States for establishing mini cement plants. Since there are several lime stone deposits which are yet to be explored and proved, there are possibilities of identifying more sites later.

(c) In the State of Bihar the sites identified by the Cement Research Institut are as under:—

- | | |
|----------------------|-------------------|
| 1. Baulia-Chunhatta | Rohtas District |
| 2. Bandu Basseriya | Hazaribagh Distt. |
| 3. Kurkutta Religera | Hazaribagh Distt. |
| 4. Jaradag | Shahbad District |
| 5. Bilduria | Shahbad District |
| 6. Mutaiwan | Shahbad District |

श्री बीरेन्द्र प्रसाद: अध्यक्ष महोदय, मैं मंत्री महोदय से जानना चाहता हूँ कि सीमेंट अनुसंधान संस्थान ने 19 राज्यों में 46 मिनी मिमेंट प्लांट लगाने की जो बात कही है इन मिनी प्लांट्स के लगने में कितना समय लगेगा और इन पर कितनी राशि खर्च होगी?

श्री जार्ज फर्नान्डेस: अध्यक्ष जी, जहाँ तक मिनी मिमेंट प्लांट लगाने का सवाल है, उन को सरकार खुद नहीं लगाने जा रही है। इन पर अलग अलग प्राइवेट एन्टरप्राइजेस लगाने का काम कर रहे हैं। इस समय लगभग तीस ऐसे यूनिट्स हैं जिन पर काम काफी आगे बढ़ चुका है। हम आशा करता हूँ कि अगले साल लगभग दस मिनी सिमेंट प्लांट देशभर के निर्माण में काम में लग जायेंगे।

अभी हम ने सरकार की ओर से दो कमेटियाँ बनायी थी—एक इसके आर्थिक पहलू के बारे में सोचने के लिए और दूसरी इन के तकनीकी पहलू के बारे में सोचने के लिए। उन की रिपोर्ट अभी आयी है और जैसे ही सरकार का उन पर फैसला हो जाएगा, वैसे ही मुझे आशा है कि हम देशभर में बड़े पैमाने पर ये छोटे सीमेंट के कारखाने लगाने के बारे में पहल कर पायेंगे।

श्री बीरेन्द्र प्रसाद : लाइम स्टोन डिपॉजिट्स बिहार के छोटा नागपुर के इलाके में बहुत प्रचुर मात्रा में है। बिहार में छः स्थानों का चुनाव किया गया है मिनी मिमेंट प्लांट्स के लिए। इसमें छोटा नागपुर नहीं है। बिहार में छोटा नागपुर जैसे स्थानों में जहाँ लाइम स्टोन बहुत अधिक मात्रा में उपलब्ध है उन स्थानों में मिनी मिमेंट प्लांट की स्थापना के बारे में क्या सरकार का कोई विचार है?

श्री जार्ज फर्नान्डेस : मिमेंट रिमिंग इन्स्टीट्यूट की ओर से कहा गया कि मिनी स्टील प्लांट लगाए जाएंगे और तीन वर्ष पहले यह खोज शुरू हुई थी, एक विचार ऐसा बना था, दिमाग ऐसा बना था कि ऐसे इलाकों में जहाँ लाइम स्टोन डिपॉजिट्स बहुत मात्रा में उपलब्ध है वहाँ मिनी मिमेंट प्लांट लगाए जाएंगे और जहाँ वही मात्रा में उपलब्ध है वहाँ बड़े कारखाने लगाए जाएंगे। यह एक खोज थी। मैं खुद इस पक्ष में नहीं हूँ। मैं मानता हूँ कि इस देश में बहुत ही बड़े पैमाने पर हम लोगों को छोटे कारखाने लगाने की कोशिश करनी चाहिए, काम करना चाहिए। माननीय सदस्य ने छोटा नागपुर इलाके के बारे में जो कहा है वह बिल्कुल ठीक है और जैसे ही एक बार हम पर तीन सरकार की अंतिम तौर पर बन जाएगी उसके बाद छोटे कारखाने देश भर में लगाने का काम शुरू हो जाएगा।

SHRI DWARIKADAS PATEL: May I know from the Hon. Minister whether these mini cement plants will be economic units in competition with larger units and, also, what precautionary steps the Government plans to take to ensure their competitiveness?

SHRI GEORGE FERNANDES: As I said earlier, we appointed two Committees—one to consider the economics of the mini cement units, and the other to consider the technical and technological aspects of the mini cement industry, and the two Committees have submitted their reports. Where the economic aspects of the mini cement industry are concerned, the Committee has made certain recommendations which would require the Government to make some fiscal concessions to the mini cement units. All these points are under examination at the moment and once a decision is taken, it would be Government's endeavour to see that the mini-cement plants are enabled to function in a competitive market where the large cement plants are presently operating. (Interruptions).

SHRI DINEN BHATTACHARYA: The Minister has stated in his reply, that there are possibilities for setting up more mini cement plants. May I know, in this respect, what is the total amount of cement necessary for this country and how much is at present produced from the different cement industries? Secondly, is it within the knowledge of the Minister that in most of the places, cement is sold at black-market prices?

SHRI GEORGE FERNANDES: This year, the requirement of cement in the country is estimated at 20 million tons, and we shall be producing 20.5 million tons. Our efforts are to reach 21 million tons, but we are sure of reaching 20.5 million tons.

AN HON. MEMBER: How much are you importing?

SHRI GEORGE FERNANDES: We are importing about 2 million tons of cement. In so far as distribution of cement is concerned, since 1st October, the distribution in most of the States has been taken over by the State distribution and marketing agencies. To the best of my knowledge, this new system whereby the States are looking after the distribution of cement, is working satisfactorily and we have not had any recent reports, at least, of anyone indulging in black-market of cement.

पाकिस्तानी एजेंटों का पकड़ा जाना

* 248. श्री हरमोचन्द्र वर्मा : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गत दो महीनों के दौरान कुछ पाकिस्तानी एजेंट पकड़े गये हैं ;

(ख) यदि हां, तो कितने और क्या सरकार ऐसे लोगों का भारत में प्रवेश रोकने के लिये कोई विशेष प्रबन्ध कर रही है ; और

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

गुरु मंत्रालय में रखवा करती (बी. एन. एन. मन्त्रालय) (क) से (घ). तीन पाकिस्तानी जिन पर एरेंट होने का एक किया गया था, 1-9-1978 से 31-10-78 तक की अवधि में पकड़े गये थे और उनके विरुद्ध मामलों की जांच पड़ताल की जा रही है। भविष्य प्रवेश तथा जासूसी के प्रयत्नों से कारगर ढंग से निपटने के लिए निरन्तर सतर्कता बरती जा रही है।

श्री हनुमान्प्रसाद शर्मा : मैं मंत्री जी से यह जानना चाहता हूँ कि जो पाकिस्तानी एरेंट पकड़े गये हैं, क्या ये पूर्व भारत के नागरिक थे जो कि वहाँ पर भाग कर गये हैं? उनमें से एक व्यक्ति ऐसा है जिसका नाम मोहम्मद चौधरी है, जो गया और पाकिस्तान की फौज में भर्ती हुआ और सन् 1971 की लड़ाई में उधर की तरफ से जो बुसपैट्रिये धाये, उनके मार्गदर्शन का काम उमते किया, क्या ऐसी जानकारी सरकार के पास है? यदि है, तो उसके लिये क्या सरकार व्यवस्था कर रही है, मंत्री जी यह बताने का कष्ट करेंगे?

श्री धनिक लाल मन्त्रालय : इन तीन व्यक्तियों के नाम इस प्रकार हैं। पंजाब से जो पकड़े गये हैं, उनका नाम मोहम्मद यार है, राजस्थान से पकड़े गये का नाम बन्नी मोहम्मद है और तीसरे का नाम गुले खाँ है। चौधरी नाम का कोई व्यक्ति इन तीन माह में नहीं पकड़ा गया है।

श्री हरप्रसाद शर्मा : भारतीय चौधरी सहित 4 छादमी पकड़े गये हैं। एक छादमी का नाम मंत्री जी ने वहीं बताया है। हमको यह संकेत हो रहा है कि मुल्क में हम तरह के संकेत आश्रम के नाम से भी चलते हैं और ऐसे नाम विदेशी संस्थाओं के माध्यम से छपवा कारोबार वेब में चला रहे हैं जैसे राजवीश का आश्रम चलता है। क्या सरकार विशेष रूप से गौर कर के इन बातों का पता लगाने की क्योंकि इससे देश की सुरक्षा का सम्बन्ध है और इस पर ध्यान देने की ज्यादा जरूरत है?

श्री धनिक लाल मन्त्रालय : आश्रम की बात जो कही गई है, इस पर भी पूरी सतर्कता बरती जाती है। (व्यवधान)।

श्री लक्ष्मण चन्द कच्छवाल : इस समय भारत की अनेकों जेलों के अन्दर बहुत बड़े पैमाने पर पिछले 5, 6 साल से लगानार पाकिस्तानी एजेंटों के नाम से बहुत से लोग बन्द हैं। क्या सरकार इन सब मामलों पर पुनर्विचार करके यह देखेगी कि वास्तव में कौनसे अपराधी हैं और कौन निर्दोष हैं? इनमें बहुत से ऐसे हैं जो पाकिस्तान में रहते थे और अब बरतों से यहाँ पर रहे हैं, यहाँ के नागरिक नहीं हैं, और बहुत से ऐसे भी हैं जो यहाँ रहते थे और पाकिस्तान चले गये। वहाँ पर मन नहीं लगा तो बापिस आ गये। उनको भी पाकिस्तानी एजेंट

के तौर पर बन्द किया गया है। क्या सरकार इस पर पुनर्विचार करेगी?

श्री धनिक लाल मन्त्रालय : जिन लोगों को पकड़ा जाता है और जिन पर मुकद्दमा चलाया जाता है, उन पर मुकद्दमा चलाने के पहले पूरी सतर्कता से जासूसी की जाती है। सारे मामलों को देख लिया जाता है इसलिये यह प्रश्न यहाँ उत्पन्न नहीं होता।

श्री बी० पी० मन्त्रालय : मैं यह जानना चाहता हूँ कि सरकार की तरफ से जो कहा गया है कि 3 छादमी पकड़े गये, तो वह तीन छादमी किस तरह से हिन्दुस्तान में घुस गये थे? क्या सरकार इस बात में सैटिस्फाइड है कि इन तीन छादमियों के घलावा और कोई ऐसा एजेंट वहाँ नहीं है? ये तीनों छादमी क्या कार्यवाही कर रहे थे, मैं वह सारी डिटेल्स जानना चाहता हूँ कि कैसे धाये, क्या करते थे और इसके घलावा और है या नहीं?

श्री धनिक लाल मन्त्रालय : मोहम्मद यार पासपोर्ट पर धाये थे, उनको पासपोर्ट कानून के अन्दर और फार्मस एक्ट के अन्दर पकड़ा गया है। बली मोहम्मद भी पासपोर्ट पर धाये थे और उनके विरुद्ध भी पासपोर्ट कानून और फार्मस कानून के अन्दर मुकद्दमा चलाया गया है। गुले खाँ भी पासपोर्ट पर धाये थे और उनके विरुद्ध भी पासपोर्ट एक्ट और फार्मस एक्ट के अन्तर्गत मुकद्दमा चलाया गया है।

SHRI B. P. MANDAL: Why were they arrested when they had come after getting the passport?

MR. SPEAKER: Under the Foreigners Act, after the passport expired.

SHRI VASANT SATHE: The whole tenor of the question is that they are being charged as Pakistani agents. The reply shows that they are only guilty of pass-port expiry.

MR. SPEAKER: He never said so. He said three Pakistanis had been arrested.

SHRI VASANT SATHE: The question is that of agents. How do you know that? They have not even been charged of that.

Loss incurred by Coal India Ltd.

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*249. PANDIT D. N. TIWARY:

SERI S. R. DAMANI:

Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that losses of Coal India Ltd. have been the highest during the last year;

(b) if so, the amount of loss incurred during the last three years (year-wise);

(c) the causes of losses; and

(d) the remedial measures taken to prevent such losses?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Yes, Sir.

(b) Year-wise losses are:—

1975-76=Rs. 27.98 crores
(Provisional)

1976-77=Rs. 45.58 crores
(Provisional)

1977-78=Rs. 89.77 crores
(Provisional)

(c) The main cause of loss is that the present controlled price of coal does not cover the cost of production which has gone up substantially due to, among other factors, increase in the wage bill, loss of production due to heavy rains and increase in the cost of inputs.

(d) The coal companies have been asked to take various measures to reduce cost of production and improve efficiency of operations. Also, the question of raising the coal prices is being examined by Government.

SHRI D. N. TIWARY: From the very inception of the establishment of Coal India Ltd., there has always been loss and the losses are passed on to the consumers. The losses are due to

mismanagement. The consumers are to suffer for the mismanagement of the staff there. It seems that the Coal India has eaten up all its capital. From the very beginning if you compute, you will find that it has been eating up its capital but the Government has never taken any step to check this. They simply passed on the burden to the consumers. When it was nationalised the rate of coal was Rs. 4/- per maund and now it is Rs. 12/- per maund. Still there are losses. May I know has the Coal India at any time during its life earned profit or it has always suffered loss?

SHRI P. RAMACHANDRAN: It is true that it has been incurring losses in the course of the last few years. I will explain the reasons.

At the time of the nationalisation the coal price was Rs. 37.50 per tonne. But in the course of the last four years the prices of inputs have gone up very steeply. I can give a few figures for the information of the House.

The average wage per head including perks and bonus average of private and public sector, it was Rs. 10/- per day in 1973 at the time of nationalisation. It is Rs. 34.56 average per day in 1978-79. Minimum public sector earning was Rs. 222.00, whereas it is today Rs. 430.00. The bonus was only 4 per cent, now it is 8.33 per cent. Also, at the time of nationalisation the total work force was only 4,62,000, whereas today after regularisation of the casual labour and the contract labour and various other factors, the number has gone up to nearly 5,79,000. Apart from that on safety measures improvement we have to spend about Rs. 15 crores per annum after nationalisation. In addition to that we have got, for instance, a Drag Line Machine which was costing Rs. 1.8 crores at the time of nationalisation and today it costs Rs. 6.2 crores and shovels, for instance, which was costing Rs. 22 lakhs, today it costs Rs. 44 lakhs. That means the coal price has gone up only by 70 per cent, whereas

the inputs have gone up by more than 200 to 300 per cent. That is why, the cost of production has gone up and the unremunerative prices that have been fixed by the Government under various categories are not viable enough and not commercially viable.

Another thing is that three committees were appointed in the course of last few years. One was Fernandes Committee; another was a committee he added by Prof. Chakravarty, Member Planning Commission and the third one was headed by Shri Baveja Director-General, Bureau of Public Enterprises. All those committees had recommended increase in coal prices. But unfortunately, the Government on previous occasions had increased the price only marginally. The first committee recommended a price rise of Rs. 12—whereas the actual price increase was Rs. 10 only. The second committee recommended a price rise of Rs. 21.5 whereas the actual price increase was Rs. 17. The third Committee also recommended a price increase and that is under the active consideration of the Government.

SHRI D. N. TIWARY : More men are being employed today. The production in Coal India is not commensurate with the men employed. There are more men and production is less. Therefore, there is a price hike. What steps the Minister has taken to see that production is according to the number of men employed because before nationalisation, fewer men were producing more than what more men are producing today? If more production is there, the expenditure can be distributed. Secondly, when the people find that after nationalisation they have to pay more, don't you think that there will be suspicion in the minds of the people that after Government takes over anything, the prices go up and then they will be against nationalisation? Have you taken this matter into consideration?

SHRI P. RAMACHANDRAN : We have taken that into consideration and

it is beyond the control of the coal companies to contain the prices because when price of inputs goes up steeply, I do not think the coal companies can be asked to control prices. On the other hand, because of more efficiency, we are trying to improve the production in the coal companies. In fact, in the current year, the programme was to produce nearly 113.5 million tonnes of coal. Unfortunately, due to heavy floods in two companies i.e. BCCL and ECL, the production has suffered very steeply whereas in the two other companies which were not affected by the floods, the production has increased by nearly 9 per cent as compared to last year. That is why, we are constantly trying to see that coal production increases with all the efficient measures.

SHRI D. N. TIWARY : Is he going to disabuse from the minds of the people the fact that after nationalisation the price of everything goes up?

SHRI P. RAMACHANDRAN : It is only in order to disabuse from the minds of the people this thing that I tried to explain by giving certain facts how the prices of inputs have gone up in the course of the last few years.

SHRI EDUARDO FALEIRO : The hon. Minister has said beautiful things to justify his problems of production. But the main reason is mismanagement in the coal mines and corruption in his Ministry. I want to ask this question which contains serious allegations. Is it a fact that last year a meeting was held with the managers of coal mines under his presidency wherein inflated and bogus figures of production were shown and on that basis, incentives were shown and on that basis, incentives were distributed by this Minister. Subsequently, the State Minister, who is also present, Mr. Fazlur Rehman, directed the Chairman of Coal India to have a physical verification of stocks. It was found that the stocks were must less and the figures were bogus and false. I want to know whether it is true and

what action has been taken against the persons who gave bogus figures and whether those substantial incentives have been withdrawn?

SHRI P. RAMACHANDRAN: Sir, it is true that a meeting was held with the Chairman and Managing Directors of various coal companies and it was never brought to our notice at that time whether any incentives will be distributed there. Subsequently, when the Government directed to have physical verification of the coal production we found some discrepancies in one company, and we have taken action against that company and also against the people who were responsible for that and we are actively considering what more steps we can take to see that such bogus figures are not given.

श्री राम बिलास पासवान : क्या यह सही है कि प्राइवेट मैनेजमेंट ज्यादा दिलचस्पी में काम करते हैं, अगर जब कोई उद्योग या संस्थान सरकार के हाथ में चला जाता है, तो सरकार ने मांगवम उसको अपनी चीज समझ कर काम नहीं करते हैं? क्या सरकार यह महसूस करती है कि कोल इंडिया लिमिटेड में भी इसी तरह से काम होता आ रहा है और उसके एम्प्लॉई तथा पदाधिकारी उसको अपनी सम्पत्ति समझ कर काम नहीं कर रहे हैं, जिसके फलस्वरूप यह घाटा हो रहा है? जहाँ तक दाम तय करने का प्रश्न है, मैं यह जानना चाहता हूँ कि दाम कौन तय करता है। जब दाम तय किया जाता है, तो क्या अन्य जीवनोपयोगी चीजों के भावों को भी ध्यान में रखा जाता है या नहीं?

SHRI P. RAMACHANDRAN: Sir, mostly the price is fixed taking into consideration the cost of production. And as I explained earlier, the price was fixed twice before, much less than the price recommended by the committees appointed by the Government and that is because we did not want that the users' prices also rise. That is the reason. But with regard to the other factors, it is our endeavour to see that efficiency is improved and coal production goes up and losses are minimised and at the same time I want to emphasise that without proper pricing it will be impossible to reduce the losses in the coal industry.

Conference held by F.I.C.C. & I. in CSIO Campus, Chandigarh

***250. SHRI BHAGAT RAM:** Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the Federation of Indian Chamber of Commerce and Industry (Northern Zone) held their conference in the CSIO Campus, Chandigarh on 7th November, 1978;

(b) whether it is a fact that the CSIO was closed on 7th November, 1978 and closed half an hour early on 6th November, 1978 to enable the Federation of Indian Chamber of Commerce and Industry to hold its conference and the entire campus was placed at their disposal;

(c) under what circumstances the CSIO Campus was made available to FICC & I to hold the Conference which has nothing to do with CSIR/CSIO;

(d) how much expenditure has been incurred by CSIO recently to renovate the CSIO auditorium; and

(e) whether the CSIO Employees Union protested against this; if so, what was the cause for their protest and action taken by Government in the matter?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes, Sir.

(b) Central Scientific Instruments Organisation (CSIO) was closed on 7th November, 1978 and also half an hour earlier on 6th November, 1978. In lieu thereof, the establishment functioned on a closed day. These measures were adopted to avoid any untoward situation developing from the slogan shouting by a few Union Members. The entire campus was not placed at the disposal of FICCI. Audi-

torium, Conference Room and a part of the lawn were allowed to be used.

(c) The request of FICCI for holding a conference in CSIO was acceded to in accordance with the approved practice to allow the use of the Auditorium for scientific, educational, cultural and industrial get-together and other functions on a rental basis.

(d) An approximate expenditure of Rs. 14,302 has been incurred in the normal course of replacement of worn out linoleum flooring etc. in the Auditorium but this has nothing to do with the holding of the conference.

(e) A representation from the CSIO Employees Union (unrecognised) has recently been received in the CSIR protesting against the alleged misuse of official property. The matter is being looked into.

श्री भगत राम : सवाल के पार्ट (बी) में कहा गया है कि 6 नवम्बर को आधे घंटे के लिए और 7 नवम्बर को पूरे दिन के लिए सी एम ग्राह ऑफ चंडीगढ़ की इसलिए बन्द किया गया कि थोड़े से जो यूनियन के मेम्बर थे उन के द्वारा डर था कि वह स्टांगन शाउटिंग करेंगे। असल में वह थोड़े से मेम्बर नहीं थे। अगर थोड़े से मेम्बर होते तो उन के बन्द करने की जरूरत नहीं होती। मजारिटी आफ दि मेम्बर थे। बात असल में यह है कि सी एम ग्राह ऑफ चंडीगढ़ के जो डायरेक्टर साहब हैं उनका ऐटिच्यूड ऐंटी एम्प्लोई है। यह इस से भी पता चलता है कि पार्लियामेंटरी ग्लेवशन होने के बाद वहां की यूनियन ने प्रधान मंत्री जी के स्टेटमेंट से प्रभावित हो कर वहां करप्शन नंगी करने के लिए एक स्टेटमेंट दिया था और जो मेमोरैंडम पर साइन करने वाले प्रेसिडेंट और सेक्रेटरी थे श्री हरिमोहन जी और श्री भल्ला जी तथा अन्य को विक्टिमाइज किया गया। डेढ़ मास से उन को वेतन नहीं मिल रहा है। इससे पहले उन्होंने यह रिक्वेस्ट की थी डायरेक्टर साहब से कि हमारी जो बाल इंडिया की फैब्रिकेशन है उस की मीटिंग करने के लिए सी एम ग्राह ऑफ चंडीगढ़ की विलिंग हाल की जाय लेकिन वह उन को नहीं दी गई परन्तु F.I.C., C.L.I. को दी गई। इसलिए उन्होंने प्रोटेस्ट किया।

मैं प्रधान मंत्री जी से यह पूछना चाहता हूँ कि 6 नवम्बर को आधे घंटे बन्द करने पर और 7 नवम्बर को पूरे दिन बन्द करने पर एम्प्लोईज की बेचैनी का कितना नुकसान हुआ और एलेक्ट्रिसिटी और वाटर प्राइस का कितना नुकसान हुआ और

कितना किराया लिया। यह भी उस में कहा गया कि छुट्टी वाले दिन उनसे काम करवाया गया। क्या प्रधान मंत्री जी बताएंगे कि छुट्टी वाले दिन जो उन से काम लिया गया है उसकी उन को स्पेशल पे दी जाएगी ?

श्री मोरारजी देसाई : जब क्लोज होता है तो उस दिन तो काम नहीं होता है, वह बात तो सही है। परन्तु दूसरे दिन वह काम पूरा किया गया, इसलिए काम का कोई नुकसान नहीं है। यह कहते हैं कि ज्यादा लोग इस में शाउट कर रहे हैं वह बात सही है। 30 लोगों ने शाउटिंग की थी तो तीस की संख्या तो इस के हिसाब से बहुत ज्यादा नहीं कही जा सकती। बाकी जो यह कहते हैं कि मैनेजर का ऐटिच्यूड ऐंटी लेबर है वह बात मुझे कबूल नहीं है।

श्री भगत राम : घानरेबल प्राइम मिनिस्टर साहब ने इसी पार्लियामेंट हाउस में यह जाना है कि उन के घनगंधोराइज रेनोवेशन के लिए 66 हजार का खर्चा हुआ है और अभी तक उन पर कोई ऐक्शन नहीं लिया गया। थोड़ी बहुत उन की पे काटो जा रही है। जो काफी नहीं है। इसके अलावा उन्होंने विक्टिमाइजेशन भी किया है। इसी नेचर की उन की इर्रिगुलैरिटीज हैं। तो क्या घानरेबल प्राइम मिनिस्टर साहब जो उन की इर्रिगुलैरिटीज हैं उन के ऊपर ऐक्शन लेने के लिए तैयार हैं और डायरेक्टर के घर पर जो यूनियन के आफिस वीयरर ने करप्शन नंगी करने के लिए मांगों का मेमोरैंडम दिया था उन का विक्टिमाइजेशन दूर करने के लिए क्या वह तैयार हैं ?

श्री मोरारजी देसाई : मेरी समझ में नहीं आया। जय फिर से दोहराएं।

श्री भगत राम : मैंने इसी हाउस में एक क्वेश्चन किया था और उस का घानरेबल प्राइम मिनिस्टर साहब ने यह जवाब दिया था कि वहां के डायरेक्टर साहब ने 66 हजार रुपये घनगंधोराइज रेनोवेशन करने के ऊपर लगाया...

MR. SPEAKER: You cannot have a third question.

He asked whether the workers have submitted a memorandum and whether that would also be considered.

SHRI MORARJI DESAI: As a matter of fact, it is unauthorised and they are looking into what it is.

WRITTEN ANSWERS TO QUESTIONS

News item Captioned 'Yugoslav Doubts on Indian Technology'

***242. SHRI JANARDHANA POOJARY:** Will the Minister of **SCIENCE AND TECHNOLOGY** be pleased to state:

(a) whether Government's attention has been drawn to the news item published in the *Indian Express* of 13th October, 1978 under the caption 'Yugoslav Doubts on Indian Technology'; and

(b) if so, reaction of Government thereon?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes, Sir.

(b) The news item is apparently based on the Agenda and Notes prepared by FICCI [for the Second Meeting of the Indo-Yugoslav Joint Business Council (JBC) held in Belgrade in September, 1978] in which an analysis had been made of certain projects, in which Engineering Projects of India Ltd. was involved, where the Indian offers were later rejected or allowed to expire after protracted negotiations. Such analysis and discussions at the JBC level are normal and are intended to clarify doubts and misconceptions to enable progress to be made over the future. Government is of the view that no undue importance should be given to the impression created by the caption of this news item. Indeed Civil Construction Contracts worth over Rs. 300 crores from six countries and Consultancy Contracts worth about Rs. 10 crores from several countries have been secured by Indian firms during 1977-78 indicating the capability of Indian engineering and technology.

Production of Controlled Cloth in Private Sector Textile Mills

***244. SHRI M. KALYANASUNDARAM:** Will the Minister of **INDUSTRY** be pleased to state:

(a) whether according to the new textile policy the production of 50 million square metres of controlled cloth per quarter will be offered to the private sector textile mills through tenders;

(b) if so, whether tenders have been invited accordingly; and

(c) the details thereof and the private sector mills' response thereto?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). Controlled cloth scheme under the new textile policy is being operated on the basis that 100 million square metres of controlled cloth will be produced in the mill sector in a quarter (3 months) of which 50 million square metres is to be assigned to National Textile Corporation and tenders are to be floated for the balance 50 million square metres from private sector mills. NTC is to be assigned additional production to the extent of shortfall from the private sector mills.

For the quarter October-December, 1978, response from the private sector mills covered about 26 million sq. metres of which about 16.81 million square metres was accepted. The shortfall of about 33.19 million square metres has been additionally assigned to the National Textile Corporation

Rajadhyaksha Committee Report

***251. SHRI SUKHDEV PRASAD VERMA:** Will the Minister of **DEFENCE** be pleased to state:

(a) whether the Report of Rajadhyaksha Committee regarding reorganisation of Ordnance Factories has been submitted;

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

(c) whether workers' representatives will be consulted before implementation of the recommendation so made?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH): (a) Yes, Sir. The First Report of the Committee has been received.

(b) The salient features are as below :—

(i) Setting up of an Ordnance Factory Board;

(ii) Integration of Finance and Accounts functions with the general management function at different levels;

(iii) Merger of the Heavy Vehicles (Tank) Factory with the Ordnance Factories Organisation; and

(iv) Separation of the Ordnance Equipment Group of Factories from the Ordnance Factories Organisation.

(c) Workers' representatives have been consulted.

Recession in Shipping Industry

*252. SHRI P. KANNAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that there is a recession in the Shipping Industry;

(b) if so, whether the reasons have been identified; and

(c) the steps taken to improve the position in this important sector of national economy?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). As a result of overtonnage leading to acute depression in the freight market, the shipping companies the world over are facing financial difficulties. Indian Shipping Companies, although not affected to the same extent as shipping companies in other countries, are also facing problems of liquidity. This is

affecting different Indian shipping companies variously, depending upon the composition of their fleet.

(c) The Government have since decided that financial reliefs could be granted to Indian Shipping Companies facing serious cash flow problems by adopting the following three measures for the period upto 31st March, 1979:

(i) Replacement of foreign exchange loans under the New Scheme for Financing Ship Acquisition from Abroad from the foreign exchange reserves of the country;

(ii) Grant of moratorium on the repayment of loan instalments of Shipping Development Fund Committee loans upto three years; and

(iii) Grant of additional loans against past acquisition in cases where the original amount of loans falls short of the maximum permissible limit.

The assistance would be restricted to the minimum amount required to tide over the immediate liquidity problems of the Company concerned and will cover only repayments of foreign exchange loans/SDFC loans during the period upto 31st March, 1979.

Dams under D.V.C. Scheme

*253. SHRI RUDOLPH RODRIGUES: Will the Minister of ENERGY be pleased to state:

(a) how many dams were contemplated in the DVC scheme;

(b) how many were not constructed and the reasons for non-implementation of the entire scheme;

(c) whether the proposed D.V.C. dams not constructed will now be taken in hand; and

(d) if so, the time frame for completion of the same?

THE MINISTER OF ENERGY
(SHRI P. RAMACHANDRAN): (a)

The original DVC Plan envisaged construction of seven multi-purpose dams across the Damodar and its tributaries at Tilaiya, Konar, Maithon, Panchet, Bokaro, Balpahari and Aiyer, a diversion dam at Bermo and a barrage at Durgapur with the accompanying network of canals.

(b) The development was to be carried out in two stages. The first stage covered construction of 4 dams at Tilaiya, Konar, Maithon and Panchet and the Barrage at Durgapur and irrigation system in West Bengal. This was completed in 1958. A dam was constructed later, by the Government of Bihar, at Tenughat near the site originally meant for the Aiyer dam.

The remaining 3 dams were not taken up as it was felt that they were not required at the stage.

(c) and (d). The preliminary investigation for construction of a dam at Balpahari has been undertaken and the feasibility of a weir at Bermo is under study.

P.M.'s Visit to Nagaland

*254. PROF. P. G. MAVALANKAR:
Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether he recently visited Nagaland;

(b) if so, full facts thereof;

(c) whether he met any of the rebel or underground Naga Leaders and whether he showed readiness to talk to Shri Phizo;

(d) if so, broad details thereto; and

(e) the concrete economic and financial assistance given by the Central Government to Nagaland during the years 1976, 1977 and 1978.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI DHANIK LAL MANDAL): (a)

to (e). The Prime Minister visited Nagaland on the 4th and 5th November, during his recent tour of the North-Eastern Region. No ex-underground leader met the Prime Minister during his visit to Nagaland. Some village elders, however, during their meeting with the Prime Minister wanted to know whether Prime Minister would be having another round of talks with Phizo. The Prime Minister reiterated his earlier stand that he would talk to Phizo only when he accepts Indian citizenship.

The financial assistance given by the Central Government to Nagaland during the years 1976-1977 and 1978 is as follows:—

1976-77	Rs. 4421.21 lakhs
1977-78	Rs. 6145.70 lakhs
1978-79	Rs. 6924.52 lakhs

Setting up of District Industrial Centre in Purnia

*255. SHRI HALIMUDDIN AHMED:
Will the Minister of INDUSTRY be pleased to state:

(a) whether District Industrial Centre has been started in Purnia district of Bihar;

(b) if so, whether the officers have been posted for the Centre; and

(c) if not, the reasons therefor and when the Centre will start its work thereof?

THE MINISTER OF INDUSTRY
(SHRI GEORGE FERNANDES): (a) and (b). Yes, Sir.

(c) Does not arise.

वैशाली बिहार में उद्योगों की स्थापना

* 256. श्री राम विलास पासवान : क्या उद्योग मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या बिहार में वैशाली औद्योगिक दृष्टि से बहुत महत्वपूर्ण है;

(ख) वैशाली में सरकार द्वारा निकट भविष्य में स्थापित किये जा रहे उद्योगों के नाम क्या हैं ; और

(ग) वैशाली को औद्योगिक दृष्टि से पिछड़ा हुआ जिला घोषित न करने के क्या कारण हैं ?

उद्योग मंत्री (श्री जार्ज फर्नान्डोस) : जिला औद्योगिक दृष्टि से महत्वपूर्ण है अथवा नहीं इसका निर्णय करने के लिए सरकार ने कोई मार्गदर्शी सिद्धान्त तैयार नहीं किये हैं ।

(ख) निकट भविष्य में वैशाली में कोई उद्योग स्थापित करने का सरकार का कोई प्रस्ताव नहीं है । फिर भी 1975 में किए गए औद्योगिक विभव सर्वेक्षण द्वारा छोटे गये समाधी उद्योगों को संलग्न विवरण में दिया जा रहा है ।

(ग) विद्यमान कसौटी के आधार पर बिहार के 16 जिलों को औद्योगिक दृष्टि से पिछड़ा घोषित किया गया है । वैशाली इन लक्षणों को पूरा नहीं करता है ।

विवरण

1. तम्बाकू की इन्टेल पैरना पीसना
2. खाने की तम्बाकू
3. गुराखो एण्ड गुले
4. निकोटाइन सल्फेट
5. कोल्ड स्टोरेज
6. ममाला पिसाई
7. कार्बन फ्लेक
8. खण्डसारी
9. हाथ बने कागज
10. केले के पेड़ों को प्रक्रियामित करना (स्टार्च और रस्सी)
11. फल परिस्करण
12. चर्मशोधनालय
13. हड्डी पीसना/बोन मील
14. मशीन से ईंट बनाना

15. चीनी मिल से निकलने वाले लाइम कदम पर आधारित चूना
16. रानी गंज टाइलें
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71. इस्पाती कैंबियां, चाकू एवं अन्य घरेलू इस्पाती सामान
72. घुलाई पाऊडर (एसिडसलरी से)
73. पशुओं का चारा
74. लकड़ी की नावे और रैफ
75. फार्मासिटिकल्स
76. तेल मिलें
77. स्ट्रा बोर्ड
78. फिनीश
79. आधुनिक दाल मिल

80. सेन्स ग्राइडिंग
81. तार की कील और पीपल पिने
82. मुद्रण प्रेस

जयपुर उद्योग लि० के सीमेंट कारखाने का अधिग्रहण

*257. श्री मीठा लाल पटेल : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जयपुर उद्योग लि० के सवाई माधोपुर स्थित सीमेंट कारखाने की खराब आर्थिक स्थिति के कारण उसका अधिग्रहण करने के बारे में सरकार ने अन्तिम निर्णय कर लिया है;

(ख) यदि हां, तो कब तक उसका अधिग्रहण कर लिया जायेगा ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

उद्योग मंत्री (श्री बाबू कर्मानंदसिंह) :

(क) जी नहीं ।

(ख) प्रश्न ही नहीं उठता ।

(ग) उद्योग (विकास एवं विनियमन) अधिनियम, 1951 की धारा 15 के अधीन 22 जुलाई, 1978 को कंपनी के कार्यकरण की जांच का आदेश दिया गया था । जांच समिति ने 29 सितम्बर, 1978 को अपनी रिपोर्ट प्रस्तुत कर दी है जिसकी जांच की जा रही है ।

Inclusion of Press Freedom in Fundamental Rights

*258. SHRI OM PRAKASH TYAGI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether Government are aware of the recent demand of the journalists made at a seminar on the 'Second Press Commission' to include press freedom in Fundamental Rights enumerated in the Constitution;

(b) reaction of Government thereon; and

(c) steps being taken to meet this demand?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) : (a) Yes, Sir.

(b) and (c). One of the terms of references of the Second Press Commission is with regard to the adequacy or otherwise of the present constitutional guarantee to ensure freedom of the Press. It is, therefore, expected that the Commission will examine this matter. The recommendations of the Commission in this regard are awaited.

Population Policy

***259. SHRI NATVERLAL B. PARMAR:**
SHRI S. S. SOMANI:

Will the Minister of PLANNING be pleased to state whether it is a fact that the Planning Commission has set up a working group on population policy for suggesting a fertility control programme for the current and subsequent plan periods, if so, the details thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI): Yes, Sir. The details regarding the composition and terms of reference of the Working Group on Population Policy are given in the Statement laid on the Table of the House.

Statement

The Family Planning Programme has been gradually expanded in scope and content into a Family Welfare Programme with an integrated approach towards family planning, maternity and child health and nutrition. It is increasingly recognised that acceptance of the fertility control programme cannot be brought about solely through a target-oriented clinical approach. Basic changes in human attitudes towards this problem are necessary and these can be brought about through persistent and wide-spread information, education and communication activities and manipulation of several socio-economic variables, apart from the provision of basic health and family welfare services. The Statement of Policy on the Family Welfare Programme

announced in June, 1977 has drawn particular attention to some of these aspects. In order to translate this policy into concrete action plan, it has been decided to set up a Working Group on Population Policy with the following as members:—

1. Dr. V. A. Pai Panandiker, Chairman
Director, Centre for Policy Research, New Delhi.
2. Prof. P.B. Desai, Institute of Economic Growth, New Delhi. Member
3. Prof. Ashish Bose, Member
Institute of Economic Growth New Delhi.
4. Prof. D. Banerjee, Head, Member
Centre for Social Medicine & Community Health, Jawaharlal Nehru University, New Delhi.
5. Dr. Kumudini Dandekar, Member
Gokhale Institute of Politics & Economics, Pune-411004.
6. Dr. K. Srinivasan, Director, Member
International Institute of Population Studies, Bombay
7. Dr. Sharad Kumar, Director, Member
National Institute of Health & Family Welfare, 1-17, Green Park, New Delhi.
8. Dr. V. Ramalingaswami, Member
Director and Professor of Pathology, All India Institute of Medical Sciences, New Delhi.
9. Smt. Avabai B. Wadia, President, Member
Family Planning Association of India, Bombay.
10. Representative of the Ministry of Education and Social Welfare, Member
11. Registrar General of India, Member
New Delhi.
12. Additional Secretary-cum-Commissioner (Family Welfare), Ministry of Health & Family Welfare, Member
13. Adviser, Perspective Planning, Planning Commission, Member
14. Consultant (Health & Family Welfare), Planning Commission, Member

- 15*. Shri M. V. S. Rao Adviser (E&MP), Planning Commission, New Delhi. Member
16. Prof. J. P. S. Oberoi, Deptt. of Sociology, University of Delhi, Delhi. Member
- 17*. Shri P. Murari, Secretary to the Govt. of Tamil Nadu, Health Department, Madras Member
- *8. Director (Evaluation), Department of Family Welfare, Member-cum-Convenor

2. The terms of reference of the Working Group will be as follows:—

(i) To consider the demographic situation, achievements and perspectives and suggest a fertility control programme, alongwith feasible levels of achievements, for the current and subsequent plan periods including realistic demographic goals, highlighting the priorities, with particular regard to the factors which could lower the fertility rate;

(ii) To take an integrated look at the social, economic and environmental variables, related to fertility control and family/welfare, and suggest appropriate measures and related developmental programme;

(iii) To suggest how to integrate various schemes designed under the Revised Minimum Needs Programme which are run by different Ministries and State Governments so that the fertility control programme can be made more popular and effective by creating necessary linkages.

3. The Working Group will submit an interim report to the Planning Commission within six months and the final report after another six months of the submission of the interim report. The total duration of the Group work will depend on the completion of the various demographic and other studies that might be required to be undertaken. The Working Group has however been directed to submit the interim report by the end of January, 1979.

4. The Working Group may constitute sub-groups or co-opt other members if considered necessary.

5. The Working Group may decide about the subjects of various special studies that may be required for its consideration and also about the specialised organisations as well as experts who would be most suitable for being entrusted with such studies.

6. The expenditure on TA/DA in connection with the meetings of the Working Group will be borne by the parent Departments/Ministries/ Organisations. Non official members will be entitled to TA/DA as admissible to Grade I Officers of the Government of India which will be paid by the Planning Commission.

Collaboration Agreement by India Tobacco Ltd. with Foreign Multi-nationals

*260. SHRI JYOTIRMOY BOSU: Will the Minister of INDUSTRY be pleased to lay a statement:

(a) whether India Tobacco Ltd. (I.T.C.) has been allowed during the last 3 years to enter into number of technical and financial collaboration agreements with some other foreign multi-nationals;

(b) if so, the particulars of those agreements;

(c) whether it has been alleged that ITC has been allowed to enter into collaboration agreements even in cases where indigenous technical know-how is readily available; and

(d) if so, the facts thereof and Government's reaction thereto?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (d). A proposal from the I.T.C. Ltd. seeking Government's approval for entering into a marketing and reservation

*Subsequently included as Members.

agreement with M/s. Sheraton International Inc. U.S.A. in the field of hotel industry has been received. No final decision has yet been taken on the above proposal.

Non-Utilisation of India IDA Credit for Power Transmission Programme

*261. SHRI P. M. SAYEED:
SHRI A. R. BADRI
NARAYAN:

Will the Minister of ENERGY be pleased to state:

(a) whether India has lost almost Rs. 200 crores of IDA credit for its power programme over the last seven years;

(b) if so, how far this is true;

(c) whether IDA credit was first made available to India in 1971 valued at Rs. 19 crores for power transmission programmes;

(d) whether this was not utilised by Government properly; and

(e) if so, the main reasons for this non-utilisation?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (e). India has received four IDA credits for its power transmission programme from May, 1971 onwards. The present status of utilisation of these credits is as follows:—

IDA Credit No. and date of Agreement	Project	Amount of Credit (\$ in million)	Utilisation (\$ in million)
242-IN May 1971	Power Transmission Project-II	75	73 (approx.)
377-IN May 1973	Power Transmission Project III	85	85
572-IN July 1975	Rural Electrification Project	57	15.95 (upto 15-11-78)
604-IN January 1976	Power Transmission Project-IV	150	30.98 (Upto 15-11-78)

The minor short fall in the utilisation of IDA Credit 242-IN is mainly due to delayed supplies. The IDA Credits 572-IN and 604-IN are still open and steps

are being taken to ensure their full utilisation.

IDA has also extended two Credits for the power generation programme as follows:—

IDA Credit No. and date of agreement	Project	Amount of Credit (\$ in million)
685-IN 1st April 1977	Singrauli Thermal Power Project (3×200 MW)	150.00
793-IN 12th May 1978	Korba Thermal Power (3×200 MW)	200.00

These projects are in the initial stages of construction and no problems are envisaged in utilising these credits.

Criteria for Selection of Journalists to accompany V.I.Ps.

*262. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the criteria being followed by Government in selecting the journalists to accompany VIPs during their foreign tours; and

(b) the number of occasions during the last one year on which the same journalists were selected more than once for the purpose giving reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Generally the choice of the Journalists accompanying the President/Prime Minister etc. on their tours abroad is left to such Newspapers who may wish to cover these tours. However, on occasions the Government also provide some additional facilities to language newspapers to cover such trips.

(b) No journalist accompanied the President/Prime Minister on their tours abroad more than once during the last one year.

Rise in Prices of Products of Textile Mills

*263. SHRIMATI PARVATHI KRISHNAN: Will the Minister of INDUSTRY be pleased to state:

(a) whether the textile mills in the country had jacked up their prices just before and after the announcement of the new textile policy in August; and

(b) if so, what are the details and Government's reaction thereto?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) No Sir.

(b) Does not arise.

Enquiry into the Fire Incident at T.V. Station, Srinagar

2384. SHRI ABDUL AHAD VAKIL: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the result of inquiry held to investigate into fire which destroyed Doordarshan Station at Srinagar in Kashmir;

(b) whether any body from the employees was involved; and

(c) steps Government have taken to construct new T.V. Station at Srinagar?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). Preliminary enquiry reports have been received from the investigating authorities. The position will become clear only after the final reports are received.

(c) Civil works for restoring the studio building are already in progress and are nearing completion. Action for recoupment of equipment destroyed in fire has also been initiated.

Rope Trollies on Indus Zaskar, Nubra etc.

2385. SHRIMATI PARVATI DEVI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government propose to take steps for installation of Rope-Trollies on rivers Indus, Zaskar, Nubra, Suroo etc. to link up scanty populated villages with the main road where bridges cannot be constructed due to heavy expenditure involved; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). The Central Government have no such scheme.

It is a State project and the State Government are, therefore, concerned. They have intimated that out of the four trolley bridges, one at Palam on Indus costing Rs. 0.112 lakhs has been completed and another at Chatuk on Suru costing Rs. 0.143 lakhs is under construction. Remaining two bridges at Abinathang and Stakna on Indus costing Rs. 0.077 lakhs and Rs. 0.08 lakhs respectively are envisaged to be taken up during the current year. In addition, a provision of Rs. 0.20 lakhs has been earmarked in the current Plan for trolley bridges over Shayak and Zanskar rivers.

Sales Tax recovered against Assessment in Delhi

2386. SHRI DURGA CHAND: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Sales Tax recoveries in Delhi are declining;

(b) whether the personnel working in the Sales Tax Department are not familiar with the complex procedure maintained by traders in keeping their accounts resulting in heavy evasion and avoidance of sales tax on a large scale;

(c) if so, what is the amount of sales tax recovered in Delhi against assessment during the last three years, year-wise; and

(d) what steps are being taken for speeding up the recoveries of sales tax in the Capital?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) No, Sir.

(b) No, Sir.

(c) A statement is laid on the Table of the House.

(d) Following steps are being taken by the Delhi Administration for speeding up the recovery of Sales Tax:—

(i) 40 additional posts of assessing authorities sanctioned for clearance of arrears of assessment cases;

(ii) advertisements to educate the people to pay the due tax and file the returns in time are being displayed in the important newspapers;

(iii) dealers, whose turnover exceeds Rs. 10 lakhs and the tax payable according to the returns is not less than Rs. 15,000 in the previous year are required to make monthly payment of tax;

(iv) prompt action is taken by the ward officers to issue recovery certificates for outstanding demands;

(v) action under section 55 of the Delhi Sales Tax Act, 1975 is taken to impose penalties on dealers who fail to pay the tax due according to the returns in time;

(vi) penal interest is also levied as provided in section 27 of the act for non-payment of tax within the prescribed time;

(vii) and important cases of seized/surrendered documents are assigned to and assessed in the Vigilance and Enforcement Branch.

Statement

(c)	Year	Collections under Local Act	Collections under Central Act	(Rs. in Crores) Total
1975-76	. . .	46.03	26.97	73.00
1976-77	. . .	53.03	33.88	87.75
1977-78	. . .	58.71	36.71	95.42

Additional Demand created(Rs. in Crores)
(Amount recovered)

Year	Under Local Act	Under Central Act	Total	Under Local Act	Under Central Act	Total
1974-75	6.55	1.72	8.27	.73	.56	1.29
1975-76	7.13	1.76	8.89	.77	.50	1.27
1976-77	8.92	2.48	11.40	1.21	.55	1.76

Use of Simple Hindi in Offices2387. SHRI RAMACHANDRAN
KADANNAPPALLI:

SHRI P. M. SAYEED:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Prime Minister has stressed upon Hindi protagonists not to force the language on unwilling people;

(b) if so, whether the Prime Minister had called the meeting of the Hindi Advisory Committee of the Union Home Ministry on 29th September, 1978;

(c) if so, whether he has issued any direction in this regard; and

(d) whether he has also urged that simple Hindi as may be easily understood by the common man should be used in the Government offices also?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) to (c). A meeting of the Hindi Salahkar Samiti of the Home Ministry was held on the 29th September, 1978 under the chairmanship of the Prime Minister who is currently holding charge of that Ministry also. At the meeting, the language policy of the Government was generally discussed. As regards the alleged imposition of Hindi on the non-Hindi speaking people, the Prime Minister has already made it clear more than once that

there is no question of imposition of Hindi.

While underlining the role of Hindi for the official purposes of the Union Government, he has reiterated the provisions of the Official Languages Act, 1963 and the Rules made thereunder which provide for the continued use of English, alongwith Hindi, till such time, as resolutions for the discontinuance of the use of English language have been passed by the legislatures of all the States which have not adopted Hindi as their official language and after considering the resolutions aforesaid, a resolution for such discontinuance has been passed by each House of Parliament.

(d) Yes, Sir.

Outstanding Bank Credit of Sick Units

2388. SHRI K. A. RAJAN: Will the Minister of INDUSTRY be pleased to state:

(a) industry-wise number of medium and large sick units in the country as on 31st October, 1978;

(b) the total outstanding bank credit against each industry;

(c) total estimated number of small scale sick units;

(d) the total outstanding bank credit against them; and

(e) the main reasons for falling sick?

THE MINISTRY OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (d). There is no universally accepted definition of a sick industrial undertaking. It is, therefore, difficult to give a precise idea of the number of sick industrial units in any particular segment of industry. However, the Reserve Bank of India collect information in respect of advances of scheduled banks to sick industrial units as per the norms of the Bank, enjoying an aggregate bank credit of Rs. 1 crore and above. The industry-wise break up of such industrial units is given in the Statement. The outstanding advances of Bank credit by Commercial Banks to these units stood at Rs. 882.87 crores as at the end of March, 1978.

No statistical data of bank credit to sick small scale units is collected. Roughly, it is estimated that about 8000 small scale units locking up bank funds to the tune of Rs. 200 crores have been affected by sickness.

(e) Financial difficulties, indifferent or dishonest management, inadequate availability of critical raw-material or power, adverse market conditions, lack of modernisation and replacement and demand recession are the main causes of industrial sickness.

Statement

Industry-wise Break up of Sick Units as at the end of March 1978.

S. No.	Name of Industry	No. of Units
1.	Engineering	80
2.	Iron and Steel	27
3.	Textiles	74
4.	Jute	31
5.	Chemicals	19
6.	Cement	4
7.	Rubber	5
8.	Sugar	28
9.	Miscellaneous	38
TOTAL		305

Installation of A.I.R. Stations during the next two Years

2389. SHRI SURENDRA BIKRAM: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) what are the Government plans to open new broadcasting Centres in the country;

(b) where new radio stations are likely to be opened in the country during the next two years; and

(c) are Government going to make AIR Rampur full fledged station for broadcasting?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Twelve new radio stations are proposed to be set up during the Sixth Plan period. Two of these are spill over schemes of the Fourth Plan. In addition, it has also been proposed to set up a megawatt transmitter at Nagpur to serve as national channel. Implementation of these schemes will, however, depend upon the availability of resources and relative priorities.

(b) Suratgarh in Rajasthan

(c) With the commissioning of permanent studios in February, 1978, AIR Rampur has already become a full fledged radio station.

Civilians in Indian Navy Establishment at Lonavala and Bombay Dockyard

2390. SHRI R. K. MHALGI: Will the Minister of DEFENCE be pleased to state:

(a) what is the total number of civilians as on 31st October, 1978 serving with the Indian Navy in establishment at Lonavala (Maharashtra) and the Bombay Dockyard;

(b) how many of them are employed on temporary basis for more than five years;

(c) whether it is a fact that the said civilian employees mentioned in (a) are usually given short breaks in their service and are reappointed;

(d) whether it is also a fact that the practice mentioned in (c) deprives these employees of their right to benefits of casual leave, privilege leave, provident fund, gratuity etc.; and

(e) if so, what action Government propose to take?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM):

(a) (i) INS SHIVAJI, Lonavla (Maharashtra) 438

(ii) Naval Dockyard, Bombay 1066

These figures do not include employees appointed on casual basis.

(b) Data regarding number of individuals employed on a casual basis for more than five years are not readily available. However, number of employees employed on a casual basis between two years and six years as on 10 Apr., 1978 was 238.

(c) No, Sir. Only the civilians employed on a casual basis are given short breaks in their service because they cannot be continued indefinitely against the posts not sanctioned by the Government.

(d) Casual employees are not entitled to benefits of leave, provident fund, gratuity etc.

(e) Action is being taken to review the establishments of all naval units by a Standing Establishment Committee. The posts which are likely to be of a regular nature are being sanctioned by the Government and casual employees employed on these posts are also being regularised.

News Item captioned "Gold Becomes Brass in Custody"

2301. SHRI S. G. MURUGAIYAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news item

appeared in 'Hindustan Times' dated the 6th October, 1978 captioned "Gold becomes brass in custody";

(b) whether any inquiry has been conducted into this matter; and

(c) if so, the details and with what results?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) Yes, Sir.

(b) and (c). A case vide FIR No. 552 dated 23-9-1978 u/s 409 IPC, PS Tilak Nagar, has been registered and investigation is in Progress.

New Textile Policy

2392. SHRI AHMED M. PATEL: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are considering to bring a new textile policy; and

(b) if so, the details thereof?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). The New Textile Policy was already announced on 7th August, 1978 Statement laid on the Table of the House on 7th August, 1978 by the Minister of Industry contains full details.

Study of the Cost and price of Automobile Tyres and Tubes

2393. SHRI VAYALAR RAVI: Will the Minister of INDUSTRY be pleased to state:

(a) whether his Ministry made a study of the cost and price of the automobile tyres and tubes through the Bureau of Industrial Cost and Prices (BICP);

(b) if so, the details of the study; and

(c) whether it suggested that how cost of production is not depended on the price of natural rubber?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). In May, 1978 the Bureau of Industrial Costs and Prices was requested to conduct a study of the impact of increase in prices of raw materials and other inputs on costs and prices of tyres and tubes charged by the various automobile tyre manufacturing companies and submit its report. According to the Report the increase in the net dealer prices effected by the Companies after March, 1978 substantially exceeded the increase in the prices of major raw materials in respect of rayon truck tyres, nylon truck tyres and truck tubes, but in passenger tyres and jeep tyres the price increase more or less accorded with the rise in the prices of major raw materials. The Report also indicates that tyre and tube manufacturers contended that the increase in tyre prices towards the last week of March 1978 was based not on the increase in raw material cost alone but also on conversion cost-items like fuel, coal, electricity, salaries and wages and also the losses on exports. These companies also pointed out that the profitability on tyres and tubes has been on the decline for some time and in 1977 they suffered a loss. The Bureau of Industrial Costs & Prices Report states that a quick study of the profitability of tyres and tubes manufacturing companies does show that the profitability of most of the companies did decline in 1977 as against the previous years and some companies did incur a loss in 1977.

(c) No, Sir.

Memorandum regarding merger of Service of Provisioning Cell Staff Working in Naval Headquarters

2394. SHRI DINEN BHATTACHARYA: Will the Minister of DEFENCE be pleased to state:

(a) whether he has received a memorandum from the Indian Navy Civilian Staff Association, New Delhi

regarding their request for merger of services of Provisioning Cell Staff on the strength of the Flag Officer Commanding-in-Chief, Western Naval Command, Bombay, but working in Naval Headquarters, New Delhi with the AF Headquarters Cadre, since there is a move to merge the staff with that of AFHQ; and

(b) if so, whether Government are considering their request for merger of their service also with that of AFHQ cadre?

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

(b) Yes, Sir.

बंगाल नागपुर काटन मिल्स द्वारा घरेलू खपत के लिए बनाया गया कपड़ा

2395. श्री हुकमचन्द कछवाय : : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी, 1976 से अक्टूबर 1978 तक बंगाल नागपुर काटन मिल्स द्वारा घरेलू खपत के लिए बनाया गया कितना कपड़ा अलग-अलग वर्ष में किन पाटियों द्वारा किम मूल्य पर किम प्रकार बेचा गया ;

(ख) उक्त अवधि में हम मिल ने निर्यात हेतु कितना कपड़ा किम क्वालिटी का बनाया और किन-किन पाटियों ने कब, कितनी मात्रा में कितने मूल्य का कपड़ा बेचा ;

(ग) निर्यात हेतु कितने मूल्य का कपड़ा बनाया गया और किन पाटियों की ओर राशि बकाया है और उसे बसूल करने के लिए क्या कार्यवाही की गई तथा क्या कुछ राशि बढ़े खाते डाली गई है ;

(घ) क्या राष्ट्रीय कपड़ा निगम मध्य प्रदेश ने उन पाटियों से कपड़ा वापस ले लिया है, जो उन्हें निर्यात हेतु दिया गया था, क्योंकि यह कपड़ा न तो बेचा गया था और न ही इसके लिए भुगतान किया गया था और यदि हां, तो प्रत्येक पार्टी से कितना-कितना कपड़ा वापस लिया गया; और

(ङ) क्या उस पर निगम ने 7½ प्रतिशत की छुट दी थी और इस प्रकार निगम को कितनी राशि देनी पड़ी और कितने कपड़े पर ?

उद्योग मंत्री (श्री जार्ज फर्नांडिस) :
(क) से (ङ). मांगी गई जानकारी बड़ी सम्झी चौड़ी है और इस प्रकार की जानकारी दे

काफी समय लगेगा। इन परिस्थितियों में, यदि माननीय सदस्य कोई विशिष्ट जानकारी चाहें तो उसका उत्तर दिया जा सकता है।

Leave Travel Concession Facility

2396. SHRI PIUS TIRKEY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the 400 Km. limit for L. T. C. has been relaxed;

(b) if so, whether this facility will be extended to those availing of their home town blocks to any place in India; and

(c) whether availing of the facility referred to in part (b) above once in four years debars the employee from availing the usual home town block?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) Government employees availing of Leave Travel Concession to visit any place in India in a block of four years are now allowed full reimbursement without any deduction in respect of the first 400 Kms. (160 Kms. in the case of employees belonging to Group 'D'). This Concession is not admissible for journeys to visit home town.

(b) Employees who are entitled to L.T.C. to Home Town and who exchange this for L.T.C. to visit any place in India once in a block of 4 years will also be entitled to the concession mentioned at (a) above.

(c) When an employee entitled to L.T.C. to Home Town avails of L.T.C. to visit any place in India once in a block of four years, only one L.T.C. to Home Town which is available once in a block of two years is adjusted against the L.T.C. to visit any place in India. The other L.T.C. to Home Town is available to him and he can make use of it to visit his Home Town.

Inquiry into the Working of M.A.M.C., Durgapur

2397. SHRI ROBIN SEN: Will the Minister of INDUSTRY be pleased to state:

(a) whether a committee was sent to MAMC, Durgapur to inquire into the present state of affairs in MAMC; and

(b) if so, what are the broad features of the findings of the Committee?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) A High Level Committee under the Chairmanship of Shri A. P. V. Krishnan, retired Additional Secretary, Ministry of Finance, has been set up to make an in depth study of the working of Mining & Allied Machinery Corporation, Durgapur from technical, administrative and financial angles and to assess whether the Corporation can become viable and if so, what assistance should be given to it. In the course of its deliberations, the Committee visited MAMC.

(b) The Committee has not yet submitted its report. The report is expected to be submitted to the Government during this month.

Common Language for use on T. V.

2398. SHRI SUKHENDRA SINGH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether an official study team was appointed by Government which has recommended evolving a new common language for use in the future satellite-based national television; and

(b) if so, the details regarding its other important recommendations and the names of the States in which the study was taken up?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). No, Sir. Even when satellite-based television transmission is introduced, the language of the programme will have to be in one or the other of the existing Indian languages, depending on the coverage area.

Rules for Carrying family members by P.M. and Ministers going abroad

2399. SHRI MRITYUNJAY PRASAD: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the rules for carrying the family members by the Prime Minister or any other Minister while proceeding to foreign countries on official visits;

(b) the extent to which Government bears the travel expenses of such persons and under what circumstances; and

(c) to what extent the expenditure is borne by the Minister himself or by the relatives or friends accompanying the Minister concerned?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) to (c). As per rule 19 of the Ministers (Allowances, Medical Treatment and other Privileges) Rules, 1957, a Minister proceeding on duty outside India is entitled to such terms in regard to travelling and other expenses as the President may, in each case, decide.

खादी को लोकप्रिय बनाना

2400. श्री सुब्रह्म : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या खादी को ग्राम प्रादमियों में लोकप्रिय बनाने के लिए कोई योजना बनाई गई है; और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

उद्योग मंत्री (श्री जार्ज फर्नांडीस) :
(क) जी, हाँ। खादी तथा ग्रामोद्योग प्रायोग ने हाथ की कताई की तकनीक के प्रयोग द्वारा कताई करते समय कपास में मानव निमित्त रेशा मिला कर उसे हाथ करघे पर बुने जाने की एक योजना बनाई। यह मिश्रित वस्त्र मोटे तौर पर मूल्य तथा गुणवत्ता में हाथकरघा तथा मिल क्षेत्र में निमित्त ऐसे वस्त्रों के बराबर ही होगा और जनरुचि के भी अनु रूप होगा। इस सम्बन्ध में एक बिल संसदीय संयुक्त समिति के विचाराधीन है। प्रोसेसिंग में सुधार करने से विशेष कर खादी पर रंगाई और छपाई करने से वह जनप्रिय हो गई है। मिले सिलाये कपड़ों पर विशेष बल दिया जा रहा है। वे जनप्रिय सिद्ध हो रहे हैं, विशिष्ट अवधियों में बिक्री बढ़ाने के उद्देश्य से विशेष छूट भी दी जाती है।

(ख) प्रश्न ही नहीं उठता।

Clearance of Power Proposals in Maharashtra

2401. SHRI BHAUSAHEB THOPAT: Will the Minister of ENERGY be pleased to state:

(a) whether the Energy Minister of Maharashtra represented to authorities submitting new proposals and urging for an early clearance of the proposal already furnished by the State Government;

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

(c) what are the proposals from Government of Maharashtra which are pending clearance of the Central authorities and how soon this could be expected to be cleared in view of the acute energy shortage in the State?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). The Energy Minister of Maharashtra has represented generally that the demand projections of the Tenth Annual Power Survey and the Working Group on Power were on the lower side and did not reflect adequately the potential for load growth and suggested that additional schemes would have to be sanctioned

to meet the demands for power in the Maharashtra State. More projects will be sanctioned depending on the project proposals received from the State and their techno-economic justification, keeping in view the realistic projections of demand for power in the State.

(c) The following project proposals of Maharashtra are pending clearance:—

- (i) Pawana Hydro-Electric Scheme 1×10 MW
- (ii) Chandrapura Hydro-Electric Power Scheme Stage-II 2×210 MW
- (iii) Girna Hydro-Electric Project 2×3.5 MW
- (iv) Bhira Tail Race Hydro-Electric Project 2×40 MW
- (v) Ujjini Thermal Power Station 2×500 MW

The Pawana scheme has been accorded techno-economic approval by the Central Electricity Authority subject to clearance from environmental angle. Chandrapura scheme Stage-II has also been accorded techno-economic approval by Central Electricity Authority. Both these schemes are to be got approved by the Planning Commission. The other projects are being techno-economically appraised in the Central Electricity Authority. Certain clarifications have been sought and as soon as these are received, the Central Electricity Authority will be in a position to complete their techno-economic appraisal.

Renaming of Khadakvasla Defence Academy

2402. SHRI BAPUSAHEB PARULEKAR: Will the Minister of DEFENCE be pleased to state:

(a) whether Government propose to name the Khadakvasla Defence Academy situated at the foot of Sinhagad fort of Chhatrapati Shivaji as Shivaji Defence Academy; and

(b) if not, the reasons for the same?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) and (b). There is no proposal to rename National Defence Academy, Khadakvasla. The present name has been in vogue for a long time and involves strong sentimental ties for the officers of the three Services who have been trained in, or otherwise associated with, the institution.

Allocation for Tribal Development in North Eastern States

2403. SHRI SACHINDRA LAL SINGHA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details of the amount sanctioned and work done for the Tribal Development in North Eastern Region States during the last three years, State-wise and year-wise;

(b) the total amount sanctioned during the current year for the Tribal Development in these States, and what percentage the allocation for these States bore to the all-India allocation for these schemes State-wise; and

(c) the details of the Tribal Development schemes and the schemes functioning in these States, State-wise, with the number of persons benefited by these schemes in these States, State-wise, district-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) to (c). In the north-eastern region, Arunachal Pradesh, Meghalaya, Mizoram and Nagaland are predominantly tribal, and the entire State Plans are intended to benefit the entire Scheduled Tribe populations in these States/UTs. In the remaining States, viz; Assam, Manipur and Tripura, areas of 50 per cent tribal concentration and over have been carved

out, and separate tribal sub-plans drawn up for them.

The plan programmes undertaken cover all aspects of development, such as agriculture, irrigation, animal husbandry, fisheries, industries, education, health, social services, roads etc. Allocations in respect of the State Plans of Arunachal Pradesh, Meghalaya, Mizoram and Nagaland, and in respect of the tribal sub-plans of Assam, Manipur and Tripura are given in statement I and II laid on the Table of the House. [Placed in Library. See No. LT-2981/178] The tribal populations covered are given in Statement-III laid on the Table of the House. [Placed in Library. See No. LT-2981/78].

Inclusion of Dhobi caste among Scheduled Castes

2404. SHRI HARI SHANKAR MAHALE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the States where 'Dhobi' caste has been included in the list of Scheduled Caste or economically backward classes;

(b) the criteria followed for providing reservation for and assistance to 'Dhobi' caste; and

(c) whether some policy is being considered on all India basis for the economic uplift of the people belonging to Dhobi caste who earn their livelihood by washing clothes or who are owners of big laundries?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) to (c). The Dhobi community is specified as a Scheduled Caste for the whole of Assam, Bihar, Himachal Pradesh, Manipur, Meghalaya, Orissa, Rajasthan, Tripura, Uttar Pradesh, West Bengal, Arunachal Pradesh, Delhi and Mizoram and in three districts, namely, Bhopal, Raipur and

Sehore of Madhya Pradesh. The washerman community known as 'Vannan' is also specified as a Scheduled Caste for the whole of Kerala and in Kanyakumari district and Shenkottah Taluk of Tirunelveli district of Tamil Nadu. Therefore, in the areas where the Dhobi community is specified as a Scheduled Caste, its members are eligible to receive all benefits including of reservation and assistance made available to the Scheduled Castes. However, in the grant of such benefits, no reservation is made for individual community among the Scheduled Castes.

Central Government have not drawn up any list of "Economically Backward Classes". There is however a proposal to appoint Backward Classes Commission to investigate the conditions of all socially and educationally backward classes and to recommend ameliorative measures for their upliftment.

Demand for enhancement of support price of Cotton

2405. SHRI MADHAVRAO SCINDIA: Will the Minister of INDUSTRY be pleased to state:

(a) whether most of the cotton growers of the country have demanded enhancement of support price for cotton; and

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

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) No, Sir.

(b) Does not arise.

Posts of Hindi Translators and Hindi Supervisors

2406. SHRI AHMED HUSSAIN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that most of the posts of Hindi Translators (Junior and Senior) and Hindi super-

visors, doing translation from and into Hindi in the Central Ministries/Departments/Officers, are filled from amongst departmental employees, who are in possession of the requisite qualifications;

(b) whether it is also a fact that in some cases deputation allowance and/or Higher pay scales have been prescribed for such selected employees;

(c) if so, will the Government form a permanent cadre with permanent scale (like UDC Cadre/Assistants) for the entire Central Government offices throughout the country and arrange recruitment of only Government employees to this cadre through the U.P.S.C.; and

(d) if so, details, and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) and (b). At present there are separate grades and recruitment rules of Hindi Translators (Junior and Senior) and Hindi Officers doing translation from and into Hindi in various Ministries/Department, etc. The appointment of Translators/Hindi Supervisors etc. in the Central Ministries/Departments/Offices is made by direct recruitment/promotion/deputation in accordance with their recruitment rules. The persons appointed against these posts are allowed either deputation allowance or scale of pay of the post according to the rules keeping in view the provisions made in the recruitment rules and the option given by the employees.

(c) and (d). Forming a Central cadre for the posts of Hindi Translators and Hindi Officers etc. of the Ministries/Departments and their Attached Offices (excluding Subordinate Offices) except few Ministries such as of Railways etc. is under consideration. It is proposed to make a suitable provision in these rules for direct, recruitment and promotion.

River Transport between Calcutta and Assam

2407. SHRI KIRIT BIKRAM DEB BURMAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the River Transport between Calcutta and Assam previously run by the National River Steamship Company, through the erstwhile East Pakistan, new Bangladesh, used to serve as the backbone of economic and developmental activity in the remote parts of the North East;

(b) whether any efforts are being made to revive the inland-river transport service between Calcutta and the remote parts of the North East, through Bangladesh, if so, the details in this regard and the progress made in that direction so far; and

(c) if the answer to (b) above be in the negative, the reasons therefor?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) It is a fact that river transport between Calcutta and Assam run by erstwhile Joint Steamer Companies (Rivers Steam Navigation Co. Ltd. and Indian General Navigation and Railway Co. Ltd. popularly known as Joint Steamer Companies) and not National River Steamship Company prior to September 1965 between Calcutta and Assam via erstwhile East Pakistan now Bangladesh, used to serve the major transport needs of the North eastern States.

(b) Central Inland Water Transport Corporation Ltd., a Central Government Undertaking, is running river transport services between (i) Calcutta and Gauhati; and (ii) Calcutta and Karimganj, via Bangladesh. The Corporation has also introduced integrated river-cum-road services between Calcutta and Karim-

ganj, Agartala (Tripura) to serve the needs of these remote areas.

(c) Does not arise.

High prices of Television sets due to Heavy Import Duty on raw Materials

2408. SHRI CHATURBHUI: Will the Minister of ELECTRONICS be pleased to state:

(a) whether due to heavy import duty on basic raw materials the prices of television sets are very high;

(b) if so, whether Government propose to revise the duty and help the growth of electronic industry; and

(c) if so, the details thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) No, Sir. Of the total consumer price of about Rs. 2200/- of a 51 cm. hybrid, multichannel T.V. set (excluding accessories) the element of import duty on raw materials and components going into such a set is presently estimated to be less than Rs. 200/-.

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

Increase in Strength of Territorial Army

2409. SHRI NATVERLAL B. PARMAR: Will the Minister of DEFENCE be pleased to state:

(a) what steps are being taken to popularise and increase the strength of the Territorial Army; and

(b) what incentives are proposed so that workers in business, industry and other civil avocations may go in the Territorial Army in larger numbers to provide help to the Army and the country in time of need?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) While there is no proposal to increase the

strength of the Territorial Army at present, various steps taken to popularise the T.A. include holding of ceremonial parades, flag marches, and publicity of T.A. activities through press and other media.

(b) Already some incentives are available for civilians who join the Territorial Army; some further suggestions are under examination.

गुजरात में रुई खरीद केन्द्र

2410. श्री मोती बाई धारो चौधरी: क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि:

(क) गत तीन वर्षों में रुई निगम ने जिला मेहसाना गुजरात में कितने रुई खरीद केन्द्र खोले तथा उन्होंने कितनी रुई खरीदी;

(ख) मेहसाना जिले के रुई का सबसे अधिक उत्पादन करने वाले सम्मी धीर हारीज तासुकों में रुई खरीद केन्द्र न खोले जाने के क्या कारण हैं;

(ग) क्या हारीज की विपणन समिति ने रुई निगम के क्षेत्रीय कार्यालय से यह मांग की है कि रुई निगम द्वारा इस वर्ष हारीज में एक खरीद केन्द्र खोला जाये; और

(घ) क्या वहाँ रुई के उत्पादन को ध्यान में रखते हुए इस वर्ष खरीद केन्द्र खोला जायेगा?

उद्योग मंत्री (श्री जार्ज फर्नान्डिस):

(क) और (ख) भारतीय कपास निगम ने गत वर्ष (1977-78) में कादी जिला मेहसाना में एक खरीद केन्द्र खोला था क्योंकि अन्य दो तहसीलों सम्मी तथा हारीज की प्रपेक्षा कादी तहसील में सबसे अधिक उत्पादन हुआ था।

(ग) और (घ): कपास निगम को हारीज में एक केन्द्र खोलने का अनुरोध मिला है। इस अनुरोध पर उस तहसील में होने वाले उत्पादन के परिमाण का पता जिसका जनवरी, 1979 में लग जायेगा, निर्धारण करने के बाद ही विचार किया जायेगा।

Violation of I(D&R) Act

2411. SHRI NARENDRA P. NATHWANI: Will the Minister of INDUSTRY be pleased to state:

(a) whether any reference was made by the Ministry of C&F to the Ministry of Industry to investigate

the alleged violation of (D&R) Act in the manufacture of Protein Hydrolysate;

(b) if so, the name or names of a company or companies involved;

(c) whether any investigation was made in these allegations and if so, the findings thereof and action taken against them; and

(d) whether these findings have been conveyed to the Ministry of C&F and if so, the reaction thereof?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (d). A reference was received from the Department of Chemicals and Fertilizers seeking clarification regarding the alleged violation of the Industries (Development and Regulation) Act in the manufacture of Protinex by Messrs. Pfizer Limited. The comments of this Ministry were forwarded to the Department of Chemicals and Fertilizers who are examining the matter in consultation with all concerned.

सीमेंट निगम के चेयरमैन की नियुक्ति

2412. श्री नवाय सिंह चौहान : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय सीमेंट निगम में हाल ही में एक नये चेयरमैन की नियुक्ति की गई है ;

(ख) यदि हां, तो यह नियुक्ति किस आधार पर की गई है और क्या इससे निगम के कार्यों में सुधार होने की आशा है ;

(ग) चेयरमैन की कमी को दूर करने के लिए निगम द्वारा पिछले दो वर्षों में क्या कदम उठाये गये हैं; और

(घ) क्या सरकार का विचार सीमेंट का पूरा कार्य राज्य सरकारों को देने का है ?

उद्योग मंत्री (श्री जार्ज फर्नान्डिस) :

(क) जी, हां।

(ख) सीमेंट कारपोरेशन ग्राफ इंडिया के नये अध्यक्ष-सह-प्रबन्ध निदेशक को पहले अध्यक्ष-सह-प्रबन्ध निदेशक के कार्यकाल की समाप्ति पर नियुक्त किया गया था।

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(ग) भारतीय सीमेंट निगम के मध्य प्रदेश के मधार तथा कर्नाटक के कुरुजुन्ता में स्थित 2-2 लाख मी० टन की वार्षिक क्षमता वाले दो एकक उत्पादनरत हैं। बोकाजन स्थित निगम के तीसरे एकक ने, जिसकी क्षमता 2 लाख मी० टन प्रतिवर्ष है, अप्रैल, 1977 में उत्पादन शुरू कर दिया है। निगम ने नवम्बर, 1978 में मधार स्थित एकक की वार्षिक क्षमता भी 2 लाख मी० टन से बढ़ा कर 3 लाख मी० टन कर दी है। निगम प्रतिवर्ष 28 लाख मी० टन की अतिरिक्त क्षमता के लिए भी नये एकक स्थापित कर रहा है, वे निम्न प्रकार हैं :—

स्थापना-स्थल	राज्य	प्रतिवर्ष क्षमता (लाख मी० टनों में)
1. राजबन	हिमाचल प्रदेश	
2. नीमच	मध्य प्रदेश	
3. प्रकलतारा	—वही—	
4. येरागुन्ता	आंध्र प्रदेश	
5. तेन्दूर	—वही—	
6. आधिलाबाद	—वही—	

गोधा, बम्बई और हृदिया में 10 लाख मी० टन प्रति वर्ष की क्षमता के पिसाई संयंत्र स्थापित करने का निगम का एक प्रस्ताव है।

सीमेंट कारपोरेशन ग्राफ इंडिया के एककों का वित्त 3 वर्गों का उत्पादन निम्न प्रकार है :—

1975-76—	3.44 लाख मी० टन
1976-77—	3.77 "
1977-78—	4.43 "

(घ) चोर बाजारी तथा जमाखोरी जैसी प्रवृत्ति को रोकने के लिए राज्य सरकारों से सहकारी समितियों, सुपर बाजारों, उचित मूल्य की दुकानों व अन्य दुकानों के माध्यम से प्रभावशाली सार्वजनिक वितरण प्रणाली बनाने का अनुरोध किया गया था। 1-10-1978 से 11 राज्यों व 2 केन्द्र शासित प्रदेशों ने सीमेंट का सार्वजनिक वितरण हाथ में ले लिया है।

1 जनवरी, 1979 से 5 और राज्य सीमेंट का सार्वजनिक वितरण शुरू कर देंगे। अन्य राज्य इस मामले पर विचार कर रहे हैं।

Demonstration of cheap Solid State TV Set by B.E.L.

2413. SHRI DHARMA VIR VASHISHT:

SHRI G. Y. KRISHNAN:

Will the Minister of ELECTRONICS be pleased to state:

(a) whether the Bharat Electronics Ltd. (BEL) Bangalore have demonstrated that a Solid State TV Set could be produced costing only Rs. 1,400; and

(b) if so, the nature of material used and the prospects of commercial production?

THE PRIME MINISTER SHRI MORARJI DESAI: (a) and (b). M/s. Bharat Electronics Ltd. (BEL) have developed manufacturing know-how, incorporating integrated circuits produced by them, for Solid State T.V. Receivers at an estimated cost of components of around Rs. 1,340. The company estimates that the price including production costs, over-head expenses, and excise duty would amount approximately to Rs. 1,800. The cost of antenna, sales tax, other local taxes and dealer/distributor margins would have to be added to determine the retail price. M/s. BEL propose to release the know-how to industry in December, 1978.

Shortage of Cement in Maharashtra

2414. SHRI SANTOSHRAO GODE: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are aware that there is a severe shortage of cement in Maharashtra; and

(b) whether Government propose to increase the cement quota of Maharashtra as requested by Maharashtra Government?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). Commencing from July,

1978, allocation of cement to the State Government is made on the basis of quarterly average despatches during the preceding five years (1973-77) or quarterly average despatches during the preceding five quarters (January 1977-March 1978) or the allocation given during the preceding quarter January-March 1978, which is the highest. Apart from the basic allocation *ad hoc* additional allocations are also made to the States from time to time for special requirements subject to availability.

The shortage of cement in Maharashtra State is part of a country wide shortage due to spurt in the demand for cement. Further allocation of cement to Maharashtra as well as to all other States will be increased progressively depending upon additional availability of cement from enhanced indigenous production or larger imports.

Legislation to regulate conducting of lotteries

2415. DR. RAMJI SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government proposal to enact a law to regulate conducting of lotteries has been finalised and if so, the details thereof; and

(b) the number of State Governments which have already banned lotteries and how their economy has been affected as a result thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a): No, Sir. A proposal to enact legislation to regulate the conduct of lotteries is under consideration of the Government. The details of the proposals are being worked out.

(b): According to the information received so far, the following 3 States have stopped their lotteries:—

Andhra Pradesh: The State Government had started a lottery scheme

under the name 'Bhagyalaxmi Andhra Pradesh State Lottery' in August, 1974 with a view to raise money for social welfare and developmental programmes of the State. The lottery was discontinued after the 7th Draw held on 13-7-75. This has not affected the economy of the State.

Bihar: The State Government started their lottery in 1969 and the first draw was held in January, 1970. The lottery was suspended in April, 1978 and finally discontinued on 1-10-1978. This has not affected the State revenue very much.

Himachal Pradesh: The State Government started their lottery during 1971-72 but this was suspended in June, 1972 after the 5th draw. This did not affect the State economy in any significant manner.

पश्चिमी देशों द्वारा चीन को रक्षा सामग्री की सप्लाई

2416. श्री जनेश्वर मिश्र : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि चीन की सुरक्षा सामान सप्लाई करने में अनेक पश्चिमी देशों में आपस में होड़ लगी हुई है; और

(ख) यदि हां, तो स्थिति को देखते हुए चीन के साथ अपनी सीमा की सुरक्षा को सुनिश्चित करने हेतु भारत सरकार द्वारा क्या कार्यवाही की जा रही है ?

रक्षा मंत्री (श्री अमजीवन राम) : (क) और (ख). सरकार को इस बात की जानकारी है कि चीन सैनिक हथियार प्राप्त करने और सैन्य-प्रौद्योगिकी आयात के लिए कुछ पश्चिमी देशों के साथ बातचीत कर रहा है और अपने अपनी सैनिक शक्ति बढ़ाने के लिए इस प्रकार के कुछ हथियारों और प्रौद्योगिकी को खरीद को है ।

अपनी सैनिक तैयारी के उपायों पर विचार करते समय हम पड़ोसी देशों की सैनिक गतिविधियों तथा सैनिक तैयारी का ध्यान रखते हैं ।

BHEL. advertisements

2417. SHRI SHARAD YADAV: Will the Minister of INDUSTRY be pleased to refer to Unstarred Question No. 4966 on the 16th August, 1978 regarding CBI enquiry into BHEL Advertisements and state:

(a) whether his attention has been drawn to reports in the *Current Weekly* (Bombay) of 6th May, 1978 and the *Financial Express* of Bombay of May 16, 1978;

(b) whether any investigations have been made into the press reports about the wastage, misuse and misappropriation of BHEL funds for personal purpose; and if so, what are the findings and if not the reasons thereof;

(c) whether any positive steps have been taken or are contemplated and the present set-up is revamped; and

(d) whether steps to gear up the publicity department are in the offing and advice of an expert consultant is to be taken for this work?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Yes, Sir.

(b): The reports published in the *Current Weekly* (Bombay) of the 6th May, 1978 and *Financial Express* of Bombay dated the 16th May, 1978 seem to have been made with the purpose of maligning the Organisation of BHEL. This is confirmed by the fact that the Editor of the *Financial Express*, Bombay expressed his regrets for publishing the report. The matter was, however, looked into and no mis-appropriation of funds was found.

(c) and (d). The Publicity Department is headed by a professional man with considerable experience in public relations work of about 30 years. A continuous review of the working of the Publicity Department is a regular feature of BHEL.

Films on the Activities of Subhash Chandra Bose

2419. PROF. SAMAR GUHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the historic films on the revolutionary activities of Netaji Subhash Chandra Bose and his INA that were shown all over India in 1946, under guidance of Sardar Patel, were later withdrawn by the Government since August 15, 1947;

(b) whether it has also been reported that these invaluable historic films have either been destroyed or are missing;

(c) if so, will the Government set up a high-power inquiry committee to find out the circumstances leading to either destruction or missing of these films and trace, if some of the reprints of these films can be salvaged from some private sources and film producers who used materials from these films; and

(d) if so, the steps proposed for the purpose?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) to (d). Information is being collected and will be laid on the table of the House.

विदेशी मिशनो के अधिकारियों द्वारा भारत विरोधी प्रचार

2421. श्री ईश्वर चौधरी: क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने इस आरोप के बारे में जांच की है कि भारत स्थित विदेशी मिशनों के कुछ अधिकारी भारत-विरोधी प्रचार में लगे हुए हैं; और

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

गृह मंत्रालय में राज्य मंत्री (श्री उमिक लाल बज्जल) : (क) सरकार को भारत स्थित विदेशी मिशनों के अधिकारियों के भारत विरोधी प्रचार के बारे में कोई सूचना नहीं है।

(ख) प्रश्न नहीं उठता।

Deposits Linked Insurance Scheme in the Indian Collieries

2422. DR. SAROJINI MAHISHI:

SHRI MUKHTIAR SINGH MALIK;

Will the Minister of ENERGY be pleased to state:

(a) whether Government have since taken any decision in regard to the introduction of a Deposit Linked Insurance Scheme in the Indian collieries;

(b) if so, the number and names of the collieries which have actually joined this scheme; and

(c) the time by which the remaining coal mines are likely to introduce this scheme?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). Deposit Linked Insurance Scheme, which covers all the members of the Coal Mines Provident Fund is compulsorily applicable to all the coal mines since August, 1976. As such it has been introduced throughout the nationalised coal industry for members of the Coal Mines Provident Fund.

(c) Does not arise.

Illegal Infiltration from Occupied Kashmir and Tibet Borders

2423. SHRI V. G. HANDE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Pakistani and Chinese infiltrators are continuously infiltrating into India from occupied Kashmir and Tibet borders;

(b) the circumstances in which infiltrators are able to enter into India despite adequate security arrange-

ments made by the armed forces; and

(c) the steps being taken by the Indian Government to check illegal entry into India?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) and (b). No reports have been received about any noticeable infiltration by Pakistanis or Chinese from occupied Kashmir and Tibet Borders. However, on account of the vastness of these borders and difficult terrain through which they run, it is difficult to completely seal the borders. Therefore, possibility of isolated cases of infiltration through these borders can not completely be ruled out.

(c) Our Security forces are maintaining constant vigil and have orders to take firm action.

Production of Bharat Earth Movers at Kolar

2424. SHRI M. V. KRISHNAPPA: Will the Minister of DEFENCE be pleased to state:

(a) what is the total production of Bharat Earth Movers Ltd. at Kolar Gold Fields;

(b) what is the number of machines in use and what percentage of the Machines are indigenous; and

(c) what are the types of machines in use there?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH): (a) Production of various earth moving equipment during the last 5 years at the Earth Moving Equipment Factory of Bharat

Earth Movers Limited at Kolar Gold Fields was as under:—

Year	Numbers
1973-74	492
1974-75	535
1975-76	570
1976-77	601
1977-78	612
TOTAL	2810

(b) Total 1480

Indigenous 1217

Percentage of indigenous machinery to the total. 82%

(c) (i) General purpose machines like cutting saws, lathes, drilling and milling.

(ii) Gear cutting machines like gear hobbing and gear shaping.

(iii) Welding machines like submerged arc welding.

(iv) Special purpose machines like multispindle drills and bush boring.

(v) Heat treatment equipment like induction hardening and carburising furnace.

(vi) Material handling equipment like overhead cranes and fork-lift trucks.

Production of Selected 'A' Grade Coal

2425. SHRI R. V. SWAMINATHAN: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that production of semi-coking, Selected 'A' grade coal, issued in steel plants is sought to be increased under Rs. 12.65 crore plan;

(b) if so, the main features of the plan; and

(c) whether any foreign exchange is involved in it?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (c). A proposal has been received from the Eastern Coalfields Ltd. for the reorganisation of Parbelia colliery for deepening the shaft and exploiting the Selected 'A' grade coal suitable for use in the steel plants at a capital investment of Rs. 12.51 crores. It has been suggested that longwall method of mining will be practised both with stowing and without stowing. The value of the imported equipment has been placed at Rs. 2.94 crores.

Functioning of Coal India Ltd. and its Subsidiaries

2426. DR. VASANT KUMAR PANDIT: Will the Minister of ENERGY be pleased to state:

(a) whether there has been a change in the policy of the Government of the CIL's coordinating function in relation to the subsidiaries under it; and

(b) what is the policy of Government with regard to the functioning of CIL and its subsidiaries with regard to production management, distribution of coal?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). There has been no change in the functions and responsibilities of Coal India Limited. However, in July 1977 the role of the holding company vis-a-vis subsidiary companies was redefined and a greater degree of autonomy was given to the subsidiary companies in operational matters. The subsidiary companies continue to be responsible for all operational matters including the production and supply of coal. The holding company is responsible for setting targets and monitoring them, establishment of policies, coordination, planning and evaluation of performance.

दिल्ली में कोयले की कमी : 1111

2427. श्री ज्ञानेश्वर प्रसाद यादव : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में कोयले की भारी कमी है ;

(ख) यदि हां, तो क्या इस कमी को देख कर कोयला काले बाजार में बिक रहा है ; और

(ग) यदि हां, तो उपभोक्ताओं को कोयले की सत्ताई उचित दर पर उपलब्ध कराने के लिए क्या उपचारात्मक उपाय किये जा रहे हैं ?

ऊर्जा मंत्री (श्री पी० रामचन्द्रन्) : पिछले कुछ महीनों में दिल्ली में कोयला कम आया है ।

(ख) इस बारे में दिल्ली प्रशासन को कुछ शिकायतें मिली हैं ।

(ग) पिछली बरसात में अधिक वर्षा होने तथा बाढ़ आने के कारण साफ्ट कोक के उत्पादन पर प्रतिकूल प्रभाव पड़ा था किन्तु अब उत्पादन बढ़ाया जा रहा है । दिल्ली में साफ्ट कोक पहुंचाने के उद्देश्य से बैंगनोड़ी मात्रा बढ़ाने के लिए रेलवे के साथ घनिष्ठ सम्पर्क रखा जा रहा है । दिल्ली प्रशासन चोर बाजारों और नप्राप्तियों की शिकायतों की जांच कर रहा है तथा जिन मामलों में आवश्यक है उनमें दिल्ली कोयला नियंत्रण आदेश, 1963 के अधीन लाइसेंसदारों और अन्य संबद्ध लोगों के खिलाफ कानूनी कार्रवाई कर रहा है । दिल्ली में उपभोक्ताओं को कोयले के वितरण का काम दिल्ली प्रशासन के अधीन है ।

Amendment to Industries (Development & Regulation) Act, 1951 and Companies Act, 1956

2428. SHRI S. R. REDDY: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have appointed any committee to call for suitable amendment to the Industries (Development and Regulation) Act, 1951 and the Companies Act, 1956 to provide among other things for penalties to parties responsible for the sickness of any unit;

(b) if so, whether it has submitted its report; and

(c) the details regarding its recommendations particularly checking on the working of the banks and financial institutions to bring their policies in tune with the general approach of tackling sickness of industries so that all aspects of the functioning of the company are taking into account before loans are advanced?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). Government are contemplating amendments to the provisions of the Industries (Development and Regulation) Act, which *inter-alia* include amendments relating to prevention of sickness in Industries. The Committee appointed by the Government under the Chairmanship of Justice Shri Rajender Sachar to suggest amendments to the provisions of the Companies Act and MRTP Act has since submitted its report. The report is under consideration of the Deptt. of Company Affairs.

Distress Sale of Cotton

2429. **SHRI ANANT RAM JAISWAL:**

SHRI BIRENDRA PRASAD:

Will the Minister of INDUSTRY be pleased to state:

(a) whether he is aware that the production of cotton is likely to increase during the year 1978-79 as compared to the production during the last year 1977-78 and a steep fall in the prices of cotton has been registered as a result thereof and cotton producers are compelled to make distress sale;

(b) if so, whether any action is proposed to be taken by Government to ensure that the farmers are not forced to make distress sale of cotton and if so, the details thereof; and

(c) whether Government are aware that prices fixed for purchase of cotton by Central and State Government establishments are below the production cost of cotton; if so, whether Government will review and fix such a price which may benefit the producers?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). According to present indications, the overall cotton crop prospects for the current cotton season 1978-79 are bright as compared to the previous cotton season. It is true that by and large, the present cotton prices are lower as compared to the prices prevailing in the corresponding period of the previous season but it will not be correct to say that cotton producers are compelled to make distress sales. The Government have already announced the minimum support price for kapas for 1978-79 cotton season, based on the recommendations of the Agricultural Prices Commission. The present market price of kapas is uniformly higher than the minimum support price announced by the Government. The minimum support prices have been recommended by the Agricultural Prices Commission after taking into account all relevant factors relating to the cost of cultivation and element of return on fixed capital and land. The question of review of these minimum support prices does not, therefore, arise.

Survey conducted by Birla Institute of Scientific Research on living conditions in Villages in India

2430. **SHRI K. RAMAMURTHY:**
SHRI RAJ KESHAR SINGH:
SHRI DINEN BHATTACHARYA:

Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the Birla Institute of Scientific Research has conducted a survey of living conditions in a few villages in India; and

(b) if so, the conclusions of this survey?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes Sir. At the instance of Birla Institute of Scientific Research, a survey has been conducted by a group of field workers

under the guidance of a firm of consultants in Calcutta, in some villages of Maharashtra, West Bengal, Orissa and Punjab.

(b) The survey of the living conditions in villages has shown that many of them lack basic amenities like drinking water supply, pucca houses, electricity, medical care, educational and transport facilities etc. They also have shortage of some common commodities like utensils, fuels, soaps, cots, shoes etc., due to their low purchasing power.

Absorption of Casual Labour into Regular Cadre in Andaman & Nicobar

2431. SHRI SAMAR MUKHERJEE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have received a copy of the resolution passed by Agriculture Employees' Grievances Committee, Port Blair along with a copy of an order issued by the Andaman & Nicobar Islands Administration regarding absorption of casual workers into regular cadre; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) and (b). According to the resolution of the Agricultural Employees' Grievances Committee, all casual mazdoors irrespective of the fact that they are "locals" or not should be considered for regular absorption and that in future only such casual mazdoors should be engaged as are in possession of "local certificates" at the time of their engagement. The decision giving preference to local candidates for employment to class III and IV posts was taken in pursuance of the recommendation of the Home Minister's Advisory Committee for the Islands, with the view to provide better employment opportunities to the islanders in the Andaman and

Nicobar Islands. Orders were issued on 29th December, 1976 according to which all candidates for recruitment to class III and IV posts are required to produce a "local certificate". The term 'local' was also defined in these orders.

Casual mazdoors engaged by various departments of the Andaman and Nicobar Administration are required to produce "local certificates" only at the time when they are considered for regular absorption and not when they are engaged on casual basis. However, all such mazdoors as were engaged prior to 29-12-1976 on which date the term "local" was refined, are considered for absorption into regular establishment without the production of "local certificates" if they are otherwise eligible. At the time the workers are engaged they are now informed that their absorption into regular establishment would be subject to the production of "local certificate". In the circumstances, it is not considered necessary to make any change in the existing arrangements.

Increase in Cost of Production of Cotton

2432. SHRI P. K. KODIYAN: Will the Minister of INDUSTRY be pleased to state:

(a) whether the Cotton growers in Punjab and other States in Northern Zone have demanded a higher minimum price as the cost of production has gone up during this year; and

(b) if so, the details and Government's decision thereon?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). Government have received some representations for a higher minimum price ranging from Rs. 400 per quintal to Rs. 500 per quintal for Narma kapas. There is free trade in cotton and the prices are regulated by the normal forces of demand and supply. The question of fixing minimum price, therefore, does not

arise. It may be stated that support price for kapas announced by Government on the basis of recommendations of Agricultural Prices Commission is intended to protect the interests of cotton growers in the event of glut in the market due to bumper crop. Presently, the prices are ruling more than 20 per cent above the support price levels Pursuant to the policy decision contained in the Textile Policy Statement, Government have taken various measures to ensure that cotton growers get fair price for their produce.

मानचित्र तैयार करना

2433. श्री राजकेशर सिंह : क्या बिहार और प्रौद्योगिकी मंत्री यह बताने की कृपा करेंगे कि :

(क) देश के कुल क्षेत्रफल में से कितने वर्ग किलोमीटर क्षेत्र के मानचित्र बनाये जा चुके हैं और शेष कितने क्षेत्र के लिए मानचित्र अभी नहीं बने हैं;

(ख) जिन देशों के मानचित्र नहीं बने हैं उनका राज्यवार व्यौरा क्या है ; और

(ग) उनके मानचित्र कब तक बनाये जाने का विचार है ?

प्रधान मंत्री (श्री मोरारजी देसाई) :

(क) और (ख) देश के प्राथमिक सर्वेक्षण और मानचित्र, इस समय 1:50,000 के पैमाने पर किये जाते हैं। विवादास्पद अवैध कब्जे वाले क्षेत्र के अलावा 32,87,000 वर्ग कि० मी० (लगभग) के कुल क्षेत्रफल में से लगभग 20,08,900 वर्ग किलोमीटर क्षेत्र के मानचित्र पहले से ही तैयार किए जा चुके हैं। शेष क्षेत्रफल में से लगभग 9,59,000 वर्ग किलोमीटर का पहल से ही सर्वेक्षण किया जा चुका है और इसका मानचित्रण/मुद्रण कार्य हाथ में है। लगभग 2,21,200 वर्ग किलोमीटर क्षेत्र का सर्वेक्षण अभी किया जाना है। जिन क्षेत्रों का सर्वेक्षण किया जाना है उनका राज्यवार व्यौरा निम्नलिखित है :—

मध्य प्रदेश	49,700	वर्ग कि० मी० लगभग
बिहार	32,900	—वही—
कर्नाटक	4,900	
मध्य प्रदेश	26,600	
महाराष्ट्र	39,200	
उड़ीसा	67,900	

(ग) सारा सर्वेक्षण कार्य 1978-80 तक पूरा होने की आशा है। मानचित्रण/मुद्रण कार्य इसके बाद किया जाएगा।

Central Sanction to amend Kerala Agrarian Reforms Act

2434. SHRI GEORGE MATHEW: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Central Government have given sanction to the proposed amendment to the Kerala Agrarian Reforms Act regarding gift deeds after 1970;

(b) if so, the reasons for not according sanction to the amendment; and

(c) whether this amendment is to protect small landholders, specially in Malabar area?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) and (b). The Kerala Land Reforms (Second Amendment) Bill, 1978, is under the consideration of the Government of India and consultations with the Govt. of Kerala are taking place.

(c) the Bill covers several aspects including validation of certain transfers by way of gift.

Action taken on Shah Commission Reports

2435. SHRI KUMARI ANANTHAN: SHRI MRITYUNJAY PRASAD:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have asked the Karnataka and Haryana Governments and the Delhi Administration to initiate legal, departmental and remedial or other administrative action on the specific cases mentioned in the third and final report of the Shah Commission;

(b) if so, reaction of these Governments; and

(c) whether Government are now in a position to state the action taken on the first two reports of the Shah Commission and the progress thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) and (b). A statement containing the requisite information is enclosed.

(c) Yes, Sir; follow up action on the major recommendations made by the Shah Commission in its first two reports has either been completed or is nearing completion.

Statement

(i) Action taken by the Government of Karnataka:

A Committee of officers has been constituted to go into the findings, observations and recommendations of the Shah Commission on the subject. The Committee has considered the legal and other implications of the matter which would be required to be gone into in detail before finally deciding on the course of action to be pursued.

(ii) Action taken by the Government of Haryana:

The State Government has constituted a Committee under the Chairmanship of Financial Commissioner, Revenue to go into the details of the specific cases cited in the report. The Committee has already held two meetings. Suitable extracts from the report have also been forwarded to the concerned departments for immediate necessary action. A decision has also been taken that a scheme for granting ex-gratia assistance to persons who are proved to have been wrongfully detained during the emergency may be drawn up.

(iii) Action taken by the Delhi Administration:

The following action has been taken by the Delhi Administration and the

Ministry of Works & Housing for rehabilitation and resettlement of persons affected by indiscriminate demolitions carried out during the emergency:—

A. An Administrative Cell has been set up in the Delhi Administration whose functions are—

(i) to entertain, assess and finalise the claims of poorer persons whose houses/structures were illegally demolished during the Emergency;

(ii) to determine the quantum of compensation to be paid, if necessary, in consultation with the Central Government. The amounts determined could be on a graded basis;

(iii) to ensure that compensation in respect of land acquired is paid expeditiously;

(iv) to ensure that alternate allotment or adjustment of plots in the same area in lieu of land acquired is given quickly; and,

(v) to ensure, on a priority basis, that the conditions in the re-settlement colonies are rendered safe, clean and convenient.

B. The Ministry of Works & Housing has constituted a Special Land Acquisition Cell so that all cases of land acquisition could be quickly decided and compensation paid.

C. The Ministry of Works & Housing has also set up a Monitoring Cell to keep a watch on the progress made month by month.

Allocation to Tripura for development of Backward Areas

2436. SHRI K. A. RAJU: Will the Minister of PLANNING be pleased to state:

(a) the concrete departure made by the present Government in the policy and programmes for development of backward areas; and

(b) the amount sanctioned to Tamil Nadu Government for development of backward areas during the last two years and current year and the anticipated grants during the next five years?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) The policy and programmes for the development of backward areas were hitherto characterised by a selective approach aimed either at specific problems (e.g. drought, hill area development) or at specific target groups (e.g. small and marginal farmers, tribal population). Besides, for industrially backward areas, incentives were provided

to promote industrial growth. These programmes are continuing, but in the new plan, they are sought to be systematically coordinated and integrated with other programmes into area development plans, with the development block as the unit of planning. A High-level Committee has been formed to examine the problems of backward areas and to suggest new directions of policy.

(b) Allocations of special central assistance to Tamil Nadu during the last two years and current year are given below:—

Scheme	(Rs. in lakhs)		
	1976-77	1977-78	1978-79
DPA	154.03	157.83	174.30
SFDA	245.85	303.56	397.20
Hill Area Development	150.00	100.00	150.00
Tribal Sub-Plans	40.00	45.00	54.00
Re-imbursements made under Central Investment Subsidy schemes to industrial units	238.32	292.78	100.53
		(Up to 30-11-78)	

Allocations for the next five years have not yet been worked out.

Proposal to Reduce Price of Cloth

2437. **SHRI KACHARULAL HEMRAJ JAIN:** Will the Minister of INDUSTRY be pleased to state:

(a) whether there is any proposal under consideration of Government to reduce the price of cloth which has been rising for the last 15 years;

(b) if so, the particulars of the proposal; and

(c) if not the reasons thereof?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). Pricing of cloth like any other product is conditioned by forces of demand and supply and therefore,

cannot be viewed in isolation. There is no specific proposal specially for reducing prices of cloth. The consumer prices of controlled cloth however have been kept at the same level as before.

Screening of Smuggled Films

2438. **SHRI D. AMAT:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether some smuggled foreign films with forged certificates have been screened in some States during the last three years; and

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

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). One case of such violation came to the

notice of the Board of Film Censors recently. With the help of the State Government the print of the film has been seized. The State Government has been requested to take further action in accordance with the provisions of law.

सद्य उद्योगों की स्थापना के लिए सहायता

2439. श्री राम कुंवर बोरया : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) ग्रामीण क्षेत्रों में लोगों द्वारा अपने उद्योग स्थापित किये जाने में सरकार द्वारा क्या सहायता दी जाती है; और

(ख) क्या इससे ग्रामीण लोगों के रहने का स्तर ऊंचा होगा ?

उद्योग मंत्री (श्री जार्ज फर्नांडीस) :

(क) ग्रामीण क्षेत्रों के लोगों को अपने उद्योग लगाने के लिए सहायता प्रदान करने हेतु ग्रामीण उद्योग परियोजना कार्यक्रम ग्रामीण कर्मचारी कार्यक्रम मूल/सीमान्त धन की व्यवस्था योजना तथा जिला उद्योग केन्द्र जैसी अनेक योजनाएं चालू की गई हैं ।

(ख) केन्द्र द्वारा चलाई गई योजनाओं के उद्देश्यों में से एक उद्देश्य यह भी है कि ग्रामीण क्षेत्र के लोगों को अपना काम करके रोजगार की लाभप्रद योजनाएं चला कर उनके रहन-सहन के स्तर को ऊंचा उठाया जाए ।

Terrific explosion in Gun Powder Factory at Pune

2440. SHRI YADVENDRA DUTT: Will the Minister of DEFENCE be pleased to state:

(a) whether his attention has been drawn to the news-item published on the 4th November, 1978, saying that at mid-day in the Gun Powder Factory at Pune, there was a terrific explosion; and

(b) if so, whether any enquiry has been made and if so, the results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH): (a) Yes, Sir.

(b) A Board of Enquiry investigated into the cause of fire, (not explosion as reported in the news-item) in a stack of unserviceable timber packing boxes, which destroyed 4000 packings valued at Rs. 6000 (approx.). There was no injury to any personnel. The Board did not find any evidence for pin-pointing cause of fire but suggested some remedial measures which are being implemented.

Percentage of women arrested in murder cases

2441. SHRI K. MALLANNA:
SHRI S. S. SOMANI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the percentage of women arrested in murder cases is higher in India than other countries;

(b) whether any sample survey of women convicts has been carried out in jails in this regard; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL) :

(a) and (b). Yes, Sir.

(c). The Bureau of Police Research and Development, Ministry of Home Affairs conducted a study on "Criminality Amongst Women In India" from 1971 to 1975. The study reveals that the percentage of women arrested in murder cases is higher in India than in other countries. The percentage of women arrested on murder charges to total female arrests for other I.P.C. Crimes in India in 1975 was 4.40 whereas in Japan, Ireland, Thailand, West Germany and U.S.A. it was 0.6 0.4 0.1, 0.2 and 0.24 respectively.

Bus service from Seelampur to Central Secretariat

2442. SHRI MANOHAR LAL;
SHRI RAMJILAL SUMAN;
SHRI SARAT KAR:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the residents of New Seelampur in trans-Yamuna area are experiencing great inconvenience as bus service to Central Secretariat is not available to them;

(b) if so, whether bus service would be soon made available from New Seelampur, Shahdara to Central Secretariat; and

(c) if not, the main reasons thereof?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) No, Sir.

(b) No, Sir. Shahdara which is quite near the colony, is already connected to Central Secretariat by the direct services of route 320 and a direct service between New Seelampur and Central Secretariat is not proposed for the time being.

(c) Convenient change-over facilities are available for Central Secretariat at Connaught Circus, I.T.O. and several other points which are connected with Seelampur/New Seelampur by various D.T.C. bus routes. It is not possible to connect all the localities of the city by direct services.

Amendment of Commission of Inquiry Act

2443. SHRI SHYAM SUNDER GUPTA;
SHRI MUKHTIAR SINGH MALIK;
SHRI G. M. BANATWALLA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to amend the Commission of Inquiry Act

to empower the Commissions to punish those making false allegations and not appear before the Commissions; and

(b) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) and (b). These as well as other suggestions will be considered by the Government at the time of making amendments to the Commissions of Enquiry Act.

News-item captioned "D.S.I.D.C. setting up small units in poor nations"

2444. SHRI MAHI LAL: Will the Minister of INDUSTRY be pleased to state:

(a) whether the attention of Government has been drawn to the news-item under caption "DSIDC setting up small units in poor nations" published in the *Hindustan Times* dated 31st October, 1978; and

(b) if so, in what manner this scheme will benefit the small and new entrepreneurs' units established with the aid of and sponsored by DSIDC in the Nangloi and other industrial complexes in Delhi?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). The Delhi State Industrial Development Corporation has so far set up 6 small industrial units on 'turn key' basis in Tanzania and about 18 more such units are in the process of being set up in the developing countries of Africa. After getting the orders from the developing countries, DSIDC entrusts the execution of such units to selected entrepreneurs and small units in the different industrial complexes of the DSIDC including Nongloi. The entrepreneurs are entrusted with the supply of plant and machinery, and their installation and commissioning. This enhances the business and employment opportunities of the small units and entrepreneurs concerned.

छतरपुर तथा टीकमगढ़ में उद्योगों की स्थापना

2445. श्री लक्ष्मीनारायण नायक : क्या उद्योग मंत्री यह बताने को तैयार करेंगे कि :

(क) नई उद्योग नीति के अनुसरणों में मध्य प्रदेश के छतरपुर तथा टीकमगढ़ जिलों में कौन कौन से नये बड़े मध्यम तथा लघु उद्योग स्थापित किये जा रहे हैं ?

(ख) क्या उपरोक्त जिलों में जिला उद्योग केन्द्र स्थापित किये गये हैं तथा क्या उन्होंने काम करना आरम्भ कर दिया है और क्या ग्रामीण क्षेत्रों को सामान्य बनाने के लिए उनका वहां प्रचार करने हेतु कोई कदम उठाये गये हैं ; और

(ग) क्या छतरपुर तथा टीकमगढ़ जिलों को पिछड़े क्षेत्र घोषित किया गया है तथा उनके विकास के लिए हाथ में ली गई औद्योगिक योजनाओं के नाम क्या हैं ?

उद्योग मंत्री (श्री जाजं फर्नांडीस) :

(क) नई औद्योगिक नीति घोषित होने के बाद मध्य प्रदेश के छतरपुर और टीकमगढ़ जिलों में बड़े और मझोले उद्योग स्थापित करने के लिए प्राथम्यता जारी करने अथवा तकनीकी विकास के महानिदेशालय के पास पंजीयन के लिए कोई आवेदन इस मंत्रालय में प्राप्त नहीं हुआ है। चूंकि लघु उद्योग एककों का पंजीयन सम्बन्धित राज्य सरकारों द्वारा स्थापित किए जा रहे लघु उद्योगों के बारे में जानकारी केन्द्रीय सरकार के पास उपलब्ध नहीं है।

(ख) छतरपुर जिल में एक जिला उद्योग केन्द्र स्थापित किया गया है और टीकमगढ़ जिले में एक अन्य केन्द्र स्थापित करने का प्रश्न विचाराधीन है। छतरपुर केन्द्र में काम शुरू हो गया है। इसने कार्य योजना (राकमनप्लान) तैयार करने का कार्य हाथ में ले लिया है। जिसमें निम्नलिखित शामिल हैं :—

- (1) लघु उद्योग विस्तार एवं प्रशिक्षण संस्थान, लघु उद्योग सेवा संस्थान, उद्योग निदेशालय और जिले के लीड बैंकों द्वारा किए गए सर्वेक्षण के आधार पर कार्य योजनाएं तैयार करना तथा तकनीकी आर्थिक सर्वेक्षण रिपोर्टों का अध्ययन बनाना।
- (2) परियोजना खासतौर से आरक्षित वस्तुओं के लिए रूपरेखा तैयार करना।
- (3) सम्भाव्यता रिपोर्ट तैयार करना जो चुनो हुई वस्तुओं के लिए निर्भर योग्य हैं।
- (4) बैंकों, वित्तीय निगमों और अन्य वित्तीय संस्थानों के पास धनिर्णीत ऋण सम्बन्धी मामलों पर कार्यवाई करना।

(5) लघु उद्योगों और ग्रामीण उद्योगों की स्थापना करने वाले उद्यमियों का पता लगाना।

(6) कारीगरों का पता लगाना और उनके कौशल में अभिवृद्धि करने के लिए उन्हें प्रशिक्षण देने की व्यवस्था करना।

(7) विकास केन्द्रों का पता लगाना; और

(8) विद्यमान एककों का सर्वेक्षण करना।

(ग) रियायती वित्त तथा कतिपय अन्य लाभों के लिए छतरपुर और टीकमगढ़ जिलों को पिछड़ा जिला घोषित किया गया है। टीकमगढ़ जिले के टीकमगढ़ और बनदेव गढ़ विकास खण्डों (ब्लाकों) को तथा छतरपुर जिले के छतरपुर विकास खण्ड को केन्द्रीय निवेश राज सहायता पाने का भी पात्र चुना गया है। इन जिलों में स्थापित औद्योगिक उपक्रम निम्नलिखित प्रोत्साहन पाने के पात्र हैं :—

- (1) भारत के औद्योगिक विकास बैंक की रियायती पुनर्वित्तियन योजना।
- (2) प्रायकार में कटौती।
- (3) तकनीकी सेवाओं के लिए परामर्श।
- (4) उन वस्तुओं के लिए एककों का पंजीयन और विद्यमान एककों का विस्तार जिन पर देश में अन्यथा प्रतिबन्ध है।
- (5) व्याज राज सहायता।
- (6) लघु उद्योग निगम लिमिटेड द्वारा आसान शर्तों पर मशीनों का संभरण।
- (7) केन्द्रीय निवेश राजसहायता।
- (8) कच्चा माल शायत करने के लिए विशेष सुविधाएं।

Failure of peace talks with MNF

2446. SHRI RAM SEWAK HAZARI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether President of Mizo National Front, Shri Lal Denga has written a letter in regard to the failure of peace talk;

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

(c) the measures proposed to be taken by Government to maintain peace?

THE MINISTER OF STATE IN
THE MINISTRY OF HOME AFFAIRS
(SHRI DHANIK LAL MANDAL):

(a) No, Sir.

(b) Does not arise.

(c) Peaceful conditions continue to prevail in Mizoram. Normal vigil is, however, being maintained.

Crimes in Delhi

2447. SHRI K. LAKKAPPA:

SHRI ANANT RAM JAIS-
WAL:

SHRI NIRMAL CHANDRA
JAIN:

SHRI RAM LAL RAHI:

SHRI VIJAY KUMAR
MALHOTRA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the crime situation in the Union Territory of Delhi as indicated by the number of murders, dacoities, kidnappings, robberies, thefts, etc. committed during the years 1977 and 1978 (uptil now);

(b) the comparative figures of crimes during the previous three years;

(c) the reasons for increase in the incidence of crimes in Delhi;

(d) the steps taken to reduce the crimes and maintain law and order; and

(e) the improvements brought about in checking crimes in Delhi by the introduction of the Police Commissioner system?

THE MINISTER OF STATE IN
THE MINISTRY OF HOME AFFAIRS
(SHRI S. D. PATIL): (a) A statement is laid on the Table of the House.

(b) A statement is laid on the Table of the House.

(c) The main reasons for the increase in crime are free registration of cases, release of bad characters after revocation of emergency, coming up of new resettlement colonies and increase in population.

(d) Among the important steps taken to check the crime are: maintaining strict vigilance over activities of known criminals, stepping up externment proceedings, developing criminal intelligence for which a special centralized squad has also been set up, intensifying patrolling both foot and mobile in the crime effected areas, detailing pickets at strategic places, launching special drive against persons carrying long knives, daggers and such other weapons and setting up a vigilance squad to check eve-teasing and Pickpocketing.

(e) Under the new system, the duality inherent in the police-magistracy system has been done away with. Certain specified powers under the Cr. P. C. have been vested with the police officers. Externment orders are also now being passed by them.

Statement

Head of crime	1977	1978 (upto 31-10-78)
Dacoity . . .	21	54
Murder . . .	183	153
Attempt to murder.	207	227
Robbery . . .	356	561
Riots	148	244
Hurts	1713	1751
Burglary . . .	2679	2868
Kidnapping	493	540
Abduction	120	164
Cycle theft	5408	5195
Misc. Theft . . .	14194	11945
M. V. Thefts	2101	2410
Misc. I. P. C. . .	8233	9227
Total IPC . . .	35856	36341

Statement; (contd.)

Crime Heads	1975	1976	1977
Dacoity . . .	18	6	21
Murder . . .	105	121	183
Attempt to murder	188	112	207
Robbery . . .	257	142	256
Riots.	146	38	148
Hurts. . .	148	1203	1713
Burglary	2216	1588	2679
Kidnapping . .	410	327	493
Abduction	87	58	120
Cycle thefts . .	3796	2881	5408
Misc. thefts . .	11148	8920	14194
M. V. Thefts' . .	2025	1483	2161
Misc. I. P. C.	6629	6227	8233
Total IPC . .	28574	23106	35856

Akali-Nirankari Clashes

2448. SHRI EDUARDO FALEIRO:
Will the Minister of HOME AFFAIRS
be pleased to state:

(a) whether opposing Akali and
Nirankari groups have recently clash-
ed in several parts of the country;

(b) if so, the details of these clashes
and the causes of the same; and

(c) what immediate measures will
Government take to put an end to
these confrontations?

THE MINISTER OF STATE IN
THE MINISTRY OF HOME AFFAIRS
(SHRI DHANIK LAL MANDAL):

(a) and (b). A statement is attached.

(c) The State Governments have
issued necessary instructions to all
concerned to maintain utmost vigi-
lance and prevent such confrontations.

Statement

(1) A clash between the followers of
Sant Jarnail Singh Bhindranwala and
the Nirankaris took place in Amritsar
on 13th April, 1978 when the former
went to the venue of the Nirankari
Samagam to protest against the
preachings of the Nirankari Guru. In
this clash, 13 men belonging to Sant
Bhindranwala group, 3 Nirankaris and
2 spectators died and 77 were injured.
Case FIR No. 88 dated 13.4.78 regis-
tered in this connection is under trial
in the Sessions Court at Karnal.

(2) A minor clash took place be-
tween Akalis and Nirankaris at
Yamuna Nagar district Ambala on
18.6.1978. One Nirankari was seriously
injured while some Nirankaris receiv-
ed minor injuries. Case FIR 298 dated
18.6.1978 was registered at PS City
Yamuna Nagar. 10 Akalis were ar-
rested and the case is pending trial in
court.

(3) On the complaint of one Gul-
shan Lal of Bassi Pathana that while
he was going to attend Nirankari Sat-
sang at Nirankari Bhawan, Bassi,
some persons belonging to the Akali
party attacked and injured him. Case
FIR No. 77 dated 6.8.78 has been regis-
tered. All the accused have been ar-
rested and the case is under investi-
gation.

(4) Some Akali workers manhandi-
ed, beat and restrained one Sumer
Singh, Parmukh Nirankari Mandai on
13.8.78 when he tried to go inside the
Nirankari Bhawan, Nangal. Case FIR
No. 78 dated 13.8.78 was registered
against 6 persons in this connection
and it is under investigation.

(5) A few Akali demonstrators beat
and inflicted injuries to 3 Nirankaris
who were going to the Nirankari
Bhawan, Patiala to attend Satsang.
Case FIR No. 340 dated 27.8.78 was
registered and the accused were ar-
rested. The case is pending trial in
court.

(6) On 10.9.78, a group of Akalis
attacked the Nirankaris at Khanna

when about 15-20 Nirankaris of Mandi Gobindgarh tried to go inside the Nirankari Bhawan to participate in Satsang with the result that 5 Nirankaris and 2 constables received minor injuries. Case FIR No. 156 dated 10-9-78 was registered against 19 Akalis and the case is pending trial in court.

(7) On 26.9.1978, there was a clash between Sikhs and Nirankaris in Nirankari Bhawan, Kanpur where Shri Gurubachan Singh, Guru of the Nirankaris was to hold a Satsang. Since there was a serious danger to the lives of the people, the police resorted to firing. In this clash and police firing, 14 persons died of which 8 were Akalis and 6 others.

राष्ट्रीय कपड़ा निगम द्वारा राज्य कपड़ा निगम, मध्य प्रदेश को ऋण की बापसी

2449. डा० लक्ष्मीनारायण पाण्डेय : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश राज्य कपड़ा निगम ने वर्ष 1971 से 1974 के दौरान मध्य प्रदेश में सान संकटग्रस्त कपड़ा मिलों को भारी राशि के ऋण दिये थे ;

(ख) क्या उक्त राशि मध्य प्रदेश [राज्य कपड़ा निगम को राष्ट्रीय कपड़ा निगम द्वारा लौटाई जानी थी; और

(ग) यदि हाँ, तो उक्त ऋण तथा उस पर व्याज की भ्रदायगी में बिलम्ब के क्या कारण हैं और यह राशि कब भ्रदा की जायेगी ?

उद्योग मंत्री श्री जार्ज (फर्नांडीस) :

(क) मध्य प्रदेश राज्य वस्त्र निगम ने मध्य प्रदेश की रुग्ण वस्त्र मिलों को 31-3-1974 तक 208.34 लाख रु० के ऋण प्रदान किये थे।

(ख) जी हाँ।

(ग) निरन्तर घाटों और फलतः धनराशि की। कमी के कारण राशि की भ्रदायगी नहीं हो सकी जैसे ही धनराशि उपलब्ध होगी, राशि का भुगतान कर दिया जायेगा।

Mining of Reserve in Megia Area (W.B.) under E.C.C.L.

2450. SHRI BIJOY MANDAL: Will the Minister of ENERGY be pleased to state:

(a) whether out of 180 collieries of Eastern Coalfields Ltd. the work of 80

has been stopped due to recent heavy floods in West Bengal which has resulted in loss of production, increase in price and non-availability of coal as reported by the various News Agencies; and

(b) in the light of the above, whether Government propose to excavate and start mining of Coal Reserve in Megia area (W.B.) under the Eastern Coalfield Co. immediately?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) 94 working districts out of 348 working districts in the underground mines and all open-cast quarries were drowned in the Eastern Coalfields due to the recent heavy Floods in West Bengal which resulted in considerable loss of production and reduced availability of coal. The pithead prices of coal remained unchanged. However the sale of coal at increased prices by unscrupulous elements may have taken place.

(b) There is a proposal to reopen abandoned Kalidaspur colliery in the western part of the Megia block for which the feasibility report is expected to be ready by January, 1979.

Cases of corruption referred to C.B.I. by E.C.L.

2451. SHRI A. K. ROY: Will the Minister of ENERGY be pleased to state:

(a) what is the number of cases of corruption and malpractices referred to the CBI in the Nirsa-Mugina Zone of the E.C.L. and B.C.C.L. in Dhanbad in the last three years;

(b) what are the results of all the findings and the action taken;

(c) whether it is a fact that in most of the cases no effective steps have been taken and things have been kept in cold storage for hushing up; and

(d) whether Government would make a thorough probe into the matter?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (d). Nine such cases of Nirsa-Mugina Area, under ECL and BCCL have been registered by the C.B.I. during the last three years. Out of these nine cases, investigation by the C.B.I. is in progress in four cases, two cases are pending trial in the Court of Law, departmental action has been initiated in one case, in one case the employees have been exonerated and in one case punishment has been awarded after departmental enquiry. Effective action has been taken on the reports of C.B.I. after obtaining the advice of Central Vigilance Commission, wherever necessary.

Nagaland Peace Council talks with underground Nagas

2452. SHRI CHITTA BASU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Nagaland Peace Council had several rounds of talks with the underground Nagas from across the borders in the recent months; and

(b) if so, the results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) According to information available with the Government, ex-underground Naga leaders have made contact with some rebel Nagas who are still in the Burmese territory with a view to persuade them to accept the Shillong Accord. Nagaland Peace Council has been extending all possible help in this effort.

(b) It is learnt that the discussions amongst them are to continue.

दिल्ली से राजधानी का हटाया जाना

2453. श्री सुभाष झाड़ा : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भूगर्भ सर्वेक्षण संस्थान ने 1966-67 में किसी समय देश की राजधानी को दिल्ली से

छान्य किसी स्थान पर ले जाय की सलाह दी थी; और

(ख) यदि हाँ, तो भूगर्भ सर्वेक्षण संस्थान के सुझाव पर सरकार द्वारा क्या कार्यवाही करने का प्रस्ताव है ?

गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मंडल) : (क) भूगर्भ सर्वेक्षण संस्थान द्वारा भारत सरकार को ऐसा कोई सलाह नहीं दी गई है।

(ख) प्रश्न नहीं उठता।

Arms Training by RSS

2454. SHRI N. SREEKANTAN NAIR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that the arms training by RSS and other Communal Organisations are creating tension in different parts of the country; and

(b) if so, whether Government are considering any proposal to ban the arms training of RSS and other organisations?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) Misgivings expressed in this behalf are within Government's knowledge.

(b) No, Sir.

Permission to Multinationals and Large Houses for setting up Industries in West Bengal

2455. SHRI SAUGATA ROY: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government of West Bengal has urged the Central Government to allow multinationals and large houses to set up units in the State;

(b) if so, the details thereof; and

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

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). The State Government of West Bengal have informed this Ministry that they have not in general terms urged new units of multinationals and large houses in the State, but as a matter of policy the State Government encourages all new investment proposals provided such applications are in conformity with the Government of India's Industrial Policy. The Statement on Industrial Policy presented to Parliament in December, 1977 has clarified Government's policy regarding the activities of large houses and foreign companies.

Full details of all licences and letters of intent issued including those issued for West Bengal are published in the "Weekly Bulletin of Import Licences, Export Licences and Industrial Licences" copies of which are available in the Parliament Library.

Gazetted Officers of A.I.R. and T.V. given premature Retirement

2456. SHRI T. S. NEGI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the names of gazetted officers given premature retirements in the All India Radio and the Doordarshan during the last three years;

(b) the details of charges levelled against them;

(c) the names of the officers reinstated with dates and grounds therefor;

(d) whether some of the officers were found guilty of misappropriation of funds; and

(e) if so, whether they also have been reinstated, and if so, the duties now assigned to them and the posts they are holding?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) to (c). A Statement is laid on the Table of the House. [Placed in Library. See No. LT-2982/78].

(d) No, Sir.

(e) Does not arise.

Exorbitant Prices of Goods Manufactured by Messrs Indian Oxygen Limited

2457. SHRI KISHORE LAL: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have come across an open letter issued by Shri R. S. Pandey, MLA, West Calcutta regarding exorbitant prices varying from 300 per cent to 400 per cent of various goods manufactured by M/s. Indian Oxygen Ltd.—a multinational;

(b) whether Government have also noted the fact that some items not manufactured by M/s. Indian Oxygen Ltd. are being sold under their own name;

(c) whether there is any law to check such mal-practices by multinationals; and

(d) when most of the goods are being manufactured by small scale industry and they conform to I.S.I. standard, why Government are not taking steps to ban the sale of such goods manufactured by such multinationals?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (d). Government have received an 'Open letter' issued by Shri R. S. Pandey, M.L.A., West Calcutta. The allegations made there in are being investigated by the Ministry of Law, Justice and Company Affairs, in consultation with the M.R.T.P. Commission.

Sample Household Survey on Employment and Unemployment in States

2458. SHRI F. P. GAEKWAD: Will the Minister of PLANNING be pleased to state:

(a) whether a sample household survey on employment and unemployment was being conducted in both rural and urban areas of each State and Union Territory participating in the NSS programme in the 32nd round of the National Survey Scheme;

(b) if so, the State-wise result of the Survey in general and particularly of Gujarat;

(c) the steps proposed to be taken by Government on the result of this survey; and

(d) if not, when it is likely to be completed?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes, Sir. A survey was conducted in the 32nd round of the NSS (1977-78).

(b) Some preliminary results of first sub-round of the survey (July-September 1977) have so far been released. The Statewise estimates of unemployment are presented in the statement placed on the Table of the House.

(c) The data will be utilised in the finalisation of the Draft Plan (1978-83) to the extent considered necessary.

(d) The data are still being processed and further details are expected to be available sometime in the latter half of 1979.

Statement

Percentage of unemployed to persons in labour force among the population of age 15-59 on the basis of weekly activity status and daily activity during July-Sep ember, 1977

States/Union Territories	Percentage of unemployed persons in labour force of population of age 15-59							
	On the basis of weekly activities				On the basis of daily activity			
	rural		urban		rural		urban	
	male	female	Male	female	Male	female	male	female
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. ALL INDIA	3.68	3.42	7.61	13.04	7.52	8.50	5.86	10.01
2. Andhra Pradesh	3.86	6.85	7.56	16.34	8.52	14.58	10.58	21.55
3. Assam	1.66	0.90	5.01	16.59	1.64	1.00	4.59	18.53
4. Bihar	4.66	3.52	6.98	11.02	6.63	7.59	8.19	14.82
5. Gujarat	2.29	1.27	6.48	7.74	4.87	4.70	8.40	10.70
6. Haryana	5.75	0.46	6.83	6.94	8.22	2.56	8.79	6.49
7. Himachal Pradesh	1.20	0.00	5.50	4.97	1.76	0.00	6.03	4.52
8. Jammu & Kashmir	1.04	1.59	3.54	14.45	1.52	1.67	3.84	13.09
9. Karnataka	3.95	3.29	6.57	7.49	9.64	10.56	10.89	11.88
10. Kerala	11.09	11.36	13.62	12.20	23.75	26.81	22.81	24.50
11. Madhya Pradesh	0.97	0.54	3.48	4.55	1.76	1.43	4.76	5.46

1	2	3	4	5	6	7	8	9	
12. Maharashtra	.	2.86	2.58	8.19	20.92	6.68	7.65	9.22	18.58
13. Meghalaya	.			1.67	8.59	..	..	1.69	8.59
14. Nagaland	0.00	0.00	..	..	0.00	0.00
15. Orissa	.	4.03	3.82	7.32	14.67	6.62	9.64	9.4	19.67
16. Punjab	.	3.17	1.06	3.83	7.61	6.79	2.20	6.00	13.42
17. Rajasthan	.	0.86	0.76	5.28	0.70	1.74	1.45	6.57	1.3
18. Tamil Nadu	.	6.46	6.02	10.41	12.40	18.43	20.34	14.55	17.58
19. Uttar Pradesh	.	2.53	1.23	5.71	5.92	4.23	2.99	6.93	6.99
20. West Bengal	.	5.20	5.16	10.42	15.56	9.75	12.16	12.75	20.31
21. Chandigarh	0.00	20.17	..		0.00	24.63
22. Delhi	.	9.14	0.00	7.64	30.33	9.14	0.00	7.88	33.84
23. Goa, Daman & Diu	.	12.89	1.72	11.16	7.01	17.68	4.48	11.64	13.61
24. Pondicherry	.	8.00	8.68	15.38	0.00	20.18	30.72	21.15	4.67

Reorganisation of New Coal Projects in Western Coalfields

2459. SHRI A. C. GEORGE: Will the Minister of ENERGY be pleased to state:

(a) whether Government have approved a proposal for reorganisation of four new coal projects in the Western Coalfields with a total initial capital outlay of Rs. 45.31 crores;

(b) if so, details thereof; and

(c) what will be the contribution of these mines to the total production in WCL?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). The following four coal projects of Western Coalfields have been sanctioned at a total initial capital outlay of Rs. 45.31 crores:

Project	Capital outlay (Rs. Crores)	Targetted capacity (M. tonnes)
1. Chirimiri opencast	18.709	1.00
2. Re-organisation of Ramnagar	7.653	From 0.19 to 0.72
3. Re-organisation of Rajnagar	10.584	From 0.42 to 1.00
4. Re-organisation of New Chirimiri Pandy Hill	8.362	From 0.50 to 1.15

(c) At 85 per cent capacity production, these four projects will contribute 2.44 million tonnes per annum.

औद्योगिक उत्पादन में निराशा के कारण

2460. श्री भारत सिंह चौहान :

श्री जगुर्मुख :

श्री बोरेण्ड प्रसाद :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि चालू वर्ष औद्योगिक एकक धरणी कुल क्षमता का केवल 77 प्रतिशत तक उपयोग कर रहे हैं ;

(ख) यदि हाँ, तो इसके कारण क्या हैं; और

(ग) उत्पादन बढ़ाने हेतु सरकार द्वारा किए गये उपायों का व्यौरा क्या है ?

उद्योग मंत्री (श्री जार्ज. फर्नाण्डिस) :

(क) और (ख). प्रत्येक उद्योग की क्षमता की परिभाषा और माप की इकाई (यूनिट) में भिन्न होता है तथा वर्तमान वर्ष के समूचे उद्योग क्षेत्र के कुल मिला कर क्षमता का उपयोग करने विषयक धाँकड़े उपलब्ध नहीं हैं। भिन्न-भिन्न उद्योगों में क्षमता के उपयोग से सम्बन्धित धाँकड़े यह बताते हैं कि अनेक उद्योग (जैसे—कागज तथा कागज गत्ता, सीमेंट, कार्मिक सोडा, सोडा एश, मशीन टूल, ट्रैक्टर, रजर ब्लड्स, स्टोरेज बैटरियाँ, साबुन आदि) में, क्षमता का उपयोग 77 प्रतिशत से अधिक है। भिन्न-भिन्न उद्योगों में क्षमता का उपयोग अनेक कारण जैसे निवेश की वस्तुओं की मांग और उपलब्ध पंजिम में जली भी सम्मिलित है निर्भर करता है।

(ग) औद्योगिक उत्पादन की गहन और निरन्तर मानोटरिंग की जाती है तथा उत्पादन बनाये रखने और उसकी वृद्धि सुनिश्चित करने हेतु कच्चे माल तथा अन्य निवेश की वस्तुओं की पर्याप्त सप्लाई की जाती है। अत्यावश्यक वस्तुओं तथा आधुनिक उद्योगों जैसे बिजली, कोयला, इत्यादि लोह धातुएँ, उर्वरक, सीमेंट आदि के उत्पादन रुख पर विशेष तौर पर ध्यान दिया जाता है।

Delegation of Powers to District Industrial Centres

2461. SHRI S. S. SOMANI: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government propose to delegate a fair measure of power to the district industrial centres which are expected to develop into the nucleus of rural industrialisation substantially contributing to decentralise development; and

(b) if so, the details regarding the phased programme—guidelines in this regard?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a). Yes, Sir.

(b). The State Governments have been advised to delegate adequate financial/administrative powers to the District Industries Centres. In many States, powers have been delegated whereas others are taking necessary steps in this direction. A list of powers that have been recommended to the State Governments/Union Territory Administrations for delegation to the District Industries Centres is enclosed.

Proposed Delegation of Powers to DICS

1. Powers of Head of Office.
2. Financial and Administrative powers of DBI.
3. Power to sanction and disburse power subsidy scheme.
4. Power to sanction and disburse interest subsidy scheme.
5. Powers for the State subsidy scheme so far as SSI units are concerned.
6. Powers to give certificate under the Sales Tax Loan Scheme and Sales Tax exemption scheme.
7. Assessment of capacity for the purpose of import licence etc.
8. Power to recommend telephone priority.
9. Power to issue investment certificate.
10. Powers for registration of SSI units.
11. Powers for ancillary registration.
12. Powers for issuing 'Q' mark.
13. Powers for allocation and management of GSIC Depots.

14. Powers to sanction loan under the Package scheme.
15. Powers to sanction loan under artisans scheme.
16. Powers to operate Mini-loan scheme of GSFC.
17. Powers to sanction and disburse testing subsidy.
18. Powers for allocation of shed and plot in GIDC Estates.
19. Recovery powers for collecting the amounts due to Govt. powers under the land revenue code for the purpose.
20. Powers to sanction loan upto Rs. 1.00 lakh of GSFC.
21. Powers regarding documentation for GSFC.
22. Powers of GEB, Sales Tax Deptt. Revenue Deptt. Labour Commissioner, etc. could be delegated to assist village, small & cottage industries.
23. Powers for issuing land certificate required by the industries.
24. Powers to operate Hire-purchase scheme of GSIC.
25. Powers of Member-Secretary of the DIEG as well as DIC.
26. Powers under RIP.
27. Powers of Director of Cottage Industries.
28. Powers for GSPO registration
29. Powers under modernisation programme.
30. Powers for Electricity Duty exemption.

राजस्थान में प्रति व्यक्ति आय

2462. श्री जगदीश प्रसाद माधुर : क्या योजना मंत्री यह बताने की कृपा करेंगे कि राजस्थान में इस समय प्रति व्यक्ति आय कितनी है और इसे अखिल भारतीय स्तर पर लाने के लिए केन्द्रीय सरकार राजस्थान में कौन सी विशिष्ट योजनाएं लागू करने पर विचार कर रही है ?

प्रधान मंत्री (श्री बीरार जी बेसाई) : राजस्थान सरकार के आर्थिक और सांख्यिकी निदेशालय के अनुमानों के अनुसार राजस्थान में 1976-77 में प्रति व्यक्ति आय के अंतिम आंकड़े 885 रु० हैं। केन्द्रीय सांख्यिकीय संगठन द्वारा उक्त वर्ष के लिए तैयार किए गए आंकड़ों के अनुसार अखिल भारतीय अन्तिम प्रति व्यक्ति आय 1049 रु० है। आयोजना और विकास का प्राथमिक उद्देश्य कुल आय और प्रति व्यक्ति आय के स्तर को बढ़ाना है। राज्य योजना में सम्मिलित की गई योजनाएं इसी उद्देश्य से बनाई गई हैं। केन्द्रीय योजना की स्कीमों से इस दिशा में राज्य के प्रयत्नों में सहायता मिलती है।

Maintenance Expenditure on Hired Buildings

2463. SHRI O. V. ALAGESAN: Will the Minister of INDUSTRY be pleased to state:

(a) whether maintenance expenditure of the buildings hired by Rural Electrification Corporation Ltd., Engineering Projects (India) Ltd., Bharat Heavy Electricals Ltd, etc. has gone up many times in between the period 1974-75 to 1976-77;

(b) if so, the justification for the same; and

(c) whether any steps are taken to bring down expenditure in this behalf?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Yes, Sir.

(b) and (c). Rural Electrification Corporation:

The Rural Electrification Corporation (REC) was earlier having their offices in five different buildings in South Extension, New Delhi, in the residential area. The Delhi Development Authority (DDA) had objected to these houses in residential area being used for commercial purposes and was about to launch prosecution proceedings against the REC for "non-conforming" use of premises. The REC, therefore, shifted their offices to the alternative accommodation offered by the DDA in Nehru Place, New Delhi.

The accommodation in Nehru Place was in the shape of halls and it had to be provided with wooden partitions, fans and other electrical fittings involving an expenditure of Rs. 12.48 lakhs as a non-recurring, one-time expenditure. This expenditure does not come under the category of maintenance charges and should normally have been shown as a separate item. The balance of Rs. 1.72 lakhs spent on maintenance compares well with the expenditure incurred in earlier years.

Engineering Projects (India) Limited, New Delhi.

After 1974-75, Engineering Projects (India) Limited, (EPI), New Delhi, has established a number of offices in India and abroad to manage the various projects entrusted to it. It is this increase in the number of offices in India and abroad that has occasioned the rise and maintenance expenditure of the buildings. The number of offices in India maintained by EPI went up from 28 in 1974-75 to 41 in 1976-77 and the number of offices overseas from 3 in 1974-75 to 8 in 1976-77.

In this period there has also been increase in electricity tariff as also prices of various items required for upkeep and maintenance.

Bharat Heavy Electrical Limited, New Delhi.

The maintenance expenditure of buildings in the case of Bharat Heavy Electricals Limited (BHEL) has increased from Rs. 1.08 lakhs in 1974-75 to Rs. 8.01 lakhs in 1976-77. During this period several new offices and Divisions were opened to cope with the growing business of BHEL, both in India and abroad. Consequently, the office area increased from 67000 Sq. ft. in 1974-75 to 2.43 lakhs Sq. ft. in 1976-77. Expenditure also went up because of increase in electricity tariff and prices of items required for upkeep and maintenance.

In accordance with the Government's policy guidelines, strict watch is being kept on the expenditure on maintenance of buildings hired or owned by them.

Financial Crisis in National Industrial Development Corporation

2464. SHRI VASANT SATHE: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that National Industrial Development Corporation is in acute financial crisis and is left with bank balance of Rs. 3000 as on 15th September, 1978;

(b) if so, the facts of the matter and the reasons for such a bad state of affairs;

(c) whether Government are aware of the criticism of the N.I.D.C. appearing in the press and the serious allegations and complaints received about functioning of N.I.D.C.; and

(d) if so, the details thereof and whether Government would appoint a committee to review the working of the Corporation with a view to suggest ways and means to improve its working and efficiency?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). The National Development Corporation has been experiencing some financial difficulties on account of the outstandings against clients, amounting to Rs. 73.21 lakhs as on 31.10.78.

Bank balance on 15-9-1978 was Rs. 39,996.83 in the bank account maintained in India and about Rs. 36,000/- abroad (Libya).

(c) and (d) Yes, Sir. The matter regarding the outstandings was considered by the Board of Directors of NIDC on 18.11.78 and the Corporation is following up the matter with its clients for the expeditious recovery of the outstanding dues. A proposal

to undertake an independent assessment of the financial affairs of the Company is under consideration of the Government.

Supply of Pump Sets for Dewatering Flooded Coal Mines in Eastern Region

2465. SHRI SHANKERSINHJI VAGHELA: Will the Minister of ENERGY be pleased to state:

(a) whether an SOS had been sent by the Energy Ministry to the country's pump manufacturers for the supply of pump sets with capacities ranging from 1000 gallons to 5000 gallons per minute for dewatering flooded coalmines in the eastern region;

(b) if so, when and what has been the response of the pump set manufacturers to this call; and

(c) the number of pump sets acquired by Government for the purpose and the extent to which the coal mines have been de-watered?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) The Coal Companies had asked the pump manufacturers in the country to supply pump sets with capacities ranging between 500 to 1000 gallons per minute for dewatering flooded coalmines in the eastern region.

(b) The coal companies had requested the pump manufacturers to expedite deliveries of pump sets, orders for which had already been placed on them and had also placed emergency orders. While the response of the pump manufacturers to the emergency orders has been satisfactory, they have not been able to advance the deliveries of earlier pending orders.

(c) In total, about 210 pump sets of different capacities as well as ancillary equipment have been acquired by the companies for dewatering the flooded mines. Out of a total number of 213 underground districts, which

were flooded, so far 109 have been de-watered. Similarly, out of 67 opencast quarries that were flooded, 47 have been so far de-watered.

Discovery of Radio-Active Minerals

2466. SHRI R. MOHANRANGAM: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether it is a fact that fresh sources of Radio active minerals have been discovered in some parts of the country;

(b) the places of such finds, the nature of the material and the estimated quantity available for extraction; and

(c) the particulars of plans, if any, to exploit these sources for atomic energy?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes, Sir.

(b) As a result of extensive surveys carried out by the Atomic Minerals Division of the Department of Atomic Energy, a number of significant radio-active occurrences have been located at Bodal-Bhandaritola, Rajnandgaon District, Dumhath-Jajawal-Garia, Sarguja District of Madhya Pradesh, Astotha-Khya -Loharian -Kaneo-Sibal-Galot, Hamirpur District in Himachal Pradesh, Anek, Garo Hills District, Comaghat-Alukwadi, Khasi Hills District of Meghalaya and Ingedinala, Tehri District in Uttar Pradesh.

Exploration by way of core drilling and/or underground development to prove the size, grade and economic viability of these occurrences is under progress.

Recent surveys in Walkunji Area, South Kanara District in Karnataka, have given favourable indications of uranium mineralisation, where detailed investigations are currently in progress. Quantities can be estimated only after detailed investigations are completed.

(c) Deposits which are proven to be economically viable are exploited by two public sector undertakings, namely the Uranium Corporation of India Ltd. and the Indian Rare Earths Ltd. They do the mining and beneficiation.

Method for Disposal of Nuclear Waste

2467. SHRI C. VENUGOPAL: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) the precise method followed in India for the disposal of nuclear waste without endangering the life of present and future generations; and

(b) the plans and programmes for introducing more reliable methods in keeping with the latest techniques evolved in the West.

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). So far radio-activity arising out of nuclear programmes has been confined to low and intermediate levels of radioactivity. Gaseous wastes are treated and filtered for the removal of radioactivity and released to the atmosphere through stacks. Liquid wastes with low and intermediate levels of concentrations are treated by a number of processes like chemical precipitation, evaporation, ion-exchanges etc., and then discharged to the environment after decontamination and dilution. Concentrates removed from these effluents and the solid radioactive wastes pro-

duced are being safely stored in multiple engineered containment in underground vaults. High level radioactive wastes are initially stored in stainless steel storage tanks located in underground concrete vaults. The most practical method towards effecting ultimate disposal of such wastes would be to solidify the waste, thereby immobilising it and further ensuring its containment. Appropriate action in this regard is being taken.

The waste management schemes presently in operation in the country compare favourably with the processes adopted elsewhere in the world.

Power Generation in Tamil Nadu

2468. SHRI C. N. VISVANATHAN: Will the Minister of ENERGY be pleased to state:

(a) the plans and programmes for augmenting power generation during the last two years and current year;

(b) the extent to which the schedules have been kept up and the reasons for slippages; and

(c) the precise plan for augmenting power generation in Tamil Nadu?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). Power Generation projects programmed for 3 years period (1976-79) in Tamil Nadu, their commissioning and reasons of slippage if applicable, are as follows:—

S. No.	Project	Commissioning schedule	Whether commissioned as per schedule	Reasons of slippage, if any
1	2	3	4	5
A. Hydro				
1	Kundah st. IV PH 3 (60 MW)	1977-78	Yes	Does not arise.
2	Kundah st. IV PH 4 (50 MW)	1977-78	No.	Commissioned on 9-9-78. Delayed on account of delay in supply of equipment, delay in deployment of erection, personnel etc.

1	2	3	4	5
3.	Surliar Unit No. 1 (35MW)	1978-79	Yes	Does not arise.
B. Thermal				
4.	Tuticorin Unit No. 1 (210 MW)	1978-79	Likely to be commissioned during 1978-79	Does not arise.

(c) A benefit of 640 MW is expected from the following on-going projects in Tamil Nadu in the period 1979-80 to 1983-84:

Kadampari Pumped Storage Scheme	2 × 100	MW
Servalar Hydro-electric Scheme.	1 × 20	MW
Tuticorin Thermal Project (II & III Units)	2 × 210	MW

Following benefits are expected in the time frame 1984-85 to 1986-87 from on-going/sanctioned schemes:

Kadampari Pumped Storage Scheme	2 × 100	MW
Pandayal Punnampuzha Hydro-electric Scheme.	2 × 50	MW

In addition, the State will get a share in the benefits from the following on-going/sanctioned projects in the Central Sector in the Southern Region:

Kalpakkam Atomic Power Project	2 × 235	MW
Ramagundam Thermal Power Project	3 × 200 + 1 × 500	MW MW
Neyveli Second Mine Cut Thermal Scheme	3 × 210	MW

According to present indications, the benefits from Kalpakkam Atomic Power Project and the Neyveli Second Mine Cut Thermal Power Scheme are expected in the period 1979-80 to 1983-84. A benefit of 420 MW is expected from the Ramagundam Thermal Power Project during the period 1979-80 to 1983-84 and the balance benefits in the time frame 1984-85 to 1987-88.

Financial Assistance to Orissa for Improvement of Jails

2469. SHRI SARAT KAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Central Government have received any representation from the State of Orissa launching an ambitious programme for the improvement of working and living conditions in the jails, for financial assistance; and

(b) if so, the details thereof and the reaction of Central Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) and (b). The Government of Orissa have been given financial assistance of Rs. 11.50 lakhs during 1977-78 and Rs. 12.18 lakhs during 1978-79 for improvement of prisons and living conditions of prisoners. The State Government have requested for additional allocation of Rs. 17 lakhs during 1978-79 for the following schemes:—

1. Repair and renovation of jail buildings,

2. Augmentation of water supply facilities,

3. Conversion of old service latrines into septic latrines,

4. Provision of sewerage and drainage.

The fresh proposals are under consideration along with those received from other States.

Statehood for Pondicherry

2470. SHRI G. M. BANATWALLA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have received any proposal from the Pondicherry Administration demanding Statehood for that Union Territory;

(b) if so, the details thereof; and

(c) what action Government have taken or propose to take in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) No, Sir.

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

Shifting of Physiological Research Centre, Darjeeling

2471. SHRI DILIP CHAKRAVARTY: Will the Minister of DEFENCE be pleased to state:

(a) whether he is aware that the Physiology Research Laboratory, Darjeeling in West Bengal is being shifted from Darjeeling to its Delhi headquarters;

(b) whether he is also aware that termination notices to Class IV staff have already been issued; and

(c) if so, what are the causes that have prompted the Ministry to take such a decision and what part is being played by the present Director of this institution in Darjeeling in this regard?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) to (c). A decision has been taken to shift the

Physiological Research Cell (PR Cell) from Darjeeling to Delhi Cantt. and merge it with the Defence Institute of Physiology and Allied Sciences (DIPAS) on administrative grounds and also for reasons of economy and better supervision. The present Director of the PR Cell had no role in the taking of this decision. However, in defence to the request of the Government of West Bengal and local representatives, the matter is being reconsidered.

No notice of termination of service to Class IV Staff who are on regular establishment of the PR Cell has been issued. However, seven *ad-hoc* employees who had been recruited on 'as required' basis have been informed that their services are no longer required.

Search of Uranium in Shivalak Hills

2472. SHRI AMARSINH V. RATHAWA: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether any survey has been conducted in search of uranium in Shivalak Hills; and

(b) if so, the result achieved?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes, Sir.

(b) As a result of the surveys carried out by the Atomic Minerals Division of Department of Atomic Energy, along the Siwalik Foothills, encouraging indications of uranium mineralisation have been reported in sandstones at Morni, Ambala District, Haryana and along a 12 km. long stretch at Jhulwani, Chakriyana, Astotha, Loharian, Kaneo, Khya etc. in Hamirpur District, Himachal Pradesh. The more significant of these in Hamirpur District, Himachal Pradesh are currently being investigated by exploratory drilling and underground development.

छठी योजना

2473. श्री गंगा लक्ष्मण सिंह : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें इस बात की जानकारी है कि छठी पंचवर्षीय योजना बाधित प्रारम्भ हो गई है लेकिन योजना आयोग छठी पंचवर्षीय योजना तैयार नहीं कर सका है जिससे देश में अनिश्चितता बनी हुई है ;

(ख) यदि हां, तो क्या योजना आयोग ने छठी पंचवर्षीय योजना तैयार करने का कार्य प्रारम्भ कर लिया है और यदि हां, तो इसे कब तक अंतिम रूप दिया जायेगा ; और

(ग) अब तक छठी पंचवर्षीय योजना तैयार न करने के क्या कारण हैं ?

प्रधान मंत्री (श्री मोरारजी देसाई) : (क) से (ग). जैसा कि माननीय सदस्य जानते हैं, योजना आयोग द्वारा तैयार किए गए 1978-83 की योजना के प्रारूप को राष्ट्रीय विकास परिषद् के सम्मुख उनकी दिनांक 18-19 मार्च, 1978 की बैठक में प्रस्तुत किया जा चुका है। परिषद् ने इस प्रारूप में प्रस्तावित उद्देश्यों और कार्यानीति को स्वीकार किया था और सरकारी क्षेत्र के परिव्यय के प्रकार और क्षेत्रीय आवंटनों को सामान्य रूप से अनुमोदित किया था। परिषद् ने यह भी निदेश दिया था कि वित्तीय प्रबन्धों के सम्बन्ध में राज्यों के साथ विचार-विमर्श किया जाना चाहिए और सातवें वित्त आयोग की सिफारिशें प्राप्त होने के बाद योजना के प्रारूप को अंतिम रूप दिया जाना चाहिए। यह विचार-विमर्श और अभ्यास चल रहे हैं। इसी बीच नई आयोजना की अवधि के पहले वर्ष अर्थात् 1978-79 की वार्षिक योजना तैयार की गई। उस पर राज्यों की सहमति हुई और वह अब कार्यान्वित की जा रही है। यह वार्षिक योजना पंचवर्षीय योजना के प्रारूप की प्राथमिकताओं को अभिव्यक्त करती है और उसके मुख्य परिमाणों के अनुरूप है। इस प्रकार कोई अनिश्चितता नहीं है। योजना के प्रारूप को फरवरी-मार्च, 1979 तक अंतिम रूप दे दिए जाने की आशा है।

सिनेमा गृहों में प्रशलील फिल्मों का प्रदर्शन

2474. श्री राजेन्द्र कुमार शर्मा : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि सरकार द्वारा कड़े पग उठाये जाने के बावजूद भी सिनेमा गृहों में प्रशलील फिल्में प्रदर्शित की जा रही हैं ;

(ख) क्या सरकार ने दिल्ली में सिनेमा गृहों में दिखाई जा रही ऐसी फिल्मों की ओर ध्यान दिया है ;

(ग) यदि हां, तो क्या सरकार का विचार ऐसे सिनेमा गृहों के लाइसेंस जप्त करने का है और यदि नहीं, तो उसके क्या कारण हैं ; और

(घ) गत छः महीनों में सरकार की जानकारी में ऐसे कितने मामले आये ?

सूचना और प्रसारण मंत्री (श्री लाल कृष्ण शर्मा) : (क) और (घ). सभी फिल्मों फिल्म सेंसर बोर्ड द्वारा चतुर्चित्र अधिनियम, 1952 के उपबन्धों तथा उनके अन्तर्गत जनवरी, 1978 में जारी किए गए मार्गदर्शी सिद्धान्तों के अनुसार जांची जाती हैं। बोर्ड को यह सुनिश्चित करना होता है कि प्रशिक्षण, प्रश्लीलता और अप्रियता के दृश्य नहीं जिनसे मानविक संवेदना क्षुब्ध हो। तथापि, फिल्मों के प्रदर्शन में अनाचार सरकार के ध्यान में आए जिनमें सेंसर न हुई फिल्मों, प्रति-बन्धित फिल्मों, जाली सेंसर प्रमाण-पत्र वाली फिल्मों, ऐसी फिल्मों जिनमें काटे गए अंश शामिल थे, के प्रदर्शन के उदाहरण देखे गए। हाल ही में फिल्म सेंसर बोर्ड के ध्यान में ऐसी पांच फिल्में आई हैं जिन्हें उस रूप जिसमें वे प्रमाणोक्त की गई थीं, से भिन्न रूप में दिखाया गया। कानून के अन्तर्गत आवश्यक कार्रवाई की जा रही है।

(ख). इस प्रकार की कोई फिल्म ध्यान में नहीं आई है।

(ग) प्रश्न नहीं उठता।

Setting up of a Cement Factory in Rewa, M.P.

2475. SHRI YAMUNA PRASAD SHASTRI. Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that adequate quantity of limestone is available for cement factory in Rewa district in Madhya Pradesh and whether demand has also been made to set up this factory there; and

(b) if so, whether Central Government propose to grant permission for setting up cement factory in Rewa during the current year?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). The Government of Madhya Pradesh have indicated that accord-

ing to the State Directorate of Geology and Mines, there are deposits of low grade and cement grade limestone in Rewa District. However, the quantity of such limestone is yet to be proved by detailed prospecting. One application for an industrial licence for setting up a large sized cement plant with an annual capacity of 7 lakh tonnes in Rewa District has been received. Another application for registration of a mini cement plant with an annual capacity of 55,000 tonnes per annum in this District has also been received. Both the applications are still under consideration.

Centralized Cargo Booking

2476. SHRI M. RAM GOPAL REDDY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the move for a centralized cargo booking has been dropped; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) No final

decision has been taken in the matter.

(b) Question does not arise.

विभिन्न भाषाओं में प्रकाशित समाचार पत्रों, मासिक तथा साप्ताहिक पत्रिकाओं की संख्या

2477. श्री एम. वल्लभरी साहू : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में हिन्दी, उर्दू, मराठी, बंगला, कन्नड़, और तमिल में पृथक्-पृथक् कितने समाचार-पत्र, मासिक तथा साप्ताहिक पत्रिकाएँ प्रकाशित होती हैं ;

(ख) समाचार पत्रों को समाचार देने वाली कौन-कौन सी प्रमुख समाचार एजेंसियाँ देश में कार्य कर रही हैं; और

(ग) प्रत्येक समाचार एजेंसी को सरकार कितनी सहायता देती है ?

सूचना और प्रसारण मंत्री (श्री लाल कृष्ण खाड़काजी) : (क) एक विवरण संलग्न है जिसमें 31-12-1977 को देश में हिन्दी, उर्दू, मराठी, बंगला, कन्नड़ और तमिल में प्रकाशित समाचार-पत्रों/नियतकालिक पत्रों की संख्या दी हुई है।

(ख) और (ग). एक विवरण संलग्न है जिसमें देश की प्रमुख समाचार एजेंसियों के नाम और सरकार द्वारा उनको 1978 में सहायक अनुदानों के रूप में दी गई सहायता दर्शायी गई है।

विवरण

हिन्दी उर्दू, मराठी, इत्यादि में प्रकाशित समाचार-पत्रों/नियतकालिक पत्रों की संख्या

भाषा 1	दैनिक 2	*साप्ताहिक 3	मासिक 4
हिन्दी	307	1705	982
उर्दू	98	525	252
मराठी	107	268	305
बंगला	36	268	342
कन्नड़	60	125	146
तमिल	61	99	345
योग	669	2990	2372

* वि/वि साप्ताहिकों सहित।

बिबरन

प्रमुख समाचार एजेंसियों के नाम तथा सरकार द्वारा उनको 1978 में दी गई सहायता ।

क्रम संख्या	प्रमुख समाचार एजेंसियों के नाम	पुनर्वासि अनुदान (लाख रुपयों में)	सहायक अनुदान की प्रथम किस्त (लाख रुपयों में)	भाषायी समाचार सेवा के विकास के लिए प्रतिरिक्त अनुदान (लाख रुपयों में)	सहायक अनुदान की दूसरी किस्त (लाख रुपयों में)	कुल
1	2	3	4	5	6	7
1	प्रेस ट्रस्ट आफ इण्डिया	5.00	8.66	—	7.94	21.60
2	यूनाइटेड न्यूज आफ इंडिया	9.00	3.98	—	3.65	16.63
3	हिन्दुस्तान समाचार	4.50	3.34	3.50	3.06	14.40
4	समाचार भारती	3.25	1.67	3.46	2.36	11.64
					0.90	
	योग	21.75	17.65	6.96	17.91	64.27

Reopening of cases of Political Pensioners

2478. SHRI SHAMBHU NATH CHATURVEDI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether cases of political pensioners are being reopened and the recipients are called upon to adduce evidence afresh of their political suffering, particularly in cases where the full amount of Rs. 200/- is claimed without deduction of the amount granted by the respective State Governments;

(b) if so, the reasons therefor and why the evidence which was acceptable earlier has ceased to be so and needs to be adduced afresh; and

(c) whether Government are aware of the fact that most of the jail and other records have been weeded out and of the consequent difficulty in re-producing it?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) to (c). It has been decided that before freedom fighter pension is enhanced to Rs. 200/- per month all cases should be carefully reviewed to ensure that they have been correctly sanctioned based on complete documentary evidence. Where on review it is found that evidence is not complete or is defective, an opportunity is given to the pensioners to produce complete evidence and after verification through State Government, Central Pension is enhanced to Rs. 200/-. Where it is found that pension has wrongly been sanctioned on incomplete/false certificates steps are taken to suspend the pension and after giving due opportunity to the pensioners to prove their bonafides action is taken either to revoke the suspension order or finally cancel the pension after re-verification through the State Government. Where jail

and other records are not available, cases are decided on the basis of other acceptable evidence in consultation with the State Government.

Import of second hand Paper Plants

2479. SHRI BALASAHEB VIKHE PATIL: Will the Minister of INDUSTRY be pleased to state:

(a) whether his attention has been drawn to the news item published in the *Economic Times* dated 6th November, 1978 (Delhi Edition) regarding import of second hand paper plants of capacity of 30 tonnes per day;

(b) how many such plants are being permitted to be imported;

(c) will such import not hurt the interests of the paper machinery manufacturers; and

(d) what action has been taken or is proposed to be taken to ensure that 70 to 80 tonnes per day paper machines are not shown as 25 to 30 tonnes per day by indicating lower operating speed?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Yes, Sir.

(b) Import Licences have been granted to 25 parties for the import of second hand paper machines.

(c) and (d). In view of the lack of investment in the paper industry in the last few years due to high capital costs and the need to encourage growth of capacity and production, Government have allowed the facility of import of second hand paper machines with capacity upto 30 tonnes per day to small & medium entrepreneurs. Applications are subject to technical scrutiny to ensure that capacities of the plants sought to be imported do not exceed 30 tonnes per day. Further, value limitations have been stipulated for machines of different capacity. The

applicants are also issued industrial licences/registration certificates which stipulate that they will not produce beyond the specified capacity. These measures would ensure that machines of higher capacity than indicated in the applications are not imported.

Polysonic Fibre Factory at Raichur (Karnataka)

2480. SHRI RAJSHEKHAR KOLUR: Will the Minister of INDUSTRY be pleased to state:

(a) when the Polysonic Fibre factory at Raichur, Karnataka for which an industrial licence has been issued, will start production; and

(b) what will be its employment potential and production capacity?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Import of Capital Goods and Foreign Technical Know-How involved in the proposed project has been approved by the Government recently. The unit is likely to commence production towards the end of 1980.

(b) The capacity of the unit will be 10,000 tonnes per annum and is likely to create direct employment for about 325 workers.

Arms Recovered from Naxalites

2481. SHRI G. Y. KRISHNAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Government are worried over the 'substantial increase' in cases of arms catching due to the recrudescence of violence by the Naxalites; and

(b) if so, the details regarding their activities, State-wise during last two years?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) Incidents involving such arms snatching are a matter of concern.

(b) Details from State Governments are awaited.

Draft Report on Technology Policy for National Committee on Science and Technology

2482. SHRI D. D. DESAI: Will the Minister of SCIENCE & TECHNOLOGY be pleased to state:

(a) whether Government have received draft report on technology policy from the National Committee on Science and Technology; and

(b) if so, the details thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). The National Committee on Science and Technology has prepared a technology policy statement and this has been submitted to the Government. This is currently under examination.

Expenditure incurred for R & D of MHD Method of Power Generation

2483. SHRI P. S. RAMALINGAM: Will the Minister of SCIENCE & TECHNOLOGY be pleased to state:

(a) the amount spent so far for research and development of MHD method of power generation;

(b) the practical results achieved so far; and

(c) whether there are plans and programmes for exploiting the potentialities on a massive scale?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) A project for setting up an experimental coal-based MHD Power Plant as a Research and Development facility

jointly by DARC and BHEL under the auspices of the Department of Science & Technology was sanctioned in December, 1976. The work is in progress and so far, funds amounting to Rs. 272.51 lakhs have been provided for the project.

(b) Design drawings for fabrication of the MHD Channel are nearing completion. Engineering designs of the 2 tesla magnet have been completed and procurement of material for fabrication of the Magnet is in progress. Experiments are continuing for the development of suitable insulating and refractory materials for use in MHD channels and in air preheater, combustor etc. Civil construction work for setting up the experimental MHD Plant at the BHEL complex in Trichy are in progress. Orders have been placed for certain major items of machinery such as Blue Water Gas plant, Water Treatment Plant, Oxygen Plant, Gas/Air Compressors, Test Rigs etc. The experimental MHD plant is expected to be completed by 1981.

(c) Large scale exploitation of MHD technology for power generation would depend upon the results of the performance evaluation of the experimental pilot plant and the technoeconomic viability of MHD system.

Idle Reprocessing Plant in BARC

2484. DR. MURLI MANOHAR JOSHI: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether it is a fact that the reprocessing plant in the BARC is largely lying idle;

(b) if so, the reasons for the same; and

(c) the steps being taken to use the plant to its full capacity?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) to (c). The plant is at present undergoing modifications for expansion of its capacity for handling the spent fuel of the 100 MW research reactor being set up at Trombay.

S.C. & S.T. Liaison Officers

2485. SHRI B. C. KAMBLE: Will the Minister of SPACE be pleased to state:

(a) how many Liaison Officers are appointed in each of the departments in your Ministry, relating to representation in services for the Scheduled Castes and Scheduled Tribes as per Government Brochure, Chapter 15, and since when each of them appointed and the status of each of them;

(b) what are the reports of each of these Liaison Officers under para 15.4 of the said Brochure during the last three years submitted to the Secretary/Additional Secretary etc. and what action was directed by the latter and whether said action as directed was taken and with what result; and

(c) will the Government lay on the Table of the House the copies of the said reports, directions and the action taken as per (b) above; if not, why not?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) A list* of Liaison Officers for Scheduled Castes and Scheduled Tribes appointed in the Department of Space and its constituent Centres/Units in accordance with the orders contained in Chapter XV of the Brochure on reservation for Scheduled Castes and Scheduled Tribes in Services, is laid on the Table of the House. [Placed in Library. See No LT-2983/78].

(b) & (c). No reports are required to be submitted under para 15.4 of

the Brochure on reservation for Scheduled Castes and Scheduled Tribes in Services. However, as per paragraph 54-A of Chapter XV of the Brochure, the Liaison Officer of the Department has carried out inspection in respect of the Vikram Sarabhai Space Centre, Trivandrum, in July 1978. A copy of the report** submitted by the Liaison Officer is laid on the Table of the House. [Placed in Library. See No. LT-2983/78]. Compliance report on the points for action referred to in the report of the Liaison Officer has been called for from the Director, Vikram Sarabhai Space Centre, Trivandrum. The same is awaited. Inspection of the other Centres/Units of the Department will be carried out by the Liaison Officer in due course. The Liaison Officers at the Centres assist the Directors of the Centres in ensuring the implementation of the orders.

Reservation of Items for Small Scale Industries

2486. SHRI G. NARASIMHA REDDY: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are considering to introduce a Bill prohibiting the manufacture of all the items reserved for small scale by the large and medium scale industries;

(b) if so, when; and

(c) if not, the reasons therefor?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). Government are contemplating amendments to the provisions of Industries (Development & Regulation) Act, which inter-alia include amendments relating to protection to the Small Scale Sector. As soon as the amendments are finalised bill will be prepared for introduction in Parliament.

भूतपूर्व तथा वर्तमान मंत्रियों के विरुद्ध जांच

2487. श्री हुकूम देव नारायण यादव : क्या प्रधानमंत्री यह बताने की कृपा करेंगे कि उन भूतपूर्व तथा वर्तमान केन्द्रीय सरकार के मंत्रियों के नाम क्या हैं जिनके विरुद्ध केन्द्रीय जांच ब्यूरो द्वारा जांच कराई गई है और इस बात में जांच प्रतिवेदनों का ब्योरा क्या है ?

प्रधानमंत्री (श्री मोरारजी देसाई) : खेद है कि वांछित सूचना देना सार्वजनिक हित में नहीं होगा ।

Representation of the Workers' Management Council

2489. DR. BAPU KALDATE: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have received representation from the Workers' Management Council, N.I.D.C.;

(b) if so, what are the details of the representation; and

(c) what action has been taken on their representation?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Representations have been received from the Secretary of the Workers' Management Council.

(b) and (c). The Secretary of the Workers' Management Council has represented that certain proposals/recommendations of the Council have not been implemented so far by the Corporation. These were included in the agenda for consideration by the Board of Directors in their meeting held on 18-11-78. Barring one item, the other issues were deferred for consideration. The Chairman-cum-Managing Director is being advised to expedite their consideration by the Board.

De-Reservation of Posts

2490. SHRI SHIV NARAIN SAR-SONIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have issued orders directing all Ministries

that no reserved posts be dereserved by them without obtaining the prior approval of the Ministry of Home Affairs (Department of Personnel); and

(b) if so, whether these orders are applicable to all the Government of India Undertakings?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) Government have already issued order that prior approval of the Department of Personnel and Administrative Reforms should be obtained for dereservation of a vacancy is included in the roster for permanent appointments to continue indefinitely.

(b) No, Sir.

Communications received by the Ministry from M.Ps.

2491. SHRI MOHAN LAL PIPIL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of Communications received by the Ministry from Members of Parliament and still lying undisposed of, for over six months;

(b) how many of the communications have not been acknowledged and in how many cases interim replies have been sent; and

(c) whether any special watch is kept ensuring a quick disposal of such references?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) As on 31-10-1978, there were 211 such communications pending over 6 months.

(b) All the communications were acknowledged. Interim replies have been sent in 27 cases.

(c). Yes, Sir.

विज्ञापन पटों पर व्यय

2492. श्री राजनारायण : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकारी प्रचार के लिए दिल्ली और देश के अन्य बड़े शहरों में टेलीफोन और बिजली के खम्भों पर कुल कितने विज्ञापन पट लगाये गये हैं और उन पर कितना वार्षिक व्यय होता है ;

(ख) क्या ये विज्ञापन स्थल प्राइवेट पार्टियों से किराये पर दिए गए हैं और यदि हाँ, तो इन विज्ञापन स्थलों को सम्बन्धित विभाग से किराये पर न लेने के क्या कारण हैं; और

(ग) क्या विभाग ने ये विज्ञापन स्थल प्रदर्शन के लिए निःशुल्क प्रस्तुत किए हैं और यदि नहीं, तो इसके क्या कारण हैं ?

सूचना और प्रसारण मंत्री (श्री लाल कृष्ण आडवाणी) : (क) चालू वित्तीय वर्ष के दौरान 30-11-1978 तक लगाए गए इस प्रकार के विज्ञापन पटों की कुल संख्या और उन पर हुआ व्यय क्रमशः 6,655 और 5,32,689 रुपए है ।

(ख) सम्बन्धित विभाग टेलीफोन और बिजली के खम्भों पर विज्ञापन प्रदर्शित करने और उनको बुक करने का अन्य अधिकार अपने द्वारा नियुक्त सोल कन्सेशनरियों को देता है । अतः इन खम्भों पर स्थान किराए के लिए इन सोल कन्सेशनरियों के माध्यम से ही उपलब्ध है ।

(ग) प्रश्न नहीं उठता ।

Assistance to Orissa under Rural Electrification Programme

2493. SHRI K. PRADHANI: Will the Minister of ENERGY be pleased to state:

(a) the total amount of assistance given to the State of Orissa under the Rural Electrification programme during the last two years; and

(b) whether allocations have been fully utilised?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). During 1976-77 and 1977-78 an amount of Rs. 12.43 crores was disbursed for rural electrification programme in Orissa against an allocation of Rs.

11.20 crores. In addition, Rs. 1.80 crores was disbursed to Orissa State Electricity Board for System Improvement projects during 1977-78.

राष्ट्र गीत में परिवर्तन

2494. श्री राकेश बेब घोड़गे : क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) क्या केन्द्रीय सरकार की जुलाई, 1977 में बदली हुई परिस्थिति के अनुसार "जन गण मन" में कुछ परिवर्तन करने का मुझाव प्राप्त हुआ था ।

(ख) इस मुझाव का स्वरूप क्या है और राष्ट्रगीत में क्या-क्या परिवर्तन करने के मुझाव दिये गये हैं; और

(ग) क्या सरकार का विचार राष्ट्रगीत में राष्ट्रीय स्तर पर क्रांतिकारी परिवर्तन पर विचार करने के लिए एक सर्वदलीय समिति गठित करने का है ?

गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मण्डल) : (क) तथा (ख). इस विषय पर माननीय सदस्य से जुलाई, 1978 में एक पत्र प्राप्त हुआ था । इस पत्र में अन्य बातों के साथ-साथ उल्लेख किया गया है कि राष्ट्रगीत में कई क्षेत्रों का जिक्र नहीं आता और इन क्षेत्रों के निवासियों की भावनाओं की उपेक्षा की गई है । इस पत्र से यह तर्क भी दिया गया है कि "अधिनायक" और "भारत भाग्य विधाता" जैसी अभिव्यक्तियों ने राष्ट्रगीत को प्रजातंत्र विरोधी प्रवृत्ति दी है ।

पत्र में यह मुझाव दिया गया था कि एक नया समाजवादी राष्ट्रगीत तैयार करने के लिए एक समिति नियुक्त की जाए ।

(ग) जी नहीं श्रीमान ।

बहुराष्ट्रीय निगमों द्वारा निमित्त उपभोक्ता वस्तुओं का लघु उद्योगों के लिए धारण

2495. श्री विजय कुमार माहोका : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) किन-किन उपभोक्ताओं का निर्माण बहुराष्ट्रीय निगमों द्वारा किया जा रहा है ;

(ख) उनमें से किन उपभोक्ता वस्तुओं का निर्माण ग्रामीण उद्योगों और छोटे उद्योगों द्वारा सफलता पूर्वक हो सकता है; और

(ग) बहुराष्ट्रीय निगमों और बड़े उद्योगों की उत्पादन परिधि से इन वस्तुओं को निकालने के लिए सरकार द्वारा क्या कदम उठाये जा रहे हैं ?

उद्योग मंत्री (श्री जार्ज फर्नान्डीस) :
(क) से (ग) : पूर्ण विवरण जैसे उपक्रम का नाम, बनाई जाने वाली वस्तु, विदेशी कंपनियों को दिये गये सभी औद्योगिक लाइसेंसों सहित लाइसेंसीकृत क्षमता "वीकली बुलेटिन आफ इम्पोर्ट लाइसेंस एक्सपोर्ट लाइसेंसिंग एण्ड इण्डस्ट्रियल लाइसेंसिंग" में दी गई है जिसकी प्रतियां संसद पुस्तकालय में उपलब्ध हैं।

उपभोक्ता माल की वस्तुओं में जिन वस्तुओं का उत्पादन ग्रामीण तथा लघु उद्योग क्षेत्र में सफलतापूर्वक किया जा सकता है वे ये हैं जैसे चमड़े के जूते, दियामलाई तथा कपड़े धोने का साबुन।

दिसम्बर, 1977 में संसद के समक्ष रखे गये औद्योगिक नीति विवरण में अन्य बातों के साथ साथ यह स्पष्ट बताया गया है कि सरकार देश के सामाजिक आर्थिक उद्देश्यों के अनुरूप बड़े गृहों की गतिविधियों को विनियमित करेगी। बड़े एकक चाहे वे बड़े गृहों के हों भयवा न हों किन्तु जो लघु क्षेत्र के लिए आरक्षित वस्तुओं का निर्माण करने में लगे हुए हैं, उनकी क्षमता में विस्तार नहीं होने दिया जायेगा। ऐसे क्षेत्रों में विदेशी कंपनियों तथा एकाधिकार तथा प्रतिबंधात्मक व्यापार व्यवहार अधिनियम के उपबन्धों के अधीन पड़ने वाली कंपनियों का प्रवेश उद्योग (विकास तथा विनियमन) अधिनियम एकाधिकार तथा प्रतिबंधात्मक व्यापार व्यवहार अधिनियम तथा विदेशी मुद्रा विनियमन अधिनियम से विनियमित होता है।

Time Allotted on News Bulletin Re- Bengal Flood Situation

2496. SHRI SOMNATH CHATTERJEE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the total time allotted by the All India Radio, Delhi in their all India news bulletins to cover the recent flood situation in West Bengal where out of 16 districts 12 districts were inundated and 15 million people had been severely affected by the floods, while estimated crops covering 2.8 million acres had been destroyed; and

(b) the time allotted for the other flood affected States, state-wise?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). In the main morning, afternoon and evening bulle-

tins during the period June to October, 1978, the time devoted to news items relating to floods in the affected States was as follows:—

Bihar	62 minutes
Delhi	61 „
Orissa	6 „
Uttar Pradesh	98 „
West Bengal	58 „

राष्ट्रीय कपड़ा निगम की योजना के अन्तर्गत बेरोजगारी युवकों को रोजगार

2497. श्री उद्योग मंत्री
यह बताने की कृपा करेंगे कि :

(क) राष्ट्रीय कपड़ा निगम की योजना के अन्तर्गत बेरोजगार युवकों को कपड़ा बेचने के लिए लाइसेंस देने की योजना कब से लागू की गई है और किन किन राज्यों के किन किन जिलों में यह कार्य आरम्भ कर दिया गया है ; और

(ख) इस योजना के अन्तर्गत अब तक कितने बेरोजगार युवकों को कार्य पर लगाया गया है ?

उद्योग मंत्री (श्री जार्ज फर्नान्डीस) :
(क) राष्ट्रीय वस्त्र निगम द्वारा शिक्षित बेरोजगारों को कमीशन के आधार पर बित्री-प्रतिनिधियों के रूप में कार्य करने की योजना सितम्बर, 1978 से आरम्भ की गई थी। यह योजना राष्ट्रीय वस्त्र निगम के निम्नलिखित स्थानों पर स्थित प्रभावीय कार्यालयों के माध्यम से कार्यान्वित की जा रही है :—

1. नई दिल्ली
2. चण्डीगढ़
3. कानपुर
4. वाराणसी
5. जयपुर
6. पटना
7. कलकत्ता
8. भुवनेश्वर
9. बम्बई
10. इंदौर
11. नागपुर
12. अहमदाबाद
13. मद्रास
14. तिरुचि

15. कोयम्बर

16. हैदराबाद

17. बंगलौर

(ख) 31 अक्टूबर, 1978 को 344 उम्मीदवार चुन लिये गये हैं और उन्हें प्रशिक्षण के लिए भेज दिया गया है।

Amount Paid for Purchase of Barley, Grams and Pulses

2498. SHRI DALPAT SINGH PARASTE: Will the Minister of DEFENCE be pleased to state:

(a) the total amount paid by Defence Ministry for the purchase of barley, gram and pulses during last three years;

(b) whether it is a fact that the Food Corporation of India failed to supply these items to Defence forces in time and in some cases Army Authorities revised its specifications to meet their demand;

(c) in how many cases such specifications were revised during this period and what action was taken against the food Corporation of India for delayed supplies; and

(d) what steps have been taken by the Defence Ministry to ensure supplies in time and at cheaper rates?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) The information is as under:

Year	Barley	Gram	Pulses
1975-76	2,48,08,387.43	1,68,01,806.02	14,02,08,159.50
1976-77	1,46,24,244.00	73,86,792.23	6,90,08,600.37
1977-78	3,31,65,438.00	89,17,965.38	8,21,56,951.80

(b) and (c). There have been occasions when the FCI have not been able to adhere to the delivery schedules due to unavoidable circumstances. In appropriate cases, liquidated damages have been levied on the FCI. There has been no revision in the specifications. Minor relaxations were, however, allowed in some cases.

(d) Several measures have been adopted to ensure timely supply at cheaper rates like arranging priority for movement of railway wagons, streamlining of inspection procedures, regular monitoring of supply position and taking appropriate corrective action. To ensure cheap supply, the FCI undertakes bulk purchases directly from the mandis at the peak procurement season.

Congestion at Bombay Port

2499. SHRI SUBHASH CHANDRA BOSE ALLURI:

SHRI D. AMAT:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have set up a committee to examine the problems of congestion at Bombay Port; and

(b) if so, what are the terms of reference of the Committee and by what time the report will be submitted by the Committee to Government?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes, Sir.

(b) Terms of reference of the Committee are as follows:—

(a) To explore the possibilities of diversion of export/import of cargoes from Bombay. The Committee should identify measures for provision of infrastructure and allied facilities including surface transportation facilities and container handling facilities both at ports as well as inland centres, that would be required to enable the identified ports to handle increased quantum of traffic efficiently.

(b) To suggest procedural and allied measures required to be taken by the Customs, Port and other concerned authorities for facilitating expeditious inspection of consignments and processing of documents pertaining to export/import shipments at the identified ports.

(c) To suggest promotional and incentive schemes as also any other measures which should be adopted to divert and develop export/import traffic through the identified ports.

The Committee has submitted its report.

Commissioning of Coal Mining Projects

2500. SHRIMATI AHILYA P. RANGNEKAR: Will the Minister of ENERGY be pleased to state:

(a) whether almost all the Coal Mining projects taken up in 1974 are lagging far behind the time schedule and they are not likely to be commissioned in 1981-82 as originally envisaged; and

(b) if so, the reasons thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Yes, Sir.

(b) In 1974, the Government had sanctioned five projects, namely, Sudamdih, Swang Reorganisation, Nandan, Kusmunda and Bhatgaon. Out of these projects, Nandan and Kusmunda

are being implemented on schedule—Kusmunda has now been merged with an expansion project.

In the case of Sudamdih, mining operations came up against unforeseen geological difficulties which obstructed the implementation of the project on schedule. In order to carry out a thorough investigation, a senior level Committee consisting of Mining Engineers and Economists of the coal industry and the Bureau of Public Enterprises has been set up. The report and the recommendations of this Committee are expected by the end of this year.

In the case of Swang reorganisation project the project authorities came up against unexpected high gas emission. Degassification programme has been taken up as a special measure. Until the degassification programme is implemented regular exploitation is not possible as it would expose the workers to serious hazards.

In the case of Bhatgaon underground project development had to be slowed due to lack of railway siding. The matter has since been taken up with the railways and it is expected that the project will now be implemented on schedule.

Shelter at Rampura Bus Stop

2501. SHRI RAJE VISHVESHWAR RAO: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether there is any proposal under consideration of Government to provide shelters at the Rampura Bus Stop on Rohtak Road, Delhi as the passengers have been facing a great hardship in the sun and rain; and

(b) if not, the reasons thereof?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes, Sir.

(b) Does not arise.

देश में जहाजों की संख्या

2502. श्री धर्जन सिंह चढौरिया : क्या मौबहान और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय देश में जहाजों की संख्या क्या है;

(ख) माल की ढुलाई के लिए कितने जहाज उपयोग में लाये जा रहे हैं; और

(ग) भविष्य में माल वाहक जहाजों की संख्या और कितनी बढ़ाने का विचार है ?

मौबहान और परिवहन मंत्रालय में प्रभारी राज्य मंत्री (श्री चौब राम) : (क) 387 ।

(ख) 387 इन में 15 यात्री-ग्वं माल जहाज भी शामिल हैं ।

(ग) 33 जहाजों के लिए भारत में और विदेशी शिपयार्डों को पक्के आदेश दिए गए हैं और 1979-1980 के दौरान उन क प्राप्त हो जाये की संभावना है ।

Allocation for development of Hill Regions of U.P. for Fifth and Sixth Plan

2503. SHRI JAGANNATH SHARMA: Will the Minister of PLANNING be pleased to state:

(a) the plan strategy for development of hill regions in the country;

(b) what was the allocation of funds in the Fifth Five Year Plan and the proposed allocation in the next plan for State Government of U.P.;

(c) whether any plan allocation has been made for the different districts of Garhwal and Kumayun Divisions; and

(d) if so, what is the amount allocated for each district?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) The strategy for development of hill regions in the country is to raise the public sector outlay on programmes which are specifically designed for local conditions and which are likely to maximise the benefits to the local population,

such as the provision of drinking water supplies, expansion of roads and road transport, stabilisation of agriculture, development of rural industries etc. Programmes would be in consonance with Topographic and Agro-climatic conditions, the availability of natural resources, the characteristics of the population and peculiarities of the Socio-cultural structure.

(b) The allocation for the Fifth Year Plan for the hill regions of U.P. was Rs. 205 crores. The allocation for the next Plan is yet to be finalised.

(c) and (d). The allocations for the Plan of the hill areas of U.P. are not made on the basis of districts and divisions but for the whole region.

Setting up of a Cement Factory at Basohil in J. & K.

2504. DR. KARAN SINGH: Will the Minister of INDUSTRY be pleased to state:

(a) whether there is a proposal to set up a cement factory at Basohil in Jammu and Kashmir State; and

(b) if so, when work of the project is likely to start?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). Jammu and Kashmir Minerals Limited had been granted a letter of intent for setting up a cement plant with a capacity of 2 lakh tonnes per annum at Basholi. As consideration of the project is still in a preliminary stage, a time-schedule for its completion has not yet been drawn up.

Complaint against Muradnagar Ordnance Factory Management

2505. SHRI BALDEV SINGH JACORATIA: Will the Minister of DEFENCE be pleased to state:

(a) whether any office bearers of Recognised Service Association of Ordnance Factory, Muradnagar have brought any corruption charges

against Ordnance Factory, Muradnagar Management during internal emergency;

(b) what action the concerned authorities took; and

(c) whether the President and Secretary of the Recognised Association who raised corruption charges have been transferred to some other ordnance factories during Emergency; if so, why it has been done unilaterally?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH): (a) No, Sir.

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

Central Road Research Institute for Eastern Region

2507. SHRI K. B. CHETTRI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that Government are thinking to set up a Central Road Research Institute for the Eastern region;

(b) if so, the details thereof;

(c) whether Government have any proposal to include the three hill sub-divisions of Darjeeling district of West Bengal to enable them to take advantage of the CRRI; and

(d) if not, the reasons thereof?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (d) Presumably, the Member is having in mind the question of setting up an extension Unit of the Central Road Research Institute in the North Eastern Region. This scheme is still in a preliminary stage and final view has yet to be taken.

संविधान में कार्य करने के अधिकार का समावेश किया जाना

2508. डा० रामजी सिंह: क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) रोजगार को मूल अधिकार के रूप में स्वीकार करने के पश्चात् पर्याप्त रोजगार उपलब्ध कराने का उल्लेख जनता पार्टी के चुनाव घोषणापत्र में किया गया था;

(ख) यदि हां, तो क्या सरकार ने इस आशय का संविधान संशोधन लाने के प्रस्ताव को छोड़ दिया है;

(ग) यदि नहीं, तो 44 वें संशोधन में इस महत्वपूर्ण अधिकार का समावेश न करने के क्या कारण हैं, और

(घ) क्या सरकार अगले सत्र में उपयुक्त संविधान संशोधन लाएगी ?

प्रधानमंत्री (श्री मोरार जी, देसाई) : (क) हां ।

(ख) से (घ) सरकार का यह विचार है की "काम करने का अधिकार" को संविधानिक शक्ति देने का ठीक समय केवल तभी होगा जब कुछ समयावधि में उपयुक्त कार्यनीतियों को प्रयुक्त करने के परिणाम-स्वरूप, बेरोजगारी और अल्प-रोजगार की समस्या हल होने लगेगी ।

Employment Targets

2509. SHRI KIRIT BIKRAM DEB BURMAN: Will the Minister of PLANNING be pleased to state the employment targets fixed for each year of the Sixth Five Year Plan period for each State?

THE PRIME MINISTER (SHRI MORARJI DESAI): The Draft Plan, estimates the employment potential of the Plan by sectors and indicates that if the planned pattern of investment and production materialises, it is likely to create 49.3 million person-years of employment. It is not feasible to fix year by year employment targets. Improvements in the existing employment data and ways of estimating the growth of employment in different sectors as the plan progresses, are under consideration.

Issue of Licences to Big Industrial Houses

2510. SHRI K. RAMAMURTHY: Will the Minister of INDUSTRY be pleased to state:

(a) the names of big industrial houses that got fresh licences of Rs. 175 crores and Rs. 200 crores respectively and whose applications for another Rs. 400 crores and Rs. 600 crores worth of licences respectively are still pending;

(b) whether these licences do not attract the provisions of M.R.T.P.; and

(c) if so, how these licences have been given?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). Full details of the names of the undertakings, capacity licensed and location of all licences issued including those issued in favour of undertakings falling within the provisions of the Monopolies and Restrictive Trade Practices Act are available in the "Weekly Bulletin of Import Licences, Export Licences and Industrial Licences" copies of which are readily available in the Parliament Library. Capacities given in Industrial Licences are generally indicated by quantity and not by value.

Orders issued under Sections 21 and 22 of the MRTP Act by the Department of Company Affairs are published in their monthly publication "Company News and Notes" copies of which are also available in the Parliament Library.

During the current year i.e. from January to October, 1978, 39 Industrial Licences were issued to undertakings registered under the MRTP Act.

Industrial Licences to MRTP undertakings are given in accordance with the Industrial Policy Statement laid before Parliament in December, 1977 and it, *inter alia* clarifies that the

provisions of the MRTP Act including those relating to dominant undertakings would be effectively implemented.

Agriculture Projects sanctioned by Rural Electrification Corporation

2511. SHRI P. M. SAYEED:

SHRI A. R. BADRINARAYAN:

Will the Minister of ENERGY be pleased to state:

(a) whether the Rural Electrification Corporation has sanctioned assistance to 100 schemes under the newly launched special project in agriculture;

(b) if so, nature of the schemes that will be assisted by the Corporation;

(c) whether commercial Banks have also decided to contribute Rs. 240 crores for helping the rural electrification scheme and the States where these schemes are to be introduced; and

(d) whether any scheme is also being taken up in Lakshadweep?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) The Rural Electrification Corporation had sanctioned 102 schemes under the newly launched "Special Project Agriculture (SPA)" programme up to 28th September, 1978.

(b) The schemes approved for financial assistance under the SPA programme aim at energisation of agricultural pumpsets.

(c) The SPA programme envisages a total investment of Rs. 360 crores over the Five Year Plan period 1978-83. The Rural Electrification Corporation will finance 1/3 of the cost the project, the balance of 2/3 being financed by the Commercial Banks which in turn will be refinanced to the extent of 50 percent by the Agricultural Refinance and Development Corporation.

All States are eligible for financial assistance from the Rural Electrification Corporation and the Commercial Banks under the SPA programme.

102 SPA schemes approved by the Corporation upto 28th September 1978 are for the States of Andhra Pradesh, Bihar, Gujarat, Karnataka, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal.

(d) Union territories like Lakshadweep are funded directly by the Central Government.

Loss to Hindustan Cables Ltd.

2512. DR. SAROJINI MAHISHI:
SHRI MUKHTIAR SINGH
MALIK:

Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have seen the press reports in the Blitz dated

the 2nd September, 1978 wherein it has been stated that Hindustan Cables Ltd. have gone into loss of crores of rupees;

(b) if so, whether Government have since inquired into the working of this concern during the last three years;

(c) if so, what are the irregularities which have been found by Government; and

(d) what steps have been taken by Government to improve the drawback of this concern?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Yes, Sir. M/s. Hindustan Cables Limited have not incurred crores of rupees loss, but have actually shown steadily improved profits during the last three years, particulars of which are as under:—

1975-76 1976-77 1977-78

(Rupees in lakhs)

Profit before tax	248.53	437.60	679.82
Profit after tax	156.04	206.65	382.82

(b) to (d). Govt. regularly review the working of public sector undertakings including M/s Hindustan Cables Ltd. with a view to improving their performance further.

ऊषा पंचा उद्योग में कार्य

2513. डा० लक्ष्मीनारायण फण्देय : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कलकत्ता स्थित ऊषा पंचा उद्योग में काम प्रत्यक्ष ठप्प हो गया है;

(ख) क्या यह भी सच है कि यह उद्योग निर्यात प्रयत्न है और इस उद्योग के माध्यम से भारत भारी मात्रा में विदेशी मुद्रा अर्जित करता है;

(ग) यदि हाँ, तो इस उद्योग को अब तक कितनी हाजिरी मिली है; और

(घ) इस उद्योग की समस्या हल करने के लिए सरकार द्वारा क्या कदम उठाये गये हैं ?

उद्योग मंत्री (श्री जार्ज फर्नांडेस): (क) बिजली के पखों का उत्पादन करने वाले मै० जय इंजीनियरिंग वर्क्स कलकत्ता एकक में जून 1978 से तात्कालिक है।

(ख) पंचा उद्योग का निर्यात करीब 11 करोड़ रुपये वार्षिक रहा है।

(ग) मै० जय इंजीनियरिंग वर्क्स के कलकत्ता एकक के बन्द रहने के कारण उसमें हुई हाजिरी का प्रस्ताव सचाना अभी समय से बहुत पूर्व होना।

(घ) दोनों पक्षों को समझा दिये करने के लिए तैयार करने की दिशा में प्रयत्न किए जा रहे हैं।

Enquiry Commission on Large Industrial Houses

2514. SHRI HALIMUDDIN AHMAD: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that Inquiry Commission on the large industrial Houses has been wound up and no action has been taken against the large Houses;

(b) if so, the reasons for winding up the Commission and what is the total amount of expenses that has been made on this Enquiry Commission and whether this Commission has as yet submitted any report to the Government; and

(c) if not, reasons in details thereof?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). The Commission of Inquiry on Large Industrial Houses was appointed vide Notification No. 711 dated 18-2-1970. The original notification specified that the Commission was to submit its report as soon as possible and in any event within a year from the date of the notification. The tenure of the Commission has been extended from time to time and the latest notification extending the tenure of the Commission was issued on 9-2-1978. The present tenure of the Commission of Inquiry on Large Industrial Houses expires on 17-2-1979. The total expenditure of the Commission incurred up to the end of Financial Year 1977-78 was Rs. 1,46,05,506 and the budget provision for 1978-79 is Rs. 21,70,000.

No decision has been taken so far to wind up the Commission. The terms of reference of the Commission are vast and varied and cover instances of irregularities, lapses and improprieties arising from the main report of the Industrial Licensing Policy Enquiry Committee allegations about the Birla Group of Concerns which were referred to the Industrial Licensing policy Enquiry Committee and respect whereof, the Committee has not been in a position to conduct a

full and detailed enquiry and allegations relating to the Birla Group of Concerns on which further investigation needs to be made in public interest. There is no provision in the original terms of reference for submission of any interim report by the Commission on one or more of the terms of reference. The Commission has so far scrutinised over 9,000 files and there are over 2000 files still to be scrutinised. Over 1120 letters seeking explanation/clarifications from Government, financial institutions etc. were issued by the Commission on the subject matter of the enquiry. The Commission has held public hearings on five occasions lasting for several days and involving a number of cases on each occasion in connection with the financial assistance granted by the IDBI, ICICI, FICI and UTL.

There are a number of reasons why the Commission is not able to complete its work. Firstly, the terms of reference of the Commission are such that apart from being very wide they also involved considerable collection of information by the Commission itself. The arrangement in which the Commission was its own investigating agency resulted in delays and in some cases inability of the Commission to get the requisite information. Secondly, in respect of specific allegations against the Birla Group of Companies which the Commission was to investigate, some of the companies concerned have obtained stay orders. There are in all 26 cases where such stay orders have been obtained. The Writ Petition filed by Technological Institute of Textiles, Bhiwani was, however, dismissed by the High Court of Punjab and Haryana with costs. The Petitioner has gone in for appeal before the Division Bench in the High Court at Chandigarh. The High Court at Calcutta had delivered judgement in September, 1978. Certified copy of the judgement has not become available so far. Thirdly, the Commission has also had difficulties in getting and retaining staff with the requisite experience since the Commission does not have any staff of its own and had to depend on other Government De-

partments for obtaining the services of experienced personnel, on deputation.

Regulation of Casual Workers

2515. SHRI HALIMUDDIN AHMAD: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of casual and daily wage workers working in various Ministries and public sector undertakings located in Delhi;

(b) whether Government will make a policy announcement that all workers will be declared permanent who are working against vacant posts or the officers need their services; and

(c) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) The information is not available in the Department of Personnel and Administrative Reforms.

(b) and (c). Public Sector Undertakings are autonomous bodies and have their own set of rules in regard to engagement of daily wage staff. As regards Central Government Offices, a daily wage employee who has put in at least 240 days of service as casual labourer (including broken period of service) during each of the 2 years of service, can be regularly appointed, if a vacant group 'D' post exists and there is no ban on its filling up.

Obscenity in Indian Films

2516. SHRI S. R. DAMANI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it has come to Government's notice that there is a marked spurt in the portrayal of obscenity in the Indian films and some sort of nude wave has been taken in it in spite of the guidelines to the Central Censor Film Board to check this tendency;

(b) if so, whether it is due to any relaxation in the day-to-day operation of film censorship; and

(c) what other measures Government propose to take to remedy the fast deteriorating situation in this behalf?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) No, Sir. All films are examined by the Board of Film Censors in accordance with the provisions of the Cinematograph Act, 1952 and the guidelines issued thereunder in January 1978. According to the guidelines the Board have to ensure that there are no scenes of vulgarity, obscenity and depravity which might offend human sensibilities. However, malpractices in exhibition of films have come to the notice of Government wherein instances of exhibition of uncensored films, banned films, films with forged censor certificate, interpolated films containing censored portions were noticed. The matter has been brought to the notice of the Chief Ministers/Information Ministers for strict enforcement of censorship provisions. Responses received indicate that State Governments are taking necessary measures.

(b) and (c). No, Sir. In its meeting held in October, 1978 the Board of Film Censors have reiterated that permissiveness in films should be dealt with strictly.

Officers transferred and removed from service in seven Textile Mills, N.T.C. (M.P.)

2517. SHRI HUKAM CHAND KACHWAI: Will the Minister of INDUSTRY be pleased to state:

(a) the number of officers working in the seven textile mills under the Vastra Udyog Nigam (M.P.) who were either transferred or removed from service or undertakings were obtained from them during the period from January, 1976 to June, 1978;

(b) whether these officers are victimised as they do not adopt the corrupt and arbitrary ways of the Chairman of the Corporation and if so, the reasons for removing them from service in each case; and

(c) whether the officers of the Corporation have submitted complaints to the Central Office at Delhi and if so, the details thereof?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) A statement is laid on the Table of the House.

(b) and (c). No, Sir.

Statement

Mill-wise number of Officers of the seven textile mills under the National Textile Corporation (Madhya Pradesh) during the relevant period is given below:—

Name of the Mill	No. of Officers removed from service	No. of Officers transferred
1. Bengal Nagpur Mills Rajanandgaon	1	9
2. Burhanpur Tapi Mills Burhanpur	Nil	9
3. Hira Mills Ujjain	1	5
4. Indore Malwa, United Mills, Indore	1	4
5. Kalyarmal Mills, Indore	2	11
6. New Bhopal Textile Mills, Bhopal	Nil	11
7. Swadeshi Cotton and Flour Mills, Indore	Nil	4

Purchase of Chemical Machinery by Bengal Nagpur Cotton Mills

2518. **SHRI HUKAM CHAND KACHWAI:** Will the Minister of INDUSTRY be pleased to refer to the reply given to Starred Question No. 437 on 16th August, 1978 and state:

(a) the value and quantum of Chemicals and stationery used in dyeing,

printing and processing and other useful material purchased by Bengal Nagpur Cotton Mills during the period from January, 1976 to October, 1978 indicating the names of the parties from which it was purchased and the period within which payment therefor was to be made under the rules and the period within which payment was made; and

(b) the number of such parties which have stopped supply of goods due to non-payment of their dues?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). The information sought is voluminous in nature and it will take considerable time and efforts to furnish such information. Under the circumstances, the Hon'ble Member may like to seek any specific information for which reply will be furnished.

Claim on Bhakra Management Board for loss suffered by Punjab due to Floods

2519. **SHRI BHAGAT RAM:** Will the Minister of ENERGY be pleased to state:

(a) whether the Punjab Government has claimed Rs. 100 crores from Bhakra Board Management for the losses it suffered in the recent floods due to negligence of the Engineers; and

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

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) No such claim has been received by the Bhakra Beas Management Board from the Punjab Government.

(b) Does not arise.

Whole Sale Price Index of Cotton and Cloth

2520. **SHRI BHAGAT RAM:** Will the Minister of INDUSTRY be pleased to state:

(a) what is the whole sale price index of cotton and cloth respectively for the last three years;

(b) what is the total production, consumption and export of cloth for the last three years; and

(c) what is the *per capita* production and consumption of the cloth for the last three years?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c) (ii) index of Wholesale Prices (1970-71—100)

	1975-76	1976-77	1977-78
Cotton raw	136.4	197.5	193.0
Cloth (mills)	161.7	165.7	178.6
Cotton Textiles	146.0	157.5	177.5

(ii) *Production and Exports of cotton cloth in the Mill and Decentralised Sectors :*

(a) Production (mill Mtrs.) 8509 8401 8808

(b) Exports incl. garments, garments manufactures and hosiery (Rs. crores) 374.36 618.67 546.33

(iii) *Per Capita production and availability (cotton cloth and blended) :*

(Metres)

	Production*	Availability
1975 .	14.23	13.19
1976 .	13.79	12.33
1977	14.21	11.82 (Prov.)

NOTE.— *Per Capita production has been derived by dividing total production by mid year estimates of India's population.

Supply of Power to Delhi from Bhakra Complex

2521. SHRI BHAGAT RAM: Will the Minister of ENERGY be pleased to state:

(a) whether Government are considering the Punjab Government's request for immediate implementation of the decision of the Bhakra-Beas Management Board debarring the Delhi Electric Supply Undertaking to draw power from the Bhakra complex;

(b) in the event of "cut off" of power supply from Bhakra whether Government has any alternative source of power to fulfil the needs of Delhi; and

(c) if so, the details thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (c). No such request has been received by the Government of India from the Government of Punjab.

Recruitment of Artistes for A.I.R., Dhanbad

2522. SHRI DINEN BHATTACHARYA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government are proposing to establish AIR centre at Dhanbad;

(b) if so, whether Secretary of District Cultural Association (Zila Sanskritik Sangh), Railway Institute Cinema, Dhanbad has been authorised to recruit Radio Artistes for the proposed Dhanbad AIR Station;

(c) if so, whether the Minister has received any representation in this connection; and

(d) if so, the reaction of Government thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) No, Sir.

(b) No, Sir.

(c) and (d). A communication on the subject was received from the Dhanbad District Committee of the Communist Party of India (M). In this communication, Government's attention was drawn to an advertisement in a local daily by one Shri Dileep Kumar Chatterji, Secretary of the District Cultural Association of Dhanbad inviting local artistes to contact him for enlistment of their names in connection with the setting up of a radio station at Dhanbad. Government have requested the State Government of Bihar to enquire into the matter and take necessary action.

Recruitment in M.A.M.C., Durgapur

2523. SHRI ROBIN SEN: Will the Minister of INDUSTRY be pleased to state:

(a) whether few hundred workmen were recruited in the Muster Roll in M.A.M.C., Durgapur during 1971 to 1975 without any reference to Employment Exchange;

(b) if so, the reasons thereof; and

(c) the categories against which they were taken?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). 546 persons were engaged on Muster Roll in M.A.M.C., Durgapur during 1971-75. Reference was made to Employment Exchange in all cases except the following:—

(i) 238 persons: They were initially engaged on Muster Roll for a period of less than three months for specific emergent needs viz. cleaning of shop floors, movement of materials inside the shop and inter-shop movement. After the initial task for which they were engaged was over, it was found necessary to retain them for miscellaneous jobs, first, in connection with the visit of Indo-Soviet delegation and later on for disposal of accumulated scraps and other allied jobs. Subse-

quently, in filling up of posts of Unskilled Workers on regular basis against specific needs, these muster roll employees were given preference in terms of extant rules and 232 of them were absorbed in regular service with subsequent reference to Employment Exchange.

(ii) 47 persons: Out of 47 persons 8 persons were appointed as Peons for unskilled office work and one as sweeper. No reference to Employment Exchange was required to be made for engagement of these categories of employees. One ex-Defence personnel and two Scheduled Caste/Scheduled Tribe candidates were also recruited as Time Keeper and Typist against reserved vacancies. Remaining 35 persons were engaged locally at different construction/erection sites such as Mormugo, Haldia, Vishakhapatnam, Madras, Nagpur etc. purely on *ad-hoc* basis to meet emergent needs.

It is also to be noted that in December 1971 the local Employment Exchange expressed their inability to sponsor candidates against MAMC's requirements or unskilled workers due to difficulties and agitations created by different job seekers of the area. Against this background, the Company had to engage men to meet its requirements. However, before absorption of Muster Roll employees in the regular establishment of the Company, due notifications were made to Employment Exchange.

(c) 546 persons referred to above were engaged in the following categories:—

(i) Unskilled	503
(ii) Sweeper	28
(iii) Skilled	5
(iv) Clerical	10

**Management of Ahmed Woollen Mill
at Ambarnath Distt. Thana**

2524. SHRI R. K. MHALGI: Will the Minister of INDUSTRY be pleased to refer to the reply given to USQ. No. 2013 on 8th March, 1978 regarding Ahmed Woollen Mill, Ambarnath (Maharashtra) and state:

(a) what efforts are made by Management of Ahmed Woollen Mill and Ambarnath district Thana (Maharashtra) during the last one year to improve their working after the specific advice from Central Government in that respect; and

(b) what are the results achieved by the Mill with their special efforts made especially in respect of full utilization Labour potential of the Mill?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). Since January, 1978, the Mill has been working continuously and the utilisation of capacity and labour in the spinning and weaving sections as well as productivity is reported to have improved. The production has also picked up, but it has not stabilised. The Mill has also been able to create a wider sales network and its winter sales bookings are expected to be satisfactory.

**Officers in Defence Research and
Development Organisation**

2525. SHRI DAYA RAM SHAKYA: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that some service officers who are technically qualified are permanently seconded in Defence Research and Development Organisation;

(b) is it also fact that they retire from services at the age of 55 years and their counterpart civilian officers on R & D retire at the age of 58 years; if so, reasons in detail;

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(c) is it also a fact that some service officers are given extension of service after their age of 55 years; if so, how many have been given extension this year; and

(d) will Government consider the proposal of retirement of both civilian and army officers at the age of 58 years in Defence Research and Development Organisation?

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

(b) Yes, Sir. The retirement age for civilians in Government of India is 58 years whereas the retirement ages of service officers are governed by the service regulations of each service. Upto September, 1971, the age of retirement of permanently seconded officers was the same as prevalent in the Army/service of the officers concerned. The age of compulsory retirement of permanently seconded officers was, however, rationalised by the Government vide letter No. 86173/TD-12/PBS/9255/D(R&D), dated 22 September 1971, keeping in view various factors and was fixed at 55 years subject to review at the age of 52 years.

(c) Permanently seconded service officers can be given extension of service upto 2 years in exceptional cases wherein such an extension is considered necessary in public interest. Only two officers have been given extension of service this year.

(d) No proposal is under consideration at present to raise the age of retirement to 58 years of service officers permanently seconded to Defence Research and Development Organisation.

**Issue of Licences for setting up
Industries in U.P.**

2526. SHRI SURENDRA BIKRAM: Will the Minister of INDUSTRY be pleased to lay a statement showing:

(a) new licences for setting up large scale industries in Uttar Pradesh

issued by Union Government during the years 1977 and 1978;

(b) what are their actual locations and what will be manufactured in those projects; and

(c) what has been the basis of issuance of these licences and selection of locations?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). 13 Industrial Licences were issued during the years 1977 and 1978 (upto 31st October) under the provisions of Industries (Development & Regulation) Act, 1951, for setting up of new undertakings in Uttar Pradesh. Statement showing the details of these 13 licences, including the name of the party, item of manufacture, capacity, location etc. is laid on the Table of the House. [Placed in Library. See No. LT-2984/78] Industrial Licences are issued within the framework of the statement on Industrial Policy presented to Parliament in December, 1977. The policy of the Government in regard to issue of licences to MRTP undertakings and also the location of industries is clarified in paragraphs 18 and 31 of the Statement respectively.

Study res. Cost Structure of end Products of Tyre Industry

2527. SHRIMATI PARVATHI KRISHNAN: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government had asked the Bureau of Industrial Costs and Prices to go into the cost structure of the end-products of tyre industry;

(b) if so, whether the said Bureau has completed its study; and

(c) if so, what are their recommendations?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). In May, 1978 the Bureau of Industrial Costs and Prices was requested to conduct a study of the im-

pact of increase in prices of raw materials and other inputs on costs and prices of tyres and tubes charged by the various automobile tyre manufacturing companies and submit its report. According to The Report the increase in the net dealer prices effected by the Companies after March, 1978 substantially exceeded the increase in the prices of major raw materials in respect of rayon truck tyres, nylon truck tyres and truck tubes; but in passenger tyres and jeep tyres the price increase more or less accorded with the rise in the prices of major raw materials.

The Report also indicates that tyre and tube manufacturers contended that the increase in tyre prices towards the last week of March 1978 was based not on the increase in raw material cost alone but also on conversion cost-items like fuel, cost, electricity, salaries and wages and also the losses on exports. These companies also pointed out that the profitability on tyres and tubes has been on the decline for some time and in 1977 they suffered a loss. The Bureau of Industrial Costs and Prices Report states that a quick study of the profitability of tyres and tubes manufacturing companies does show that the profitability of most of the companies did decline in 1977 as against the previous years and some companies did incur a loss in 1977.

चीन में भ्रष्टाचार का विकास

2528. श्री बयाराम शास्त्री : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या चीन द्वारा भ्रष्टाचार के निर्माण के नये तरीके जानने के प्रयत्न किये जाने और विश्व यद्ध की तैयारी के संबंध में अपने को भ्रष्टाचार से लैस करने के बारे में प्रकाशित समाचार की ओर सरकार का ध्यान दिलाया गया है; और

(ख) यदि हां, तो सरकार ने इस संबंध में क्या कदम उठाये हैं ?

रक्षा मंत्री (श्री जगजीवन राम) : (क) जी हां । सरकार को चीन की भ्रष्टाचरता की जानकारी है ।

(ख) सरकार का विश्वास है कि मृणु प्रायुधों के बिना भी, पर्याप्त सैन्य तैयारी से देश की सुरक्षा सुनिश्चित की जा सकती है। इस उद्देश्य को ध्यान में रखते हुए हम अपनी सीमाओं पर लगातार चौकसी रखते हैं और पूरी सुरक्षा तैयारी बनाये रखते हैं।

मृणु प्रायुधों के बारे में सरकार अपनी नीति कई बार स्पष्ट कर चुकी है।

Resentment among workers in Mini Cement Plant, Kullakkudi, Tiruchi

2529. SHRI ROBIN SEN:

SHRI SAMAR MUKHER.

JEE:

SHRI DINEN BHATTACHAR-
YA:

Will the Minister of INDUSTRY be pleased to state:

(a) whether attention of Government has been drawn to the fact that the management of Central Research Institute of India, Mini Cement Plant, Kullakkudi, Tiruchi District had taken up a position from the beginning that they would never talk to the only one Union embracing all the workers which created great resentment among the workers;

(b) whether Government are aware that even after Supreme Court's decision in favour of workers were rejected by the management; and

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

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). The Cement Research Institute is a society registered under the Societies Act; which is devoted for research and development work relating to cement, cement machinery and cement application. As a research Institution, it cannot be considered as an industry as defined under Section 2(j) of the Industrial Disputes Act, 1947. Trade Union Act and other labour enactments would not also be applicable to such an institute.

The Kullakkudi Unit was gifted to the Cement Research Institute by the State Government of Tamil Nadu purely for research and development purposes, in terms of Clause 5 of the gift deed. The question of recognising any Trade Union of the employees by the Institute does not therefore, arise. In consultation with the State Government the Cement Research Institute have agreed to absorb 50 per cent of the workers on the rolls on the same terms and conditions on which they were working with the Institute on 2-8-1977; the employee-employer relations would be regulated in consonance with R & D discipline and rules and regulations of Cement Research Institute and that the Institute would promote and encourage the formation of Service Association by the workers of the Unit, conforming to the norms and guidelines stipulated for R & D Institution. Such an Association of the workers has also been since formed and accepted by the Management. The terms and conditions of employment have also been discussed with the workers before finalisation and have been accepted by them. The CRI has issued appointment letters to all the workers, regularising them on regular pay scales with long-term benefits, on 19-9-1978.

The Cement Research Institute has stated that it has not acted contrary to any decision of the Supreme Court.

Plan to do with the Hunters and Canberras on their replacement by Jaguar

2530. SHRI RUDOLPH RODRIGUES: Will the Minister of DEFENCE be pleased to state what it plans to do with the Hunters and Canberras the Jaguars are meant to replace or phase out?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): The Jaguars will replace the Hunters and Canberras over a period of time, during which, the latter will largely be progressively phased out from service.

वायुसेना के विमान का दुर्घटनाग्रस्त होना

2531. श्री युष्मराज : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 20 अक्टूबर, 1978 को वायुसेना का एक प्रशिक्षण विमान यामुज नदी के निकट बाल्दा गांव में दुर्घटनाग्रस्त हो गया था; और

(ख) यदि हां, तो उस में कुल कितने मरे तथा घायल हुए और उस दुर्घटना के लिए जिम्मेदार अधिकारी के विरुद्ध क्या कार्यवाही की गई है और यदि कार्यवाही नहीं की गई है तो इस के क्या कारण हैं ?

रक्षा मंत्री (श्री जगजीवन राम) : (क) 20 अक्टूबर, 1978 को भारतीय वायु सेना का एक विमान जिला राजकोट में बादला गांव के निकट नदी की सूखी तलहटी में दुर्घटनाग्रस्त हो गया था।

(ख) उस दुर्घटना में विमान-चालक और एक मिर्चालियन मारे गए थे। इन के भत्तावा और कोई घायल नहीं हुआ। उस दुर्घटना के बारे में चल रही जांच में अभी तक दुर्घटना के कारणों के बारे में कोई अंतिम निर्णय नहीं किया गया है। मामला अभी भी विचारार्थ है।

Explanation for increase in prices of tyres and tubes

2532. SHRI K. A. RAJAN: Will the Minister of INDUSTRY be pleased to state;

(a) whether Government had summoned the Chief Executives of all the tyre companies at New Delhi to Seek their explanation regarding the increase in prices of tyres and tubes;

(b) if so, what are the details of their explanation; and

(c) Government's reaction thereto?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). In response to the letter issued to the tyre manufacturing companies asking them to give details of the price increase effected by them, the executives of the tyre manufacturing com-

panies met the concerned official of the Ministry of Industry. They stated that they were compelled to increase the prices of tyres and tubes owing to increase in the cost of various inputs, higher cost of production and excise duty as well as financial problems faced by them. In order to have these claims of the manufacturers verified the Bureau of Industrial Costs and Prices was requested in May, 1978 to conduct a study. According to the Report the increase in the net dealer prices effected by the Companies after March, 1978 substantially exceeded the increase in the prices of major raw materials in respect of rayon truck tyres, nylon truck tyres and truck tubes, but in passenger tyres and jeep tyres the price increase more or less accorded with the rise in the prices of major raw materials. The Report also indicates that tyre and tube manufacturers contended that the increase in tyre prices towards the last week of March 1978 was based not on the increase in raw materials cost alone but also on conversion cost-items like fuel, coal, electricity, salaries and wages and also the losses on exports. These companies also pointed out that the profitability on tyres and tubes has been on the decline for some time and in 1977 they suffered a loss. The Bureau of Industrial Costs and Prices Report states that a quick study of the profitability of tyres and tubes manufacturing companies does show that the profitability of most of the companies did decline in 1977 as against the previous years and some companies did incur a loss in 1977.

Development of Monidih and Sudamdih Mines

2533. SHRI ROBIN SEN: Will the Minister of ENERGY be pleased to state:

(a) the progress of the development of Monidih and Sudamdih mines; and

(b) the amount of money expended so far?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Sudamdih and Monidih are deep shaft coking coal projects of a type not hitherto undertaken in the Jharia coalfield. Sudamdih project was started in 1962.

The construction of the project with deep shaft sinking began in 1964. The shaft sinking in the mine rock drivages took nearly 10 years. In 1972 a few longwall faces were also opened in two seams. The initial production target of the project was 2.10 million tonnes. However, the production achieved during 1976-77 and 1977-78 was 6 lakhs tonnes and 3.73 lakhs tonnes respectively. All major activities of the project have been completed.

Monidih project was sanctioned in 1962 for a targetted production of 2.1 million tonnes. Against this target, the coal production was 0.249 m.t. in 1977-78.

These mines have not progressed as anticipated due to various technological reasons such as unforeseen geological disturbances, bad roof conditions, influx of hot water in the lowest horizons, crushed roof and fractured strata, as well as delay in the supply of critical equipment.

(b) Originally Sudamdih project was sanctioned at Rs. 17.57 crores which is now estimated to be Rs. 63.68 crores. Investment till 1977-78 in this project has been to the tune of Rs. 60.74 crores. Monidih project was originally sanctioned at a capital cost of Rs. 17.25 crores. The cost is now estimated to be around Rs. 90 crores. A total amount of Rs. 50 crores has been spent on the project upto 1977-78. It may be noted that revised project reports for these two mines are under consideration of the Government. The Government have also set up a Committee of senior mining engineers and economists to go into the question related to the mine. The Committee's recommendations are expected very shortly.

परमाणु ऊर्जा के विकास पर किया गया व्यय

2534. डा० रामजी सिंह: क्या परमाणु ऊर्जा मंत्री यह बनाने की कृपा करेंगे कि :

(क) परमाणु ऊर्जा के विकास पर अब तक तथा प्रत्येक वर्ष कितनी राशि खर्च हुई है;

(ख) किन विभिन्न शान्ति उद्देश्यों के लिए परमाणु ऊर्जा का प्रयोग किया जा रहा है और इस बारे में भविष्य के लिये क्या योजना है;

(ग) भारी जल के मामले में हमारा देश कितने वर्षों में आत्मनिर्भर हो जायेगा और क्या सरकार द्वारा इस दिशा में कोई प्रयास किये जा रहे हैं; और

(घ) क्या परमाणु ऊर्जा का विकास उद्योगों के विकेन्द्रीकरण में सहायक होगा, और यदि हाँ, तो इस और अब तक क्या प्रगति हुई है ?

प्रधान मंत्री (श्री मोरारजी देसाई): (क) चौथी और पांचवीं पंचवर्षीय योजनावधियों में न्यूक्लीय ऊर्जा कार्यक्रम को आगे बढ़ाने के काम पर क्रमशः 123.49 करोड़ और 223.52 करोड़ रुपये व्यय किये गये। परमाणु ऊर्जा के शांतिपूर्ण उपयोगों के क्षेत्र में किये गये अनुसन्धानों पर पिछले तीन वर्षों में में किया गया व्यय निम्नलिखित है :

	(करोड़ रुपये)
1975-76	55.54
1976-77	60.88
1977-78	61.12

(ख) परमाणु ऊर्जा कार्यक्रम के दो प्रमुख उद्देश्य हैं—विजली का उत्पादन, और उद्योग, धर्म, शोध, कृषि, प्रसूतमन्थन तथा अन्य क्षेत्रों में रेडियो-आइसोटोपों का इस्तेमाल। आने वाले वर्षों में इन क्षेत्रों में किये जा रहे कार्यों में और तेजी लाई जाएगी।

(ग) नांगल स्थित भारी पानी संयंत्र के अतिरिक्त, जो पहले से भी भारी पानी का उत्पादन कर रहा है, तृतीकोरिन स्थित भारी पानी संयंत्र ने भारी पानी का उत्पादन शुरू कर दिया है; और कोटा, बड़ोदरा, और तलचर में इस समय तीन भारी पानी संयंत्रों का निर्माण विभिन्न चरणों में है। इन के अतिरिक्त पंचवर्षीय योजना (1978-83) में दो और भारी पानी संयंत्रों का निर्माण-कार्य शुरू करने का विचार है। आशा है कि दसवें दशक के शुरू के वर्षों में इस क्षेत्र में आत्मनिर्भरता प्राप्त कर ली जायेगी।

(घ) सरकार ने परमाणु विजलीघर लगाने के संबंध में यह नीति अपनाई है कि वे ऐसे क्षेत्रों में लगाये जायें जो कोयले के क्षेत्रों से काफी दूर पड़ते हों और जहाँ विजली की मांग की पूर्ति के लिये पन-विजली प्राप्त करने के साधन उपलब्ध हों। यह नीति उद्योगों के विकेन्द्रीकरण में सहायक सिद्ध होगी।

Compulsory birth control in Maharashtra

2535. DR. RAMJI SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that during emergency a law was enacted in Maharashtra regarding compulsory birth control;

(b) whether it is still under consideration of Government or the assent of the President thereon has been accorded; and

(c) if assent has not been accorded, whether Government propose to accord that and if so, why and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) The Maharashtra Family (Restriction on Size) Bill, 1976 was passed by the State Legislature of Maharashtra in July 1976.

(b) and (c). President's assent was withheld on 30th April, 1977 as it was decided that there could be no question of any compulsion in the matter of Family Planning.

Inundation of mines in West Bengal

2536. SHRIMATI PARVATHI KRISHNAN: Will the Minister of ENERGY be pleased to state:

(a) the total number of workers laid off following the inundation of a large number of mines in West Bengal; and

(b) what steps are being taken for dewatering the mines to start normal production at the earliest?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) About 20,000 manshifts of workers were affected by lay off following the inundation of coal mines in West Bengal.

(b) Emergent steps have been taken by the coal companies to procure pumps, cables and pipes required for dewatering the drowned mines. Steps have also been taken to augment production by intense working in the districts which have not been drowned, and by opening new districts in dry areas.

Class II Gazetted equivalents in Army

2537. SHRI DAYA RAM SHAKYA: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that there is no class II Gazetted equivalent in Army, if so, how far the Ministry of Defence will justify the action of Engineer in Chief to equate Subedar-Majors at par with AE Class II (Gazetted); and

(b) is it also a fact that Subedar Major (Stores) and Subedar Major (Clerical) are not equivalent to BSO (Class II Gazetted) and AO II (Class II Gazetted) in MES, if so, why preferential treatment is being tried for Subedar Major (Technical) by equating them with AE (Class II Gazetted)?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) and (b). It is a fact that there is no class II Gazetted equivalent in the Army. However, in the subordinate establishments of the MES, there were posts of chargeholders, two-thirds of which were manned by civilians and one-third by military cadre personnel. Previously, the posts of chargeholders were in class III service. Difficulties were experienced because of the inadequate administrative and financial powers given to them. Being in class III service, they also lacked status which was necessary for making them effective. A decision, therefore, was taken in February 1977, and the posts of chargeholders were upgraded to Assistant Engineers class II (Gazetted). With this upgradation, the civilian chargeholders who were found fit by the UPSC,

were made Assistant Engineers class II (Gazetted). As a result of this decision, Subedar Majors who were also holding the posts of chargeholders have been equated with Assistant Engineers class II (Gazetted). There has, however, been no change in the status and pay and allowances of those Subedar Majors now converted as Assistant Engineers.

2. As regards Subedar Majors (Stores) and Subedar Majors (Clerical), there has been no change in their position. Subedar Major (Stores) and Subedar Major (Clerical) in the MES cadre are equivalent to Supervisor Barrack Store Grade I and Office Superintendent in the MES civil cadre respectively. Since these civilian posts in the MES have not been upgraded, there has been no corresponding upgradation of the posts of Subedar Major in the stores and clerical cadres.

Levy on textile mills

2538. SHRI S. R. DAMANI: Will the Minister of INDUSTRY be pleased to state:

(a) whether the new textile policy has now imposed 10 per cent levy on the textile mills;

(b) if so, the considerations which weighed with Government in resorting to this measure;

(c) how long is it likely to remain in force;

(d) whether any guidelines have been laid down for the constitution of the Committee under the Textile Commissioner to review the quota utilisation as envisaged in the new policy; and

(e) if so, what and how the textile industry will be represented on this Committee?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). Additional excise duty of 10

per cent has been imposed on certain specified textile/fibre items in order to generate funds in a more equitable manner for subsidy on production, procurement and distribution of controlled cloth for the weaker sections of the population. This arrangement has become part of the new controlled cloth scheme, which has just come into effect from 1-10-1978.

(d) and (e). The question apparently relates to the export quota distribution policy for 1979-80 decided by the Ministry of Commerce. A Co-ordination Committee with the Textile Commissioner as Chairman and representatives of the various concerned textile Export Councils has been envisaged for periodically reviewing the quota situation.

Shortfall in production of quality jutes

2539. SHRI S. R. DAMANI: Will the Minister of INDUSTRY be pleased to state:

(a) whether Jute Industry is facing raw jute shortage, especially of quality jute;

(b) whether the shortfall in the production of quality jute has resulted in the operation of the Jute Industry at less than optimum level;

(c) if so, what long term measures are being taken to sustain the viability of the jute grower and the jute industry; and

(d) how far Jute Corporation of India, whose job is to garner supplies, succeeded in its trading activities not only to prevent the distress sale of jute but also to help the industry to boost their exports?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). Government have received some reports of damage, particularly to higher grades of crops, due to floods and its likely effect on manufacture of Export quality carpet backing and Russian hessian.

(c) Some of the important measures which have been taken/are being taken, to sustain the viability of the Jute growers and Jute industry are given below:—

(i) Fixation of a remunerative minimum price for purchase of raw jute from growers, and procurement of large quantities of raw jute by the Jute Corporation of India

(ii) JCI is expanding its purchases in primary markets through cooperative societies of growers as well as its own field agencies, so as to benefit the grower directly.

(iii) Compulsory licensing of jute dealers under Jute (Licensing and Control) Order, 1961 to regulate trading and marketing of raw jute in the interest of both the jute grower and the jute industry.

(iv) Cash assistance on the export of some selected items of jute goods is being provided so as to make their production remunerative to the industry, and their exports competitive in world markets.

(v) Soft loans are being granted to jute industry for the purpose of modernisation of plants and equipments, and achieving cost reduction through productivity increase.

(vi) Financial assistance on a liberal scale is being provided for identified research and development projects.

(d) There have been no reports of any distress sales of raw jute during the current season. By enlarging the scale of its operations, the Jute Corporation of India has exercised a stabilising influence on the price and availability of jute to the manufacturers, which by itself has been of considerable help to the industry to boost their exports.

Offer from North Korea for supply of cement

2540. PANDIT D. N. TIWARY: Will the Minister of INDUSTRY be pleased to state:

(a) whether North Korea has offered for supply of cement on long term basis contract;

(b) whether the supply of cement by North Korea, as agreed to previously, has been completed; and

(c) if not, when it is going to be completed?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Yes, Sir.

(b) and (c). Out of two contracts entered into (1) for 70,000 MT and (2) for 1 million MT, North Korean suppliers have completed shipment against the first contract during June/July, 1978. The actual quantity received against the first contract was 65,000 tonnes. Shipment against the second contract is under progress and is expected to be completed by April, 1979.

बड़े एककों द्वारा छोटे एककों से खरीदी गई मालिश की डिब्बियों पर लेबल लगाया जाना

2541. श्री बयाराम शास्त्री : क्या उद्योग मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि बड़े एकक छोटे एककों से मालिश खरीदते हैं तथा उन पर अपने लेबल लगा कर उन्हें बाजार में बेचते हैं और इस तरह छोटे उद्योगों के लिए अपेक्षित उत्पादन शुल्क का लाभ म्यंग उठा रहे हैं, और इस प्रकार छोटे एककों एवं सरकार को हानि पहुंचा रहे हैं; और

(ख) यदि हां, तो बड़े एककों की इन एकाधिकार प्रक्रियाओं को समाप्त करने के लिए सरकार ने क्या कदम उठाये हैं और उन बड़े एककों के क्या नाम हैं, जिन के विरुद्ध अब तक कार्यवाही की गई है;

उद्योग मंत्री (श्री जार्ज फर्नांडिस) : (क) और (ख). आवश्यक सूचना इकट्ठी की जा रही है और समा पटल पर रख दी जाएगी।

Sale and distribution of cement through cooperatives

2542. SHRI CHATURBHUI: Will the Minister of INDUSTRY be pleased to state:

(a) the latest position in regard to the sale and distribution of cement through new stockists or cooperative societies if any;

(b) if so, what substitute means of livelihood is proposed to be provided to the old dealers and stockists of Cement who have gone or likely to go out of business after the new scheme initiated by the Government;

(c) whether Government propose to reduce the quantity of cement to be sold by the old stockists and dealers by fifty per cent and save them from extinction from business; and

(d) if so, the details thereof?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) The State Governments were requested to set up effective public distribution system through co-operatives, super markets, fair price shops or other outlets in order to counter any tendency towards hoarding and black marketing. The State Governments of Assam, Gujarat, Kerala, Karnataka, Maharashtra, Rajasthan, Sikkim, West Bengal, Meghalaya, Nagaland, Tripura and Union Territories of Arunachal Pradesh and Mizoram have taken over cement distribution with effect from 1-10-1978. The State Governments of Andhra Pradesh, Haryana, Punjab, Tamil Nadu and Uttar Pradesh will be switching over to public distribution of cement from 1-1-1979. Other States are still considering the matter.

(b) to (d). The system followed in public distribution of cement varies from State to State according to local circumstances and needs. However, the essential features present in most of the schemes are statutory licensing of cement stockists, direct

appointment of cement stockists by State Government or its agencies, introduction of permit system for sale of cement to consumers, creation of voluntary agencies to advise regarding public distribution and strengthening of administrative machinery for proper implementation of the scheme and for prevention of malpractices. The question of retaining the existing stockists and dealers other than those found guilty of malpractices will be considered by the State Governments on merits. The actual quantity of cement to be released in each quarter for the dealers and stockists would be decided by the State Governments on the basis of availability of cement and the needs of the areas concerned.

Small scale industries in Maharashtra

2543. SHRI V. G. HANDE: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have decided to give preference to the Small Scale Industries in the country;

(b) whether it is also a fact that Government are giving assistance to the backward, poor people and scheduled castes/scheduled tribes in Maharashtra for small scale industries to develop the export of the articles made ready by them; and

(c) if so, how many industries have been fixed in Maharashtra, those who are getting financial assistance and other facilities in the functioning of small scale industries from the Government of India?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Yes, Sir.

(b) While the Central Government has programmes of assistance to industries in backward areas and for tiny units, there are no special schemes of assistance for the backward and poor people, and for the

Scheduled Castes and Tribes in Maharashtra aimed at developing the export of articles made by the small scale industries.

(c) The question does not arise.

सीमेंट की प्राथमिकता के आधार पर सप्लाय

2544. श्री हरगोविंद वर्मा : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि दिल्ली में बाढ़ से क्षतिग्रस्त हुए मकानों की मरम्मत के लिए सीमेंट प्राथमिकता के आधार पर सप्लाय किया गया था; और

(ख) यदि हाँ, तो प्राथमिकता के आधार पर कुल कितना सीमेंट सप्लाय किया गया और विभिन्न क्षेत्रों को कितना-कितना सीमेंट सप्लाय किया गया ?

उद्योग मंत्री (श्री जार्ज फर्नान्डिस) : (क) जी हाँ ।

(ख) बाढ़ गढ़ा बांधों के लिए, दिल्ली प्रशासन, को प्रकृत्वर में डिम्बर 1978 की अवधि में 20,000 मिट्टिक टन अतिरिक्त सीमेंट या आर्गेंट किया गया है। दिल्ली प्रशासन में मिली सूचनानुसार बाढ़ से प्रभावित क्षेत्रों में मकानों तथा अन्य क्षतिग्रस्त भवनों की मरम्मत करने के लिए 3 लाख टन सीमेंट का सप्लाय प्राथमिकता के आधार पर की जा चुकी है।

Amendment to Karnataka State Land Reforms Act

2545. SHRI M. KALYANASUNDARAM: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Karnataka State Government have sent some amendments to the Land Reforms Act passed by the Legislature to the Centre for the President's assent; and

(b) if so, the details of amendments and Government's decision thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) The Karnataka Land Reforms (Amendment) Bill, 1978, as passed by the State Legislature was received by the Government of India at the end of October, 1978, for the assent of the President.

(b) Some of the important amendments proposed to the Bill are:—

(1) Cocoa is being made a plantation crop;

(2) Persons cultivating lands on the strength of leases created upto 1st March, 1974 contrary to the provisions of section 5 are proposed to be declared as "tenants";

(3) certain dependents of soldiers who have died while in service are proposed to be permitted to alienate the land resumed from their tenants;

(4) provision is being made to grant agricultural labourers ownership of their dwelling houses;

(5) members of the Tribunal who continuously absent themselves for more than three consecutive meetings of the Tribunal are proposed to be removed and the Deputy Commissioners are being empowered to transfer cases from one Tribunal to another wherever necessary;

(6) the High Court has recently struck down the registration of tenants as occupants who filed their applications after 31-12-1974 without showing sufficient cause for the delay. It is proposed to validate all such applications. Time to file declarations is being extended upto the expiry of three months from the date of commencement of this Act;

(7) It is proposed to provide for the payment of compensation in a lumpsum to landlords whose annual income is not more than Rs. 2400 and to give option to widows to receive the compensation amount either in lumpsum or in the form of annuity. In the case of religious and charitable institution, in lieu of annuity it is proposed to give every year the interest that would accrue had the amount payable been deposited in fixed deposit in a Scheduled Bank for a period not less than 61 months;

(8) as desired by the Reserve Bank of India it is proposed to give compensation in the form of non-negotiable bonds to landlords;

(9) it is proposed to empower the Deputy Commissioner or some other officer authorised by the Government to distribute surplus lands;

(10) the Tribunal is being empowered to reopen any order passed under section 67 if the Tribunal is satisfied that the said order has been obtained by fraud, misrepresentation or suppression of facts or by furnishing false, incorrect or incomplete declarations;

(11) the provisions of the Act are being made applicable to all tenants and landlords holding lands in inams or other alienated lands;

(12) according to the existing Schedule I the Government has to issue a notification specifying the nature of irrigation facilities from Government canals and from Government tanks in respect of all lands for the purpose of classification of lands. It is proposed to remove the necessity of issuance of notification by the Government.

The Bill is under the consideration of the Government of India.

Closure of J. K. Kailash Mill, Kanpur

2547. SHRI MANOHAR LAL: Will the Minister of INDUSTRY be pleased to state:

(a) whether J. K. Kailash Mill, Kanpur has been closed for the last 26 months and 2500 workers of the Mill are without work;

(b) whether it is also a fact that inspite of his assurance which he gave three months ago that the mill would reopen within a month, it has not yet been opened; and

(c) if so, the time by which it will be reopened?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (c). J.K. Manufacturers (Kailash Mills), Kanpur, has been lying closed since 1-10-1976. Solution for the problem is under consideration within the parameters of the Statement on Sick Industries made on 15th May, 1978.

Demand of coal for Steel plants, Railways, Power stations

2548. SHRI NATVERLAL B. PARMAR: Will the Minister of ENERGY be pleased to state the estimated demand for coal from the steel plants, the railways and the power stations during the current year and the estimated production of coal during the same period?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): The estimated demand for coal from the steel plants, the railways and the power stations during the current year is 69.34 million tonnes. The production of coal during the current year is estimated at 106.38 million tonnes.

दिल्ली में सीमेंट के परमिटों का जारी किया जाना

2549. श्री ज्ञानेश्वर प्रसाद यादव : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में सीमेंट वितरण पद्धति अत्यन्त दोषपूर्ण है;

(ख) यदि हां, तो क्या यह भी सच है कि लोगों को कार्यालयों में बार-बार जाने के बाद भी सीमेंट के परमिट नहीं मिलते और सहायक-प्राप्त लोगो के साथ दुर्यवहार करता है और संसद-सदस्यों के सिफारशी पत्रों को पढ़ने से भी इंकार कर देता है; और

(ग) यदि हां, तो उन के खिलाफ कार्यवाही न करने के क्या कारण हैं ?

उद्योग मंत्री (श्री जार्ज फर्नान्डिस) : (क) जी नहीं ।

(ख) एक विवरण संलग्न है ।

(ग) प्रश्न ही नहीं उठता ।

विचार

(ख) भवन की स्वीकृत योजना (नक्शे) के प्रत्येक धारक अपना आवश्यक घर बनाने के लिए जिस की कुल आवश्यकता प्रति 100 वर्ग फुट के प्रस्तावित आच्छादित क्षेत्र के लिए 40 बोरे सीमेंट की दर से पालता के अनुसार 1600 बोरो से अधिक न हों, सीमेंट के किसी भी प्राधिकृत व्यापारी से सीमेंट नीचे ही प्राप्त कर सकता है। 1600 बोरो से अधिक सीमेंट की आवश्यकता के मामले में इस प्रकार की योजना (नक्शे) के धारक खाद्य तथा संभरण विभागों द्वारा जारी किए गए परमिटों के माध्यम से सीमेंट प्राप्त कर सकते हैं।

भवन निर्माण योजना (नक्शे) के धारक को, जो सीमेंट के व्यापारियों से सीधे ही अपनी आवश्यकता की सीमेंट प्राप्त करने के पात्र नहीं हैं, अपनी आवश्यकता की सीमेंट प्राप्त करने के लिए दिल्ली प्रशासन के खाद्य तथा संभरण विभाग को लिखना पड़ता है तथा उन को परमिट जारी कर दिए जाते हैं। मरम्मत के मामले में फोल्ड कर्मचारियों द्वारा जांच पड़ताल करने के बाद परमिट जारी किये जाते हैं। किन्तु छोटी-छोटी मरम्मतों आदि के लिए उपभोक्ताओं की सीमेंट की थोड़ी आवश्यकता के लिए महानगर परिषद के प्रत्येक सदस्य को मासिक कोटा दिया गया है जो प्रत्येक आवेदक को अधिकतम 5 बोरे सीमेंट देने की सफाई कर सकता है तथा इन सफाई के आधार पर खाद्य तथा संभरण के मरकिल अधिकारियों द्वारा तुरन्त परमिट जारी कर दिए जाते हैं।

4,000 वर्ग फुट से अधिक के आच्छादित क्षेत्र वाले निर्माण कार्य के लिए सीमेंट दिए जाने हेतु खाद्य तथा संभरण विभाग द्वारा स्वीकृत योजना (नक्शे) के आधार पर आवश्यकता को प्राप्ति के बाद किन्हीं में परमिट जारी किए जाते हैं।

जन प्रतिनिधियों द्वारा सफाई किए गए आवेदन पत्रों के मामले में उम मात्रा में सीमेंट प्राप्त करने के लिए परमिट ग्राम तौर पर बिना जांच पड़ताल किये जागे किये जाते हैं। किन्तु मरम्मत कार्य के लिए अधिक मात्रा में सीमेंट प्राप्त करने के लिए परमिट ग्रामतौर पर मांग की जांच-पड़ताल करने के बाद जारी किये जाते हैं।

Phizo's meeting with P. M.

2551. SHRI JANARDHANA POO-JARY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Shri A. Z. Phizo rebel Naga leader has reiterated his willingness to meet the Prime Minister to settle naga problems once and for all; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MAN-DAL): (a) No, Sir.

(b) Does not arise.

Proposal to streamline road transport

2552. SHRI JANARDHANA POO-JARY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether there is a proposal to streamline road transport in the country; and

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

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). This is a continuous process. As however Road Transport is the direct responsibility of the State Govts., proposals for development in this sector are primarily formulated by them.

Licences to monopoly houses

2553. SHRI VIJAY KUMAR N.

PATIL:

SHRI M. KALYANASUNDA-RAM:

SHRI SHYAM SUNDER GUPTA:

Will the Minister of INDUSTRY be pleased to state:

(a) what is the number of licences issued by Government during 1977-78 and upto September, 1978 separately industry-wise state-wise and the order of investment;

(b) whether it is fact that a large chunk of the licences issued by Government during the period have been cornered by the monopoly houses and details thereof; and

(c) the names of the monopoly houses with details of licences issued to them so far and justification therefor?

**THE MINISTER OF INDUSTRY
(SHRI GEORGE FERNANDES):** (a)

Two statements showing Industry-wise and State-wise break-up of number of Industrial Licences issued during the period April 1977, March, 1978 and April-September, 1978 are enclosed. Data relating to investments made by undertakings holding industrial licences is not maintained centrally in the Ministry of Industry.

(b) and (c). Out of 611 Industrial Licences issued during the period April, 1977-September, 1978, 91 Industrial Licences were issued in favour of undertakings registered under the MRTP Act, 1969. Details of Industrial Licences, including name of the party, item of manufacture, capacity and location etc. are being published in the "Weekly Bulletin of Import Licences, Export Licences and Industrial Licences," and "Monthly List of Letters of Intent and Industrial Licences". Copies of these publications are available in the Parliament Library.

Industrial Licences are issued to undertakings registered under the provisions of Monopolies and Restrictive Trade Practices Act within the framework of industrial policy presented to Parliament in December, 1977 which, *inter-alia* clarifies that the expansion of existing undertakings and establishment of new undertakings will continue to be subject to the provisions of the MRTP Act.

Statement I

Industry-wise break-up of industrial Licences issued during the year April 1977—March 1978 and April—September 1978.

		April 1977 March 1978	April Sept. 1978
1	2	3	4
1.	Metallurgical Industries	49	9
2.	Fuels	2	
3.	Boilers & Steam Generating Plants		

1	2	3	4
4. Prime Movers (other than Electrical Generators)		2	2
5. Electrical Equipment		82	30
6. Telecommunications		4	1
7. Transportation		17	8
8. Industrial Machinery		29	17
9. Machine Tools		11	5
10. Agricultural Machinery		1	1
11. Earth-Moving Machinery		1	..
12. Misc. Mech. & Engg. Industries		10	8
13. Commercial Office & Household Equipment		4	1..
14. Medical & Surgical Appliances			
15. Industrial Instruments		7	5
16. Scientific Instruments		2	1
17. Mathematical, Surveying & Drawing Instruments			
18. Fertilizers		2	
19. Chemicals (other than Fertilizers)		57	28
20. Photographic Raw Film & Paper			
21. Dye-Stuffs		4	7
22. Drugs & Pharmaceuticals		30	24
23. Textiles (including those Dyed printed or otherwise processed)		22	5
24. Paper & Pulp including paper products		4	1
25. Sugar		25	7
26. Fermentation Industries		11	6
27. Food processing Industries		6	4
28. Vegetable Oils & Vanaspati		7	2

1	2	3	4
29. Soaps, Cosmetics & Toilet Preparations			1
30. Rubber Goods	.	3	1
31. Leather, Leather Goods & Pickers	.	10	5
32. Glue & Gelatin	..		1
33. Glass	.	2	1
34. Ceramics	.	2	1
35. Cement & Gypsum Products	.	7	1
36. Timber Products	.	2	2
37. Defence Industries	.	1	..
38. Misc. Industries	.		1
TOTAL		426	185

Statement 2

State-wise break-up of industrial Licences issued during the years April 1977 to March 1978 and April 1978 to September 1978

State	April 1977 to March, 1978	April to Septem- ber 1978	
1	2	3	4
1. Andhra Pradesh .	29	6	
2. Andaman & Nicobar	..	1	
3. Arunachal Pradesh			
4. Assam . . .	2	..	
5. Bihar . . .	15	8	
6. Chandigarh .		1	
7. Dadra & Nagar Haveli			
8. Delhi . . .	4	5	
9. Goa Daman & Diu	2		
10. Gujarat	46	27	
11. Haryana .	19	4	
12. Himachal Pradesh .	2		
13. Jammu & Kashmir			1

1	2	3	4
14. Karnataka	.	39	16
15. Kerala		17	1
16. L.M. & A. Islands			..
17. Madhya Pradesh	.	5	3
18. Maharashtra		127	52
19. Manipur			
20. Mizoram			
21. Meghalaya			
22. Nagaland	.		
23. Orissa		1	1
24. Pondicherry			
25. Punjab		18	4
26. Rajasthan		15	8
27. Tamil Nadu		23	18
28. Tripura			
29. Uttar Pradesh		20	14
30. West Bengal	.	20	11
31. State not indicated		4	2
TOTAL		426	185

International racket in Uranium smuggling from India

2554. **SHRI M. KALYANASUNDARAM:**

SHRI R. V. SWAMINATHAN:

Will the Minister of **ATOMIC ENERGY** be pleased to state:

(a) whether a probe has been conducted by intelligence agencies into a suspected international racket in Uranium smuggling from India; and

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

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). Government have already initiated detailed

investigations and reports of the investigating agencies and their findings are awaited. In the absence of the reports, it will not be possible to state definitely about the existence or otherwise of any international racket in uranium smuggling.

Seventh International Film Festival

2555. SHRI MANORANJAN BHAKTA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Seventh International Film Festival will be held in Delhi in January 1979;

(b) if so, the highlights of the Film Festival; and

(c) preparations made so far in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Yes, Sir.

(b) The Festival is one of the major competitive festivals in the world and will be held at Vigyan Bhavan, New Delhi from 3rd to 17th January, 1979. It will have six Sections, viz.

- (i) Competition Section for Feature and Short films in which depending on the entries, selected feature films and documentaries up to 24 each will be screened at Vigyan Bhavan;
- (ii) Information Section in which about 98 films are expected to be shown in 7 local theatres;
- (iii) Panorama of the latest 21 Indian films with English sub-titles to be screened at 'Mavalankar Hall';
- (iv) Retrospective of foreign films to be shown at one of the local theatres;
- (v) Market Section; and

(vi) A three-day Symposium on 'Cinema In The Developing World.'

(c) Invitations to participate in the Festival have been sent to various countries, eminent film personalities, journalists, etc. An International Jury of nine outstanding film personalities from various parts of the world is being set up to decide upon the awards to films in the Competition Section. A Management Committee consisting of officials and non-officials, including representatives from the film industry, has been constituted to oversee arrangements for the Festival. Theatres for the screening of Festival films have been selected and other arrangements for organising the Festival are being finalised.

दिल्ली परिवहन निगम की बसों को जारी किये गये टिकट

2556. श्री हरिगोविन्द वर्मा : क्या नौबहन और परिवहन मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली की बसों में यात्रा करते समय 30 पैसे वाले टिकट के स्थान पर 50 पैसे वाला टिकट दिया जाता है;

(ख) यदि हां, तो क्या 30 पैसे वाले टिकटों की कमी है;

(ग) क्या दिल्ली परिवहन निगम द्वारा 50 पैसे भाड़ा लिया जाता है; और

(घ) यदि हां, तो ऐसे टिकट छपवाने के क्या कारण हैं ?

नौबहन और परिवहन मंत्रालय में प्रभारी राज्य मंत्री (श्री बांद राम) : (क) और (ख), जी हां ।

(ग) जी नहीं ।

(घ) संशोधित भाड़ा दर शुद्ध करने के अनुमान में नये मूल्यों के टिकट मुद्रित करवा लिए गए थे । परन्तु बाद में इस प्रणाली को लागू करने का विचार स्थगित कर दिया गया ।

Non-stopping of Buses at stops by D.T.C.

2557. SHRI HARGOVIND VERMA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have received complaints in regard to the non-stopping of buses at the bus stops in Delhi;

(b) if so, the average thereof; and

(c) the action being taken by Government thereon?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes, Sir.

(b) In November, 1978, twenty-five complaints about non-stoppage of buses were received.

(c) Suitable departmental action is taken by DTC against the staff found at fault on specific complaints. In case of private buses under DTC operation, the owners are penalised as per the terms of the Agreement. At important stops inspectorial staff members are deputed to ensure proper parking of buses.

दिल्ली में बस सेवा

2558. श्री हरगोविन्द वर्मा]

श्री नवाब सिंह चौहान :

श्री विजय कुमार मलहोत्रा :

क्या नौबहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में बसें समय पर नहीं आती जाती और यह सेवा अनियमित है; और

(ख) यदि हाँ, तो इस सेवा में सुधार करने के लिए क्या कार्यवाही करने का प्रस्ताव है ?

नौबहन और परिवहन मंत्रालय में प्रभारो राज्य मंत्री (श्री चांद राम) : (क) जी नहीं। ऐसा लगभग 15 प्रतिशत फेरों में होता है।

(ख) इन बसों की सेवा को अधिक अच्छी करने तथा इन बसों को भी अच्छी तरह रखने का विचार किया गया है।

Striking power of Jaguars to be acquired vis-a-vis Jaguars used in England

2559. PANDIT D. N. TIWARY: Will the Minister of DEFENCE be pleased to state:

(a) whether Jaguar strike-fighter aircraft to be acquired by the Indian Air Force will have more striking power than the Jaguars being used in England and other places;

(b) if so, the details thereof,

(c) whether Jaguar will be one-seater plane or multi-seater plane; and

(d) if multi-seater, the advantages over the single seater Jaguar plane?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) and (b). The Jaguars projected for the IAF will have a more powerful engine and also certain more advanced systems and weapons handling capability. It will not be in the public interest to disclose details.

(c) Except for some Trainer versions which will be twin-seater for obvious reasons, Jaguars are a single seater aircraft.

(d) Does not arise.

Reservation for backward classes

2560. PANDIT D. N. TIWARY:

SHRI CHITTA BASU:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Prime Minister in a recent visit on 24th October, 1978 to Patna has assured the people that the question of reservation would be finalised after the Report of the Backward Classes Commission which is shortly to be set up;

(b) whether the Prime Minister is aware that the Bihar Government

has implemented reservation for backward classes after his visit to Patna; and

(c) whether there is any talk with the Chief Minister regarding implementation of reservation for backward classes?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) The Prime Minister had observed that the question of reservation could be finalised after the proposed Backward Classes Committee submitted its report.

(b) The State Government issued orders for reservation for backward classes on the 10th November, 1978.

(c) The question of reservation was generally discussed by Prime Minister with the Chief Minister, Bihar.

Alleged restrictions on recruitment of dependants of employees who die in harness

2561. **SHRI SUKHDEO PRASAD VERMA:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a restriction is placed on the recruitment of sons, daughters or wives of those employees who die in harness or who are medically boarded out;

(b) if so, the nature of such a restriction;

(c) whether all members of National Council of JCM in their last meeting have protested against such unjust orders or placement of restrictions;

(d) if so, whether this restriction has now been waived; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) to (e). The restriction of 3 per cent of posts falling vacant in a calendar year in a particular cadre for making compas-

sionate appointments laid down in the earlier instructions has been removed through issue of recent instructions of 25th November, 1978. The appointing authorities have been advised to exercise care to ensure that the number of posts so filled does not exceed substantially and significantly 50 per cent of the vacancies in any calendar year after allowing reservations intended for other categories like Scheduled Castes/Scheduled Tribes etc.

Experts Classification Committee Report

2562. **SHRI SUKHDEO PRASAD VERMA:** Will the Minister of DEFENCE be pleased to state:

(a) whether the Experts Classification Committee appointed under the Chairmanship of Mr. Justice Puri to classify jobs in defence establishments has submitted its report;

(b) if not, the reasons for the abnormal delay;

(c) whether it is a fact that several extensions have been given by the Ministry to the Committee for the purpose;

(d) if so, the reasons therefore; and whether a final date has now been fixed for submission of the same; and

(e) if so, the detail thereof?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) to (e). The Expert Classification Committee was constituted by a Resolution of the Government dated 3-10-1974. However, the Chairman of the Committee was appointed vide Government Order dated 28-10-1975. The Chairman assumed charge on 3-11-1975. The Committee was expected to give its report within a period of one year. As the work of the Committee could not be completed within the stipulated time, the term of the Committee had to be extended from time to time. The current extension is due to expire on 31-12-1978.

In terms of the Government Resolution, the Committee is required to study and evaluate the job content of workshop posts industrial, non-industrial, including non-gazetted posts and scientific posts carrying similar responsibilities in various Defence establishments, including the Army, Navy and Air Force. The number of industrial jobs to be evaluated by the Committee is 1674. The number of non-industrial jobs is about 360. The delay in finalisation of the report by the Committee has been mainly due to the large number of jobs which are required to be evaluated by the Committee.

The report of the Committee in regard to the industrial jobs is expected to be received during this month. The report on the non-industrial jobs is likely to take a little more time. The job descriptions of a number of non-industrial jobs are still awaited by the Committee. The majority of job descriptions received by the Committee have been evaluated. The classification of the non-industrial jobs will be taken up by the Committee after submission of the report in respect of industrial jobs. The present estimate is that the final report of the Committee will be available by the end of March, 1979.

Production of cooking coal

2563. SHRI SUKHDEO PRASAD VERMA:

SHRI A. K. ROY:

SHRI A. C. GEORGE:

Will the Minister of ENERGY be pleased to state:

(a) whether the production of coking coal has considerably decreased during the 1978 as compared to the corresponding period last year; and

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

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) There has been a marginal reduction of 0.73 mil-

lion tonnes in the production of coking coal in the country during January to September 1978 compared to the production in the corresponding period of last year at 17.09 million tonnes.

(b) The main reasons for the short-fall of production have been heavy rains followed by floods in Bengal and Bihar coalfield. Interruptions in power supply, inadequate availability of explosives and labour unrest also affected the production adversely during the current year.

Death due to accidents with DTC buses in Delhi

2564. SHRI SUKHDEO PRASAD VERMA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the number of persons injured or died as a result of accidents involved with D.T.C. buses in Delhi during the period from July to September, 1978; and

(b) the total compensation paid on account thereof?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Ninety three persons were injured and 17 persons were killed.

(b) So far, no compensation has been paid in any case.

Regularisation of casual artistes of T.V. centres

2565. PROF. P. G. MAVALANKAR: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that several regular artistes working at the various Door Darshan Centres in the country are still treated as Casual Artistes;

(b) if so, facts and reasons thereof;

(c) whether Government's policy is to review the said cases of regular artistes-employees with a view to making them permanent and regular;

(d) if so, main indication thereto; and

(e) if not, why not?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). There are no 'regular artistes' working in Door-darshan who are treated as casual artistes. However, there are casual artistes who are working in Door-darshan against regular vacancies of staff artistes.

(c) and (d). A number of casual artistes will become eligible for regularisation in terms of the liberalised formula adopted by Government. Particulars of such eligible persons are being collected for giving them regular contract, subject to availability of vacancies and their satisfying the requisite qualifications and age limits.

(e) Does not arise.

Meeting of National Development Council

2566. **PROF. P. G. MAVALANKAR:** Will the Minister of PLANNING be pleased to state:

(a) whether the next meeting of the National Development Council is fixed;

(b) if so, when and for what purpose; and

(c) if not, why not?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) to (c). As the Hon'ble Member is aware, at the last meeting of the National Development Council held on March 18-19, 1978 it was resolved that a subsequent meeting of the Council will be held after discussions with States regarding the fiscal arrangements which would reflect the larger role to be played by the

State Governments in development planning and execution having due regard to the constitutional provisions and after taking into consideration the implications of the report of the Seventh Finance Commission. A Committee of the National Development Council was formed for this purpose. The report of the Seventh Finance Commission has just been received. The Committee of the National Development Council will now examine the main issues in the light of the Report. The National Development Council would meet thereafter; no date has yet been fixed for the meeting.

Countries visited by the Minister of I. & B. during the year 1978

2567. **PROF. P. G. MAVALANKAR:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether he visited some countries during the year 1978;

(b) if so, facts thereof mentioning the purposes of all such visits;

(c) whether he travelled officially and on regular invitations;

(d) if so, broad nature thereof; and

(e) whether any agreements, etc. were arrived at between India and the foreign country concerned as a result of the said visits?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) to (d). During the year 1978, at the invitation of the host countries, the Minister for Information and Broadcasting paid official visits to German Democratic Republic, Hungary, Czechoslovakia and Pakistan. He also visited France to attend the General Conference of UNESCO held at Paris in October-November, 1978. The broad details are as under:—

(i) GDR/Hungary/Czechoslovakia.

German Democratic Republic: At the invitation of the Chairman,

State Committee of Broadcasting of the Council of Ministers of GDR in the interest of better co-operation between All India Radio and GDR Radio in particular and better understanding between the peoples in the two countries in general.

Hungary: At the invitation of Secretary of State, President of the Government's Information Office of the Hungarian Peoples Republic for signing of an Agreement.

Czechoslovakia: At the invitation of the Deputy Prime Minister, Czechoslovakia Socialist Republic for getting acquainted with fields of media activity in that country.

These visits were undertaken in one trip.

(ii) **France:** To attend the 20th Session of General Conference of UNESCO.

(iii) **Pakistan:** At the invitation of their Minister of Information & Broadcasting, on his way back from Paris, the Minister visited Karachi to have discussions on matters of mutual interest relating to Media.

(e) Yes, Sir. An agreement was signed between the Government of Republic of India and the Government of Hungarian Peoples Republic relating to Co-operation in the field of Information.

Bus route No. 320

2568. **SHRI HALIMUDDIN AHMED:** Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government are aware of the fact that due to heavy load of passengers, route No. 320 of D.T.C. always runs crowded and it never stops on stops other than the terminal points;

(b) whether Government will conduct a survey of the route No. 320

and provide buses from Swarn Talkies; and

(c) if not, the reasons thereof?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) According to the information available with the D.T.C. there is some rush of passengers on this route during morning and evening peak hours but it is not a fact that the route is always over-crowded.

(b) Two trips at 08.00 hrs. and 09.25 hrs. have already been provided from Swarn Talkies on route 320 for Central Secretariat. A survey will be carried out to assess whether the services of the route are meeting the requirement of enroute passengers during peak hours.

(c) Does not arise.

राजस्थान में बिजली उत्पादन परियोजना

2569. **श्री मोठा लाल पटेल :** क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान में दैवी आपदाओं के कारण हुई क्षति के कारण और अन्य राज्यों में आपदाएँ मात्रा में बिजली सप्लाई के कारण, बिजली उत्पादन की गति बहुत धीमी है; और

(ख) यदि हाँ तो क्या राजस्थान में पर्याप्त मात्रा में बिजली उत्पादन के लिए सरकार का विचार राज्य में निकट भविष्य में कुछ केन्द्रीय बिजली उत्पादन परियोजनाएँ प्रारम्भ करने का है और यदि हाँ, तो कब ?

ऊर्जा मंत्री (श्री पी० रामचन्द्रन) : (क) प्राकृतिक आपदाओं के कारण राजस्थान में उत्पादन संयंत्रों की कोई क्षति नहीं पहुँची है। तथा इस के कारण राजस्थान में बिजुत उत्पादन पर कोई प्रभाव नहीं पड़ा है।

(ख) राजस्थान में केन्द्रीय सैक्टर के अन्तर्गत नये बिजुत उत्पादन संयंत्र की प्रतिष्ठापना का कोई प्रस्ताव नहीं है। राजस्थान में राजस्थान परमाणु बिजुत परियोजना की 220 मेगावाट की दूसरी परमाणु बिजुत यूनिट निर्माणाधीन है। यह परियोजना केन्द्रीय सैक्टर के अधीन है तथा 1979-80 के दौरान इस से लाभ प्राप्त होने की आशा है।

Proposal to recruit Women in Armed Forces

2570. SHRI O. P. TYAGI:
SHRI C. K. JAFFER
SHARIEF:

Will the Minister of DEFENCE be pleased to state:

(a) whether there is a proposal to recruit women in the Armed Forces of the country; and

(b) if so, what are the details of the said proposal?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) and (b). At present women are already being recruited in the Army Medical Corps and exclusively in the Military Nursing Service. There is no proposal to recruit them to any other Wing of the Armed Forces.

Big and Foreign Companies producing Consumer Goods

2571. SHRI JYOTIRMOY BOSU: Will the Minister of INDUSTRY be pleased to state:

(a) names and particulars of companies belonging to large houses and also names and particulars of foreign companies who have been mainly producing consumer goods;

(b) what are the items produced by each of the companies referred to above;

(c) whether many of these items can be easily produced by the small scale sectors; and

(d) if so, the reasons why no steps are being taken in that direction?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) to (d). Full details such as name of undertaking, item of manufacture and capacity licensed of all industrial licences including those granted to foreign companies and companies

falling within the provisions of MRTP Act are available in the "Weekly Bulletin of Import Licences, Export Licences and Industrial Licences", copies of which are available in the Parliament Library.

Among the items of consumer goods which could successfully be produced by small scale sector but are at present being produced by MRTP/Foreign Companies among others, are items such as leather footwear, safety matches and laundry soap.

In pursuance of the Industrial Policy presented to Parliament in December 1977, Government have taken steps to regulate the activities of large houses to bring them in line with the country's socio-economic goals. The list of items reserved for exclusive development in the small scale sector has been expanded to cover 807 items as compared to 180 items earlier. Where large scale units, whether belonging to large houses or not, are already engaged in the manufacture of items since reserved for the small scale sector, no expansion in their capacity is allowed in order to facilitate small scale industries to take up manufacture of items reserved for small scale sector. Further, facilities are being provided through the District Industries Centres to the small scale industries in setting up capacities in the areas reserved for the small scale sector.

Demand and Supply of Power

2572. SHRI JYOTIRMOY BOSU:
SHRI S. R. DAMANI:
SHRI SURENDRA JHA
SUMAN:

SHRI CHANDRA SHEKHAR
SINGH:

Will the Minister of ENERGY be pleased to state:

(a) state-wise demand, actual supply and generation of electricity

month-wise, from April to October, 1978;

(b) the reasons why power generation and supply position has deteriorated in recent period;

(c) what action, if any, has been and is being taken by the Centre to ensure improvement in power generation and supply on a sustained basis; and

(d) what assistance, if any, has been and is being given to West Bengal in this regard?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) A statement showing State-wise/System-wise monthly anticipated requirement, actual supply, net generation and import/export of energy from April—October, 1978 is laid on the Table of the House [*Placed in Library. See No. LT—2985/78*].

(b) There has been no deterioration in the power supply position in the country in recent past. The all India energy generation during the period April to October, 1978 has increased by 13 per cent over the energy generation during the corresponding period last year.

(c) The Government has taken several steps to improve the availability of power in all the States. Some of the steps are:

1. Additional generating capacity of about 18,500 MW has been targeted for commissioning during the Sixth Plan. A new capacity of 3857 MW has been targeted for commissioning during 1978-79.

2. Setting up of multi-disciplinary project renovation groups consisting of specialists from Bharat Heavy Electricals Limited, Instrumentation Limited, Kota, Central Electricity Authority, Consultants to the Ministry of Energy and representatives from State Electricity Boards to identify the deficiencies/problems in

the thermal units commissioned recently and suggest appropriate remedial measures for implementation by the power station authorities. The work under this programme is in progress.

3. Arranging training of operation and maintenance personnel of the thermal power stations.

4. The State Electricity Boards have been advised to adopt modern maintenance practices.

5. Assistance has been given to the State Electricity Boards/Corporations in arranging for import of spare parts.

6. Assistance has also been given to the thermal power stations in obtaining the requisite quality and quantity of coal.

7. A Central Pool of imported spare parts for the American and Russian generating sets has been set up by the Department of Power with a view to make imported spare parts for these units readily available to the State Electricity Boards and thus assist them in proper maintenance of their thermal generating units.

(d) A number of steps have been taken by the Central Government and West Bengal power station authorities to improve the power supply position in West Bengal. Some of the steps are:—

1. Assistance to the West Bengal power system from the DVC power system.

2. West Bengal is also receiving some assistance from Orissa power system.

3. Better and effective coordination of the four power supply agencies in West Bengal namely CESC, WBSEB, DPL and DVC to ensure integrated operation has been achieved.

4. Senior Officers of the Ministry of Energy and the Central Electricity Authority have also been deputed from time to time for high level discussions with the State authorities and various power system authorities for finding out ways and means for improving the performance of the thermal power stations and improving of the power supply position in the State.

5. Units No. 1 & 2 of 120 MW each at Santaldih thermal station have been covered under the project renovation programme. The problems being faced by these units have been identified and action is being taken to rectify the same.

6. The State Government have been advised to take necessary steps to shift the working hours of some of the industries from day to night hours so that the night load in Calcutta area gets increased giving relief to the day peak.

7. The Central Government has also permitted DPL and Bandel thermal power stations to freely import necessary spare parts for their coal mills and other plants.

8. New thermal generating units are being installed at Santaldih, Bandel, D.P.L., and Kolaghat in West Bengal. Thermal generating units are also under construction of titagarh.

9. The Government has also recently sanctioned a Scheme for installation of 5 gas turbine units of 20 MW each in West Bengal.

Reducing Expenditure on Intelligence Bureau

2573. SHRI JYOTIRMOY BOSU: Will the Minister of HOME AFFAIRS be pleased to lay a statement showing:

(a) total expenditure incurred on Intelligence Bureau, year-wise, from 1975-76 to 1977-78;

(b) whether Government are considering to reduce expenditure under this head;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) The total expenditure incurred on Intelligence Bureau year-wise is as under:—

Year	Amount
1975-76	12,20,83,905
1976-77	12,53,03,458
1977-78	12,86,48,328

(b) to (d). Government is not considering any specific proposal to reduce expenditure on IB. However, general economy instructions issued from time to time are kept in view and expenditure kept to the barest minimum.

Reducing Strength of Central Para-Military Forces

2574. SHRI JYOTIRMOY BOSU: Will the Minister of HOME AFFAIRS be pleased to lay a statement showing:

(a) total expenditure incurred for Central Police Force, year-wise, from 1975-76 to 1977-78;

(b) expenditure incurred on each Central para-military force, year-wise, during the same period;

(c) how many times State-wise, Central para-military forces were deployed in connection with maintenance of Law and Order in the concerned States, year-wise, from 1975-76 to 1977-78;

(d) on how many occasions, these forces were deployed with the approval of the State Governments concerned during the same period; and

(e) whether Government are considering to reduce the strength of para-military forces and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) and (b). Statement I indicating the expenditure incurred year-wise on each of the Central Police Force like CISF and para-military Forces like B.S.F., C.R.P., I.T.B.P., & Assam Rifles during 1975-76, 1976-77 and 1977-78 is laid on the Table of the House. [Placed in Library. See No. LT-2986/78].

(c) and (d). Statement II indicating the number of companies of B.S.F. & C.R.P., made available to various States during the period from 1975-76 to 1977-78 for law and order duties is laid on the Table of the House. [Placed in Library. See No. LT-2986/78]. These forces were made available during the said period at the request of the State Government concerned to assist them in the maintenance of law and order.

(e) A Committee of Secretaries' is reviewing the strength of various para-military forces with a view to effect economy. As per their interim recommendations the strength of C.R.P., has since been reduced by two battalions.

Problem of Industrial Sickness

2575. **SHRI P. M. SAYEED:**

SHRI R. V. SWAMI-NATHAN:

SHRI M. V. CHANDRA SHEKHARA MURTHY:

Will the Minister of **INDUSTRY** be pleased to state:

(a) whether Government have not been able to solve the problem of Industrial sickness in the country;

(b) if so, whether the recent report of the R.B.I. on "trend and progress of Banking in India" has pointed out that industrial sickness has been on the increase;

(c) if so, total number of sick industries and to what extent their number has increased during 1977-78; and

(d) what steps have been taken to improve the situation?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES):

(a) The Government's policy on sick industry was announced in both Houses of Parliament on 15-5-78. It highlighted the fact that the revival and reconstruction of a sick industrial undertaking cannot be the responsibility of a single agency, but it can be achieved effectively only by an appropriate sharing of the burden and responsibility by all concerned including the Central Government, the State Governments, the labour, financial institutions, banks, management and shareholders. Government have been taking necessary steps in this regard. Effect of the policy can however be felt over a period of time.

(b) and (c). The report of the Reserve Bank on Trend and Progress of Banking, mentions that according to the quarterly reports received by scheduled banks in respect of sick industrial undertakings enjoying an aggregate bank credit of Rs. 1 crore and above, there were 289 medium and large-size sick units at the end of December, 1977 as against 241 as at the end of December, 1976.

(d) Steps as spelt out in the policy on sick industry announced in both Houses of Parliament on 15-5-1978, are being taken to reduce sickness in industrial undertakings.

Severe Demand Recession in Rubber making Industry

2576. **SHRI P. M. SAYEED:**

SHRI RAMACHANDRAN KADANNAPPALLI:

SHRI R. V. SWAMINATHAN:

Will the Minister of **INDUSTRY** be pleased to state:

(a) whether the rubber making industry is in the grip of a severe

demand recession with an idle capacity of over 50 per cent;

(b) if so, whether it has also been brought to the notice of Government that unless they take immediate effective steps, the multi-million rupee industry will go down the drain;

(c) if so, whether Government are considering to help the industry; and

(d) if so, in what way and when?

THE MINISTER OF INDUSTRY
(SHRI GEORGE FERNANDES):

(a) No, Sir.

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

Shortage of Coke and its affect on Foundry Units

2577. SHRI RAMACHANDRAN KADANNAPPALLI: Will the Minister of INDUSTRY be pleased to state:

(a) whether Coke shortage has badly affected foundry units; and

(b) if so, the steps Government are considering to assist the foundry units?

THE MINISTER OF INDUSTRY
(SHRI GEORGE FERNANDES):

(a) As per the production return submitted by the foundry units in the organised sector to Directorate General of Technical Development, there is no appreciable shortfall in the production of foundry units till the month of October, 1978.

(b) The question does not arise.

आकाशवाणी और दूरदर्शन के केन्द्र निदेशकों को प्रतिनियुक्ति भत्ता

2578. श्री टी० एस० नेगी : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) आकाशवाणी और दूरदर्शन के केन्द्र निदेशकों को किन किन पदों पर प्रतिनियुक्ति भत्ता दिया जाता है;

(ख) इस समय किन किन व्यक्तियों को यह प्रतिनियुक्ति भत्ता दिया जा रहा है और प्रति मास कितना भत्ता दिया जाता है;

(ग) क्या यह भत्ता पाने वालों के त्रिपट्ट गत चार वर्षों में कोई कायबाही की गई अथवा उन में से किसी को समय पूर्व सेवा निवृत्त किया गया; और

(घ) यदि हां, तो प्रतिरित भत्ते वाले पदों पर ऐसे व्यक्तियों का नियुक्त करने के क्या कारण हैं ?

सूचना और प्रसारण मंत्री (श्री सातल कृष्ण चाडवाणी) : (क) आकाशवाणी महानिदेशालय, नई दिल्ली में उप निदेशक (सम्पर्क), संयुक्त निदेशक (परिवार कल्याण) और संयुक्त निदेशक (फार्म और गृह) के पदों पर प्रतिनियुक्ति भत्ता दिया जाता है। दूर दर्शन में केन्द्र निदेशकों को कोई प्रतिनियुक्ति भत्ता नहीं दिया जाता।

(ख) श्रीमती एस० आर० वेंकटरामन (संयुक्त निदेशक परिवार कल्याण) को 100 रु० प्रति मास श्री डी० डी० कालिबा (संयुक्त निदेशक), फार्म और गृह) को 150 रुपये प्रति मास प्रतिनियुक्ति भत्ता दिया जा रहा है। श्री वी० एस० कुमार (उपनिदेशक, सम्पर्क) को अब कोई प्रतिनियुक्ति भत्ता नहीं दिया जा रहा है, क्योंकि वे पद के अधिकतम वेतनमान पर पहुंच चुके हैं।

(ग) इन में से दो अधिकारी अर्थात् श्री वी० एस० कुमार और श्रीमती एस० आर० वेंकटरामन समय-पूर्व सेवा निवृत्त हो गए थे। तथापि, इन को बाद में बहाल किया गया है। श्री आर० जी० राजशेखर जो 4-4-75 से 6-8-77 तक संयुक्त निदेशक (फार्म और गृह) थे को रिकाह में दर्ज की जाने वाली दो सेवावर्धियां दी गई थीं।

(घ) केन्द्र निदेशक (सामान्य धेट) को प्रवर्तता क्रम से इन प्रतिनियुक्ति पदों की पेशकश की जाती है और यदि किसी प्रवर्तमान व्यक्ति को नियुक्ति के लिए सम्बोधित कर दिया जाता है तो अगले त्रवार अधिकारी के बारे में विचार किया जाता है।

Warning for Shortage of Paper

2579. SHRI A. R. BADRI
NARAYAN:

SHRI SHANKERSINHJI
VAGHELA:

Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have been warned that in case early and immediate steps are not taken there will be acute shortage of paper during 1979;

(b) if so, what will be the total shortage of the paper;

(c) the reasons for shortage; and

(d) what steps are being taken to meet this threat?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES):

(a) to (d). Government are aware that the demand for paper and paper board is likely to exceed domestic production by about 75000 tonnes, in 1979. Steps are being taken to increase production and it is also planned to import paper, to meet the demand.

Factors for Shortfalls of Industrial Production

2580. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of INDUSTRY be pleased to state:

(a) whether of late there has been considerable fall in the industrial growth in the country;

(b) if so, the extent of fall in industrial production registered in 1977-78 and the factors contributing to such shortfalls; and

(c) the steps taken, or proposed to be taken by Government to remove the bottlenecks, if any, and to increase the growth rate?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES):

(a) No, Sir. In fact, industrial production which increased by 3.9 per cent during the fiscal year 1977-78, has shown a marked uptrend during the seven months. The index of industrial production compiled by the Central Statistical Organisation showed an increase of 8.3 per cent during April—August, 1978 according to the preliminary estimates available. The rate of industrial growth was also maintained around this level in the subsequent two months.

(b) Does not arise.

(c) Government have taken special measures to ensure adequate supplies of essential raw materials. Imports

of raw materials and components are also being permitted to meet the full requirements of industry. The arrangements for monitoring production in the industrial sector have been strengthened; and special attention is being paid to resolving quickly difficulties arising from localised or temporary shortages of power, transport, etc. Government will continue to take whatever measures are necessary to sustain and further improve the rate of growth of industrial production.

Criteria for selecting Persons for talks on T.V./A.I.R.

2581. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the criteria followed by the Government in selecting persons for giving talks on Radio/TV on various topics; and

(b) the names of persons selected to give talks on TV/Radio at Madras, Delhi & Bombay during the last one year and the number of occasions on which the same persons were invited more than once during this period giving the reasons therefor?

THE MINISTER OF INFORMATION & BROADCASTING (SHRI L. K. ADVANI): (a) The criteria followed at present for selection of persons for giving talks on Radio/TV on various topics are the merit, the expertise in the subject and the suitability of the artiste and talker for Radio and TV, as the case may be.

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

Pending Proposals to Revive Sick Mills

2582. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of INDUSTRY be pleased to state:

(a) the number of proposals pending with Government to revive the

sick mills (category-wise) and the period of their pendency; and

(b) the present position with regard to these proposals and what are the reasons for delay in taking a decision thereof?

THE MINISTER OF INDUSTRY
(SHRI GEORGE FERNANDES):
(a) and (b). Representations/requests

for revival of sick/closed industrial undertakings are received in various Ministries/Departments from time to time. There are, however, 9 cases in respect of which Government have ordered investigation under the provisions of the industries (Development & Regulation) Act, 1951. The present position of these 9 cases is as follows:—

S.No.	Name of the undertaking	Date of appointment of the Investigation Committee	Present position
1.	M/s. Ashoka Cement Ltd.	15-6-78	} Challenged in Calcutta High Court.
2.	M/s. Rohtas Industries	15-6-78	
3.	M/s. Dalmia Dadri Ltd.	22-7-78	Report of the Investigation Committee is under scrutiny.
4.	M/s. Jaipur Udyog Ltd.	22-7-78	Do.
5.	M/s. Ahmedabad Laxmi Cotton Mills Ltd.	3-2-78	Do.
6.	M/s. Mohini Mills Ltd.	11-5-78	Challenged in Calcutta High Court.
7.	M/s. Navjoty Mills Ltd.	6-11-78	Report of the Investigation Committee is awaited.
8.	M/s. Jaipur Metals & Electricals Ltd.	20-5-77	Report of the Investigation Committee is under scrutiny.
9.	M/s. The Indian Health Institute and Laboratories	3-3-78	Do.

Apart from the above, Specified Authority constituted under Section 72A of the Income Tax Act, 1961 have also received 25 applications for

merger of sick industrial undertakings with healthy ones. The position of these applications is as under:—

Month (1978) in which applications received	No. of applications received	No. of applications withdrawn	No. of applications approved for recommendation	No. of applications rejected	No. of applications pending scrutiny
1	2	3	4	5	6
February	3	..		2	1
March	4	1	..	..	3

1	2	3	4	5	6
April	2	1	1		
May	5				5
June	3			1	2
July	3	1	..	..	2
August	4			1	3
September	1				1
	25	3	1	4	17

The applications/investigations on which decisions have not yet been taken are under scrutiny by different Ministries from their respective angles. In some cases, Screening Committees consisting of representatives of different Ministries concerned have been formed to jointly examine the proposals.

Export of Salt to Bangladesh

2583. SHRI K. T. KOSALRAM: Will the Minister of INDUSTRY be pleased to state:

(a) whether the production of salt this year has reached 70 lakh tonnes as compared to the production of 45 lakh tonnes last year;

(b) will Government allow export of salt particularly to Bangladesh this year in view of the assurance earlier given that export will be permitted, if salt production picked up;

(c) whether Government are aware that the present salt stocks at Tuticorin alone is more than 7 lakh tonnes; and

(d) the steps Government propose to take for export of accumulated salt stocks at Tuticorin port to Bangladesh on a regular basis to help the salt producers as well as to strengthen the friendly relations between India and Bangladesh?

THE MINISTER OF INDUSTRY
(SHRI GEORGE FERNANDES):

(a) Production of salt during 1978 (upto 31st October) is estimated to be about 64 lakh tonnes as against 48 lakh tonnes during the corresponding period in the previous year.

(b and (d). The possibility of export of salt is reviewed each year having regard to production, stocks, internal demand and international demand and prices.

(c) The stocks of salt in Tuticorin circle as on 31st October, 1978 are estimated to be about 6 lakh tonnes.

Statement correcting the reply to Unstarred Question No. 457 dated 19-7-78 Surcharge on account of Congestion at Bombay Port.

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING & TRANSPORT (SHRI CHAND RAM): In reply to part (b) of Unstarred Question No. 457 answered on 19-7-78, it was *inter alia* stated that "The India-Pakistan-Bangladesh-Middle East Conference Lines levied a surcharge of 15 per cent with effect from 1-5-1978. India-Ceylone-Pakistan-Burma Outward Trade Conference have imposed a surcharge of 30 per cent from 7-7-1978". There has been a slight error in this reply. The

correct reply in lieu of this portion should be read as under:—

"The Japan/India/Pakistan/Gulf/Japan Conference, Bombay, levied a surcharge of 15 per cent with effect from 1-5-1978 on inward cargo only. The India-Sri Lanka-Bangladesh-Burma Conference have imposed congestion surcharge of 30 per cent commencing with the next loader after 8-7-1978 on outward cargoes (export) only".

Statement correcting the reply to Unstarred Question No. 2553 on 2-8-78 re Congestion at Bombay Port.

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRICHAND RAM) : In reply to part (b) of Unstarred Question No. 2553 answered on 2-8-1978, the following information was *inter alia* given:—

(b) S. No.	Name of Conference	Date of imposition/ rise in congestion sur- charge at Bombay	Imposition/ rise in congestion surcharge	Whether applicable for inward or out- ward or for both trades
5	India-Pakistan Sri Lanka- Bangladesh and Burma	Next loader after 8-7-1978	30%	Both

There has been a slight error in this part of the reply. The correct reply in lieu of this portion be read as under:—

(b) S. No.	Name of Conference	Date of imposition rise in congestion surcharge at Bombay	Imposition/ rise in congestion surcharge	Whether applicable for inward or outward or for both trades
5	India-Sri Lanka-Bangladesh and Burma Conference.	Next loader after 8-7-1978.	30%	On outward cargoes (export) only

I regret the error which has occurred in this case.

(ii) When the error was noticed, the attached offices of the Ministry at Bombay were contacted to ensure the correctness of the information. It took time to get the clarifications, etc., and in the mean-time the Monsoon Session of Lok Sabha was over.

12 hrs.

SHRI S. NANJESHA GOWDA (Hassan): Five members have given a Calling Attention notice regarding the distress sale of agricultural products.

I regret the error which has occurred in this case.

(ii) When the error was noticed, the attached offices of the Ministry at Bombay were contacted to ensure the correctness of the information. It took time to get the clarifications, etc., and in the meantime the Monsoon Session of Lok Sabha was over.

MR. SPEAKER: It is under consideration.

SHRI SAUGATA ROY (Barrackpore). I have given notice for an adjournment motion about a report that appeared in the 'Washington Post' about the Indian Nuclear plant post-radiation hazards. (Interruptions) 'Washington Post' is very close to Dr. Subramaniam Swamy. (Interruptions)

MR. SPEAKER: It is under consideration. Now papers to be laid. Mr. Prime Minister.

(Interruptions)

MR. SPEAKER: No, no. Mr. Prime Minister.

12.02 hrs

PAPERS LAID ON THE TABLE

ANNUAL REPORTS OF NATIONAL REMOTE SENSING AGENCY, SECUNDERABAD AND CENTRAL ELECTRONICS LTD., NEW DELHI FOR 1977-78 AND TWO STATEMENTS IN RESPECT OF THE REPORTS

THE PRIME MINISTER (SHRI MORARJI DESAI): I beg to lay on the Table:—

(1) (i) A copy of the Annual Report (Hindi and English versions) of the National Remote Sensing Agency, Secunderabad, for the year 1977-78 along with the Audited Accounts.

(ii) A statement (Hindi and English versions) explaining that Government are in agreement with the above Report and Accounts. [Placed in Library. See No. LT—2975/78]

(2) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Annual Report of the Central Electronics Limited, New Delhi, for the year 1977-78 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(ii) A statement (Hindi and English versions) explaining that Government are in agreement with the above Report and Accounts. [Placed in Library. See No. LT—2976/78]

MERCHANT SHIPPING (CARRIAGE OF DANGEROUS GOODS) RULES 1978 AND MERCHANT SHIPPING (PREVENTION OF COLLISIONS AT SEA) AMDT. REGULATIONS, 1978

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section

458 of the Merchant Shipping Act, 1958:—

(1) The Merchant Shipping (Carriage of Dangerous Goods) Rules, 1978, published in Notification No. G.S.R. 1316 in Gazette of India dated the 4th November, 1978.

(2) The Merchant Shipping (Prevention of Collisions at Sea) Amendment Regulations, 1978, published in Notifications No G.S.R. 1317 in Gazette of India dated the 4th November, 1978. [Placed in Library. See No. LT—2977/78]

NOTIFICATION RE. CORRIGENDUM TO COTTON CONTROL ORDER, 1978

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): On behalf of Kumari Abha Maiti, I beg to lay on the Table a copy of Notification No. S.O. 3045 (Hindi and English versions) published in Gazette of India dated the 21st October, 1978 containing corrigendum to the Cotton Control Order, 1978, published in Notification No. S.O. 430 in Gazette of India dated the 18th February, 1978, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT—2978/78]

NOTIFICATION RE. POWERS OF CERTAIN POLICE OFFICERS UNDER DELHI POLICE ACT, 1978

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): I beg to lay on the Table a copy of Notification No. S.O. 670 (E) (Hindi and English versions) published in Gazette of India dated the 20th November, 1978 empowering every Additional Commissioner of Police, Deputy Commissioner of Police Additional Deputy Commissioner of Police and Assistant Commissioner of Police to exercise certain powers under the Code of Criminal Procedure, under section 71 of the Delhi Police Act, 1978. [Placed in Library. See No. LT—2979/78]

NAVY (PENSION) THIRD AMDT. REGULATIONS, 1978

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH) : I beg to lay on the Table a copy of the Navy (Pension) Third Amendment Regulations, 1978 (Hindi and English versions) published in Notification No. S.R.O. 340 in Gazette of India dated the 25th November, 1978 under section 185 of the Navy Act, 1957. [Placed in Library. See No. LT-2980/78]

NOTIFICATIONS UNDER CENTRAL EXCISE RULES, 1944 AND CUSTOMS ACT, 1962

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQARULLAH) : I beg to lay on the Table:—

(1) A copy of Notification No. 207/78-CE (Hindi and English versions) published in Gazette of India dated the 6th December, 1978 together with an explanatory memorandum regarding grant of relief in excise duty on aluminium circles of specified thickness, issued under the Central Excise Rules, 1944.

(2) A copy of Notification No. 232/78-Customs (Hindi and English versions) published in Gazette of India dated the 6th December, 1978 together with an explanatory memorandum rescinding Notification No. 90-Customs dated the 18th June, 1977, under section 159 of the Customs Act, 1962.

MESSAGE FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha :—

"In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform

the Lok Sabha that the Rajya Sabha, at its sitting held on the 5th December, 1978, agreed without any amendment to the Suppression of Immoral Traffic in Women and Girls (Amendment) Bill, 1978, which was passed by the Lok Sabha at its sitting held on the 22nd November, 1978."

12.05 hrs

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED DISTORTION OF FACTS ABOUT JAMMU AND KASHMIR APPEARING IN A RECENT REPORT OF THE U.N. STUDY PANEL

SHRI CHITTA BASU (Barasat): Sir, I call the attention of the Minister of External Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

"Reported distortion of facts about Jammu and Kashmir appearing in a recent report of the U.N. Study Panel and the reaction of the Government thereto."

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE) : Mr. Speaker, Sir, a Study, by Mr. Hector Gros Espiell, Special Rapporteur, appointed in 1974 by the U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities, the final report on which was presented to the sub-Commission in 1976, contains a list of 30 territories "still awaiting settlement as regards the implementation of United Nations resolutions concerning the right to self-determination of peoples under colonial or alien domination". Surprisingly, Jammu and Kashmir has also been included in this list.

When this Study came up for discussion at the 34th Session of the

[Shri Atal Bihari Vajpayee]

Commission on Human Rights, held in February-March this year, the leader of Indian Delegation, Shrimati Vijaya Laxmi Pandit, expressed strong reservation to it in the following words: (I quote)

"I must admit that my delegation was astonished to find that integral part of the sovereign Republic of India has been included in the list given in para 230 of the report. I wish to enter the strong reservation of my delegation in this connection." (unquote)

Thereafter, our reservation was recorded as a footnote to the Study.

Subsequently, when this report was circulated as a document of the current session of the General Assembly, our delegate again expressed deep concern over this wrong delineation and entered our strong reservation, reiterating that Jammu and Kashmir is legally and constitutionally an integral part of India.

When the resolution on the universal Realisation of the right of Peoples to Self-determination was put up for final voting in the General Assembly, the Indian delegate again took exception to that part of the resolution which takes note of this document.

The Government of India deplore and strongly reject the unwarranted inclusion of Jammu and Kashmir in the list of territories under colonial or alien domination. The matter is being taken up with the U.N. Secretary General.

SHRI CHITTA BASU: Sir, I am thankful to the hon. Minister for the forthright statement that he has made and I think, he would also agree with me that the issue of Jammu and Kashmir is of crucial significance for relations between India and Pakistan. So far as Pakistan is concerned, it has all along been asking to keep this question alive. Apart from the refer-

ence as mentioned in the United Nations document cited earlier, Pakistan had been harping on the issue since its very beginning. The House knows that Mr. Aga Shahi Foreign Affairs Adviser to Pakistan mentioned the Kashmir issue in his U.N. speech on October 19, 1978. Speaking on racial discrimination and self-determination in the Social and Humanitarian Committee the Pakistani delegate also made a reference to it and unfortunately clubbed Jammu and Kashmir with Palestine and South Africa. Very recently the Pakistani ambassador in India is reported to have said that a just and hon. settlement of this issue, Jammu and Kashmir, will not only promote good relations but also ensure social progress. Very recently the Pakistani President is also reported to have made this observation, namely, "Unless Kashmir issue is solved, any headway made in other fields in Indo-Pakistan relations would not prove fruitful and meaningful." He made this statement on 28 November. The Government of India's position is clear and unambiguous, namely, Kashmir belongs to India politically, constitutionally and legally.

I may now draw the attention of the hon. Minister to a statement made by him which was reported in Tribune of September 20, 1978, wherein he has stated, the paper reports as follows:

"He is opposed to the Simla Pact only because he had felt it would not bring permanent peace. This he feared because the Kashmir question has been left unresolved; now he was proceeding for permanent peace between the two countries."

This statement is very significant according to me. Having regard to this comment made by him and in the context described by me earlier, may I know from the hon. Minister whether he has got any other steps for winning permanent friendship and peace between the two countries, India and Pakistan, short of the settlement of the issue of Kashmir.

Secondly, pending the winning of permanent peace between these two countries, may I know whether the Government considers it desirable to take the following steps, namely, the policy of rapprochement between the two countries, India and Pakistan, specially the railway traffic between the two countries, expedition of the new trade agreement between the two countries and opening a Consul in Karachi?

SHRI ATAL BIHARI VAJPAYEE:

Mr. Speaker, Sir, I thought my friend, Shri Chitta Basu, will confine himself to the subject matter of the Calling Attention. What I said in Chandigarh and whether there will be further increase in trade between India and Pakistan, while that is an important matter, it is not fully relevant to the subject under discussion.

As the hon. Member has rightly pointed out, Jammu and Kashmir is an integral part of India. There is no question of any right of self-determination being involved. In fact, the only question which is yet to be settled is the continued illegal occupation by Pakistan of two-fifths of Kashmir. It is surprising that the Special Rapporteur included Jammu and Kashmir under the heading "Colonial and alien domination". When we pointed out this anomaly, this travesty of truth, he came out with a clarification that the included Jammu and Kashmir because some resolution of the United Nations are outstanding in regard to Jammu and Kashmir. Here again the United Nations. General Assembly have not adopted any resolution on Kashmir; neither has the Committee on Decolonisation. There was a resolution by the Security Council under the heading "India Pakistan Question." So, the Special Rapporteur had no business to include Jammu and Kashmir here. We have made our strong reservation and we are approaching the Secretary-General. We will see that Jammu and Kashmir is deleted

from this pernicious list, which has nothing to do with the actual facts.

Our stand in regard to colonisation is well-known. We stand for decolonisation. We have offered our unstinted and unqualified support material, moral and political, to those people who are still struggling against the last vestiges of colonialism in Southern Africa. But to equate Jammu and Kashmir which is part and parcel of India, with these colonies is malicious.

AN. HON MEMBER: Preposterous.

SHRI ATAL BIHARI VAJPAYEE:
All right, preposterous

डा० कर्ण सिंह : (अध्यापक) अग्रज महोदय, जम्मू कश्मीर का एक बड़ा इतिहास रहा है। 120 वर्ष हो गये इस राज्य को स्थापित हुए और हमारे पूर्वजों ने इस राज्य को स्थापित किया था। जम्मू के मैदानों से लेकर गिलगित और बितराल की पहाड़ियों और पंछ से लेकर लहाख बिगुल तक यह एक अद्भुत राज्य रहा है। यह भारतवर्ष की संस्कृति का अभिन्न अंग रहा है। मैं तो कहूंगा कि यह भारत का मस्तिष्क रहा है।

I slightly differ from my friend, Shri Chitta Basu, when he says that Jammu and Kashmir belongs to India; it is India.

It is not a bit of property, it is not a neckless or a gold throne which belongs to A or B. Jammu & Kashmir has been part of India through the centuries and today also it is part of India.

मैं यह कहना चाह रहा हूँ कि 84000 बीस मील का यह राज्य है। इसके ऊपर आरम्भ से ही अंग्रेजों की नजर रही है। प्रधान मंत्री जी को स्पर्ण होगा इसके इतिहास का। महाराजा प्रताप सिंह के समय उनके ऊपर आरोप लगाया गया था कि वह रूस से साजबाज कर रहे हैं और इसलिए उनको हटाने का और अंग्रेजों का दायित्व गिलगित पर स्थापित करने का वहाँ एक षडयंत्र चला गया। जब फिर अमृत बाजार पत्रिका में उसका जिक्र हुआ तो वह बात टल गई। मैं इस सारे इतिहास में नहीं जाऊंगा। केवल इतना कहूंगा कि 1947 में अक्टूबर में जब पाकिस्तान का आक्रमण हुआ, जब युद्ध हुआ और पहली जनवरी, 1949 को सीस-फायर हुआ तो पाँच में से दो हिस्से टफिक्

[डा० कर्ण सिंह]

भाग जम्मू काश्मीर का पाकिस्तान के कब्जे में रह गया। 1962 में जब चीन से युद्ध हुआ तो प्रकसाई-चिन में हजारों चारस मील भूमि जम्मू काश्मीर की जो भारत वर्ष की भूमि थी वह विदेशियों के पास चली गई। 1965 में युद्ध हुआ पाकिस्तान से, और यहाँ तक कि 1971 में जब युद्ध हुआ और जिस में बड़ी भारी विजय हमारी हुई, जिसे हम कहते हैं कि महाभारत के बाद सबसे बड़ी विजय भारत की हुई है, उससे भी बड़ी हुई है, उसमें भी छम्ब का इलाका जो जम्मू काश्मीर का एक हिस्सा था वह हमारे हाथ से चला गया और 25 हजार आदमी जो छम्ब के ये-वे भाग भी शरणार्थियों की तरह से इधर उधर घूम रहे हैं। तीस वर्षों में जितने युद्ध हुए हैं, जितने आक्रमण भारत की भूमि पर और जम्मू काश्मीर की भूमि पर विदेशियों के हुए हैं, वहाँ की भूमि विदेशियों के कब्जे में जाती रही है। आज 84 हजार चारस मील के बजाय पता नहीं कितनी भूमि हमारे पास रह गई है।

हमारे विदेश मंत्री महोदय ने कहा है इस प्रकार के एक यू० एन० डाकुमेंट में जिक्र होना सैल्फ डिटरमिनेशन की बात का और क्लॉनियल और एलियन डामिनेशन का, यह बात बिल्कुल भ्रम है। लेकिन मैं एक और बात कहना चाहता हूँ। प्रधान मंत्री जी बैठे हुए हैं। जनरल जिया जो पाकिस्तान के राष्ट्रपति हैं उनका वक्तव्य 28 नवम्बर का था या जिसमें उन्होंने जो कुछ कहा है उसको मैं कोट करना चाहता हूँ :

In his first lengthy statement on the subject since taking over in July last year, Gen. Zia said, "During the last 30 years many Governments came to power in Pakistan, but they had one common factor, that they fully supported the right of self-determination for the people of Jammu & Kashmir. He added that this was a solid commitment which in no case could diminish with the passage of time" Recalling M.A. Jinnah, he said he had described Jammu & Kashmir as the life-line of Pakistan and asked how Pakistan can forget it."

जब भी पाकिस्तान में आंतरिक स्थिति बिगड़ती है, इतिहास हमें बात का गवाह है कि उस समय वह अपने लोगों को गुमराह करने के लिए काश्मीर का हौवा उठाते हैं। आज से नहीं कई वर्षों से यह चीज देखने में आ रही है। आज भी परिस्थिति वहाँ बिगड़ रही है। भूटो साहब के मिल-मिलने में वहाँ उथल-पुथल मचने का खतरा है और पाकिस्तान के हुकमरान फिर से काश्मीर का हौवा खोल कर दिखाने की कोशिश कर रहे हैं। हमारी पाकिस्तान के लोगों से कोई दुश्मनी नहीं है, शत्रुता नहीं है। उनके साथ क्रिकेट खेलिए, बढ़ा अच्छा है।

क्रिकेट टीम गई कहां उन्होंने स्वागत किया। कब्जाल वहाँ आए वहाँ से बड़ी अच्छी बात है। हमारे संघीकार जाएं बड़ी अच्छी बात है। पाकिस्तान के लोगों से हमारी कोई दुश्मनी नहीं है। वे भी भारतवर्ष के लोगों की तरह मरीब हैं और वे भी हमारी तरह तरक्की के रास्ते पर हैं। लेकिन जिस तरह से पाकिस्तान के हुकमरानों ने, पाकिस्तान के नेताओं ने काश्मीर का दुरुपयोग करके तीन बार बार हमें मुझ में धकेला है, हमारे देश को भस्म करने का प्रयत्न किया है उसको देखते हुए विदेश मंत्री तथा प्रधान मंत्री जी को भी मैं कहूँगा कि हमें बहुत चौकसा रहना है। इसका कारण यह है कि वहाँ फिर से हालात बिगड़ रहे हैं, फिर से इस प्रकार की बात वे कर सकते हैं।

इस परिप्रेक्ष्य में मैं दो-तीन प्रश्न पूछना चाहता हूँ। पहला यह है कि यू० एन० डाकुमेंट के बारे में इन्होंने कहा है कि इसमें संशोधन हो, इसमें से जम्मू काश्मीर के जिक्र को निकाला जाए और उन्होंने यह भी बताया है कि इस चीज को उन्होंने सैक्रेटरी जनरल से लिया है। लेकिन मैं जानना चाहता हूँ कि इसके अलावा और क्या वह कदम उठाने वाले हैं ताकि जल्दी से जल्दी हमें से इसको निकाल दिया जाए और यह जो धब्बा भारतवर्ष के लोगों पर लगाया गया है कि वहाँ एलियन और क्लॉनियल डामिनेशन है यह धब्बा मिट जाए। इस धब्बे को हम सहन करने के लिए तैयार नहीं हैं। यूनाइटेड नेशन्स को स्पष्ट कह देना चाहिए कि उसका संशोधन हो और संशोधित डाकुमेंट वहाँ रखा जाय। इसके विषय में आप क्या कर रहे हैं ?

(2) राष्ट्रपति जिया ने जो वक्तव्य अभी-अभी दिया उसकी क्या प्रतिक्रिया है ? उसके विषय में विदेश मंत्री महोदय ने क्या अपने राजदूत के माध्यम से या उनके राजदूत को यहाँ बुला कर स्पष्ट कहा कि नहीं कि इस प्रकार की बातें हमें पसन्द नहीं हैं और अगर वह प्रयत्न करेंगे कि पाकिस्तान की बिगड़ती हुई स्थिति में भारतवर्ष का एक गलत स्टेमाल किया जाय तो हम उसका डट कर विरोध करेंगे ?

(3) क्या यह भी स्पष्ट किया जायगा, जम्मू काश्मीर का एक प्रश्न है, मैं नहीं जानता कि प्रश्न नहीं है, एक प्रश्न है कि जो विदेशी कब्जे में आधी भूमि, करीब 84,000 स्क्वायर माइल्स के करीब विदेशी कब्जे में है उसका वापस लेने के लिए क्या कदम आप उठा रहे हैं ? किसी ने कहा यह कोई दल का सवाल नहीं है, मैं इससे पूर्णतः सहमत हूँ। यह राष्ट्रहित का और राष्ट्र के अस्तित्व का प्रश्न है, उसमें कोई दल नीति नहीं लानी चाहिए। हम जानना चाहते हैं कि इस सम्बन्ध में विदेश मंत्री जी क्या नीति अपनाने जा रहे हैं ?

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मैं डा० कर्ण सिंह को उनके बड़े प्रोजैक्सी और तेजस्वी भाषण के लिए बधाई देना चाहता हूँ।

भी प्रसन्न साठे (प्रकोजा) : आप कुछ कम नहीं हैं।

श्री अटल बिहारी वाजपेयी : उनके स्वर में स्वर मिलाकर मैं यह कहना चाहता हूँ कि जम्मू-काश्मीर भारत का न केवल अभिन्न अंग है अपितु भारत का अभिन्न जम्मू-काश्मीर के साथ अटूट रूप से जुड़ा हुआ है। वह हमारे लिए केवल जमीन का टुकड़ा नहीं है, कुछ आदर्शों का प्रतीक है। जिस तरह से अन्य देशी रियासतें भारत में शामिल हुईं उसी प्रक्रिया का पालन करके जम्मू-काश्मीर भारतीय संघ का अंग बना। जम्मू-काश्मीर की जनता न भी स्वेच्छा से भारत के साथ अपने भाग्य को बांधने का फैसला किया। यूनाइटेड नेशन्स का कोई दस्तावेज नसत बयानी करके न तो इस तथ्य को बदल सकता है, न उन आदर्शों पर पानी फेर सकता है जिनका जम्मू-काश्मीर प्रतीक है। हम यह मामला बड़ी गम्भीरता के साथ ले रहे हैं।

एक बात मैं कहना चाहूँगा कि 1973 से यह चीज किसी न किसी रूप में चल रही है। 1974 में पहली बार एक दस्तावेज आया जिसमें जम्मू-काश्मीर का उल्लेख था। मैं पता लगाने का प्रयत्न कर रहा हूँ कि उस समय हमने यह मामला क्यों नहीं उठाया और अभी तक रिकार्ड्स से मझे कोई ऐसी चीज नहीं मिली जिससे मैं यह कह सकूँ कि हमने आपत्ति की और मामला धीरे-धीरे बिगड़ता गया। 1977 में पहली बार जब यह मामला सरकारों के स्तर पर आया तो श्रीमती विजय लक्ष्मी रंडित ने भारत की भावनाओं को प्रतिबिम्बित किया। स्पेशल रिपोर्ट ने कुछ सफाई भी दी लेकिन जैसा मैंने अपने प्रारम्भिक उत्तर में कहा श्री वित्त बमू से, उस सफाई से हमारा संतोष नहीं हो सकता 1973 में तिब्बत का समावेश इन दस्तावेजों में उन क्षेत्रों के अन्तर्गत था जिनमें एलियन डोमिनेशन कहा जाता है। और इस बार तिब्बत निकाल दिया गया। जम्मू-काश्मीर उसमें बना हुआ है। यह कैसे हुआ इसकी मैं जांच कर रहा हूँ। सेक्रेटरी जनरल से मामला उठाने के पहले हमारे मंत्रालय में हमारी तरफ से कहीं गड़बड़ हुई है। स बात को भी बड़ी गम्भीरता से देखना पड़ेगा। जरूर हम कहीं न कहीं असावधान थे और हमने जम्मू-काश्मीर का हवाला उसमें मान लिया। लेकिन अब हम सचेत हैं और इस प्रश्न को गम्भीरता से उठाना चाहते हैं।

श्री बसन्त साठे : तिब्बत को डलवाईये उसमें।

श्री अटल बिहारी वाजपेयी : अगर साठे साहब अपनी पार्टी से पूछ कर राय दें तो मैं विचार करने के लिए तैयार हूँ।

डा० कर्ण सिंह ने जनरल जियाउलहक के वाक्यों का हवाला दिया है, मैं उनसे सहमत हूँ कि जम्मू-काश्मीर के मामले को पाकिस्तान के शासकों ने अन्तर्राष्ट्रिक स्थिति की ओर से अपनी जनता का ध्यान हटाने के लिए समय-समय पर प्रयुक्त किया

है परन्तु 30 साल का इतिहास इस बात का भी साक्षी है कि वह प्रयत्न सफल नहीं हुआ है, उन्हें बंगला देश से हाथ धोना पड़ा। बंगला देश जो पूर्वी पाकिस्तान था, वह आज स्वतन्त्र बंगला देश के रूप में प्रतिष्ठित हो गया है।

अगर पाकिस्तान के शासक अपनी जनता के वास्तविक हितों की उपेक्षा करके फिर कोई दुस्साहस करेंगे, तो परिणाम उनके लिए अच्छे नहीं होंगे।

प्रधान मंत्रीजी से जनरल जियाउलहक की नैरोबी से बातचीत हुई थी। मैं जब इस्लामाबाद गया था तब हमने काश्मीर के मामले में भारत की स्थिति स्पष्ट की थी। शिमला समझौते में यह तय हुआ था कि काश्मीर के बारे में हम बातचीत करेंगे। उसको ग्रहण यह है कि यह मामला द्विपक्षीय है, अब यूनाइटेड नेशन्स के रेज्यूलूशन का हवाला नहीं दिया जाना चाहिए। जब यूनाइटेड नेशन्स की मिक्वोरिटी कारजिस्त ने प्रस्ताव पास किये तबसे लेकर अब तक बहुत-सा पानी हिन्दुस्तान और पाकिस्तान की नदियों में बह गया है। शिमला में पाकिस्तान ने यह स्वीकार किया कि हम इस मामले में बातचीत करेंगे और मुझ से जब पूछा गया कि आप कब से बातचीत शुरू करने को तैयार हैं तो हमने कहा कि हम तो आज से बातचीत शुरू करने को तैयार हैं।

पाकिस्तान अगर इस बात पर बल देता है कि काश्मीर का भाग भारत में मिल गया, उमका मामला है तो हमारी स्थिति सचमुच में स्पष्ट है कि मामला उम भाग का है जिस पर पाकिस्तान ने बलात् कब्जा करके रखा है। कभी भी बात होगी तो पाकिस्तान से यह कहा जायेगा कि आप अपना आग्रहण खाली कीजिए। अगर मैं एक और बात कहना चाहता हूँ कि वह काश्मीर के बारे में आत्मनिर्णय का सवाल उठा कर आग से खेलने की कोशिश कर रहे हैं। पाकिस्तान के शासक जरा विचार करें कि आत्मनिर्णय के अधिकार की ज्यादा दुहाई देने के मामले ने उनके अपने देश में ही क्या किया ? इसके बारे में वे जरा ठंडे दिमाग से सोच लें, मैं इस बारे में अधिक नहीं कहना चाहता।

तीसरी बात डा० कर्ण सिंह ने कही है कि हमें मनक रहना चाहिए ? मैं समझता हूँ कि हम चौकन्ने हैं। पाकिस्तान के साथ सम्बन्धों को मैत्रीपूर्ण बनाने की पूरी कोशिश करते हुए भी हम अपनी सुरक्षा का इंतजाम मजबूत रख रहे हैं, हम किसी भी चुनौती का उत्तर देने में समर्थ हैं। यद्यपि हमारी इच्छा है कि सारे मामले बानबान से हल हों।

जैसे डाक्टर साहब ने कहा है, पाकिस्तान की जनता के लिए हमारे हृदय में सद्भावना के अलावा कुछ नहीं है, हम नहीं चाहते कि पाकिस्तान टूटे, हम नहीं चाहते कि पाकिस्तान बिखरे, हम चाहते हैं कि पाकिस्तान में स्थायित्व हो, पाकिस्तान

[श्री प्रदत्त बिहारी वाजपेयी]

कल-कले, लेकिन अगर पाकिस्तान प्राग से खेलने की कोशिश करेगा तो उसका हामन हम नहीं बचा सकते, पाकिस्तान को खुद बचाना होगा।

MR. SPEAKER: Mr. Saugata Roy.

SHRI P. VENKATASUBBAIAH (Nandyal): Dr. Karan Singh asked about Aksai Chin also.

MR. SPEAKER: Mr. Saugata Roy. Dr. Karan Singh is a very experienced Parliamentarian.

SHRI SAUGATA ROY (Barrackpore): The Foreign Minister has answered many parts of the question relating to the U. N. document with his usual thoroughness and oratory. But still some points have not been taken proper note of.

One point I want to mention is that, in spite of the Indian delegate, Shrimati Nainitara Saigal's very vocal protest, the Resolution in which this mention of Kashmir as a territory where the people's right for self-determination has not been established was passed in the United Nations with 92 votes for and with 20 absentions. So it has now, some how or other, become another U.N. document, U.N. Resolution passed by the General Assembly. This is not the first time that the Kashmir issue has been raised in the United Nations. It has been repeated effort of Anglo-U.S. imperialism to raise the Kashmir issue at all U.N. forums including the Security Council, and several times but for the Soviet veto, the United Nations Security Council would have taken decisions asking for implementation of self-determination in Kashmir. We have been able to avoid that so far. But now we find that in 1978 a fresh resolution has been passed by the U.N. And in spite of our delegate, we could not prevent the resolution from being passed. But, Sir, this matter points out the main chink in the armour of the Government's foreign policy which is a very

weak kneed policy of so-called good neighbourliness. Sir, I may this; that since this Government coming into power, there has been a general weakening of foreign policy. We are talking of good neighbourliness at the cost of our own interest. As I have repeated earlier in this House, while we want good relations with our neighbours, it should not be at the cost of our self-interest. While we want that the image of Mr Vajpayee as Foreign Minister goes up in the country and abroad, I also say that the foreign policy of a country should not be used for personal image building. What has happened in the last 1 1/2 years? While the Government has talked of human rights here they have gone out of their way to make the farakka agreement with a dictatorial regime in Bangla Desh. They have gone out of their way to make an agreement with a dictator Zia-ul-Haq and they have given concessions to him on the Salal project. The Foreign Minister might have been in China today if it had not been for his stomach ailment. China goes on opening up the Kharakoram highway and saying there that the right of self-determination of the people of Kashmir is inviolable. So, we see this that while the Government is showing weakness, it is going out of its way to make good relations with dictatorial regimes in Pakistan, Bangla Desh, China and Nepal and the belligerency of some of these countries goes on increasing. What has happened? Pakistan has now acquired war planes and Mirage which are poised on the Indian territory. China today in spite of our overtures is acquiring nuclear plants from France and the U.S. with whom we tried so much to develop friendship is now giving permission for France to sell nuclear plants to China. All I am saying is that this weak policy has got to be given up.

SHRI JYOTIRMOY BOSU (Diamond Harbour): There is a provision in the rules that a friendly country

cannot be criticised in this manner here on the floor of the House. It is most unfair. Sir, the present Government has said clearly that they want to normalise in genuine sense the relationship with China. Why is it that this forum is being used for this purpose? It is most unfortunate, Sir.

MR. SPEAKER: I am sure the hon. Foreign Minister will defend himself.

SHRI SAUGATA ROY: I can understand Mr Jyotirmoy Bosu's reservations about China. I think the Foreign Minister will not have the same reservations.

I want to say this. While we have been trying to develop good relations with Pakistan, that should be on the basis of the Simla Agreement. The Foreign Minister is a good orator. He sometimes goes out of his way in making statements. He said that we are prepared to discuss Kashmir. We should not be prepared to discuss Kashmir, because, that is not the Government's position, to discuss it. But the Foreign Minister is on record saying that we are prepared to discuss Kashmir. And, Sir, had it not been for his stomach ailment, Mr Atal Bihari Vajpayee would have been called Shuttle Bihari Vajpayee in this country, shuttling like a shuttlecock from one capital to another. What is all this? I want to ask the Foreign Minister about one thing. In the context of the continuing design by the Anglo U.S. imperialism and Pakistan and China to maintain their belligerent attitude towards India, may I know, whether the Government will reconsider its attitude of over friendly relationship with neighbours including visit by the Foreign Minister, and Information and Broadcasting Minister, Shri Lal Krishna Advani to Pakistan, the proposed visit to China, the proposed visit to Nepal and so on? May I know whether this is being reconsidered in view of the fact that this conspiracy goes on to take out Kashmir from the

body of India, of which it is an integral part.

SHRI ATAL BIHARI VAJPAYEE: Sir, the House is going to discuss the International Situation and the Government of India's Foreign Policy on the 11th. I thought that my friend Mr. Saugata Roy—I would not call him Tataghat Roy—would keep his power dry for that day.

Today we are discussing a specific issue. I am prepared to answer any charge about Government of India having a weakkneed policy. The charge is baseless. It is without any foundation. We entered into an agreement with Pakistan on Salal project without making any new concessions to them. I would like to tell Mr. Chavan that you wanted to have an agreement with Pakistan on a particular basis and we entered into an agreement on that very basis.

We are discussing foreign policy and Dr. Karan Singh said that Kashmir is a national issue. Can't we evolve a broad national consensus on international affairs and the policy of the Government of India? We welcome criticism, but criticism should not be politically motivated. I am not interested in image building.... (Interruptions).

SHRI VAYALAR RAVI (Chiraynkil): What about your agreement with Kathmandu? You have given a free access to Calcutta port by Nepal; it is very dangerous.

SHRI ATAL BIHARI VAJPAYEE: In regard to Nepal also.... (Interruptions)

AN HON. MEMBER: What about Farakka project agreement?

SHRI ATAL BIHARI VAJPAYEE:

We have discussed Farakka agreement; we are prepared to have discussion again, if necessary.

MR. SPEAKER: Let us confine ourselves to Kashmir.

SHRI ATAL BIHARI VAJPAYEE: But they have not confined to Kashmir.

MR. SPEAKER: But you can.

SHRI ATAL BIHARI VAJPAYEE: Yes, I can. In that case, I have nothing more to add to what I have already said.

PUBLIC ACCOUNTS COMMITTEE NINETY-SEVENTH REPORT

SHRI C. K. CHANDRAPPAN (Cannanore): I beg to present the Ninety-seventh Report of the Public Accounts Committee on action taken by the Government on the recommendations contained in the Twenty-eighth Report relating to the Ministry of Finance.

PETITION RE. GRIEVANCES AND DEMANDS OF EMPLOYEES OF NEW INDIA ASSURANCE CO. LTD.

PROF. DILIP CHAKRAVARTY (Calcutta South): I beg to present a petition signed by Shri N. R. Karman, Vice President, National Confederation of General Insurance Employees, Bombay regarding grievances and demands of employees of New India Assurance Company Ltd

12.38 hrs.

MATTERS UNDER RULE 377

(i) NEED TO REVIEW THE WORKING OF THE INDUSTRIAL UNDERTAKINGS

डा० लक्ष्मी नारायण पांडेय : (मंदसौर) : अध्यक्ष महोदय, मैं नियम 377 के अंतर्गत बीमार औद्योगिक प्रतिष्ठान, बन्द हुए औद्योगिक प्रतिष्ठान तथा उम में लगी सरकार की पूंजी की तरफ सदन का ध्यान आकर्षित करना चाहता हूँ।

यद्यपि वर्तमान सरकार की औद्योगिक नीति काफी उदात्त व्यावहारिक तथा औद्योगिक क्षेत्र में गति के साथ एक नई दिशा देने वाली है तथापि, पिछली सरकार के अनेक निर्णयों व तत्समय प्रवर्तित औद्योगिक नीति के फलस्वरूप देश में निरन्तर

औद्योगिक प्रतिष्ठानों के बीमार होने की संख्या बढ़ती जा रही है। अतः सरकार को इस बारे में गंभीरता पूर्वक विचार करना आवश्यक है। हाल ही में इकात्मिक टाइम्स तथा अन्य पत्रों में प्रकाशित समाचारों के अनुसार दिसम्बर, 76 में लगभग 241 ऐसे यूनिट बीमार थे जिन में 1 करोड़ से अधिक का बैंक क्रेडिट था तथा यह संख्या सितम्बर, 77 में 270 हो गई। स्वाभाविक था कि इसी अनुपात में क्रेडिट ब्लाक भी बढ़ता और यह बढ़ कर 774 करोड़ हो गया, तथा दिसम्बर, 77 के अन्त तक यह राशि 858 करोड़ तथा यूनिट्स की संख्या 290 के लगभग हो गई। इस में एनटीसी द्वारा अधिग्रहीत मिलें सम्मिलित नहीं हैं न उस में लगाई गई या लगी राशि ही इस में जोड़ी गई है। वह राशि भी करोड़ों में है। साथ ही ऐसे अनेक माध्यम तथा छोटे यूनिट्स हैं जो बड़े उद्योगों की श्रेणी में तो नहीं हैं किन्तु उन में भी अनुमानतः 200 से 300 करोड़ तक का क्रेडिट सम्मिलित है। हाल ही में चीनी मिलों के अधिग्रहण हेतु भी अध्यादेश प्रख्यापित किया गया जिसके क्रियान्वयन पर भी करोड़ों की राशि लगेगी ही। अतः यह आवश्यक है कि समस्त स्थिति पर पुनर्विचार किया जाय तथा एक ऐसी नीति निर्धारित की जाय कि औद्योगिक प्रतिष्ठानों के बंद होने अथवा बीमार या खराब होने की स्थिति तदनुसार नईकों को या सरकार को करोड़ों रुपया ब्लाक करना पड़े, जिसे सरकार अन्य विकास कार्य में लगा कर सामाजिक उत्थान की दिशा में महत्वपूर्ण कार्य कर सकती है।

आशा है कि माननीय उद्योग मंत्री व वित्त मंत्री जो इस बारे में उठाये गए कदम व प्रस्तावित अन्य उपायों से सदन को अवगत कराने का कष्ट करेंगे।

(ii) SMALL SCALE INDUSTRIES SITUATED IN BACKWARD AND TRIBAL AREAS.

SHRI R. K. MHALGI (Thana): Mr. Speaker, with your kind permission, I want to make a statement on an urgent public matter under rule 377. Government is attributing very high priority to the development of industries in rural and particularly backward areas. The essential requisite for the success of such programme is the creation of favourable infrastructure, availability of raw materials competitively at cheaper rates, on an equitable basis so that it can stand competition with big manufacturers in the market. There are about 5500 foundries in the country of which about 1500 are in the rural areas under the small scale sector.

Their basic raw material is pig iron. Unfortunately the government policy for the distribution of this essential raw material is favouring large units which are capable of investing heavy amounts to make bulk indents, thus derogating the vital interests of the small scale foundries and jeopardising their very survival. For this purpose, pending a regular solution to the problem, for the benefit of small scale industries which are in the backward and tribal areas operating in rural or semi urban locations and are isolated from industrial pockets as such, such units may be permitted to draw their requirements of pig iron raw material either from the plants or stockyards at the JPC's prices and traffs and box wagon loads.

श्री मनो राम बागड़ी : (मथुरा) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। किसानों की पैदावार के भावों के बारे में रोज़ चर्चा रहती है। सारे देश के किसानों में इस बात को लेकर बड़ी वैचैनी है। किसानों ने पालियामेंट के सामने कपास की जलाया है। आखिर डा लोहिया ने खेती और कल कारखानों की पैदावार की निम्नत्व जो बताया है उसके लिए यहां पर नियम 377 के अन्तर्गत बयान देने से बात नहीं बनेगी। सदन इस बात पर खुल कर यहां बहस करे और कुछ नतीजा निकाले जिससे कि किसानों को राहत पहुंचे सके। आज हिन्दुस्तान के किसानों की कमर टूट रही है। आज कपास की कोई कीमत नहीं रह गई है, गेहूं की व्यवस्था भी खराब है। इसी तरह से गन्ना और गुड़ की हालत हो रही है। इसलिए 377 से इसमें कोई बात बनने वाली नहीं है। इस पर पूरी बहस के लिए आप समय दीजिए। 23 दिसम्बर, को यहां पर देश भर के किसानों का सम्मेलन होने वाला है। इस सदन को इस बारे में बहस करनी चाहिए। (व्यवधान)

श्री बेगाराम चौहान (गंगानगर) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। यहां पर प्रधान मंत्री जी विराजमान हैं, मैं आपके माध्यम से कहना चाहता हूं कि यहां पर कई दफ़ा कपास नरमा के सम्बन्ध में चर्चा हुई है। भूतपूर्व सरकार के समय में भी 500 रुपये नरमा का भाव था लेकिन आज 200 रुपये का भाव रह गया है। किसानों की कोई सुनवाई नहीं हो रही है। आम किसानों को लूटा जा रहा है और कोई भी सुनने वाला नहीं है।

MR. SPEAKER: He is raising the same question. Mr. Jnaneswar Mishra.

श्री बेगाराम चौहान : किसानों को लूटा जा रहा है . . .

MR. SPEAKER: This is not a point of order. You have made your point.

श्री जेना राम चौहान : अध्यक्ष महोदय . . .

MR. SPEAKER: Don't record.

(iii) Fixation of Procurement prices of wheat etc. by the Agricultural Prices Commission.

श्री जनेश्वर मिश्र : (इलाहाबाद) : अध्यक्ष महोदय, खेती के मामले को उठाने के लिए आप ने मुझे इजाजत दी है, इसी तरह से इस सदन में दामों के मामले में डा० लोहिया ने भी कई बार चर्चा उठाई थी। खेती से पैदा होने वाली चीजों का वाजिव दाम मिल सके, इस के लिए चौधरी चरण सिंह जी के नेतृत्व में संघर्ष का वातावरण तैयार हो रहा है . . .

MR. SPEAKER: You are not confining yourself to the statement.

श्री जनेश्वर मिश्र : कृषि मूल्य आयोग की सिफारिश, कि गेहूं का वसूली मूल्य 115 रुपया प्रति क्विंटल किया जाय, के विरुद्ध गुजरात, मध्य प्रदेश, महाराष्ट्र तथा कई राज्यों ने, जिन में उत्तर प्रदेश, बिहार वगैरह भी हैं, मांग की है कि कृषि मूल्य आयोग द्वारा निर्धारित दाम बहुत कम हैं और इसे बढ़ाया जाय। जिस रफतार से खाद, बिजली तथा कृषि में काम आने वाले दूसरे सामानों के मूल्य बढ़े हैं, उस के मुकाबले में कृषि उत्पादन का मूल्य बहुत ही धीमी रफतार से बढ़ा है। खेती और कारखाने के मूल्य में संतुलन स्थापित करने के लिए सरकार ने आज तक कोई भी निश्चित फार्मूला नहीं तय किया है। आम तौर पर से खेती के कच्चे माल पर कारखाने का पक्का माल तैयार होता है। जहां तक खाद्यान्न का सवाल है, वह भी कारखाने के उत्पादन मूल्य और लागत मूल्य के मुकाबले में बहुत ही सस्ता पड़ता है। दफ़तर और कारखानों में काम करने वाले मजदूर अपने बानस और महंगाई की लड़ाई संगठित तरीके से लड़ लेते हैं। उन के महंगाई का मुद्दा खाद्यान्न की महंगाई, कीमत के घट-बढ़ पर निर्भर करता है। किसान की महंगाई का मुद्दा कारखाने के उत्पादन की महंगाई के घट-बढ़ पर निर्भर करेगा। आज तक इस सवाल पर कभी भी गम्भीरता से विचार नहीं किया गया। मैं कृषि मंत्री जी से चाहूंगा कि कृषि मूल्य आयोग की सिफारिशों के विरुद्ध जो देश के कई राज्यों ने मांग की है, उस पर इन सारी बातों को ध्यान में रखते हुए सदन के सामने एक वक्तव्य दें ताकि एक स्पष्ट और कल्याणकारी दाम नीति तय हो सके। जिस कृषि उत्पादन का मूल्य भी बाँधा जा सके और कारखाने के उत्पादन का मूल्य भी बाँधा जा सके।

**Not recorded.

मैं चाहूँगा, अध्यक्ष महोदय, जैसा बाबड़ी जो और दूसरे साधियों ने निवेदन किया है, इसे पर बहुस की इजाजत दी जाय। इसका मोटिस दिया जा चुका है—इस पर तुरन्त चर्चा की जाय।

श्री कबीरराव बाबड़ी : अध्यक्ष महोदय, ...

MR. SPEAKER: I am going to consider that. There are Calling Attention Notices which are under my consideration.

(Interruptions)***

MR. SPEAKER: Don't record.

12.48 hrs.

CONSTITUTION (FORTY-FIFTH AMENDMENT) BILL

Consideration of Amendments made by Rajya Sabha

MR. SPEAKER: The House will now take up consideration of amendments made by Rajya Sabha in the Constitution (45th Amendment) Bill, 1978 as passed by Rajya Sabha, for which five hours have been allotted.

If the House agrees, we may have three hours for discussion on the motion that the amendments made by Rajya Sabha be taken into consideration and two hours for discussion and voting on the Rajya Sabha amendments.

Voting on the motion that the Rajya Sabha amendments be taken into consideration may take place at 5.30 p.m. and voting on the Rajya Sabha amendments will take place thereafter.

Each of the six amendments listed in the List of Business will require the requisite special majority for adoption, and accordingly division will be held thereon. Similarly, the motion for passing of the Bill, as amended by the amendments agreed to, will require the requisite special majority and a division will be held thereon.

Dr Pratap Chandra Chunder may now move the motion. Before that Mr. Kamath is raising a point of order.

No, it will be after the Minister moves the motion.

SHRI HARI VISHNU KAMATH (Hoshangabad): But I may submit that if necessary, the time may be extended by the leave of the House.

MR. SPEAKER: That we will consider, that is the usual request.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): I beg to move:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Constitution of India, as passed by Lok Sabha, be taken into consideration:

"New Clause 7A.

(1) That at page 3, after line 4, the following new clause be inserted, namely:—

Amendment of article 31C

7A. In article 31C of the Constitution, for the words and figures "article 14, article 19 or article 31" the words and figures "article 14 or article 19" shall be substituted."

Clause 8.

(2) That at page 3, clause 8, be deleted.

Clause 35

(3) That at page 8, clause 35, be deleted.

Clause 44

(4) That at page 13, clause 44, be deleted.

Clause 45

(5) That at pages 13 and 14, clause 45, be deleted.

Clause 47

(6) That at page 14, clause 47, be deleted."

SHRI HARI VISHNU KAMATH:
 Mr. Speaker, by a curious concatenation of circumstances, Sir, the House will discuss today and tomorrow, and may be the day after as well, unprecedented issues which have now arisen in the history of free India's Parliament.

I invite your attention first to rule 367, i.e. the rule governing points of order, according to which I will seek your guidance, in your infinite wisdom....

MR. SPEAKER: I thought it was finite, not infinite.

SHRI HARI VISHNU KAMATH:
in regard to the interpretation of the rules of procedure and/or such articles of the Constitution to which it refers. I am seeking your interpretation of the rules and certain articles of the Constitution with regard to the motion that has been made.

I will first draw your attention to article 368 of the Constitution. That is well known. I am not going to tire the patience of the House by reading out the article or even the relevant part of it, because it is a well-known article. Under that, or in pursuance of that article, the rules of procedure have been framed by the House—rule 155 et seq., Chapter XI of the Rules of Procedure.

Then, there is rule 159 of that Chapter—Bills seeking to amend the Constitution—which clearly lays down:—

"In all other respects, the procedure laid down in these rules with respect to other Bills shall apply."

What are the other rules? To begin with, let us take rule 98—Bills other than Money Bills returned by the Council. There are three categories of Bills, the Constitution amending

Bills, the Money Bills and other Bills, other than Money Bills. The Constitution amending Bills category stands in a class by itself, that is to say, each House has got to pass the Bill under a particular procedure. With regard to the Money Bills, we have the last word; the Lok Sabha has the last word. Even if the other House, the other place, amends the Money Bill, they are helpless; they are, more or less, impotent to have their own way.

MR. SPEAKER: That means you have the final word.

SHRI HARI VISHNU KAMATH:
 The last word.

As regards other Bills, other than Money Bills, what happens? Suppose there is, unfortunately, a division, a difference of opinion, between this august House and the other place....
 (Interruptions)

MR. SPEAKER: The other is equally august House.

SHRI HARI VISHNU KAMATH:
 The first Speaker, Mr. G. V. Mavalankar, advised us to refer to the Rajya Sabha as the "other place", not "the other House". I do not know whether it is right; if it is not right, I would say, "the other House".

MR. SPEAKER: There is no prohibition to refer to the Rajya Sabha.

SHRI HARI VISHNU KAMATH: I will bow to your ruling; I accept your guidance and I will refer to it as the Rajya Sabha henceforth.

Now, if there is a difference of opinion, a disagreement, between the two Houses on other Bills, other than Money Bills, then we have a Joint Sitting as we had recently in May and earlier, in 1961, I believe, on the Dowry Bill. And the Lok Sabha had its own way again. In this particular case, it is an unprecedented issue that has arisen. The Constitution Amendment Bill which has been amended by

[Shri Hari Vishnu Kamath]

the Rajya Sabha had earlier been passed by the Lok Sabha and the Bill, as passed by the Lok Sabha, so amended by the Rajya Sabha, has come back to us.

There was one instance earlier. Of course, it did not come back to us, to the Lok Sabha. That was the Privy Purses Bill....

MR. SPEAKER: How long are you likely to take on this?

SHRI HARI VISHNU KAMATH: I will take another 15 minutes. It is a very important point of order on which you have to give your considered ruling; you may give it tomorrow. It is an extra-ordinary issue.

MR. SPEAKER: I am sure, you know how to put it very briefly.

SHRI HARI VISHNU KAMATH: I will try my best.

MR. SPEAKER: We now adjourn for lunch to meet again at 2 P.M.

13 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at five minutes past Fourteen of the Clock.

[Mr. SPEAKER in the Chair]

CONSTITUTION (FORTY FIFTH AMENDMENT) BILL—Contd.

Consideration of Amendments made by the Rajya Sabha—Contd.

MR. SPEAKER: Mr. Hari Vishnu Kamath.

SHRI HARI VISHNU KAMATH : Mr. Speaker, Sir, I shall now, by your leave, resume the thread which had been snapped by the lunch recess, and I will obey your very wise direction and try to be as brief as possible.

As I have already stated, article 368, read with rules 98 to 102 and 155 to 159, governs the consideration of the motion before the House. As is well known, article 368 does not lay down the procedure. The procedure is laid down in the rules. The then Chief Justice, in 1951, Justice Patanjali Shastri, of the supreme judicial forum in our country, which you so well adorned a few years ago, said this in *Shankari Prasad vs. Union of India*—I am quoting from 1951 A.I.R. page 458:

"It is not correct to say that article 368 is a 'complete code' in respect of the procedure provided by it. There are gaps in the procedure as to how and after what notice a Bill is to be introduced, how it is to be passed by each House and how the President's assent is to be obtained. Having provided for the Constitution of a Parliament and prescribed a certain procedure for the conduct of its ordinary legislative business to be supplemented by rules made by each House (art. 118), the makers of the Constitution...."

According to my young friend from Pondicherry, the 'founding fathers' or 'founding brothers'.

"....the makers of the Constitution must be taken to have intended Parliament to follow that procedure, so far as it may be applicable consistently with the express provision of art. 368, when they entrusted to it the power of amending the Constitution."

Two former Secretaries of Lok Sabha, Shri M. N. Kaul and Shri S. L. Shakhder, as you very well know, have written and published a book 'Practice and Procedure of Parliament', and in the 1972 edition of that book, this is what is stated:

"Barring the requirement of special majority, ratification by State Legislatures in certain cases and the mandatory assent by the President, a Bill for the amendment of the

"Constitution follows practically the same legislative process as an ordinary piece of legislation."

The only thing which they forget to mention is that there can be no joint sitting for a Constitution Amendment Bill. That is totally ruled out. For Money Bills we have the last word.

MR. SPEAKER: What is the point that is troubling you?

SHRI HARI VISHNU KAMATH: This background is very necessary; otherwise you will not appreciate what I am driving at.

MR. SPEAKER: I appreciate it surely.

SHRI HARI VISHNU KAMATH: You have been a model of patience; you have been a paragon of patience in the Supreme Court.

MR. SPEAKER: Not here?

SHRI HARI VISHNU KAMATH: Not here...

MR. SPEAKER: I only asked you, whether I am not so here; I did not say that.

SHRI HARI VISHNU KAMATH: At your age, Sir, I hope you will not deviate from that virtue.

Now, Sir, I will turn to rules 98 to 102. I do not know what the mind of the Government is. The hon. Minister has today behaved like a sphinx, on this occasion. He has just moved the motion. He has not indicated the Government's mind. If the Government's stand is that the amendments made by the Rajya Sabha be accepted by the House, for some reason or other, then, my point of order assumes great importance.

Sir, in all humility but with all earnestness, I submit this, because, to my

mind, Art. 107 comes into operation. I quote Article 107, sub-clause (2).

It says:

"Subject to the provisions of Article 108 and 109, a Bill shall not be deemed to have been passed by the Houses of Parliament unless it has been agreed to by both Houses, either without amendment or with such amendments only as are agreed to by both Houses."

Now, Sir, my submission is that this House is not bound to or obliged to accept the amendments or to approve the amendments or to pass the amendments as have been passed by the Rajya Sabha. Because, Sir, let us see what happens under these rules—rules 98 to 102, in case the amendments are not approved of. I hope they will not be, because we have already given our vote. We don't want to change our vote. We don't wear our hearts on our sleeve. How can we change our vote? We have never done that before; why should we do it now?

MR. SPEAKER: That is on merits. Let us come to the point of order.

SHRI HARI VISHNU KAMATH: This is an integral part of the point of order. I hope you will appreciate it.

MR. SPEAKER: Very much.

SHRI HARI VISHNU KAMATH: What happens if they are disagreed to here? You have got Rule 101. It says:

"The House, if it agrees to the amendments made by the Council..." You will, see this at the top of the page. It refers to Bills other than money Bills originating in the House and transmitted to the Council.

I quote here Rule 101:—

"101. The House, if it agrees to the amendment made by the Council, shall send a message to the Council to that effect, but if it disagrees with that amendment or proposes further

[Shri Hari Vishnu Kamath]

amendment or an alternative amendment, the House shall return the Bill or the Bill as further amended to the Council with a message to that effect."

So, it goes back to the Council if you don't agree. Then what happens further? What is its fate? Rule 102 comes into operation. I quote here Rule 102:—

"102. If the Bill is returned to the House with a message that the Council insists on an amendment or amendments to which the House has disagreed, the Houses shall be deemed to have finally disagreed as to the amendment or amendments."

Therefore, the outcome will be that the two Houses are deemed to have disagreed with regard to those provisions on which there have been no agreement. Therefore, in my humble judgement Article 107 sub-rule (2) of the Constitution comes into operation, and the Bill will be deemed to have been passed minus those provisions on which there have been no agreement. Therefore, the House, as a matter of fact, need not take even much time. We can stick to our guns.

MR. SPEAKER: If they are unlicensed guns, then it will not be permitted.

SHRI HARI VISHNU KAMATH: I am asking you, therefore, to give a ruling on this.

SHRI JYOTIRMOY BOSU (Diamond Harbour): He is asking about the licensed guns.

SHRI HARI VISHNU KAMATH: I will request you, in your mature wisdom, to give your ruling on this point. This is the short point. Whether in case the Houses disagree,—this House does not agree with the amendments, does not accept the amendments made by the Rajya Sabha,—the entire Bill falls through or whether only those amendments and those provisions fall

through and the Bill minus those provisions shall be deemed to have been passed by both the Houses? Ultimately, perhaps, the Government will say it would involve delay. That is the last pretext which they might use to hustle the Bill through this House and get it passed by the House as amended by the Rajya Sabha. It will have to go to the Rajya Sabha again, and there will be delay. Now, I will answer that point straightway. It will not be passed very soon and it will not become law because it will have to go to the State Legislatures for ratification and that can be done only next year because the State Legislatures are not in session now. May be they will meet in February or March for their budget session.

MR. SPEAKER: Now, we are only concerned with the legal position. That is not a point of order.

SHRI HARI VISHNU KAMATH: The Government takes various pretexts and excuses....

MR. SPEAKER: You are far more experienced than many of us here.

SHRI HARI VISHNU KAMATH: Not more experienced than you, Sir. Government's plea has no legs to stand upon. That is not tenable at all. That will not hold water and if the Government has the will, and I hope it has—when the Bill is returned by the Council they can get it through and send it to the Rajya Sabha in a day, as they did last time. I remember the Rajya Sabha set on a Saturday last time—and get the Bill approved with the amendment. The Rajya Sabha can consider the Bill on a Saturday. There are still two weeks to go. So, I would request you to rule on this point whether in case the House does not agree with the Rajya Sabha—and it does not accept them—and does not pass the amendments, the Bill as a whole falls through or the Bill minus the amendments is deemed to have been passed.

**DR. PRATAP CHANDRA CHUN-
 DER:** Mr. Speaker, Sir, the hon. Mem-
 ber, Shri Kamath is an experienced
 parliamentarian and he is one of the
 founders of this Constitution, but I res-
 pectfully submit that he has tried to
 create a difficulty which is not there,
 because the provisions are quite clear
 and he has himself argued against his
 own point of order.

Shri Kamath has cited that celebrat-
 ed case of Sankari Prasad Vs. Union
 of India in which Justice Patanjali Sas-
 tri, the then Chief Justice, said that the
 constitutional provision of Article 368
 is not a complete code and, therefore,
 the House can make rules. And the
 House has made rules; not only this
 House, but the other House also has
 made rules. He has cited these rules
 from Rules 98 to 102. There, it is clear-
 ly mentioned in Rule 98:

"If a Bill other than a Money Bill
 passed by the House and transmitted
 to the Council is returned to the
 House with amendments, it shall on
 receipt be laid on the Table."

Now, this is a Bill which is not a
 Money Bill. Therefore, it comes with-
 in the scope of Rule 98. This Bill, as
 amended, has been laid on the Table of
 the House. We are considering this
 amended Bill. I do not know how he
 can argue that this House cannot take
 this matter into consideration.

MR. SPEAKER: That is not his point.
 The point is: What will be the effect if
 this House does not agree to these
 amendments, whether the Bill as a
 whole lapses or only the portions not
 agreed to?

**DR. PRATAP CHANDRA CHUN-
 DER:** I am coming to that. We need
 not jump before we come to the stile.
 We have not yet come to the stile. If
 this House accepts the amendments as
 made by the Rajya Sabha, there is no
 difficulty at all, because both the

Houses have passed this Bill with
 amendments.

The hon. Member has referred to
 Article 107(2). It reads:

".....a Bill shall not be deemed
 to have been passed by the Houses
 of Parliament unless it has been
 agreed to by both Houses, either
 without amendment or with such
 amendments only as are agreed to
 by both Houses."

Therefore, if both the Houses agree to
 the amendments, then there is no diffi-
 culty and the Bill will be deemed to
 have been passed by both the Houses
 with the requisite majority as you have
 just now pointed out.

The hon. Member seems to ask that
 if this House rejects the amendments,
 what will happen? Clear procedure is
 laid in the rules of procedure of this
 House and the other House. It is clear-
 ly mentioned that the Bill as amended
 further by this House will be sent to
 the other House. It is something like the
 game of badminton. It goes from this
 House to the other House. Then, from
 that House it comes to this House.
 Again it goes back to the other House.
 If the other House agrees to it, all
 right; if it does not agree, then like a
 shuttle cock, again it will come back
 to this House. And if the Bill is re-
 turned to this House with a message
 that the other House insists on the
 amendments, only then the Houses
 shall be deemed to have finally dis-
 agreed. I draw your kind attention to
 the word 'finally'. Before that, the
 Bill is in motion from one place to an-
 other and it is not finally disposed of.
 Therefore, the other House cannot be
 deemed to have said that they have
 disagreed or this House also cannot be
 said to have disagreed unless we arrive
 at that final stage. I would respect-
 fully say that this House is fully com-
 petent to take this matter into consi-
 deration and it will depend on the
 wishes of the House to decide, what is
 to be done.

SHRI HARI VISHNU KAMATH: I resolved by a joint sitting of the two Houses. But that procedure is not available in the case of Bills amending the Constitution. Article 368 of the Constitution lays down a mandatory provision that every amendment of the Constitution must comply with the prescribed majorities. There is no provision either in the Constitution or in the rules providing for a joint sitting. That being so if any amendments made by the Rajya Sabha are not agreed to by this House, the Bill will have again to go back to the Rajya Sabha and if the Rajya Sabha does not agree the Bill does not become law.

MR. SPEAKER: Shri Kamath has raised a point of order as to the effect on the Constitution Amendment Bill which has not been agreed to in some respects by both the Houses of Parliament. It is well settled that Article 368 of the Constitution which governs the amendment of the Constitution is not exhaustive and that Article to the extent it does not prescribe a particular procedure is supplemented by the rules of the House. The relevant rules are found in Rules 98 to 102 and 155 to 159 of the Rules of Procedure and Conduct of Business in this House.

When a measure has been passed by this House but that measure has not been fully accepted by the other House or when that measure has been amended in certain respects by the other House, the Bill comes back to this House and this House may or may not agree to the amendments proposed by the Rajya Sabha. If it agrees, the matter ends. But if it does not agree the Bill will again go back to the Rajya Sabha and it is for the Rajya Sabha to decide whether the alternative amendments proposed by this House are acceptable to it. If it does not agree to the alternative amendments suggested, then sub-article (2) of article 107 comes into operation. It says: "Subject to the provisions of articles 108 and 109 a Bill shall not be deemed to have been passed by the Houses of Parliament unless it has been agreed to by both Houses either without amendment or with such amendments only as are agreed to by both Houses."

In the case of Money Bills a different procedure is prescribed; the decision of this House is final. In the case of Bills other than Bills amending the Constitution, if there is disagreement between the two Houses the same can be

Mr. Kamath has raised another point, that is, if the two Houses do not agree on all the provisions, does the Bill as a whole lapse or only those parts which are not agreed to do not come into operation? In my opinion the Bill as a whole lapses because the amendment made by the Rajya Sabha says that the Bill is passed as amended. That being so, if the amendments made by the Rajya Sabha are not agreed to by this House and the alternative amendments proposed by this House are not agreed to by the Rajya Sabha the Bill as a whole lapses and there is no question of circulating the Bill to the State legislatures for their concurrence. This order covers the point raised by Mr. Kamath.

SHRI HARI VISHNU KAMATH: On a point of clarification. In case this House agrees with the Rajya Sabha amendments and the Bill is deemed to have been passed and subsequently the Bill goes to the State legislatures and they do not agree to ratification?

MR. SPEAKER: Your point is covered.

SHRI HARI VISHNU KAMATH: In case the House agrees with all the amendments of the Rajya Sabha, the Bill does not go back to Rajya Sabha?

MR. SPEAKER: No.

SHRI HARI VISHNU KAMATH :
The Bill will go to the state legislatures. Suppose the state legislatures do not ratify the amendments made by Rajya Sabha, the Bill will lapse again?

MR. SPEAKER: I am not going into the powers of the State legislatures; they have a right to discuss it.

SHRI HARI VISHNU KAMATH:
Interpretation of article 368 is in your province.

MR. SPEAKER: I do not want to encroach upon the powers of the State legislatures.

SHRI HARI VISHNU KAMATH:
Suppose the States do not ratify?

MR. SPEAKER: We will consider it at that time. Mr. Kamath, all these troubles are created by you by not making it clear at the time of the framing of the Constitution.

DR. PRATAP CHANDRA CHUNDER: May I make this submission on the motion for consideration on the amendments that have been made by the Rajya Sabha and sent to this House for concurrence?

This is a very important occasion in our parliamentary history when for the first time the Constitution Amendment Bill which has been passed by the Lok Sabha has been passed in Rajya Sabha with certain amendments. Earlier, as hon. Shri Kamath had pointed out, there had been cases where a Constitution Amendment Bill passed by the Lok Sabha has been rejected by the Rajya Sabha straightway. But here for the first time Rajya Sabha passed the Bill with certain amendments.

You will remember that the original Fortyfifth Amendment Bill was passed on 23rd August this year. There were 49 clauses. The Rajya Sabha agreed with the opinion of this House with regard to 44 clauses. Only in

respect of 5 clauses there is some disagreement and Rajya Sabha has added one new Clause which is in fact a consequential amendment which arises from something which Rajya Sabha has already agreed to. That means the deletion of Article 31. That is the short position of the Bill as sent by the Rajya Sabha.

You will notice that the purport of the amendments which have been made by the Rajya Sabha can be summarised as follows:

In the original Bill, as passed by the Lok Sabha, Article 31C had been drastically modified. The scope of the Directive Principles having precedence over the fundamental rights had been curtailed to a large extent. But Rajya Sabha did not agree to this proposition. Rajya Sabha chose to retain Article 31C. But because earlier Rajya Sabha had agreed with this House that Article 31 should be deleted, Rajya Sabha introduced a new amendment, namely—

"7A. In article 31C of the Constitution for the words and figures "article 14, article 19 or article 31" the words and figures "article 14 or article 19" shall be substituted."

In other words from 31C, only Article 31 is deleted. That is one amendment which Rajya Sabha made.

The other amendment was a comprehensive one. In Article 35 of the original Bill, this House agreed to delete all provisions concerning tribunals. But the Rajya Sabha felt that Administrative Tribunals would be necessary. So, it has retained the existing provisions in the Constitution.

The third change relates to Clause 44 of the original Bill passed by this House. It deals with the question of definition of the words 'secular' and 'socialist' in the preamble of our Constitution. Rajya Sabha felt that this clause also should be deleted because

[Dr. Pratap Chandra Chunder]
in its own judgement such definition
was not necessary.

Then it also deleted Article 45 of the original Bill which had been passed by this House and that relates to certain amendment in Article 368 dealing with referendum. Rajya Sabha does not think that referendum is at all necessary. And it also restores Article 368 (4) and (5).

Finally, Rajya Sabha also deleted Clause 47 which deals with alterations in the Seventh Schedule. Some of the matters which were brought in the concurrent list, this House wanted to restore to the State List, but Rajya Sabha does not want such changes.

This is the position about the amendments which have been made by the Rajya Sabha. I do not want to take much of the time of the House. We think that we can accept the amendments made by the Rajya Sabha because we are making sufficient gain by this amendment as it removes a lot of distortions which had been brought about in the Constitution by the earlier amendment of the Constitution. It is true that we would have been happy if Rajya Sabha had accepted all the amendments which had been proposed by this House but it had accepted only 44 such amendments and not accepted only five.

Considering all these factors, I humbly suggest that this House do consider these amendments and I will submit that the House accept the amendments made by the Rajya Sabha and pass the Bill as amended for which I shall make a separate motion.

MR. SPEAKER: Motion moved:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Constitution

of India, as passed by Lok Sabha, be taken into consideration:—

"New Clause 7A

(1) That at page 3, after line 4, the following new clause be inserted, namely:—

'Amendment of 7A, In article 31C of the Constitution, for the words and figures "artical 14, article 19 or artical 31", the words and figures "article 14 or article 19" shall be substituted.'

Clause 8

(2) That at page 3, clause 8, be deleted.

Clause 35

(3) That at page, 8, clause 35, be deleted.

Clause 44

(4) That at page 13, clause 44, be deleted.

Clause 45

(5) That at pages 13 and 14, clause 45, be deleted.

Clause 47

(6) That at page 14, clause 47, be deleted."

चौधरी बलबोर सिंह : (होगियारपुर) : अध्यक्ष जी, पब्लिक का इतना खयाल क्यों जाया किया गया ? अगर पहले ही जो कांग्रेस वालों ने पास करना था उसको मानना था तो पहले ही उसको यहाँ पास कर देते ताकि पैसा जाया न होता । उस वक्त उन्होंने एतराज किया और आपने ताकत के नशे पर कहा कि हम इसको नहीं मानेंगे । तो मैं जानना चाहता हूँ कि अब क्या कमी नजर आ गई है जो अब हम फिर उसको वैसे ही पास करें जैसा कि राज्य सभा ने मेजा है ?

PROF. P. G. MAVALANKAR (Gandhinagar): The Minister is deputising for the Law Minister who is not well, and I hope he will get well soon. Now, I do not know why he chose to explain to the House at this

stage merely what the Rajya Sabha did or what it did not do. But he has not come out with a statement on behalf of the Government as to why this hon. House where they are in a majority, should accept what the Rajya Sabha has passed. Unless the Minister is elaborate and specific in regard to letting this House know the Government's stand as to why they felt that the Rajya Sabha's amendments be accepted, how are we to proceed with the discussion? The House would like to know in detail the Government's reasoning and stand on these points and then the discussion can continue so that we will have fruitful discussion.

DR. PRATAP CHANDRA CHUNDER: I have already explained that we wished that the entire Bill had been accepted by the Rajya Sabha. But there a sufficient majority was not supporting us. At this stage, out of 49 amendments 44 had been accepted by the Rajya Sabha. It is now proper that we accept 44 clauses including the one which has been added by the Rajya Sabha as a consequential measure. If it is intended that we may take some of these matters at a later stage, our hands are not tied. We can take them up at a later stage. But it is always better to have half a loaf than no bread. I submit that it is more than half a loaf, about 44 amendments have been accepted by the Rajya Sabha.

SHRI HARI VISHNU KAMATH: Is it the Government's stand that half a loaf is better than no bread?

MR. SPEAKER: I do not know how much but it is less than is loaf.

श्री यमुना प्रसाद शास्त्री (रीवा) :
अध्यक्ष महोदय, मेरा पीछें प्राफ़ आर्डर है। और वह यह कि राज्य सभा ने जो संशोधन किये हैं व संशोधन यहाँ कांग्रेस पक्ष की तरफ से लाये गये थे। जब यहाँ बहस हो रही थी प्रगस्त महीने में 45 वें संशोधन विधेयक पर तो, मारे क्लासेज पर जिनको राज्य सभा ने डिस्मिट किया है जैसे रेफ़रेंडम का क्लाज और जैसे कान्फ़रेंट सिस्ट से जो हमने शिक्षा को स्टेट को लौटाया, या सेक्यूलरिज्म और

सोशलज्म की परिभाषा, इन चीज़ों पर कांग्रेस की तरफ से यहाँ संशोधन लाये गये थे, और इस सदन ने दो तिहाई बहुमत से उन संशोधनों को रिजेक्ट किया था। और अभी तीन महीने भी पूरे के पूरे होते नहीं हैं..... 3 महीने से थोड़ा समय ही अधिक बीता है, तो क्या इस सदन के लिए यह सम्मानजनक होगा कि जिन संशोधनों को हमने प्रस्वीकार किया, उन्हीं संशोधन को हम स्वीकार करें? यह कहाँ तक वैधानिक और नैतिक ढंग से इस सदन के सम्मान को देखते हुए उचित है? जिन संशोधनों को हमने दो-तिहाई बहुमत से प्रस्वीकार किया, उन्हीं संशोधनों को क्या हम स्वीकार करें?

MR. SPEAKER: This is not a point of order. This is only a point of submission.

SHRI R. VENKATARAMAN (Madras South): Mr. Speaker, Sir, I think the House will be grateful to my friend, Shri Kamath, for having elicited a very valuable ruling from the Chair, because there has been some doubt as to what is the effect of the amendment of certain clauses in the case of the Constitution Amendment Bill. Sir, you have laid down that if certain part of the Constitution Bill is rejected in the other House, the whole Bill will lapse. Therefore, it has become necessary for those amendments to be accepted, and to follow the other procedure which has been laid down here.

My point is this. The rules really deal with the procedure. The substance is contained in article 368. But, so far as the present procedure is concerned, under our rules, if an ordinary Bill is totally rejected by the Rajya Sabha, then under article 108 of the Constitution the President can order a joint session. The language used in that article is "both the Houses have finally disagreed". In that case, the President can order a joint session. For that purpose the rules have been framed. Suppose the Lok Sabha passed a Bill, in which some amendments were made by the Rajya Sabha; when it comes back to the Lok Sabha, if it opposes those amendments, then the Bill has again to go to the Rajya Sabha in order that it may be brought

[Shri R. Venkataraman]

within the four corners of article 108. Otherwise, the President will not have the power to order a joint session.

I appreciate the stand taken by the Government that in the larger interests of the country it is better to get through as much of the constitutional amendments as possible, as there has been agreement in both the Houses, rather than carry on a long drawn debate between this House and the other with no results being achieved.

Sir, you may remember that when we discussed this Bill in the last session, this side of the House voted for the Bill. But, at the same time, it made certain reservations in respect of certain clauses. We did not object to the passing of the Bill, because we were in agreement with a number of clauses which had been brought forward by the Government. We had only certain differences of opinion, certain reservations, in respect of certain clauses, and it is only in respect of those clauses that we asked for a vote to make sure that this has been considered by the Government. It has been considered by the House and the House has exercised its mind over those points. Therefore, the Government has, in my opinion, done the right thing; instead of allowing the Bill to hang fire, they accepted what the Rajya Sabha has recommended, done by way of amendment, and they have come forward in this House to accept those amendments.

If you look at these amendments, they are innocuous. They are not based on any strong principles on which there can be a violent difference of opinion. I will deal with only two of them, because I do not want to take more time; I feel that those members who oppose it should have more time to present their case.

Now, as far as the amendment is concerned, the first amendment is purely a consequential amendment and does not call for great discussion.

Then we come to the tribunals. You will find that that Article in the Constitution is only an enabling provision. It does not compel the Government to appoint tribunals or to establish tribunals. It only enables the Government to establish tribunals for the purpose of trying certain kinds of cases. I spoke elaborately about certain kinds of tribunals in the international field in other countries when I spoke on the last occasion. If this Government does not want to appoint any tribunal, there is nothing in the amendment which says that the Government should be compelled to appoint tribunals. When an amendment to the Constitution is made, it is our suggestion that if a situation arises in which this Government or any other successor government should consider it necessary to have the power to appoint tribunals for expeditious disposal of certain types of cases or, as I said, to give protection to certain types of people like the civil servants, then the enabling provision should be available to the country as a whole, not merely to the Government, but throughout the country as a whole in order that those provisions may be utilised. Therefore, there should be no serious objection so far as this Article is concerned. The provision, as I have already said, does not compel the Government to appoint tribunals and therefore, I do not see any great objection to that amendment made by the Rajya Sabha.

Then with regard to the definitions of the words 'secular' and 'socialist', my friend Mr. Kamath will agree with me that even we did not agree with the definition given in the amendment brought forward by the Government. There is difference of opinion on the question as to what exactly is the definition of 'socialism' or 'secularism'. In fact, there is no definition. Sometimes the definitions restrict the scope of the words. Definitions are not always to the advantage of the citizen. * Very often they hamper the judicial interpretations based on various aspects and environments of the case. Interpretation should appropriately be

given in order that the spirit of the Constitution may be brought into effect. In fact, the spirit of the Constitution should prevail and in order that the spirit may prevail instead of the letter that prevails, we have no definition clause. Therefore, even on this I do not see why anybody should have any objection with regard to the amendment carried out by the Rajya Sabha.

The third amendment relates to the referendum. On this question of referendum there can be an honest difference of opinion. There is a difference of opinion throughout the world in respect of the value, utility and importance of the referendum in regard to legislation. Not all countries have adopted referendum as a method of legislation. In fact, smaller countries, as a rule, generally resort to referendum as a method of endorsement of the legislation, but the larger countries have found it very difficult because of the size and the population involved and all the difficulties attendant on having a referendum of this kind. More particularly in our country when it is very difficult for people to understand the nuances of the difference in the Constitution amendments, it would be very difficult for them to understand what they are voting, particularly when they are amendments. They can vote on general principles in a referendum like whether you want prohibition or not, and whether you want capital punishment or not, but it would not be possible to vote on a question of amendment to the Constitution where a great deal of legal thought has gone in, and a great deal of consideration has taken place at the hands of the experts. It will be difficult to explain to them, it will go probably by emotion, and then, as I said somewhat tritely during the course of the debate at that time, we are having elections with symbols; in a referendum, what type of symbols will you give the people to vote for? You cannot give the party symbols because a referendum is not a party issue, it is the people who must vote

on the issue, they are not voting for a party, and if they are to vote on an issue, they must know what the issue is, and in order to explain the issue, you must give a symbol, and the whole thing becomes a farce. Therefore, there is honest difference of opinion. Nobody says that a referendum as such is totally wrong, nobody would say the introduction of the principle of referendum is totally wrong. There can be differences of opinion, different shades of opinion in this respect, and therefore it was that this side of the House resisted and objected to the introduction of this clause.

There were other legal arguments as to what would happen to the various judgments which had been given, and about the relation between the decision of a referendum and the decisions of courts. According to the decision in the Keshavanand Bharati case, as you know, the basic features of the Constitution cannot be amended. Does it mean that by a referendum you can amend the basic features of the Constitution? If you can amend the Constitution, the basic features of the Constitution, by a referendum, where is the authority for it? And I submit that even that is liable to be struck down. The Government has steered clear of all these difficulties in accepting this amendment and coming forward to have this enacted as amended by the Rajya Sabha, and as desired in the last session by this side of the House.

Lastly, I will say one or two words about the question of education being in the Concurrent List. There are several reasons why education should be in the Concurrent List. We want national integration, and in order that we may have national integration, some kind of a policy towards unifying the country should be laid down, and that can be laid down only by the Centre. I am anxious that the history of India should be taught from Kanya Kumari to Kashmir, from Assam to Gujarat on the same basis. . .

SHRI HARI VISHNU KAMATH:
From Kutch to Kohima.

SHRI R. VENKATARAMAN: instead of the emphasis which is now being laid by several State Governments on their own history to the detriment of the national picture and national history. A person who passes the 10th or 12th standard should be able to know the history and culture of India, and there must be some kind of an authority which will lay down that these are the principles that are fundamental and universal. You can add anything you want to that in your State. After all, keeping it in the Concurrent List does not mean that the States' powers are being taken away. They are not taken away. On the contrary, the States will have all their powers. Only, in respect of national matters would the Centre come in, and therefore it is to our advantage to have matters like this with the Centre.

There are questions about language, about national integration. All these things are better discussed in Parliament in which all the States are represented and an over-all, national view is taken. It is for this purpose that the House insisted that it may be retained in the Concurrent List, and I am very happy that the Rajya Sabha has endorsed it. I am more happy that Government have accepted it. We wholeheartedly support the Bill.

श्री निर्मल चन्द्र जैन (सिवनी) : वैसे तो मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ लेकिन भारी हृदय के साथ ही इसका मुझे समर्थन करना पड़ रहा है। मैं उन कुछ एक ऐसे व्यक्तियों में से हूँ जिन्होंने यह चाहा था कि 42वाँ संशोधन जो है इसको पूर्णतया रद्द किया जाना चाहिये। जिन परिस्थितियों में यह संशोधन पारित किया गया था वे इस सदन की मर्यादा के विरुद्ध थी, हमारे ऊपर एक कलंक था। हमारे मंत्रिमंडल ने तब प्राश्नासन दिया था कि कांग्रेस पक्ष से कुछ चर्चाएँ चल रही हैं और हो सकता है कि पूर्ण रूप से इस संशोधन को रद्द करने में हम सफल न हो सकें क्योंकि यहां तो हमें दो तिहाई बहुमत मिल जाएगा लेकिन राज्य सभा में पता नहीं क्या होगा। उसके बाद विचार विमर्श हुआ। पहले सिर्फ कांग्रेस से और बाद में कांग्रेस के साथ एक कैपिटल आई,

मैं की भावना वाली एक दूसरी कांग्रेस अस्तित्व में आई और उससे भी विचार विमर्श हुआ और वहां पर इस निष्कर्ष पर पहुंचा गया कि इस प्रकार का बिल लाया जाए और 45वाँ संशोधन लाया गया था। उसको हमने यहां पर दो तिहाई बहुमत से पारित कर दिया था। लेकिन कांग्रेस के कुछ लोगों ने विरोध किया था। राज्य सभा में भी उन्होंने विरोध किया और यह उस रूप में वहां पारित नहीं हो सका जिस रूप में यहां से पारित हुआ था। वस्तुस्थिति यह है कि यदि हम इस बिल में कुछ एक अच्छी भावनाओं को रखना चाहते हैं तो हमें राज्य सभा के संशोधनों को स्वीकार करना पड़ेगा। इस लिए यहां यह बिल आया है। नहीं तो शायद पूर्ण रूप से यह रद्द हो जाए अगर उसको यहां उस रूप में पास न किया जाए जिस रूप में राज्य सभा ने पास किया है।

यहां एक बात मैं जरूर कह देना चाहता हूँ। राज्य सभा की मर्यादा की ध्यान में रखते हुए, उनको धृजत देते हुए, मैं यह कहना चाहता हूँ कि राज्य सभा हमेशा या तो दो साल अथवा चार साल समय से पीछे रहा करती है।

It has always been behind the actual time either by two years or by four years.

हम जब चुनकर आते हैं यहां पर उस समय जनता की भावनाओं को सर्वोपरि समझ कर जनता की भावनाओं के अनुरूप हम यहां पर चुन कर आते हैं। जनता ने हमें वोट दिया था, भारी बहुमत प्रदान किया था इस वास्ते कि हम 42वाँ संशोधन को रद्द कर दें। यह हमारे घोषणापत्र का एक भाग भी था। लेकिन राज्य सभा के जो लोग चुने जाते हैं वे रोटेशन से चुने जाते हैं, उनको जनता के सामने स्पष्ट रूप से नहीं जाना पड़ता। वैसे राज्य सभा जब बनी थी तो आपने बहुत अच्छा कहा है कि कामत साहब ने उसको बनवा कर गलती की थी....

श्री हरि विष्णु कामत : मैंने विरोध किया था।

श्री निर्मल चन्द्र जैन : जब राज्य सभा बनाई गई थी तब बात यह समझी गई थी कि शायद हम लोग भावनाओं में बह कर कुछ ऐसे बिल पास कर दें जो कि तर्क पर ठीक न उतर सकें। इस वास्ते राज्य सभा में कुछ ऐसे लोग रहने चाहिये जिन्हें हम एल्डरमैन कहते हैं कि जो भावनाओं के स्तर से ऊपर उठ कर तर्क के आधार पर हमारे द्वारा पारित संशोधनों को और कानूनों को देखा करें। लेकिन यहां पर बिल्कुल उल्टा हो गया है हमने तर्क की बात की लेकिन राज्य सभा ने भावनाओं के आधार पर, उनमें बह कर हमारी चीज का निस्तार कर दिया और वह भी इस आधार पर कर दिया कि एक महिला कहीं दूर बैठी है, उसने कहा था कि मेरे साथियो, मेरी पार्टी के बफाबार सिपहसालारो, इनको तो रद्द करना है, इसलिए रद्द करो। किसी

बाहर वाली एक महिला ने राज्य सभा के बहुत से लोगों को हिला दिया और वहाँ इसको पास नहीं होने दिया।

MR. SPEAKER: Kindly avoid any adverse reference to the other House.

SHRI NIRMAL CHANDRA JAIN:
I am not referring to any person who is not a Member of this House. I am referring to such a person who is a Member of this House. There was a report in the newspapers that she had given directions.

MR. SPEAKER: I am not referring to that. Don't pass any adverse comments on the Rajya Sabha.

SHRI NIRMAL CHANDRA JAIN:
I am not. I have earlier mentioned that I have great respect for them. But in this particular matter they have acted on emotions and not on logic. We have acted on logic and not on emotions.

15 hrs.

अध्यक्ष महोदय, जनतंत्र में दो बातें बड़ी स्पष्ट होती हैं और बड़ी सर्वोपरि हुआ करती हैं। एक यह है कि जनता सर्वोपरि है और दूसरे न्यायालय की प्रतिष्ठा। हमने न्यायालय की प्रतिष्ठा को सर्वोपरि माना है। हमने यह माना है कि हम यहाँ कुछ भी क्यों न पास कर दें उस पर न्यायालय का अधिकार होना चाहिए कि वह उस पर विचार कर सके और हस्तक्षेप कर सके। हम न्यायालय के अधिकार को मानते हैं।

अध्यक्ष महोदय, जितने भी संशोधन इस संविधान संशोधन विधेयक में किये गये हैं, उन को दो दृष्टियों से देखें। हमने प्रजातंत्र की जो प्रतिमति स्थापित करने की चेष्टा की थी वह इन संशोधनों द्वारा भ्रष्ट करने का प्रयत्न किया जा रहा है।

अध्यक्ष महोदय, पहले हम आर्टिकल 31सी और उस को हटाने की जो बात है, उसको लें। सम्पत्ति के मामले को लेकर हमने एक मौलिक विचार रखा है। वे चाहते हैं कि इस मामले में स्थिति यथावत् रहे, उन में परिवर्तन करना वे नहीं चाहते। अब तक वे सम्पत्ति और सम्पत्ति के अधिकार के बारे में बहुत चिल्लाया करते थे, हमारे कांग्रेसी भाई बहुत उसका जिक्र किया करते थे। जब मैं कांग्रेस की बात करता हूँ तो मुझे माफ करेंगे मेरा आशय कांग्रेस भाई से होता है। कांग्रेस भाई के द्वारा धर्मपरी और गरीबी के बीच जो भेदभाव है, उस की बहुत बात की जाती है लेकिन जब हम

धर्मपरी की सम्पत्ति के बारे में चर्चा करने लगते हैं तो कांग्रेस भाई के लोग विशेष रूप से झंझक उठते हैं। इस में भी उन्होंने यही किया है।

अध्यक्ष महोदय, एमजेंसी के दौरान ट्रिब्यूनल्स बनाये गये थे। ये ट्रिब्यूनल्स क्या हैं? जहाँ हमने न्यायालय की प्रतिष्ठा को सर्वोपरि रखा, वहाँ सुप्रीम कोर्ट और उस के नीचे जो हाई कोर्ट हैं, उच्च न्यायालय हैं, वे इन के खिलाफ फैसला नहीं सकते। इन्होंने ट्रिब्यूनल प्रणाली बना कर एक समानान्तर अधिकार उन को दे दिया। बाकायदा ती-हूँ पर न्यायालयों से जो हम अपेक्षा रखते हैं शायद ट्रिब्यूनल्स में थोड़ी सी पक्षपात की बात हो सकती है और ये नहीं चाहते कि कोर्ट्स की जो प्रतिष्ठा हम सर्वोपरि रखना चाहते हैं वह डनी रहे। जो प्रतिष्ठा कोर्ट्स की है वह एक ट्रिब्यूनल को प्राप्त नहीं हो सकती है। हमने यही चाहा है— अपने 45वें संविधान संशोधन विधेयक में— कि ट्रिब्यूनल्स हटा दिये जाएँ और सर्वोच्च न्यायालय और उच्च न्यायालय की जो प्रतिष्ठा है उस को यथावत् रखा जाए। लेकिन इस बात को हटा कर इन्होंने न्यायालय की प्रतिष्ठा को एक ठेस लगायी है। (व्यवधान) मैं उपरसेन जी की बात को कहने ही जा रहा था मगर वे समय से थोड़ा धागे चला करते हैं इसलिए वे जल्दी बोल गये।

अध्यक्ष महोदय, एक विशिष्ट प्रकार की प्रणाली यहाँ पर उत्पन्न की जा रही थी। हाई कोर्ट्स और सुप्रीम कोर्ट के जजों में यह भावना भरने की चेष्टा की गयी यह सब एमजेंसी के दौरान किया गया, कि यदि तुम हमारे वफादार रहोगे तो 65 सा। और 62 साल के बाद भी हम तुम को गारन्टी देते हैं कि हम तुम को नौकरी देंगे, तुम सुरक्षित रहोगे रिटायर नहीं होगे। उस समय यह भावना जजों के दिलों में भरी जा रही थी। (व्यवधान) मैं यह नहीं कहता कि यह किस ने किया मगर यह भावना उन के दिलों में घर कर रही थी कि इस सरकार को विश्वास और स्नेह प्राप्त करते रहना चाहिए चाहे इसके के लिए हमें न्याय की तराजू में तीलते समय सरकार के पक्ष में ही पलड़ा क्यों न झुकाना पड़े क्योंकि बाद में हम को जीवन में फिर से नौकरी मिलने वाली है। इसलिए हम ने कहा था कि ये ट्रिब्यूनल्स हटा दिये जाएँ।

अध्यक्ष महोदय, इन ट्रिब्यूनल्स की यहाँ पर बड़ी परिभाषा रखी गयी थी डेफिनिशन्स रखी गयी थी उन से बहुत से लोगों का विरोध हो सकता है, लेकिन सेक्युलरिज्म की जो परिभाषा रखी गयी थी कल बहुत सी गालियाँ बकी गईं, परसों बकी गईं, धार एस एस को बकी गईं, जनसंघ को बकी गईं। यह सब कहने के बाद यदि यह परिभाषा होती है कि सभी धर्मों को समान आदर दिया जाना चाहिए तो इसमें कौन सी बुरी बात थी। मैं चाहता हूँ कि यह चीज रहनी चाहिये थी। इसमें एक और बात है। यहाँ आपके ऊपर आप देखें लिखा हुआ है धर्म चक्र प्रवर्तनाय। धर्म होना चाहिये सब धर्म होना चाहिये। लेकिन कुछ लोग ऐसे हैं जो कि किसी भी धर्म में विश्वास नहीं करते हैं जो निहिस्तिः

[श्री निर्मल चन्द जैन]

होते हैं वे सेक्यूलर नहीं हो सकते हैं। सब धर्मों के ऊपर समान भावना रखना, विश्वास रखना, सब को सान भ्रातर देना, यह प्रत्येक भारतीय नागरिक का कर्तव्य है। यदि इसमें इस प्रकार की परिभाषा जोड़ दी थी तो उसको निकालने की उनको कौन सी आवश्यकता थी? वे इसको इसलिए निकालना चाहते थे ताकि किसी को कुछ ज्यादा फैवज दे सकें और उनके वोट प्राप्त कर सकें क्योंकि कांग्रेस पार्टी का हमेशा यह रवैया रहा है कि उसने भ्रष्टाचारियों को भारतीय नागरिक कभी नहीं समझा, उसने उनको सिर्फ वोटर समझा है। इसलिए उन्होंने इस तरह से इसका विरोध किया है।

जहाँ तक रेफैंडम की बात का ताल्लुक है और एमजैसी के दौरान का एक काला इतिहास जो हमारे सामने है उस में एक बात स्पष्ट है और वह यह कि यहाँ पर बैठ कर इसी सदन के द्वारा बहुत जल्दी में 42वां संशोधन पास करवा लिया गया था, ए. जैस की परिभाषा भी की गई, बहुत सी चीजों को हटा दिया गया, मौलिक अधिकारों को तिजोरी में बन्द कर दिया गया। इस तरह की चीज फिर से दुबारा नहीं सकें इसलिए यह रेफैंडम लाया गया था। रेफैंडम क्या है? हम देश के प्रतिनिधि हैं, जनता के प्रतिनिधि हैं हम जनता के न्यायालय में जा कर कहते हैं, अपने मालिकों के पास पहुँच कर यह कहते हैं कि हमें आदेश चाहिये। लेकिन मालिकों के सामने जाने में ये डरते हैं, इसलिए इसको इन्होंने हटा दिया है।

स्थिति स्पष्ट है। कुछ गड़बड़ हो गई है। राज्य सभा ने पूरा विधेयक पारित नहीं किया है। जितना उसने पारित किया है उसी पर हम संतोष हैं लेकिन इस अपेक्षा के साथ कि पूर्ण रूप से हम यह बाद में पारित करवा सकेंगे।

इन शब्दों के साथ मैं इसका समर्थन करता हूँ।

DR. V. A. SEYID MUHAMMAD (Calicut): Sir, I support the Bill as amended by the Rajya Sabha. As I have already spoken in this House a number of times, immediately after the 1977 General Elections, our party—the undivided party—examined the 42nd Amendment with a view to re-appraise what are the objectionable provisions which have been incorporated and which are not acceptable and we came to the conclusion that the entire 42nd Amendment can be divided into three groups. One group consists of those provisions which should be immediately deleted, without even giving time for those provisions to stay in the Constitution.

Art. 31(d) relating to a anti-national activities is one of them and I think, in the 43rd Amendment, when Government brought up the deletion of Art. 31(d), we supported it.

The second group consisted of those provisions where some of them had certain good aspects and we thought that they may be retained or they may not be retained, but we will not make an issue out of it. Amendment to Art. 226 was in that group.

The third group was those provisions which we thought were basically necessary and should be retained in the Constitution.

These were, largely these three groups, and when negotiations went on with the Government, we made it absolutely clear. Coming to the group which, we thought, should be essentially retained, one was pertaining to the Tribunals. Another was the introduction of the words 'Socialism and Secularism' in the Preamble of the Constitution. The third, which we thought essential, was retention of education and forest in the Concurrent List. On these issues, we made it definitely clear to the Government when the negotiation was going on that we would insist on the retention of these three. And when the Government attempted to define the expression 'Socialism and Secularism', we made it clear that we could not support that attempt to define 'Socialism and Secularism' because that would do more harm than good. At this stage I do not propose to go into details.

A provision relating to referendum, an entirely new provision, which was not even dreamt of anywhere before, whether in the Forty-Second Amendment or at any other time, crept in, and after prolonged discussion in the various forums in our Party, we came to the conclusion that we could not

accept the new provision regarding referendum. I will not go into details. But I can tell you one thing. The stand of the Congress Party and the Congress Government has been consistent, that there is no limitation on the plenary power of the Parliament to make amendments under article 368. For a long period of time, that has been the law and that has been accepted by the Supreme Court, and we thought that we could not make a deviation from that stand. We found that, apart from the other objections to the limitation on the plenary power of the Parliament, a further limitation was being attempted to be made, namely, the amendment which has been brought in by Parliament should be subject to a referendum. This, we could not accept. Apart from the impracticability of the whole thing, we were certain that concepts like referendum and recall were alien to our particular type of Parliamentary democracy which we have accepted. These concepts were discussed and tried to be incorporated in the Constitution at the time of the Constituent Assembly, but the founding fathers wisely rejected them. Now, your trying to bring back those concepts through the back-door, we cannot accept.

These are some of the important grounds on which we made our stand clear during the negotiations with the Government as well as to the House when the Bill came up for discussion, and we voted against that provision. These were the four provisions which we voted against in this House, and I am glad that the wisdom of the Upper House has been that the stand taken by us in this House on these issues was correct. But in the Rajya Sabha, a new provision—not exactly new—a new Clause, Clause 7A, relating to article 31C of the Constitution was introduced. That is not a Clause which we proposed here or supported here. The Speaker himself knows. He has written an authoritative book on Directive Principles. For some time it was a

controversy in the country, both in the court and outside, whether the Fundamental Rights have primacy over the Directive Principles or the Directive Principles have primacy over the Fundamental Rights. There are definite political theories and justifications for both. But at some stage we started upholding the theory that fundamental rights being essentially individual rights and the area covered by the Directive Principles being social rights, whenever there is a conflict between individual rights and the social rights, the primacy should be given to the social rights. That is the theory behind the primacy being given to the Directive Principles.

15.16 hrs.

[SHRIMATI PARVATHI KRISHNAN in the Chair]

But in view of the fact that by this 45th Amendment, Art. 31 relating to property was being deleted, we thought that since 95 per cent of the cases in which conflict between Directive Principles and the Fundamental Rights arose, related to property rights and since properly rights were themselves being deleted from the Constitution, the primary reason to uphold the primacy of Directive Principles was not so compelling as it was before. So we did not make an issue of it in this House. But when it came to the Rajya Sabha, it appears that the theory of the primacy of the Directive Principles prevailed in that House and they introduced this clause, clause 7A. The House has discussed and decided on this issue. Possibly there is a reason why that House did not think in the same way as we did here. Even at that time I had the occasion to speak and I have also expressed my opinion in various places. The mere deletion of the Fundamental Rights relating to property, namely, Art. 31 will not suffice because as long as Art. 19 and certain clauses of Art. 19 are

[Dr. V. A. Seyid Mohammed]

there, property rights can be brought through the back door and the deletion of Art 31 relating to property rights is a mere sham. Possibly that view must have prevailed in the rights is a mere shame. Possibly that mere deletion of Art 31 does not in fact and in reality delete the property rights and it will be brought by the back door by reason of Art. 19. They thought the necessity for stressing the primacy of the Directive Principles over the Fundamental Rights still remained. I bow before the wisdom of the Rajya Sabha in this regard. The other reasons-I will not go into in detail.

For this reason I support the Bill as amended by Rajya Sabha. I want to say only one thing regarding deletion of clause 47. Clause 47 deals with the entries in the Schedules and the amendments brought by the 42nd Amendment. As I said we were concerned primarily to retain the amendments which were brought by the 42nd Amendment relating to education and forests. As forests and education were transferred to the Concurrent List, when we said that we cannot agree with this clause, our main concern was to retain only this. But there was an extremely objectionable clause that is the introduction of item 2A in List I by the 42nd Amendment, namely, deployment of central forces in the States under certain contingencies. This, we certainly did not want to be retained. We want it to be deleted from the 42nd Amendment. In the negotiations with the Government we made it clear that we would support the deletion of this 2A because it is an objectionable clause, namely, deployment of central forces in the State. We suggested delinking of education and forests from 2A so that we can support the deletion of 2A, but the government thought it wise not to adopt that mechanism. Now the result is that you are throwing the baby along with the bath water.

SHRI SAMAR MUKERJEE (Howrah): Then why did your people support it in the Rajya Sabha?

DR. V. A. SEYID MUHAMMAD: Not our people, many people and your people also supported it.

Why did not the Government, as suggested by us, delink 2A from Education and Forest. We could have avoided that. But, they thought it wise to let the whole thing go on.

SHRI DINEN BHATTACHARYA (Serampore): They thought it wise to include this.

DR. V. A. SEYID MUHAMMAD: Whatever it may be, I say that by a simple mechanism, they could have avoided and deleted the highly objectionable 2A—Deployment of the Central Forces in the State. For retaining it in the Constitution, the responsibility is entirely on the Government and not on us.

I do not propose to go into further. I am thankful to the Chair for giving me this opportunity.

Mr. Chairman: I think the Minister will have his chance to reply. Now, Shri Dharam Vir Vashist. He is not here. Shri Y. P. Shastri.

श्री यमना प्रसाद शास्त्री (रीवा): सभापति महोदय मुझे दुःख है कि सरकार ने राज्य सभा के द्वारा सुझाये गये संशोधनों को स्वीकार करने का निर्णय लिया है। अगर सरकार पहले से ही इस बात को समझ लेती कि राज्य सभा में कांग्रेस पक्ष का बहुमत है, और किसी भी संविधान संशोधन को पारित कराने के लिए एक विशेष धंग के बहुमत की आवश्यकता होती है, और इस बात को समझ कर अगर उसी समय इस संविधान संशोधन के सम्बन्ध में उन लोगों की बात को मान लिया जाता, तो यह बात कुछ सम्मानजनक रहती। लेकिन दुर्भाग्य से उस समय इस बात को माना नहीं गया। अगर केवल व्यावहारिक दृष्टिकोण ही अपनाया था, तो कांग्रेस पक्ष की बात को उसी समय स्वीकार कर लेना चाहिए था, ताकि हमें इस घसम्मानजनक स्थिति का सामना न करना पड़े। आज हालत यह हो गई है कि अल्पमत के प्रादेश को बहुमत स्वीकार कर रहा है।

देश की जनता ने हमें लोक सभा में दो-तिहाई से अधिक बहुमत दे कर भेजा है। हमने अपने चुनाव घोषणापत्र में स्पष्ट रूप से यह उल्लेख किया था कि हम 42वें संविधान संशोधन को, जो आपातकाल के समय में स्वीकार कराया गया था, रद्द करेंगे। हमारे उस वादे पर विश्वास कर के जनता ने दो-तिहाई से अधिक बहुमत दे कर हमें यहाँ भेजा। अपने चुनाव घोषणापत्र में दिये गये वचन की ध्यान में रखते हुए हमने संविधान का 45वाँ संशोधन यहाँ पर स्वीकार किया। सरकार ने इस बारे में बिगड़ी दलों से पहले बात भी की और उसके बाद कांग्रेस पक्ष के कहन पर 42वें संशोधन की भी कुछ बातों को स्वीकार कर के 45वाँ संशोधन यहाँ पर रखा गया।

मैं उन लोगों में से था, जिन्होंने यह मांग की थी कि बातचीत से जाहे जो भी नतीजा निकले, लेकिन हमें अपनी बात पर अटल रहना चाहिए, जनता से हमने जो वादा किया है, उसे पूरा करना चाहिए और हमको अपनी तरफ से 42वें संशोधन को अक्षरशः—लाक, स्ट्राक एंड डेरल—रद्द करने की व्यवस्था करनी चाहिए। लेकिन सरकार ने उस समय कहा कि अगर कुछ बातें स्वीकार कर लेने के बाद हम से पारित करा सकते हैं, कुछ बयानीयों संशोधन की बात रहने दीजिए, कुछ विशेष महत्व की बातें वह नहीं हैं जिन पर वह जोर दे रहे हैं। तो उन की रख कर के पतालीसवाँ संशोधन यहाँ लाया गया। वह दो-तिहाई बहुमत से यहाँ स्वीकृत किया गया। राज्य सभा में गया। राज्यसभा में जिन संशोधनों को यहाँ अस्वीकार किया गया था दो-तिहाई बहुमत से उन्हीं संशोधनों को कांग्रेस दल ने अपनी सख्या के बल पर स्वीकार करा लिया और आज हम इस स्थिति में आए हैं कि शासन की ओर से हम से यह कहा जा रहा है कि जो राज्य सभा में संशोधन स्वीकार कर लिया गया है उसे स्वीकार कर लेना चाहिए। अब इसके अलावा और कोई चारा नहीं है। लेकिन मैं समझता हूँ कि यह दूरदर्ष्टि का अभाव है। दूरदर्शिता के साथ हमें इसे पहले ही मान लेना चाहिए था। अथवा अगर नहीं माना तो फिर आज हम को इस बात पर अड़ना चाहिए। आखिर कोई एक सिद्धान्त भी होता है, कोई आदर्श भी होता है। जिन आदर्शों को ले कर उस समय हमने कांग्रेस पक्ष की बात को नहीं मंजूर किया आज वह कहाँ चले गए? क्या केवल व्यावहारिकता के नाम पर तीन महीने के अन्दर ही हम अपनी बात को बदल दें? यह हमें किसी भी हालत में उचित और सम्मानजनक नहीं दिखाई देता। मैं समझता हूँ कि समूची दुनिया में इस से हमारा उपहास होगा। न केवल अपने देश में बल्कि समूची दुनिया में हमारा उपहास होगा कि जिस बात को तीन महीने पहले हमने पूर्णतः स्वीकार किया, एक अल्पमत के दबाव में आज उस को बदल दिया। आज लोक सभा में वह अल्पमत में है। देश की जनता ने उन्हें अल्पमत दिया है और केवल 1977 के मार्च में ही नहीं, अभी भी उत्तर प्रदेश और समस्तीपुर में आज के तीन दिन पहले और अभी कल जिस की जनता ने स्वीकार किया है कि जनता पार्टी ने

जो वायदा किया है जनता उस के साथ है, जनता जब इस प्रकार का हमें बार-बार जनादेश दे रही है तो उस जनादेश की अवहेलना कर के आज हम एक अल्पमत के सामने झुक रहे हैं और अपने भादशों की अवहेलना कर रहे हैं। भादशों के सम्बन्ध में मैं खास तौर से धारा 368 के सम्बन्ध में कहना चाहूँगा। धारा 368 के सम्बन्ध में हमने विशेष रूप से बल दिया। उस में हमने यह कहा था कि संविधान में अगर संशोधन किया जाय और उस से हमारे बुनियादी ढाँचे में फर्क आता हो तो उस के लिए हम जनता की राय माँगेंगे। यह एक बड़ी बुनियादी और मौलिक बात थी जिसे हमने अपने संविधान में स्थान दिया था। पतालीसवें संविधान संशोधन विधेयक में जो हमने इस बात को स्थान दिया था यह एक बहुत ही मौलिक और बहुत ही लोकतांत्रिक बात थी जिस पर कि हम अड़ना चाहिए था क्योंकि हमने देखा था सन् 76 में आपात काल के समय में संविधान की धारियाँ उड़ा दी गईं। मौखिक अधिकारों का हनन कर दिया गया, उन को सस्पेंड कर दिया गया। मौलिक अधिकारों की यहाँ तक हत्या कर दी गई कि जीवन के अधिकार तक से जनता को वंचित कर दिया गया। इसलिए इस संशोधन में हम लोगों ने यह प्रावधान किया था कि अगर कभी बयस्क मताधिकार पर आंच आती हो, कभी न्यायालयों की स्वतंत्रता का अपहरण किया जाता हो, कभी धर्म-निरपेक्षता के सवाल को और लोकतंत्र के जो बुनियादी तत्व हैं इन में परिवर्तन करने की बात आए तो केवल लोक सभा का दो-तिहाई बहुमत ही उसे पारित न कर दे बल्कि उस के लिए देश की जनता की राय मांगी जाय। यह एक ऐसी बात थी जो हमारे संविधान को प्राण प्रदान करती, हमारे लोकतंत्र को जीवन प्राण करती। यह लोकतंत्र को सजीव बनाने वाली बात थी। लोकनायक जय प्रकाश नारायण ने अपने आन्दोलन के दरम्यान यह बात कही थी कि केवल जनता के प्रतिनिधियों की ही जिम्मेदारी लोकतंत्र को बनाए रखने की नहीं है, जनता के प्रतिनिधि अगर गलत काम करें तो जनता स्वयं उन पर अंकुश रखे। जनता की राय का भी महत्व होना चाहिए और इसी बिलसिले में उन्होंने जन-प्रतिनिधियों को वापस बुलाने के अधिकार की बात कही थी। खर, वह बात तो इस पतालीसवें संविधान संशोधन विधेयक में नहीं आ पायी थी, अपने प्रतिनिधियों को वापस बुलाने के अधिकार की बात उस में नहीं आई थी लेकिन उस दिशा में यह एक चरण अवश्य था, उस दिशा में यह एक प्रयास अवश्य था कि अगर लोकतंत्र के बुनियादी तत्वों को परिवर्तित करने की बात चले तो उस को केवल लोक सभा का दो-तिहाई बहुमत ही पारित न करे बल्कि जनता के बीच में उसे ल जाया जाय और यह कहना बिल्कुल गलत है कि यह अत्यावहारिक है, हमारे देश की जनता नहीं समझती है लोकतंत्र के सिद्धान्तों को अथवा संविधान के संशोधन को। यह कहना यहाँ की जनता का अपमान करना है। यहाँ की जनता ने एक बार नहीं कई बार बता दिया है कि वह संविधान को समझती है, लोकतंत्र को समझती है, अपने बुनियादी अधिकार को समझती है और इसका प्रमाण 1977

[श्री यमुना प्रसाद शास्त्री]

के मार्च में इस देश की जनता ने दिया है। आज यह कहना कि देश की जनता संविधान के संशोधन का अर्थ नहीं समझेगी और उस के पक्ष या विपक्ष में अपनी परिपक्व राय नहीं दे सकेगी, मैं समझता हूँ कि इस देश की जनता का सब से बड़ा अपमान है और इसे हम कभी स्वीकार करने को तैयार नहीं हैं।

उसी तरह से यह एडमिनिस्ट्रेटिव ट्रिब्यूनल की बात है। हमें देखना चाहिए कि यह एडमिनिस्ट्रेटिव ट्रिब्यूनल स्थपित करने की बात क्यों की गई थी संविधान में? यह एडमिनिस्ट्रेटिव ट्रिब्यूनल की बात केवल इसलिए की गई थी ताकि इस देश के न्यायालयों के अधिकार क्षेत्र को सीमित किया जाय। न्यायालयों के अधिकार क्षेत्र को कम करने की दृष्टि से एडमिनिस्ट्रेटिव ट्रिब्यूनल बनाने की बात की गई थी। उन को समाप्त करने के लिए हम ने पैतालीसवें संविधान संशोधन विधेयक में प्रस्ताव किया तो आज कांग्रेस वालों को यह स्वीकार नहीं है। राज्य सभा में वे अपनी जिद पर अड़े हुए हैं। वे दिखाना चाहते हैं कि हम अपनी जिद पर अड़े हैं, इस लिये लोक सभा को हमारी बात स्वीकार करनी पड़ेगी। लेकिन इस का औचित्य क्या है? जब एडमिनिस्ट्रेटिव ट्रिब्यूनल नहीं थीं, तब उन के बिना क्या दिक्कत आ रही थी? ये ट्रिब्यूनल तो 1976 के संविधान संशोधन में जोड़ी गई हैं, आप बतलाइये उस के पहले किस काम में बाधा पड़ रही थी, यह केवल अपने इशारे पर कोई निर्णय कराने की इच्छा का प्रदर्शन मात्र है। इन को समाप्त करने की जो व्यवस्था इस बिल में की गई थी, वह सर्वथा उचित थी, उस पर कायम रहना चाहिये था, उस पर राज्य सभा को झुकना नहीं चाहिये।

इसी तरह से सैकुलरिज्म और सोशलिज्म की परिभाषा की बात है, हम ने उन की व्याख्या कर के उन को सगुण रूप दिया है—इस में आपत्ति की कोई बात नहीं थी। जो समाजवाद के नाम का दिबोरा पीटते हैं, उन के लिये यह बिलकुल असम्मानजनक है। लेकिन चूँकि शासन ने इसे स्वीकार करने का निर्णय दिया है, इस लिये समर्थन करना पड़ेगा, लेकिन मैं इन को अनैतिक मानता हूँ और यह भी समझता हूँ कि यह किसी भी हाज़त में उचित नहीं है।

SHRI SAMAR MUKHERJEE (Howrah): Madam Chairman, in regard to these amendments sent to us by the Rajya Sabha, I may say that our party is totally opposed, excepting for one very minor amendment, No. 4, regarding the definition of secularism and socialism, because, there has been some controversy on this definition and therefore we support that. But

otherwise we wish to point out that these recommendations of the Rajya Sabha are reactionary and anti-people. It is mainly aimed at retaining some of the very vital clauses of the Forty-Second Amendment Act. To agree to this would mean betrayal of the pledge given by the Janata Party to the masses of our country. The Forty-Second Amendment Bill was in essence the institutionalisation of totalitarianism, and of emergency. That is why we contemned that and wished that that should go lock, stock and barrel. When there was some patch-work even in the original Constitution (Forty-fifth) Amendment Bill, we criticised that also. Now, we say that there have been further inroads into the amendments by the Congress elements in the Rajya Sabha. It is obvious that mainly it is the Congress (I), because their leader is, day in and day out, justifying emergency and declared it even today but also by other sections who declared that they are opposed to totalitarianism Congress (I) is still under the hope that they will come to power in the future and that they can again misuse their majority to demolish democracy completely. That is why they want to retain these clauses, which they had introduced in the Constitution (Forty Second) Amendment Bill.

There is the other Congress now who wish to demarcate themselves from totalitarianism but it is a pity that they also joined in the Rajya Sabha with Congress(I) to get these recommendations passed or prevent the Forty-Fifth Amendment Bill on these aspects.

Now, what are the arguments given by them in support of their amendments and their recommendations? They say about the precedence of directive principles over fundamental rights. This was the clause that was introduced in the Constitution (Forty Second) Amendment Bill. Why should Fundamental rights be attacked in this manner, to give

effect to directive principles? Directive principles have no mandatory power. These are pious wishes only to hoax the people. In the directive principles it is written that right to work should be one of the directive principles. Yet thousands and thousands of workers are being thrown out of jobs. When they demand right to work to be included as a fundamental right, you do not come forward to accept that demand. Where is the contradiction in all the Socialist countries' Constitutions? All the Directive Principles in our Constitution are part of the Fundamental Rights in the Socialist Constitutions. Now, when the right to property has been excluded, all the Directive Principles must be included in the Chapter of the Fundamental Rights. There should not be any contradiction. Now, when you raised the question of precedence, there is a motive behind that. Taking advantage of that and giving a wrong interpretation of the Directive Principles, you want to suppress all the just and democratic movements of the working class, peasants and the common masses. That is why I say it is motivated and this should not misguide the people and it must be bitterly opposed. Now, Article 31C can bar anybody from going to the court. Nobody can be allowed to go to the Court taking plea of the precedence of the Directive Principles. I give an example here. In the Directive Principles it is stated that the disparity between the highest and the lowest wages should be reduced. Now, the Janata Government appointed the Bhoothalingam committee. What were the terms of reference? The term of reference is to reduce the disparity of incomes between the highest grade and the lowest grade of employees and workers. All the monopoly houses and the big houses are excluded from the purview of terms of reference of that Committee. Now, the Bhoothalingam Committee has recommended that the national minimum wage should be Rs. 100 per month. All the Central Trade Unions have rejected

these recommendations and opposed the report. So, if this precedence of Directive Principles is allowed, then constitutionally the Government can suppress all the Trade Unions movements who are opposing the recommendations of the Bhoothalingam Committee. So, we cannot accept this position. In the Directive Principles, there is a pious wish that everybody would get a living wage, but the Bhoothalingam Committee's recommendation is Rs. 100/- per month and Rs. 150 after seven years. So, this is an example of how the Directive Principles are being implemented and in the name of implementation of Directive Principles, you are cutting the wages, you are introducing wages freeze and you are introducing constitutional amendments to take away the fundamental right to register protests against these anti-workers' laws. This is a very serious thing which we cannot ignore simply by formally accepting that half a loaf is better than no bread. This was not the assurance given to the people by the Janata Party. Then, if you take all the amendments, you will find that the totality of these amendments which the Rajya Sabha has sent to this House, are an attack on the democratic rights of the people.

You take the question of Administrative Tribunal. The right of the employees to go to the Court was taken away. Those who are victimising these employees are becoming the judges. So, strengthening the bureaucracy means taking away the democratic rights which are enshrined in the Chapter on Fundamental Rights. Then the first amendment, the second Amendment excepting the Fourth, all the other amendments taken together are an attack on the democratic rights of the people. Now, there is the question of sovereignty of Parliament versus the question of the sovereignty of the people. It is open for a long discussion because we had got a very bitter experience during the Emergency. Taking advantage of the majority in the Parliament in the

[Shri Samar Mukherjee]

name of Constitution, parliamentary democracy was completely subverted and totalitarianism established by the Indira Regime. So, that sovereignty the Congress-I wants to retain.

This is because they are hopeful that by the failure on the part of the Janata Party, they will be able to take advantage of the people's discontent and come into power by getting the majority. That is why they are trying to do this so that they can again impose totalitarianism in the name of the Constitution.

SHRI DINEN BHATTACHARYA:
An empty dream.

SHRI SAMAR MUKHERJEE: Now, what is the referendum clause? It provides that no basic feature of the Constitution can be changed by the Parliament itself. If any necessity arises for a change in the basic features, they will have to go to the people to get the sanction. Thus, the provision of referendum provides more democratic rights to the people; they would exert their sovereignty, whether they would allow this Parliament to change the Constitution in its basic features. The amendment suggested by the Rajya Sabha seeks to take away that power of the people. In the name of supremacy of the Parliament, they again want to clamp authoritarianism on the people, as was done during the 20 months of the emergency.

Then, I come to the sixth amendment suggested by the Rajya Sabha. This relates to the provision introduced by the Constitutional Forty-second Amendment with regard to the right of the Centre to send armed forces to any State without consulting them or in spite of their opposition.

This was the worst feature of the Forty-second Amendment Bill. This was the very essence of the Forty-second Amendment Bill and the essence of totalitarianism. Again, Rajya Sabha has recommended to retain

this provision. This is nothing but to keep full authority for suppression of the people's movements through armed forces. Such things should have no place in democracy. It is unfortunate that the Janata Government is going to accept this and they are asking the hon. Members of this House to accept this. We can never accept this position if we have to defend the democracy and we have to keep to our pledges.

Then, the rights of the States in the field of education and forest are sought to be taken away. Whatever rights they have, you are taking those away on the plea of centralization, and on the plea of integration of India. I would like to tell the hon. Members that the integration of India can only grow and develop by accepting the distinctiveness and peculiarities of all the nationalities and the linguistic peoples. They must be given the fullest autonomy so that they can flourish, their culture can develop, and their education can spread. If you deny them this right, integration of India is impossible. This recommendation of the Rajya Sabha goes against the concept of greater autonomy to the States. You want to take away whether autonomy they have. We are totally opposed to this recommendation.

In view of this, I hope, the Janata Party should reconsider, before they ask this House to consider these amendments.

SHRI JAGANNATH SHARMA (Garhwal). The hon. Minister has recommended that the amendments made by Rajya Sabha in the Constitution (Forty-fifth Amendment) Bill be accepted by this House. As the learned Speaker has already ruled, the justification for such recommendation is very reasonable and realistic because there is no alternative to such acceptance.

We are aware that the Thirty-ninth Amendment Bill was passed within

three days. On 7th it was notified and passed by Lok Sabha, on 8th it was approved by Rajya Sabha, on 9th it was ratified by the State legislatures of this country and on 10th, the President gave his consent to this Bill. It inserted Article 329A(4) making the election of the former Prime Minister unchallengeable and included 37 Acts in the Ninth Schedule. Article 329A(4) was set aside by the Supreme Court later as violating the basic structure.

We have also considered the 42nd amendment which was a constitutional outrage and an outrageous distortion. The Janata Party was pledged to repeal completely amendments 42 and 39. To that effect the Government introduced a Bill in this House. Even at that time there were two views prevalent. One was, despite the built in safeguards in the Constitution, incorporated by the Founding Fathers, the provisions of the Constitution are not sufficient to stop the recurrence of what happened during the Emergency. The view was that in spite of the repeal of the 42nd amendment, the abuse of power will not stop. Hence it was proposed that such changes should be made in the Constitution which existed before the Emergency so that any future government may never be able to use it to establish a Police State. The second view was that the desirable portions in it must be retained. I share that view. I regret to say that in spite of the agreement, so to say, between the government and the leaders of opposition parties and groups and considering various shades of opinion, the Rajya Sabha has chosen to reject five clauses. I should say that these are sweeping amendments; I deliberately use the word 'sweeping' because in the first place it is completely ousting the jurisdiction of courts. Secondly in the 42nd amendment, article 368(iv) gives unlimited power to Parliament to amend the Constitution. Thirdly, in the Union list, there are provisions; as many friends pointed out for deployment of armed forces in the state which have been relieved.

They are sweeping generalisations; sweeping powers. I want to make a proposal to the government. This time it has not been within the competence of the Government to get the Bill passed for want of requisite majority in Rajya Sabha. So the government should come with an amending Bill for deletion of those clauses which are offensive, which oust the jurisdiction of the courts and which have made the powers of the Parliament unfettered and increased them to such an extent that they have enabled the Parliament to perpetuate its sanctity and authority for all times to come.

SHRI DINEN BHATTACHARYA: For that you must change the composition of the Rajya Sabha.

SHRI JAGANNATH SHARMA: My friend reminds me of that I shall come to it later. So far as this proposal is concerned, it should be accepted by the Opposition, and by everybody because it would restore jurisdiction of courts and the inability of the government to command two thirds majority in the Rajya Sabha should not stand in the way of these amendments. The Janata government can wait till 1980 for other amendments or till such time as those who are opposed to these amendments will as Charles Evans Hughes says "recoup from their self-inflicted wounds." Coming to amendments, the first amendment relates to clause 8 on page 3, the supremacy of the Directive Principles over Fundamental Rights. In this matter I should like to quote one of the greatest jurists of the world Grenville Austin who while paying a tribute to the Indian Constitution spoke about the Fundamental Rights. "These Fundamental Rights may be considered to conform to our notions of social justice; it embodies the essence of social justice." This was quoted by Mr. Gokhale in 1973 while he said, "These are the monuments of vision and wisdom" but in 1975 according to him they became a

[Shri Jagannath Sharma]

'cesspool of inequality'. I want to emphasise that the Rights, Freedoms and Liberties can never be sustained if the directive principles have supremacy over fundamental rights. Articles 14 and 19 of the Constitution shall be completely destroyed if directive principles have sway over fundamental rights. Directive Principles in 39A and 39(b) and 39(c) are sufficient to carry out the objectives of the Constitution. But if they provide in one form or another, the directive principles would definitely come in direct clash with the fundamental rights and it would be impossible to uphold the fundamental rights.

Therefore, the original amendment of 39(b) and (c) was sufficient for Socio-economic legislation and not to give supremacy to the Directive Principles and also for imparting social justice.

Many of my friends have spoken much about the retention of 42nd Amendment-provision for Administrative Tribunals. I want to say, authority, powers and jurisdiction of High Courts and Supreme Court should not be ousted. It is neither in the interest of the nation nor it is in the interest of the people. There should always be supervision of the High Court and the Supreme Court and their powers and authority should be restored.

The third relates to the removal of the definition of "secularism" and "socialism". Left to me I was never in favour of adding 'Socialist and Secular to the Preamble. That was also redundant and also further the definition is neither advantageous nor disadvantageous. Republic is always sovereign. Republic is always democratic. Socialism when qualified is something short of socialism. Socialism when qualified by national is fascism and socialism qualified by democratic is capitalism. It is no use

to define these words. It does not give an ideological projection. The ideological projection remains unchanged. The amendment with regard to education in the concurrent list is in the right direction and I have always been advocated it.

I am now coming to the most important of these amendments i.e. referendum.

MR. CHAIRMAN: You have only one minute more.

SHRI JAGANNATH SHARMA: I shall take only two minutes.

What is the effect of this deletion? I want to emphasise, there are two effects of this deletion.

Article 368(4) as incorporated in 42nd Amendment remains. The unlimited power of Parliament means the majority in Parliament can amend the Constitution at any time and even without reference to the States. That is a very dangerous proposition. It can perpetuate the existence of party in power indefinitely by extending the duration of Parliament or of the State Legislatures.

As regards the question of referendum, President Wilson said—"That is a gun behind the door" which can be utilised when the Parliament or the legislatures misuse their powers". This is a Constitutional and legal device which this country had to adopt after the two conflicting judgements of the Supreme Court—*Golak Nath* and *Keshava Nanj Bharati*. If at any time the Parliament over-rides the interpretation of the basic feature of the Constitution, then the only alternative is to go to the people who are sovereign and if the people decide by 2/3rd majority and agree with the Parliament, then the basic feature can be changed in spite of the judgement of the Supreme Court to the contrary.

Even in Switzerland, only this year, in September a new State was created by referendum—the State of Jura. This device is also adopted in Irish, free State-Canada, Italy and France. Prof. K. T. Shah had also supported in the Constituent Assembly that the device of Referendum should be adopted while amending the Fundamental Rights and the rights to minorities. If the 2/3rd majority of citizens approve a particular amendment, the Constitution can be amended accordingly.

In the end I would like to emphasise that the nation as a whole would gain if we agree to the proposal even after amendments by the Rajya Sabha because they restore the rights of the citizens and seven freedoms taken away by the 42nd Amendment. For the first time the nation's mass media will be constitutionally shielded by new Article 631A and the voice of Parliament and legislature shall never again be stifled.

SHRI M. N. GOVINDAN NAIR (Trivandrum): I whole heartedly share the vehemence, emotions and arguments put forward by my hon. colleague Samar Mukherjee in opposing these amendments. So, I do not want to repeat all the arguments that he has put forward.

It also raises the question whether we should have a Rajya Sabha at all. But I know there are vested interests which have so well developed that it may not be possible to dispose of Rajya Sabha. But all the members will agree that the amendments we had adopted were not bad to be rejected by the Rajya Sabha. Even one of the main promises that the Janata party made to the people on internal emergency was given up. Internal emergency still remains a part of the Constitution. I thought that was a compromise formula for everybody to accept, but I now understand that it was not so. There was an understanding between both the groups whereby both agreed that

the emergency clause will remain. As long as we are there, we can use it. If somebody else comes, he can also use it. This was the thinking among the two major groups. That is why forgetting the promise you made to the people, you are not amending the Constitution in such a way that nobody else will be able to impose internal emergency in future. One silver lining in the amendment was the question of referendum. Everybody speaks of democracy. Is it parliamentary democracy you are meaning, i.e. freedom for political parties to fight elections, make speeches and get them published in the papers, or is it something more? If it is something more, the principle of referendum, which we had accepted in our amendment for changing the basic structure of the Constitution, was a safeguard for a democratic set-up. I do not know why Rajya Sabha thought it fit to remove it. We are very sorry for it. I need not again narrate all the arguments. I quite understand the difficulty of our friends there. Just as the speaker pointed out, if we reject these amendments, the whole thing will go. So, they have found out an argument: If we want this amending Bill to be passed, we have to swallow all these amendments made by the Rajya Sabha. We do not agree with it. But I quite understand your anxiety, because if nothing is done about the Forty Second Amendment, what will you say about it to the public and how can you be sure that you can continue for long? All the quarrels taking place within the Janata Party are hastening them to somehow pass this Bill. I do not happen to see Mr. George Fernandes here. In the morning newspapers I found that his resignation is in the hands of the Prime Minister, but its disposal will be after 23rd. An army is being raised by Mr. Charan Singh and company—26 lakhs of people are coming on the 23rd. Many things are happening within the ruling party.

[Shri M. N. Govindan Nair]

In their anxiety to see that at least something is salvaged from the Forty-fifth Amendment Bill, if they want to adopt this procedure, all right, I am not against it. But in principle I oppose all these amendments. I know that it is a conspiracy between the two groups to dilute the provisions....

16 hrs.

SHRI DINEN BHATTACHARYA:
Birds of the same feather.

SHRI M. N. GOVINDAN NAIR: I am very glad that at least now my hon. friend, Shri Dinen Bhattacharya, has realised that they are birds of the same feather. So, I would request him, rather appeal to him, to keep this in mind and not to keep company with those who do not belong to our class.

डा० रावजी सिंह : (भागलपुर) : मभापति महोदया, अभी जो संविधान में संशोधन राज्य सभा के द्वारा वापस किया गया है वह जित्ना यह संशोधन भेजा है उन के और जो इस लोक सभा के द्वारा मंजूर किया गया है, उस के, दोनों वर्गों के चरित्र का द्योतक है, क्लाम कैरेक्टर का द्योतक है। जहां प्रगतिशीलता की और समाजवाद की चर्चा होती है वहां "राइट टु प्रापर्टी" को निकालने की बिल्कुल सामान्य बात उस में रखी गई थी, "कम्पलीट एबालीशन आफ राइट टु प्रापर्टी" भी नहीं था, उस का भी विरोध वहां हुआ है और दूसरी तरफ जहां प्रजातंत्र की चर्चा होती है, उस के लिए उस में जनमत-संग्रह की जो बात थी उस का भी विरोध किया गया है। जहां तक न्यायालय को पतित और कर्तकृत करने के लिए जो न्यायाधिकरण की व्यवस्था है उस को भी रखने की व्यवस्था है और सब से बड़ी बात तो यह है कि जो "डाय-रेक्टिव प्रिंसिपल्स" के नाम पर "फंडामेंटल राइट्स" को बढ़ाने की बात कही गई है यह भी एक प्रकार का धोखा है।

सब से बड़ी बात तो यह है कि इस के संबंध में जो चर्चा है उस को ध्यान देखें, वस्तुतः इस संशोधन के दो उद्देश्य थे। एक उद्देश्य था कि बयलीसवा संशोधन ने जो दुष्टतापूर्ण काम किया था, उसे खत्म करना था, टु "लिक्विडेट दि मिस्वीफ इन बाइ दि फार्टी सेकंड एमेन्डमेंट",

एक उद्देश्य तो यह था और दूसरा उद्देश्य था कि जनता ने जिस धाकाझा से हम दोनों को मतदान दिया था उस की धाकाझा को पूर्ण करना। दोनों में से कोई काम नहीं हो सका है। यह एक नया मिस्वीफ हुआ है। सचमुच में जिस प्रकार से बयलीसवा संशोधन लाया गया था वह केवल वस्तु में ही दोषपूर्ण नहीं था, विधि में भी दोषपूर्ण था। जिस संसद का जीवन-काल समाप्त हो गया था, उस के द्वारा धाकसीजन पर चलने वाली संसद के द्वारा संविधान में इतने बड़े मौलिक परिवर्तन करने का जो प्रयास किया गया था, जो साजिश की गई थी वह भी गलत था। इसीलिए जनता पार्टी ने देश को यह वचन दिया था कि जिस प्रकार से हो, इस पाप को, इस संविधान संगोषण को, हम समाप्त करेंगे। लेकिन दोनों में से कोई काम भ्रष्टी तरह से नहीं हुआ। इसीलिए आज जो समर्थन हुआ है वह बहुत भरे हृदय से समर्थन है।

सभापति महोदया, कांग्रेस के भाई किस आधार पर प्रगतिशीलता का नाम लेते हैं। कौन सी प्रगतिशीलता—आर्थिक प्रगतिशीलता या राजनीतिक प्रगतिशीलता? यदि आर्थिक प्रगतिशीलता की चर्चा या समाजवाद की बात हो, तो फिर "राइट टु प्रापर्टी" को डिलीट करने में आपत्ति क्यों? उन का यह समाजवाद का नारा वास्तव में एक धोखा है।

जहां हम प्रजातन्त्र की बात करते हैं, वहां रेफ्रेण्डम के विषय पर हमारे दूसरे सदन के माननीय सदस्य श्री शंकर घोष जी कहते हैं कि सिद्धान्ततः तो मैं जनमत-संग्रह का विरोधी नहीं हूँ, लेकिन—वह यहां पर "लेकिन" लगा देने हैं—

"But the way the question has been brought here will not subserve the purpose for which the referendum has been brought... I believe in the sovereignty of the people."

जब जनता मालिक है, तो फिर जनता से भागते क्यों हो? रेफ्रेण्डम का विधान, इनीशियेटिव का विधान, रिकाल का विधान—ये नये प्रजातंत्र के द्योतक हैं। सचमुच में हमारे कांग्रेस के भाई जिस प्रजातन्त्र की चर्चा करते हैं, वह बुर्जुआ प्रजातन्त्र है जो संविधान की पैचीदगियों में रहना चाहते हैं, जनता का भ्रामना-सामना, मुकाबला नहीं करना चाहते हैं और इसीलिए जनमत-संग्रह से भागते हैं।

लोग कहते हैं कि जनमत संग्रह कहां है? फ्रांस में है, यू०एस०ए० के कुछ राज्यों में है और जैसा अभी हमारे शर्मा जी ने कहा था—जब हमारे संविधान का निर्माण हो रहा था, उस समय प्रो० के० टी० शह ने भी इस की बकालत

की थी। रिकाल की व्यवस्था भी प्रायः दुनिया के 14 देशों में है। जब यह कहा जाता है कि यह देश बड़ा है, यह देश प्रगढ़ है, जिस देश की जनता को वह प्रगढ़ समझते हैं—उसी जनता ने दो वर्ष पहले ही देश में 31 वर्षों से छाये हुए कांग्रेसी शासन को उखाड़ कर फेंक दिया था, इन को ना-समझ या बेईमान समझने की गलती नहीं करनी चाहिये। 42वें संविधान संशोधन का अन्त किसलिये किया गया था? उस का एक कारण यह था कि अधिनियम में देने वाली कोई भी सरकार फिर इस तरह से जनतन्त्र का गला न चोटे, इसीलिये “बैक्स-एण्ड-बैलेंसेज” के लिये, प्रजातन्त्र की रक्षा के लिये इस को लाया गया था। सभापति महोदया, सचमुच में इस के लिये जनता पार्टी का दोष नहीं है—मैं उन्हीं के शब्दों में कहना चाहता हूँ—शंकर घोष जी कहते हैं—यह दोष जनता पार्टी का नहीं है—

“People are the sovereign”

फिर “लूई 14” ने भी कहा था—“मैं सावरन हूँ।”

Now the minority is the sovereign, 1978 की जो माइनोरिटीज हैं, जो इस सदन के अल्पसंख्यक हैं, जो अपने आप को सोवरन कहते हैं, लेकिन उन्होंने ही इस की राजनीतिक प्रगतिशीलता को रोक दिया और सचमुच में आज यह सावरनिटी चरम पर रही है।

“The Janata Party will not be guilty of violating its electoral pledge of making the Constitution an adequate tool for democracy by diverting it of the obnoxious elements added to it by the 42nd amendment.”

इतना ही नहीं, वह तो कहते हैं कि इस माइन्डफिकेशन से भी मुझे संतोष ही है।

“Even with the modifications made by the Rajya Sabha, the Constitution will remain a citadel of democracy which a shrewd, designing, ambitious and power-drunk political leader will be unable to demolish.”

लेकिन हम कहते हैं कि यह ठीक है। यदि हमारे माननीय कामध साहब का क्वार्टर-आफ़ आर्डर स्वीकार हो जाता, तो हम ये क्वांटेज वापस पुनर्विचार के लिए भेज देते, लेकिन ऐसी व्यवस्था विधान में नहीं है। इस लिए यह दोष जनता पार्टी का नहीं है। यह दोष सदन ने उन अल्पसंख्यकों का है जिन्होंने बहुसंख्यकों के ऊपर अपना अधिकार जमाया है।

जहाँ तक और चीजों का सम्बन्ध है—मैं इतना ही कहना चाहता हूँ—जब रेफ़रेंडम की चर्चा होती है तो उस के सम्बन्ध में यह कहा जाता है कि यह बड़ा विस्तृत है, काम्प्लेक्स है, लेकिन वास्तव में यह काम्प्लेक्स नहीं है। फ्रांसिलिया में अभी हुआ है। मैं कहता हूँ कि प्रायः जनता से भागते क्यों रहे? और इसीलिए इस को हमें स्वीकार करना चाहिए।

आज जो हमारे सामने बात हो रही है, उस में हम एक ही बात और आपके सामने कहना चाहेंगे कि शिक्षा को समबर्ती सूची में ही रहने दिया जाए। सचमुच में शिक्षा इस देश में अब तक बहुत ही उपेक्षित रही है। मैं पूरी बिनमता के साथ कहना चाहता हूँ कि मैं इस पक्ष में नहीं हूँ कि राज्यों के अधिकारों को कम किया जाए लेकिन शिक्षा एक हमारी ऐसी आवश्यकता है जिस को समबर्ती सूची में रखना बहुत अच्छी बात है। हमारे चटर्ज साहब इस को नहीं चाहते। अगर आप राष्ट्रीय एकता के दृष्टिकोण से सोचेंगे तो पायेंगे—

It is education that forms the common mind. Just as the twig is bent, the tree is inclined. Education is the best defence of a nation, and as in terms of defence we are one, so in terms of education we should also have one mind.

इसीलिए अध्यक्ष महोदया हम इतना ही कहेंगे कि यह ठीक है कि जनता पार्टी के ऊपर यह जो अल्पसंख्यक का दबाव है

MR. CHAIRMAN: Dr. Ramji Singh, do not force me to call the next speaker while you are still on your legs. Please conclude now.

डा० रामजी सिंह: इस को हम बहुत मुश्किल से स्वीकार कर पा रहे हैं और इस का बहुत दुःख के साथ समर्थन कर पा रहे हैं। ऐसा करने में हमें कोई प्रसन्नता नहीं है।

SHRI A. BALA PAJANOR (Pondicherry): Madam Chairman, I thank you for giving me this opportunity to participate in the debate on the Constitution Amendment Bill again as sent back by the Rajya Sabha. I agree with my learned friend, the leader of the CPI, Mr. Govindan Nair, that there is some conspiracy to conveniently circumvent certain things that may be attributed to

[Shri A. Bala Pajanor]

them. I think, Madam, our Law Minister, Mr. Shanti Bhushan, who is not able to move this Bill, is a Member of the Rajya Sabha. Perhaps he wants to give the maximum disrespect to Rajya Sabha and that is why he has asked the Education Minister to move the Bill.

DR. PRATAP CHANDRA CHUNDER: He is not well.

SHRI A. BALA PAJANOR: He is not well, but you are a Member of our House and so it may be acceptable to us.

DR. PRATAP CHANDRA CHUNDER: Any Minister can move it.

(Interruptions)

MR. CHAIRMAN: Mr. Pajanor, you continue. Members may kindly desist from the running commentary. This is not the test match in Bombay. You may continue.

SHRI A. BALA PAJANOR: The Education Minister understood the spirit. My friends wanted to get a clarification and I said I know about it also.

As expressed by Mr. Somnath Chatterjee earlier, the spirit behind this Constitution Amendment Bill is to be understood, but I am at a loss because I am unable to understand the spirit behind this present Government moving this Bill in this fashion. If they are so happy or if they are so sincere, as very often our Railway Minister used to say 'I am pleased to state in this House', they must have considered the views of many of the democratic parties which are ruling the States and have given thought to them. On a number of occasions we have raised this not only in this House, but outside this House. When they held consultations with various groups and parties outside, we said so many things to them that they must amend the Preamble in such a manner that the federal aspect also is

considered. But even for that they have not given any answer. Leave alone that, Madam, even about the position of Union Territories, I say they are in a sad state of affairs and it is not now after the Janata Party took the position, but even earlier when Mrs. Gandhi was ruling that we said they are in a slavish position under the Constitution. Even that they failed to consider because this Government, I feel, is going on the principle of convenience rather than of conviction. If they have any conviction, I am sure that when it is coming from a single Member or an independent Member like Prof. Mavalankar or from a party that is 19 or 20 strong in this House or from a party that has 80 or 90 Members, they should give due consideration. But they are going by numbers in Parliament, but not considering the views of the Members of Parliament. I am sorry to state that that is the reasons why this Government is a Government of convenience. Because they did not get the number there, they could not convince the Members, now on the strength of numbers they want to get it through in this form in this House.

I say this because if they had the conviction, they could have come out with a statement that they are not moving it now, that they will do it when they have the majority. There was no such statement from the Education Minister while moving this.

Secondly, it is a question of their own prestige. I was not able to follow Dr. Ramji Singh because I did not want to hurt my ears with the entire translation. He must have thought that the Janata Party, according to its manifesto, has restored the rights of the people by reversing the Fortysecond Amendment lock, stock and barrel. They could have conveniently postponed it saying, here as well as outside that they want to come out with a compre-

hensive Bill, so as to give a clear picture to the country once and for all. If that conviction was there, they could have waited for some more time to come out with a comprehensive Bill, because the Bill as amended now is not going to serve any immediate purpose.

When our founding brother and beloved friend, Shri Kamath, raised a point of order this morning, I think he did so not only to point out the technical irregularities, but out of his conviction. Now you say you want to pass it tomorrow. It cannot be passed as it is like a badminton ball, because I am sure the Education Minister is a sportsman and he is also in charge of sports. The badminton ball need not go back to the other House, but it must go to the States' badminton courts, and there they know to play very well, because, as you know, as Mr. Somnath Chatterjee and the other CPI Member has also said, the autonomy of the States is involved. Your Akali friends may be a party in your Government, but I know how much Mr. Badal is fighting for the rights and autonomy of the States. I do not know how Mr. Basu in West Bengal, who called for a conference of Chief Ministers, and the Chief Minister of Jammu & Kashmir, will take this Constitution Amendment Bill, because now you are taking away the rights of the States in respect of education and forests. I am sure that if half the states do not pass it, your Constitution Amendment cannot become an Act. We will be able to move the States, we may even call conferences in the States and tell them that their rights are being taken away. So, the Centre-State relation, comes in, and if they do not ratify your Bill, it will go hay-wire.

16. 18 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

So, this is a Government of convenience, they just want to please the people by telling them that they have

come forward with a Constitution Amendment Bill. They ought not to have conceded article 368, because I wish my party gets a thumping majority and forms the Government here and then I may change the whole thing. That is why we introduced the referendum. You said the people of the country should have some rights on fundamental matters. Some inalienable rights, as the Supreme Court has repeatedly said, must be given to the people, and they alone should decide certain matters. That is the reason we believed you and voted with you. I can also make certain calculations, and I say that in your tenure you will not be able to get a majority in the Rajya Sabha. That is why you are acting on convenience, and you are not a Government of conviction. It is not a mere pun on words. We doubt your sincerity on every matter now. You people claim to be the greatest democrats. I repeat it again, I have been found fault for the statements that I make here; you are considered to be the greatest democrats with a sense of feeling for democratic value in this country, but what have you done to the Government of Pondicherry? I am asking you this question. Some Members may not be aware of the facts. People were changing from one party to another party from day to day, and hour to hour and not month to month because of the loopholes, because of the patronage that you have given not only from here, from elsewhere also. The expansion of the Pondicherry Ministry created some problems. Even here you are not able to expand your Ministry. If you do it here, you may also have similar problems. But you want to have double standards. That is why I said, you have no conviction for your principles. There is no power above you to question you or to dismiss you. Just because you had the power to dismiss a State Government, you dismissed the Government of Pondicherry. Still you say that you are the greatest democrats.

[Shri A. Bala Pajanor]

The facts are like this. The Assembly was called to meet on the 24th of that month and on the 12th, you dismissed the Government. When a paper was laid on the Table of the House, I questioned it. I went through the entire material, but I was not able to find even a single reason. It was stated that the Governor had sent a report, a secret report. We are not given a copy of that. What prompted the dismissal? You are not a democrat. If you were a democrat, you could have waited for 24th and the Chief Minister could have tried his strength on the floor of the House and then you could have dismissed the Government. But no chance was given to him to prove his strength.

Here, there are meetings and conciliations going on among the leaders of the ruling party. You are taking three or four months to expend the Ministry here. It has become a big news for us to see in the newspapers that so and so is meeting so and so and whether it was a success or not. But you are not able to give the same right to a small territory or to a small man. You said so many things about the corruption charges. I would like to ask whether they were proved. You became a prey to the bureaucratic set up that was there in Pondicherry. There has always been a flight between the bureaucrats and the administrators there. You succumbed to the bureaucratic views. You took the picture that the bureaucrats put forward and you dismissed the Pondicherry Government. You call it a democratic system.

In the other House you do not have the numbers and you could not also convince the Members there and that is why you have now come forward with these amendments here. Here, you tried all through to convince the Members and finally it was agreed to. But now you have come out with these amendments. I strongly oppose these amendments. I

agree with you on this Tribunal. The Tribunals must be given their right back. On the transfer of education and forest, we will oppose it tooth and nail until we get it back. That is why I said you are going by the numbers and not by principles. If you continue to do this, I am afraid you will not be able to rule this country at all.

MR. DEPUTY-SPEAKER: Please wind up.

SHRI A. BALA PAJANOR: Just two minutes. The Minister has put it very conveniently. I oppose the deletion of Clause 45, i.e., the amendment of Article 368 because we have promised the people. People's will will be the last will. The Sovereign will should be taken into consideration. To that, you are now giving a good by. I strongly oppose this method of moving this Bill. You could have waited for some more time. After all, the amendments which you are going to make now are not something sacred or noble, it is not going to give more employment to the people, more shelter to the people, more freedom to the people. After all, by this Bill, you are only making us spend most of our time in a wasteful manner.

श्री नाथ सिंह (दोम) : उपाध्यक्ष महोदय, राजन्सभा ने जो 45वां संविधान संशोधन विधेयक वापिस भेजा है, उस पर बोलने के लिए जो समय मुझे दिया गया है, उस के लिए मैं आभारी हूँ।

42वां संशोधन जब किया गया था, उस समय देश के अधिकतर प्रबुद्ध लोग, राजनीतिक दलों के नेता जेलों में बन्द कर के, जनता की आवाज को दबाकर, बिना इस पर विचार किये उस समय की सरकार ने संविधान में यह संशोधन किया था। 42वां संशोधन 100 वर्ष के बूढ़े बाप की ओलाद थी जो कि इस स्वतन्त्र भारत में संभव थी, लेकिन यह 100 वर्ष के बूढ़े बाप की नाजायज ओलाद एमर्जेंसी के दौरान कांग्रेस के द्वारा पैदा कर दी गई। जनता पार्टी इसे सुधारना चाहती है और कांग्रेस पार्टी उसे रखना चाहती है। ये चाहती हैं कि नाजायज ओलाद अभी भी इस देश में बनी रहे और पनपे। उस बूढ़ी सरकार की यह नाजायज ओलाद जो इस देश में पैदा तो कर दी गई, अगर बड़ी हो कर जवान हो जाती तो न जाने इस देश का क्या होता ? कुछ प्रावीजन्स इन्होंने वापिस

लौटायें हैं, जिसमें उन्होंने कहा है कि संविधान के मूलभूत ढांचे में कोई भी परिवर्तन किया जा सकता है, मूलभूत ढांचे को बदला जा सकता है।

हमने कहा है कि इसको जनमत-संग्रह के लिए जनता में भेजना चाहिए। उन्हें क्या आपत्ति है? वह चाहते हैं कि उनको फिर कभी इसी तरह मौका मिल जाये तो वह फिर इसमें परिवर्तन कर सकेंगे। मैं जानना चाहता हूँ कि इस बात की क्या गारंटी है कि एक बार आने के बाद संसद यदि चाहे तो अपने कार्यकाल को, जैसा कि 6 साल बढ़ा दिया, अब चाहे कि 100 साल बढ़ा दें तो उसे कौन रोक सकता है? इसलिए हमने यह परिवर्तन करना चाहा है कि यदि संविधान के मूलभूत ढांचे में परिवर्तन किया जाये, तो उसे जनमत-संग्रह के लिए भेजा जाना चाहिए, उसके लिए दूसरी संविधान-सभा बनानी चाहिए, जो इस बात पर विचार करे कि संविधान में क्या परिवर्तन किया जाना चाहिए और क्या नहीं। वरना मुझे लगता है कि एक बार चुनकर आने के बाद यह संसद सोच सकती है, अगर सरकार को पता हो कि हम दोबारा चुनकर नहीं आयेंगे तो कोई भी तानाशाह सरकार संविधान के मूलभूत ढांचे में परिवर्तन कर सकती है कि हमेशा के लिए यह सरकार परमानेंट हो गई, कोई चुनाव नहीं कराये जायेंगे।

इसलिए राज्य-सभा ने जो यह विधेयक वापिस भेजा है, यह कांग्रेस की तानाशाही का द्योतक है कि उन लोगों के दिमाग में अभी भी तानाशाही की बू है।

हमारे शिक्षा मंत्री जो यहां बैठे हुए हैं। श्री कामत ने एक प्वाइन्ट ऑफ आर्डर उठाया था, उनकी मंशा यह थी कि इस संविधान संशोधन शिक्षा को जो राज्य-सूची में दिया गया है, वह ठीक नहीं है। यदि हम शिक्षा को राज्य-सूची में ले जायेंगे तो देश के लिए यह बहुत हानिकारक होगा।

आपात काल में कांग्रेस सरकार ने जितने भी कार्य किये, उनमें पता नहीं एक अच्छा काम उनके दिमाग में कैसे आ गया? जिन्दगी में श्रीमती इन्दिरा गांधी ने कोई अच्छा काम किया तो शिक्षा को समवर्ती सूची में रखने का किया है। उन्होंने जो यह एक अच्छा काम किया है, इसको हटा देना हमारे लिए उचित नहीं है।

शिक्षा देश की आधारशिला है। यदि विशिष्ट प्रदेशों में अलग-अलग शिक्षा दी जायेगी तो उस समय कोई प्रदेश सरकार कहे कि हमें हिन्दी से कोई मतलब नहीं, काम नहीं, इसलिए केन्द्र से हमारा कोई मतलब नहीं, हम भारतीय संघ से अपने प्रदेश को अलग करना चाहते हैं, यदि ऐसी मांगें आगे उठाये जाने लगे तो उस समय क्या होगा? क्या

गारंटी इस बात की है कि ऐसा नहीं किया जा सकेगा? इसलिए मैं इसका सख्त और कड़ा विरोध करता हूँ। जो शिक्षा का विषय राज्य-सूची में रखा है, इसको समवर्ती सूची में रखना चाहिए।

कई प्राविजन्स और भी हैं। राज्य-सभा ने जो संशोधन किया है कि शिक्षा को राज्य-सूची में न रख कर समवर्ती सूची में रखा जाये, मैं इसका समर्थन करता हूँ और शिक्षा मंत्री जो से कहना चाहता है कि वह इसके बारे में कुछ करें, अभी समय है, वरना जो गुस्सा इस से हो जायेगा, वह देश के लिए बहुत घातक हो जायेगा। सारे देश के प्रबुद्ध बुद्धिजीवी लोग, विद्यार्थी और शिक्षक—मंती महादय शिक्षक रहे हैं—चाहते हैं कि शिक्षा समवर्ती सूची में रहे। पता नहीं, किन किन प्रदेशों की सरकारों को खुश करने के लिए सरकार ये काम कर रही है। देश के लिए यह ठीक नहीं है।

भूतपूर्व कांग्रेस सरकार ने जो प्रशासकीय पंचाट की स्थापना की थी, वह केवल ब्यूरोक्रेसी को हावी करने का एक तरीका था। वह चाहती थी कि ब्यूरोक्रेसी को अधिकार दिये जायें। 1947 में ब्यूरोक्रेसी को जो अधिकार प्राप्त थे, आज उसे उससे कहीं अधिक अधिकार मिले हुए हैं। आज सरकारें ब्यूरोक्रेसी के कारण ठीक काम नहीं कर पा रही हैं। वे लोग अपने आप को सरकार से ऊपर मानते हैं। कांग्रेस के लोगों की मंशा थी कि ब्यूरोक्रेसी का और हावी किया जाये, और मजबूत किया जाये। जिस ब्यूरोक्रेसी के कारण पाश्चात्य सभ्यता इस देश में पनप रही है, उसके वे हमी हैं। इस लिए राज्य सभा ने यह जो प्राविजन पास कर के भेजा है, मैं उसका विरोध करता हूँ। यह बहुत गलत है। इससे कांग्रेस के लोगों की इस प्रवृत्ति का पता चलता है कि वे इस देश में जनता का राज्य नहीं, बल्कि ब्यूरोक्रेसी का राज्य चाहते हैं, कुछ मिले-जुले डिक्टेटर्स का राज्य चाहते हैं। आज जनता पार्टी अपनी नीतियों को जनता तक पहुंचाने में सफल नहीं हो रही है क्योंकि अधिकतर ब्यूरोक्रेट कांग्रेस के साथ मिले हुए हैं। वे हमारे कामों में अड़चन डाल रहे हैं। इसलिए यह प्राविजन ठीक नहीं है।

ये लोग बड़े धर्मनिरपेक्ष और समाजवादी बनते हैं, मगर कहते हैं कि उनकी परिभाषा नहीं दी जानी चाहिए। उन्होंने केवल दिखाने के लिए धर्मनिरपेक्ष और समाजवादी शब्द जोड़ दिये थे। लेकिन उनका समाजवाद क्या है? वे संजय गांधी को समाजवाद का प्रतीक समझते हैं, लेकिन आज वह क्रोटर्स के चक्कर काटता फिरता है। वे केवल जनता की सहानुभूति प्राप्त करना चाहते हैं, मगर वे कहते हैं कि समाजवाद और धर्मनिरपेक्षता की कोई सर्वमान्य परिभाषा नहीं हो सकती है। इसलिए राज्य सभा ने यह जो संशोधन किया है, वह ठीक नहीं है। यह जनता की आकांक्षाओं पर कूटाराघात है।

[श्री नाथू सिंह]

राज्य सभा ने इन संशोधनों को वापस भेजा है, बहुतों का काम नहीं किया है। एक बुद्धिमानी का काम उन्होंने किया है कि शिक्षा को समस्त सूची में रखा जाना चाहिए। मैं पुनः उसका समर्थन करता हूँ। मगर फारेस्ट्स को उन्होंने राज्य-सूची में रख दिया है, यह भी उन्होंने उचित काम नहीं किया है। धाणा है कि शिक्षा सबों इस पर पुनर्विचार करेंगे।

SHRI DHIRENDRANATH BASU (Katwa): Mr. Deputy Speaker, Sir, the Constitution should be considered as a sacred document, a document which should not be lightly interfered with. Amendments may be made when they are considered to be absolutely necessary, but such amendments should heed the aspirations of the people. We find, however, that in some cases, Fundamental Rights have been taken away and the rights given to the States have also been taken away. I cannot support such clauses. The Government should have come forward with a comprehensive Bill and the Government should not have devised ways to take away the liberty of the States and powers which have already been given to the States. Sending armed forces to the States is certainly wrong. We do not agree to this proposal.

Also they say that, when there is an armed rebellion, Emergency can be declared. We do not agree to this. When there are disputes between political parties, the ruling Party can say that there is an armed rebellion—just to gain their political ends. So, 'armed rebellion' should be deleted from the Constitution.

The Fundamental Rights of the people must be guaranteed. Here what we find is old wine in a new bottle. What is this Amendment for? This Amendment has not improved the Constitution. The Amendment should have been done in such a way that the Fundamental Rights of the people are fully preserved. In no case should the Fundamental Rights be curtailed. But unfortunately here we find that, in some way

or other, some Fundamental Rights have been taken away. To this we cannot agree.

With regard to the capital punishment, that is, death penalty may be awarded, we are against it. The death penalty should be abolished. There are certain Bills given by several hon. Members of the House for abolition of this penalty. Taking all these points into consideration, I would request the hon. Minister to come forward with a comprehensive Bill.

There is a Clause which says that the persons who has no means to pay will be sent to prison. This is a clause which should have been deleted. The person who has no means to pay should not be sent to prison. Government should find out some other means to see that in such cases, he is not imprisoned but some other penalty is imposed.

In all these Clauses and sub-clauses, I find that there are only some additions, some omissions, and so on. What we expected was this: we expected that Dr. Pratap Chandra Chunder would come here with a comprehensive Bill which can fulfil the aspirations of the people, which can fulfil the desires of the people. Now, what do we find? The Emergency Clause is there. Emergency should be imposed only when there is external aggression. Except on grounds of external aggression, there should be no room for declaring Emergency. We strongly oppose this Emergency clause.

The right to property may go but the right to work must be there, the right to live must be there, the right to education must be there. If there is no right to live no right to work, then what are we here for? We are here to look after the welfare of the people. The right to property may go, but when that right goes, the right to work must be there. All the unemployed and under-employed youth must be employed. The people should not be made to starve. We cannot allow this. Here we should safeguard these rights of the people.

I would, therefore, make this appeal to the hon. Minister through you. Let them come with a comprehensive Bill. Merely adding some clauses or omitting some clauses will not serve the purpose. Why should we take away the rights of the states? Why should we not give the states more powers? All these points should be taken into consideration. People have voted you to power, and you should see that people's wishes and aspirations are fulfilled to the greatest extent.

With these words, I conclude.

चौधरी बलबोर सिंह (होशियारपुर) : उपाध्यक्ष महोदय, मुझे एक कहानी याद आ रही है—100 जूतियां और 100 प्याज की। किसी को मजा हुई—उम को कहा गया कि 100 जूतियां खायेगा या 100 प्याज खायेगा? उम ने कहा—जूतियां खाऊंगा। जब 10 जूतियां उम को लग गईं, तो उम ने कहा, मैं जूतियां नहीं खाऊंगा, प्याज खाऊंगा। जब उम ने प्याज खाना शुरू किया और कुछ प्याज खाने के बाद तबियत खराब हुई, तो फिर उम ने कहा—मैं जूतियां खाऊंगा। नतीजा यह हुआ कि वह 100 जूतियां भी खा गया और 100 प्याज भी खा गया। यही हालत आज हमारी हो गई है। जिस दिन यह बिल यहां पेश हुआ था, उस दिन, हमारी सरकार को पता था कि इस को राज्य सभा में पास नहीं करवा सकते थे, तो फिर उनका ही करते, जिनका पाम हो सकता था। इतने दिनों तक हम ने यहां बहस की, इनका पैसा इस पर खर्च हुआ और फिर वापस आ गया। जिस चीज के खिलाफ हम ने यहां पर वोट दिया, सरकार ने उस के खिलाफ बयान दिया, और यहां पर उस को अमेण्ड नहीं होने दिया, राज्य सभा ने हमारी उन बातों को रिजेक्ट कर दिया और अब आज हम से यह कहा जा रहा है कि हम उस को मान लें, चाक जारी कर रहे हैं कि इस को मान लो, तुम उस को मानते हो या नहीं मानते हो, लेकिन वोट हमारे साथ दो। यह सब क्या हो रहा है?

बिल्कुल सीधी सी बात थी, इतनी झंझटों में जाने की क्या जरूरत थी, 42वें संशोधन को बिलकुल खत्म कर देते और उस को बिलकुल खत्म कर के फिर जो काम्प्रोमैसिव अमेण्डमेंट लाना चाहते थे, उन को लाते। लेकिन हम ने ऐसा नहीं किया और इस बात की कोशिश की कि इस में कुछ अच्छी बातों को शामिल कर दें। लेकिन नतीजा कुछ नहीं निकला।

आप रेफ्रेण्डम वाले मामले को देखिये—अगर कभी किसी का समय खराब हो जाय—जैसे जर्मनी

में हिटलर का हुमा था, उस ने पार्लियामेंट को घाग लगवा दी थी और पास करवा दिया था कि अब उस का राज चलेगा—तो यह ऐसी हालत को रोकने के लिये था। आप इस तरह से देखिये—इन लोगों का वक्त 6 साल था, जो उन्होंने संशोधन किया था, अगर ये चाहते तो 15 साल भी कर सकते थे, उस वक्त इन्दिरा जी के दिमाग में पता नहीं कहां से यह बात आ गई कि चुनाव करालो, उन के जो एडवाइजर्स थे, उन की प्राइवेट सी०प्राइ०डी० के लोगों ने उनसे कहा—“बीवी, यह चुनाव कराने का बहुत अच्छा चान्स है।” उन्होंने अपने एस्ट्रालाजर्स से भी पूछा था, अपने तान्त्रिकों से भी पूछा था—सब ने यही कहा कि इस से अच्छा मौका और नहीं मिलेगा, आप को इस वक्त चुनाव कराने से ओवर-हेलमिंग मैजोरिटी मिलेगी और इस गलतफहमी में आ कर वह इलैक्शन का ऐलान कर बैठी। इसी का नतीजा यह हुआ कि अब उन को बाइ-इलैक्शन में चिकमगलूर से चुन कर आना पड़ा—बैक-डोर से इस हाउस में आई। (ब्यवधान) यह बैक-डोर ही है—अगर उन को भरोसा होता, तो यू०पी० में कई इलैक्शन हुए, वहां से खड़ी हो सकती थी, लेकिन उन को पता था कि अगर नार्थ से खड़ी हुई तो फिर सत्यानाश हो जायेगा।

हमारे कुछ इन्कलाबी दोस्त पब्लिक की बात कहते हैं, जनता हमारे खिलाफ यह कहती है, बाहर के लोग यह कहते हैं—लेकिन ये लोग वे लोग हैं जो एमर्जेन्सी में उन के साथ थे। जिन लोगों ने उस वक्त उन का साथ दिया, आज वे लोग हम को जम्हूरियत या लोकतन्त्र की बात समझाने की कोशिश करते हैं। मेरे कहने का मकसद यही है कि इस में यह इन्तजाम किया गया था कि आने वाले जमाने में अगर किसी का दिमाग खराब हो जाय, खुद डिक्टेटर बन कर लोकतन्त्र को खत्म कर दे, तानाशाही को फिर कायम कर दे, उस को रोकने के लिये ही हम ने इस में रेफ्रेण्डम का प्रावधान रखा था। अगर विधान में तन्दीली करनी है तो उस के लिए लाजमी तौर पर रेफ्रेण्डम होगा, उस पर जनता अपना फैसला करेगी।

आज कुछ लोग दलील देते हैं कि जनता अनपढ़ है। आप लोग उस जनता को आज अनपढ़ कहते हो जिस ने तीस साल तक आप को गद्दी पर बिठाये रखा और आप तीस साल तक तानाशाही चलाते रहे। उस जनता को आप अनपढ़ कहते हो जिस ने आप को उखाड़ कर फेंक दिया और आपकी तानाशाही को खत्म कर दिया। जनता भला और बुरा अच्छी तरह सोच सकती है। आप के ब्याल से कुछ अंग्रेजी पढ़े लिखे लोग, जिन्होंने कुछ किताबें पढ़ लीं, वे ही तालीम-याप्ता बन गये। जिन्होंने सारी जिन्दगी अपनी आंखों से देखी है, वे आप को अनपढ़ दिखायी देते हैं, पीने दो साल पहले जनता ने आप को बता दिया कि वह कितनी पोलिटिकली कांशस है। जब वह पोलिटिकल्ली कांशस थी तभी उस ने हमें करोड़ों की तादाद में वोट दे कर यहां बिठाया है।

सभापति महोदय, मैं कहना चाहता हूं कि आज इस बिब को जिन ढंग से यहां पेश किया गया है, यह

[बीचरी बलबीर सिंह]

ठीक नहीं है। अगर यही करना था तो इन से पहले ही बात कर लेनी थी कि ये किस बात को मानते हैं और किस को नहीं मानते हैं। जब राज्य सभा ने इस में संशोधन कर के यहां वापस भेज दिया है और आप इसे उसी ढंग से पास करना चाहते हैं। हमें चाहिए तो यह था कि जिस तरह से हमने इसे पहले पास किया था इसे उसी तरह से फिर से पास करते और अगर राज्य सभा उसे फिर वापस भेजती तो हम जनता से जा कर कहते कि हम ने तुम्हारा हुक्म मान कर इस बिल को पास किया लेकिन ये जो राक्षस वहां बैठे हैं ये इस को पास नहीं होने दे रहे हैं। लेकिन जिस ढंग से आज आप इस बिल को लाये हैं यह अच्छी बात नहीं है। अगर हम इसे उसी शक्ल में पास कर वहां फिर से भेजते और वहां से रिजेक्ट भी हो जाता है तो हम जनता से कह तो सकते हैं कि पहले इन्होंने विधान के साथ बलात्कार किया, अब हम उसे ठीक करना चाहते हैं तो हमें ये करने नहीं दे रहे हैं। ये राक्षस अपने बहुमत से हमें इस को करने नहीं दे रहे हैं। इस तरह से जनता के सामने हम अपनी सही इमेज पेश कर सकते थे। हम ने यह नहीं किया और इन थोड़े से लोगों ने जो बाढ़ा वह पूरा हो रहा है। अब ये लोग जा कर जनता में कहेंगे कि जनता पार्टी ने पहले तो हमारी बात को माना नहीं अब उन्होंने हमारी बात को माना है। दो महीने पहले तो इन्होंने हमारी बात को माना नहीं आज क्या हो गया जो इनको हमारी बात करनी पड़ी।

इसलिए मैं मिनिस्टर से कहना चाहता हूँ कि कल तो आपने इस को पास कर दिया, और आज आप इनकी बात मान कर फिर से इनकी मर्जी के मुताबिक पास कर रहे हैं। इस को पास करना क्यों जरूरी हो गया था और अब क्यों इनकी बात को मानना जरूरी हो गया है? यह अफसोस और शर्म की बात है कि हम ने जो जनता से वायदा किया था उस को हम पूरा करने में नाकामयाब रहे हैं। सीधे तौर पर हम अपने पहले वाले प्रमिसेड्स को पास करते और ये उन्हें न भी पास करते तो हम खुद लोगों से जा कर कह सकते थे कि हम ने तो आपको मर्जी के मुताबिक प्रमिसेड्स पास किये हैं लेकिन इन्होंने नहीं किये, इन्होंने बैसे ही रख दिये। यह ज्यादा अच्छी बात होती।

MR. DEPUTY-SPEAKER: Mr. Chitta Basu.

SHRI CHITTA BASU (Barasat): Mr. Deputy Chairman, Sir,....

AN HON. MEMBER: He is Mr. Deputy-Speaker.

MR. DEPUTY-SPEAKER: He was a Member of Rajya Sabha when I was the Deputy Chairman.

SHRI CHITTA BASU: You were a Deputy Chairman there. You are an ex-Deputy Chairman.

Mr. Deputy-Speaker, Sir, I rise to oppose the proposal for amendment which has been done in the wisdom of the Rajya Sabha.

I would like to state the reasons for my opposition to this. Firstly, you know that this Sixth Lok Sabha was elected on the basis of a clear-cut verdict of the people of India where in the Lok Sabha is committed to fight against all trends of authoritarianism in our country. Sixth Lok Sabha has been elected by the people of this country to defend democratic rights of the people of this country and to ensure the path for democratic advance.

Mr. Deputy Speaker, Sir, I think we cannot forget the circumstances in which the Forty-second amendment of the Constitution was passed by a Parliament which was nothing but a pitiable and a captive Parliament. At that time the former Prime Minister of this country could establish her dictatorship in a constitutional manner. She was not only able to establish her personal dictatorship through the Constitution itself but institutionalised her dictatorship for all the time to come. We are elected here to oppose that. The Janata party gave that promise to the people of the country that the Constitution of our country should not be utilised for the establishment of personal dictatorship of anybody. But unfortunately I find that while the pledge was to rescind the Forty-second amendment log, stock and barrel certain selective approach was made by the government and certain good points were discovered in the notorious Forty-second amendment of the Constitution. That was the first slide back on the part of the Janata government in the fulfilment of the electoral promise given to the people. Now, I find by accepting the amendment suggested by the Rajya Sabha

certain pernicious provisions of the Forty-second amendment of the Constitution are being re-introduced in the present Bill.

Sir, you would agree with me that those members of the Congress(I) and the Congress who in the other House in their wisdom wanted to abolish 31(C) raised one arguments namely, the Directive Principle should prevail over the fundamental right. Sir, we on behalf of the left parties working amongst the workers and the peasants feel that the fundamental right is not only a right cherished by those who control the State machinery but the fundamental is much more precious to those who fight for workers' and peasants' interests and to bring about radical change in the economic policy of the government. Therefore, we the representatives of the workers and the peasants and the toiling millions of our country can present the fundamental right on the platter to those who have trampled over the fundamental right because we the toiling people value the fundamental right more than anybody else. But, unfortunately, I find some of the left parties could not understand the difference between the fundamental right and directive principles enunciated by a bourgeois government. The directive principle, if I am allowed to say, is nothing but a pious declaration of the principles of the government yet the right to private property as a fundamental right was the only obstacle to implement or to give effect to enforce the directive principles of our Constitution. There was a complete lack of political will on their part and the only sort of political will that they displayed was to perpetuate their exploitation. Now, so far as the Directive Principles are concerned, why is it that their congress (I) representative in the Rajya Sabha did not implement these Directive Principles in all seriousness? Who prevented them from making laws for the benefit of the workers? Who prevented them from

making laws for the agricultural workers, giving them living wage? Who prevented them from making laws for equal pay for equal work for agricultural labour and for the peasants and for the workers in the plantations and so on? It is not a fact that fundamental rights stood in the way and therefore they could not implement the directive principles. That is not at all the case. They did not have the political will. That is the point. And this political will was not there, only because they wanted to perpetuate the role of capitalism.

Therefore, this particular argument raised by them (that the Directive Principles should prevail over Fundamental rights) I again say, is nothing but a hoax perpetrated on the people of this country.

We equally feel that the Fundamental Rights should be guaranteed to the peasants and to the workers of this country, so that the struggle for their emancipation can be continued.

Now, this amendment proposes to take away that Fundamental Right under the guise or under the cover of the slogan of 'prevalence of directive principles over fundamental rights'. This is done to disarm the working class in this country. This is done to disarm the poor people of this country, and to take away their fundamental rights to fight for their rights.

Secondly, I wish to point out this, that Article 368 is the crux of the whole matter in regard to these Forty-Fifth Amendments which are now sought to be amended by the Rajya Sabha.

There was a provision of Referendum. Now, Rajya Sabha, in their own wisdom, have suggested the removal of this provision. Now, what is a Referendum? What is the principle of Referendum, in the Indian context? This principle of Referen-

[Shri Chitta Bosu]

dum was brought in because we wanted to have a built-in mechanism to fight against any kind of authoritarianism in this country. We wanted to safeguard the provisions of the Constitution. We wanted to safeguard the sovereignty of the people. We wanted to safeguard against the sinister motives of those who only wanted to perpetuate themselves and their dictatorship over the whole country. That is what we wanted to do. Now, the provision of this Referendum was there only to provide that kind of a safeguard. It was a bulwark against that kind of attack on the democratic rights of the people. If we accept the Rajya Sabha's amendment then the so-called supremacy of the Parliament will be there and this Constitution can be changed even in respect of its basic features and basic character sometimes beyond the recognition of all of us and dictatorship and authoritarianism and totalitarianism can be instituted.

I think that the Janata Government should be aware of these dangers which are likely to emanate. There are forces still which justify the proclamation of emergency. They still feel that there should not be fundamental rights. They still believe that by imposing emergency they have strengthened democracy. Those forces are still very much there. By this sort of referendum, we wanted to have a built-in mechanism, so that, such kinds of evil designs can be defeated and defeated by the people. The sovereignty of the people is the ultimate weapon that we have. It is not the Parliament Member whose sovereignty is ultimate. It is that of the people. I do not know why these people are afraid of approaching the people. The Constitution of the country should be amended only with the approval of the ultimate sovereignty of the people of the country. Education

should not be included in the Concurrent list because that militates against the right of the States. The States are demanding more power in order to develop their own personalities on the basis of their own culture, on their own requirements and the States must have power. The amendments made by the Rajya Sabha really takes away the right of the States. The States should have the power to develop their own culture and personalities. Thank you.

17 hrs.

*SHRI P. VENKATASUBBALAH (Nandyal): Mr. Deputy Speaker, Sir, the 45th Constitution Amendment Bill about which we are discussing here today. (Interruptions).

Mr. Deputy Speaker, Sir I will speak in my mother tongue. My Party and I support this Bill, as amended by Rajya Sabha. Just now, we heard many hon. Members speaking on this Bill. We have expressed our views on this issue many a time on the floor of this august House. We need not now go to the extent of defining the words like Socialism or Secularism. If we do that it may injure the susceptibilities of somebody or some groups. It is enough if we understand that in socialism one enjoys equal status, and secularism means freedom of worship. Let us not go deep into the matter. Unfortunately, our views had not been given due consideration the past. We have also criticised the policy of the present Janata Government in shifting education and forest from the State List. When Janata Members speak of secularism and socialism, I wonder whether they are not the people who devoted their entire life to the theory of exclusive Hindu State and domineering Hindu culture. With their oft repeated slogans on Hindu State and Hindu culture, they have created a panic in the minds of Minorities as second class citizens of this country. When they talk of socialism, secularism, it

*The original speech was delivered in Telegu.

it like the devil quoting the scriptures. Today the people consider a Congress man belonging to any particular caste or religion. The people of this country know it very well that Congress is synonymous with secularism and socialism. Even after 20 months of their rule, a section of the Janata Party does not accept either socialism or secularism. That is the view of the minorities about this Janata Government. So it is nothing but foolishness to say that the Janata Party is marching forward in the direction of socialism and secularism.

It is worth mentioning how the Government in the past 30 years utilised with education and forests for the progress of this country. We have accepted Education in the Concurrent list with the sole objective of making our children glorious and responsible citizens of future. We thought that integration and equality of all citizens would be well-maintained by doing so. Regarding Forests we all know how the deforestation is going on in a brisk manner causing us a lot of damage in the form of floods, drought etc. In the past when the Forests were in the States List, there was no national policy. No National consensus was there in this matter. That is why we thought it better to keep it in the Concurrent list, so that we could evolve a national policy for the good of the entire nation.

Now regarding the Administrative Tribunals there is no basis, whatsoever, for the apprehensions of Janata Party members and for their hue and cry. By having Tribunals we will be in a position to provide justice without any delay. As all of us know, justice delayed is justice denied. We have at our disposal High Courts and Supreme Courts which are above these Tribunals. So we consider it better to have Tribunals which will be of help to the common man at the lowest stratum of society.

We should not think that the amendments proposed by Rajya Sabha are not acceptable to the people. At times, in an environment of surcharged emotions, Lok Sabha takes certain hasty decisions. Rajya Sabha, in a cool and calm fashion, does correct us wherever we falter. Let us also not think that the Rajya Sabha members are not elected by people. They have been elected by the elected members of Assemblies and Councils. It is but proper that we accept the amendments suggested by the Rajya Sabha. The C.P.I. (M) members are constantly blaming us as authoritarian and dictatorial. But people of this country know it better as to who is authoritarian or dictatorial and who is not. They also know who are pursuing the policies of authoritarianism. By creating chaos, if they think that they can achieve their objective they are grossly mistaken, for the people can judge better. The people of this country have implicit faith in democracy and they will not be swayed by demogogy.

Once again I am making it clear to the CPI(M) members that the people are not at all supporting them. They are not at all supporting them. They are not at all behind them. With these words I conclude.

श्रीमती ग्रहस्या पी० रामनेकर (बम्बई उत्तर-मध्य) : उपाध्यक्ष महोदय, अभी जो माननीय सदस्य बोले वह अंग्रेजी में ट्रांसलेट नहीं हुआ है।

उपाध्यक्ष महोदय : आप जरा ट्रांसलेशन यंत्र लगाती तो सब समझ में आता।

श्री रामनरेश कुशवाहा (मलेमपुर) : उपाध्यक्ष महोदय, आज मुझे बड़े ही दुःख के साथ कहना पड़ता है कि जिस संशोधन को हम लोगों ने कहा था कि सरकार मान ले उसे सरकार ने नहीं माना और जब बिपक्ष का डंडा पड़ा तो मान लिया। हमारी समझ में नहीं आता कि इस सरकार को पहले यह समझ क्यों नहीं आई? क्यों इस तरह की बेइज्जती उसने करायी? अगर सारे का सारा विधेयक ही लैप्स हो जाय तो आप का क्या जाता है? जो ब्यालीसवां संविधान संशोधन है वह तो जो भी गद्दी पर रहेगा उसी के लिए लाभप्रद रहेगा, चबराता चाहिए उन लोगों को जिन्होंने पास किया था अपने फायदे के लिए और चले गए उस तरह।

श्री एम० रामगोपाल रेड्डी (निजामाबाद) :
हम फिर आ रहे हैं ।

श्री राम नरेश कुलशब्दा : वह ठीक है, यही तो मैं कहना चाहता हूँ कि शायद कुछ लोगों को डर हो कि फिर कस धाप धा जायेंगे तो वही धन्धा करेंगे जो धाप ने किया है । लेकिन मैं धाप से कहना चाहता हूँ कि कतई धाप यहां धाने वाले नहीं हैं, हम धावे चाहें न धावें । इसलिए इधर किसी को डरने की जरूरत नहीं है और न कोई डरता है ।

इसलिए धाप धपने गले में वह फन्दा डाले रहें । बयालीसवें संविधान संशोधन का फन्दा धाप धपने गले में डाले रहें, इस में हम को कोई एतराज नहीं होना चाहिए । लेकिन अगर हम ने पहले पास किया है कि हम इन संशोधनों को नहीं मानेंगे तो धाज भी न मानें, नहीं तो पहले ही मान लेना चाहिए था । क्या हर्ज था ? हर्ज केवल यह था कि धाप ने यह वादा किया था कि हम बयालीसवें संशोधन को रद्द करेंगे, तो वह पूरा रद्द कर देते । केवल इसीलिए न धाप ने धपने वचन का पालन करने के लिए कहा कि नहीं, हम इसकी रहने देंगे ? हम जरूर इस को हटाएंगे ? लेकिन जब उधर के धंधुधों ने उस को फेल कर दिया, संशोधन पास कर दिया उस में तो धाप ने मान लिया । हम नहीं समझ पा रहे हैं कि जब धाप पूरा बयालीसवां संविधान संशोधन रद्द करने का वादा किए हुए थे और इसी बिना पर धाप ने हमारी बात नहीं मानी, हमारा संशोधन नहीं माना तो धाज क्यों मान रहे हैं ? हो जाने दीजिए पूरा का पूरा लैस । और मैं उन बंधुओं से भी कहना चाहता हूँ कि उन्होंने जो किया और उसमें संशोधन पास किया, अगर कहीं पूरा का पूरा विधेयक ही रद्द कर दिया जाय तो वह गले का फन्दा जो धाप ने हमारे लिए बनाया था वह धाप के गले में पड़ सकता है और अगर कोई भी ऐसा सरकार धा जाय जो प्रादेशवादी न हो, जो मिश्रितवादी न हो, केवल कुसीबादी हो धपनी कुर्सी को रक्षा करने के लिए जिस तरह से धाप लोगों ने सारा कुकर्म किया, उसी तरह धाप को हथियार से ही धाप को कोई भी वहां धा कर बुझा कर सकता है । पता नहीं क्यों उस से धाप को मोह है ? क्यों उस से धाप को मोह है ? हमारा धाप से नम्र निवेदन है कि जिस तरह से यहां से विधेयक पास किया गया था उसी तरह से पास करवाइए और या तो समचा रद्द करवा दीजिए, नये सिरे से जो जो अच्छी चीज धाप रखना चाहते हैं उस का विधेयक तैयार कीजिए और लाइए, उसे यहां से पास करवाइए । लेकिन प्राधा तीतर, प्राधा बटेर, प्राधा तुम्हारा प्राधा हमारा, इस से कुछ काम बनने वाला नहीं है । कहीं की ईंट कहीं का रोड़ा, मानमती ने कुनबा जोड़ा । इस तरह से कुनबा जोड़ने से कोई फायदा नहीं है । चाहे इस पर चाहे उस पर, इस मिली जुली कुचरी से कुछ नहीं होगा । और हमारा उधर के माननीय सदस्यों से भी यह निवेदन है कि यह पूरा बयालीसवां संविधान संशोधन अगर धाप रद्द करवा दें तो धाप का कुछ बिगड़ता नहीं है । धाप का बनने वाला है । धाप की सदाशयता पर देश के लोगों का विश्वास हो जायगा और साथ ही साथ अगर कोई पाजी भी प्रादमी यहां

बैठ जाय तो वह भी धाप के खिलाफ कोई कार्यवाही नहीं कर पाएगा । हम तो धाप के गले के लिए कह रहे हैं । हम तो भोग चुके हैं, जो हम लोगों को देखना था, जितनी दुर्गति हम लोगों की करनी थी, संविधान संशोधन कर के, वह इन्होंने कर दी, धाब धगर यह रह जायगा, तो रहने दिया जाय । जब धाप खुद चाहते हैं कि यह फन्दा गले में बरकरार रहे, तो मैं यह कहूंगा कि इस क. धपने धाप लैस हो जाने दीजिये । जो भी गद्दी पर धाये उस का इस का फायदा उठाने दीजिये, हालांकि हम उस का फायदा उठाना नहीं चाहते हैं इन को ही धनन्तकाल तक इन्तबार करने दीजिये, जिस दिन ये गद्दी पर धायेमें, यही तो होगा कि हम सब फिर से जेल चले जायेंगे । लेकिन हम इस का इस्तेमाल नहीं करेंगे, हम किसी पर इन की तरह से धत्याचार नहीं करेंगे, किसी के मौलिक अधिकार को छीनने नहीं जायेंगे, उन की तमशा है, तो उन को छीनने दीजिये । (ध्वजध्वन) यह हम कैसे कहें कि इन को भी उसी तरह से बन्द कर के उस का धानन्द उठाने दिया जाय । यह हमारा धाशय नहीं है, हमारी ऐसी इच्छा भी नहीं है । अगर हम को 42वें संशोधन से तकलीफ हुई है तो हम वह चीज जो हम को बुरी लगती है या जिस से हमको तकलीफ हुई है वह दूसरों के लिये हम को नहीं करना चाहिये । हम जानते हैं कि धाप ने कुकर्म किया है, धापने हम पर धत्याचार किया है, हम को धाप ने जेलों में बन्द किया था—लेकिन यह समूचा हिन्दुस्तान तो बड़ा जेल है । छोटे जेल में तो खाने की गारन्टी है दवा की गारन्टी है, बांमने की गारन्टी है, वहां हम कुछ भी बोल सकते हैं, लेकिन इस बड़े जेल में तो न मरने की प्राज्ञादी है और न जीने की प्राज्ञादी है । अगर धाप धात्महत्या करने जायेंगे, अगर मर जायेंगे तब तो कोई भगवान के यहां से धाप को बुलाने नहीं जायगा, लेकिन यदि बच गये, तो धात्महत्या के अपराध में धाप पर मुकदमा चलेगा, इसलिये यहां तो मरने का भी अधिकार नहीं है । यहां जीने का भी अधिकार नहीं है । अगर धाप 9 दिन तक उपवास करेंगे, तो कोई भी नहीं पूछेगा कि धाप ने क्या खाया है, क्यों उपवास कर रहे हो, उल्टा धाप को जेल भेज दिया जायगा, जहां हर चीज की गारन्टी है । मेरे कहने का तात्पर्य यह है कि देश में कानून ऐसा बना रखा है, जिस से गरीबों का कहीं भी कोई भला होने वाला नहीं है । इस कानून को पास करवा कर अगर धाप धपना गला बांधे रखना चाहते हैं तो पास करवाइये, लेकिन मैं तो धाप से यही कहूंगा कि इस को रद्द हो जाने दीजिये ।

श्रीमन्, मैं धाप से बड़ी विनम्रता से निवेदन करना चाहता हूँ—शिक्षा को समवर्ती सूची में रखा जा रहा है और धाब धाप भी चाहते हैं कि इस को उस में रखा जाय—यह अच्छी बात है, धाप को सद्बुद्धि आई है, उस वक्त धाप इस को नहीं मान रहे थे, लेकिन कोई हर्ज नहीं है, भला काम चाहे देर से भी हो तो स्वीकार करना चाहिये । यह बात दूसरी है कि दूसरों के सिखाते से यह बुद्धि आई है या इन्दिरा गांधी के डण्डे से आई है—यह अच्छा काम करने जा रहे हैं, इस को धाबधय पास कीजिये ।

SHRI G. M. BANATWALLA (Ponnani): Rajya Sabha has made six amendments to the Constitution 45th Amendment Bill. I rise to voice my protest against some of these amendments made by the Rajya Sabha.

The implications of Amendment No. 1 and Amendment No. 2 made by the Rajya Sabha is to give precedence to Directive Principles over the Fundamental Rights. I must say with all the force at my command that any attempt to give precedence to Directive Principles over the Fundamental Rights is a retrograde step. I am sorry to say that, this is what is implied by amendments 1 and 2 made by the Rajya Sabha. We are often told that directive principles give the social objectives and social goals whereas fundamental rights give a list of the rights of the individual and, therefore, social objectives must have precedence over individual rights. I most respectfully submit that this misunderstanding stems out of a wrong notion of directive principles and fundamental rights. Fundamental rights, as enshrined in our Constitution are not merely rights of an individual as against society. It must be clearly understood that the fundamental rights are there as a matter of social policy and hence the supremacy of the social policy. For example, take article 21 which ensures the protection of life and liberty and says that no person can be deprived of his life and liberty except in accordance with the procedure established by law. Some friends may argue that this is an individual right. But the fact is that this is a matter of social policy because nobody can go to the court and say "I waive my individual right under article 21. I waive the entire procedure of law and I am prepared to be convicted."

17.22 hrs.

[MR. SPEAKER in the Chair]

Even if we take such a stand, the supremacy of the law will be there and the procedure established by law

will take its own course as a matter of not an individual right but as a matter of social policy and in accordance with the democratic and secular ideals enshrined in the Constitution. It is, therefore, wrong to say that individual rights mentioned under fundamental rights are against society. I have, therefore, to oppose the precedence that is sought to be given to directive principles over fundamental rights. The idea of fundamental rights in India originated in the 19th century. Though there was no Bill of Rights prior to the adoption of the Constitution even during the British regime, the Indian National Congress started an agitation for the recognition of civil rights. For example, in 1928 we had the Pandit Motilal Nehru Report. The Congress friends have forgotten what is given in that report. The report lays down that our fundamental rights should be so enterrenched that they should not be amendable under any circumstances whatsoever. That is the nobility of the fundamental rights. The fundamental rights are there for the protection of the rights of the working group and for the protection of the rights of the minorities. Giving precedence to directive principles over fundamental rights is a serious injustice to the working group and to the minorities in the country.

On the same point, I have to oppose another amendment made by Rajya Sabha. Rajya Sabha wants that clause 45 should be deleted. Clause 45 deals with the amendability of the Constitution. If it is deleted the Constitution, as it stands today, gives sweeping powers to this Parliament even to destroy the democratic and secular structure. Such a position cannot be acceptable. There is something like the basic structure. There are the fundamental rights of the working group, of the minorities. Those must be inviolable. I understand that there must be a socialist advance—an advance towards the socialist pattern of society. But

[Shri G. N. Banatwalla.]

I submit that every socialist advance envisaged by the directive principles must be within the framework of the fundamental rights enshrined in the Constitution. This is in conformity with the democratic and the secular framework of the Constitution. Otherwise, we will have an authoritarian society. If a socialist advance throws to wind the democratic and secular considerations as envisaged in the fundamental rights, then there is nothing but authoritarian regime. It is, therefore, I oppose the Rajya Sabha amendment not only for giving precedence to directive principles over fundamental rights but also with regard to the amendability of the Constitution.

Ours is a federal structure and we must understand the constraints and limitations of the federal structure where fundamental rights play a very important part and judiciary also plays a very important part. As Dicy puts it the fundamental laws derives its existence from the Constitution. Hence every part, executive, legislative or judiciary, whether it belongs to the nation or it is an individual's case, is subordinate to and controlled by the Constitution. The Constitution constitutes the supreme law of the land. There is, therefore, a pre-dominance of the judiciary to check parliamentary invasion on the Constitution. This is no threat to political supremacy of this House which is distinct from its legal omni-competence as a law making organ.

To conclude, I would say that the Rajya Sabha by suggesting the amendments to these two particular clauses, has done a great injustice to the minorities. The rights of the minorities and the rights of the working group also become subject to the whim and fancy of any transient majority here in the parliament. Of course, I will go to the extent of saying that minority's rights should be inviolable but then there must be certain limi-

tations. The Parliament cannot be given sweeping powers and its transient majority cannot be given sweeping powers to trample over these rights.

However, I must also support the idea of education being in the State List. Further, I must say that in one respect, the Rajya Sabha's amendment is good and it is that the Rajya Sabha wants tribunals to continue. There is no reason why the tribunals should not function to the advantage of one and all where we have experience of experts. If Income-tax Tribunals can function smoothly, there is no reason why other tribunals cannot run smoothly.

With these observations and with partial opposition to certain amendments made by the Rajya Sabha, I hope that the matter will receive serious consideration of the House.

PROF. P.G. MAVALANKAR: (Gandhinagar): Mr. Speaker, Sir, I must say that while considering these amendments from the Rajya Sabha, we in this House are caught in a very extraordinary position. Not only that. A very unprecedented situation has arisen in as much as for the first time, what we passed here, had been rejected partially and partially also amended by the other hon. House. We passed this Bill on the 23rd August, it went to the other House, and the other House sent us this Bill back, I would not say in a mutilated form but certainly in a changed form, which we cannot ordinarily accept. We are in a dilemma. If we do not accept what the Rajya Sabha has done, we shall have to face the consequence of the entire thing collapsing. We have, therefore, to think whether that is a better alternative, or accept this unfortunate political humiliation at the hands of the other House, and agree to these amendments, get them passed, and then carry on the battle for further improvement of the distortions of the Constitution, which were sought to be made during the Emergency. This

is the dilemma in which we are in, and we have to take a realistic political judgement in this matter.

We cannot be sentimental or emotional and talk about the rights of this House or that House. The point is that unfortunately the Constitution is silent on this. My hon. friend, Shri Hari Vishnu Kamath, raised a point of order and you gave a very important ruling. I am very grateful for that. I wish the founding fathers of the Constitution had made some provision to get over this kind of eventuality where the Bill originating in the lower House, the directly elected chamber, gets amended in some form by the other House what do we then do? The Constitution is silent on this matter.

Since my esteemed friend from both the Congresses are fortunately present here, I would ask them this question. Let them imagine for the moment that they are in the position where the Janata Party is today. How would they like a majority for the time being in the other House using that majority to undo what has been done by the elected representatives of the people in this House? It is all right that the two Congress combined, and because they combined, they got a certain majority and, therefore, they could negative what we did in this House. Therefore, I do not think we should have really gone into the merits of the Rajya Sabha amendments.

But let me tell you this, and I will be very frank on these two points. The root cause for this is perhaps the Janata Government's inability and refusal to come forward with a simple categorical amendment of the Constitution, saying that the Constitution (Forty-second Amendment) Bill is rescinded lock, stock and barrel. That was the manifesto of the Janata Party. Why did they not do it? They were afraid that the Upper House may not accept it. Even if they had the fear that the Upper House may not accept it, they would have been well-advised, and politi-

cally rightly so, if they had come forward with such a Bill and got it rejected by the Upper House. Then they could have told the people "we did our best, but the other House came in the way; so, we are now coming with this Amendment Bill". I wish they had done it.

Secondly, the non-performance of the Government for the last so many months, and also the in-fighting in the party has given weight and strength to both the Congresses in this House, and particularly in the other House where they have a majority. If the Government had been run efficiently, perhaps they would not have been able to do the way in which they have done in the other House.

I want to ask this question in all sincerity and seriousness, and I do not mean any disrespect to the other House. If there is the bicameral system—and we have accepted it because of our federal scheme. We have to have it and I accept it—when there are two chambers in a federal scheme of things, there is always a dilemma. As a French author has said, the dilemma is: if the second chamber agrees with the first, it is superfluous; if it does not agree, it is obnoxious. We do not want either. But, at the same time, I say with great respect to Rajya Sabha, because a second chamber in a federal scheme of things is a must, if there is a conflict between the two Houses, which is unavoidable and inevitable, then the conflict has to be solved by this political dictum that the Lower House, which has been elected directly by the people, shall lead and the view of the Lower House shall prevail over that of the other House. That must be accepted politically, not as a constitutional formality. Without that we cannot do anything. Politically speaking, the House which is elected directly by the people shall lead and the views of that House shall prevail over the other. I am sorry, that has not been done.

Lastly, I will say only this. As I said, there is no point in telling any-

[Prof. P. G. Mavalankar]
 thing about these six amendments. Shri Banatwalla talked about something good in some and something bad in some other provisions. Many other Members have also said the same thing. Can we, however, change our stand or views when we are considering the same matter again and say something different from what we said then? We can only repeat what we said earlier. We cannot now say that something is good, so we accept it, something is bad and so we cannot accept it. As I said in the beginning, we have to accept it as it is. But having said that, I want to conclude by saying that I am sorry that the two Congress Parties, and I am particularly sorry for the Indian National Congress—I am not referring to the Congress (I), but I am referring to the Indian National Congress—I am sorry that reasonable and realistic individual leaders and members of that party chose, for certain political advantages perhaps, to side with Congress (I) and get through these amendments in the Rajya Sabha so that that part of the Emergency cake is sought to be retained. That was not to be done. This House must reject it. When I was a Member in this House in the last Parliament, my friend Mr. Somnath Chatterjee will bear me out when I say this, some of us in spite of their huge majority did our best to the last minute, to the last second, to oppose those atrocious, extraordinary and unbearable amendments to the Constitution. Some good things are there, and I agree with my friends of the Indian National Congress that some of the good things have come in that amendment. But those good things have come in a wrong way, in a bad way and in an arbitrary way. Therefore, there is no point in discussing those details of this amendment and that amendment. We have taken the position and we have stick to it.

Having said this, I want to say a word, in conclusion, by way of con-

gratulations to the Janata Government for at least doing something by this Forty-fifth Amendment Bill which is substantially undoing the damage and evil that is done by the Forty-second Constitution Amendment Act. My fervent appeal to them is, having gone in a right direction thus far substantially, I hope they will have the courage and the political will and political unity and leadership and efficient government to come forward during their regime with a new Bill, if necessary, or a set of new Bills and undo the remaining evil that is still lingering and lurking in the Constitution Amendment Act, namely, the Forty-second Constitution Amendment Act. This is my appeal and I hope the Minister will kindly bear this in mind and bring forward such a Bill in 1979, latest by 1980, but preferably next year 1979. But before that, unite, govern and have good leadership.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): Sir, I would not take much of the time of this House. I notice that some of the hon. Members have supported this Bill. The honourable Member, Shri Venkataraman, clearly assigned certain reasons as to why these amendments made by the Rajya Sabha should be supported. I do not want to go as far as that. But at the same time, I also find that those of the hon. Members who want to oppose these amendments are divided in their opinion. For instance, the hon. Member, Shri Samar Mukherjee, felt that the definitions of secularism and socialism should not have been there and they have been rightly rejected. Similarly, the hon. Member, Shri Banatwalla, feels that tribunal should remain. Therefore, Rajya Sabha's decision was right. It shows that there is no unanimity even in the matter of opposition. I share some of the expressions used by the hon. Member, Prof. Mavalankar, because he has indicated the dilemma which we are facing. It is true that it is a

dilemma for us and many of the hon. Members on our side have felt that they are supporting this with a heavy heart. Naturally I had also supported this Bill in this Lok Sabha and when I am saying that we have to accept the views of the Rajya Sabha here in this House, I cannot be happy because I had supported the Bill as a whole. So, that is the feeling. But what is to be done? We have to see the alternative.

As hon. Member in anger has said that we should reject the whole Bill. Anger does not lead us anywhere. Particularly in the political field, if we are prompted by anger, then we will face great danger in our society. So, I would submit that instead of having anger or anguish, let us study this objectively and as I have pointed out earlier, out of 49 clauses which were passed by this House, 44 have been accepted by the Rajya Sabha. If we do not accept these 44 which have already been accepted by the Rajya Sabha, the result will be that much of our intention to fight authoritarianism will be completely thwarted by the existing provisions of the Constitution.

Shri Chitta Basu said that we must fight against authoritarianism. Is it fighting against authoritarianism to continue uncontrolled power of preventive detention? Is it fighting against authoritarianism to continue to have limited jurisdiction of courts in the matter of applications under article 226? Certainly these are not matters which will enable us to fight against authoritarianism. I can cite many more instances. There are many good features which are already there within these 44 clauses which have been accepted by the Rajya Sabha. So, I most humbly submit before this august House: let us accept the amendments passed by the Rajya Sabha even with some diffidence, and then we can see how in future we can do

something to undo some of the distortions which still continue within the Constitution.

With these words, I request that the amendments be taken into consideration.

MR. SPEAKER: Before I put the motion to the vote of the House, this being a Constitution (Amendment) Bill, voting has to be by division. Let the lobbies be cleared.

The lobbies have been cleared. We shall now have a division. Before votes are recorded by operating the machine, I may remind the Members that the Rules Committee at their sitting held on 28th October, 1978 have decided that to expedite matters four distinctive slips may be used for recording corrections from Members. The slips are as follows:

(i) *Slip for recording vote for 'Aye':* This slip is printed on green paper and is to be used by Members for recording vote for 'Aye' in case the vote has not been recorded by the machine or for correcting the vote from 'No' or 'Abstain' to 'Aye', as the case may be.

(ii) *Slip for recording vote for 'No':* This slip is printed on pink paper and is to be used by Members for recording vote for 'No' in case the vote has not been recorded by the machine or for correcting the vote from 'Aye' or 'Abstain' to 'No', as the case may be.

(iii) *Slip for Recording Abstention:* This slip is printed on yellow paper and is to be used by Members for recording Abstention in case the vote has not been recorded by the machine or for correcting the vote from 'Aye' or 'No' to 'Abstention', as the case may be.

(iv) *Slip for correcting vote recorded from a wrong seat:* This slip is printed on white paper and is to be used by a Member who has recorded his vote from a wrong seat (i.e. seat allotted to another Member).

[Mr. Speaker]

All slips have been printed in English on one side and Hindi on the reverse.

Any Member who wants to record his correction should get up in his seat as soon as the votes have been recorded by the machine whereupon a Teller will come to him and hand over to him the appropriate correction slip. Members are requested to fill in the correction slips correctly and completely. The portions which are not applicable should be struck off.

I have also to remind Members that when Division is announced, a gong will sound which is signal to the Members for casting their votes. Each member has to press the push switch and then operate one of the three push buttons according to his choice. The push button and the push switch must be kept pressed simultaneously until the gong sounds for the second time after ten seconds.

Now Division

The question is:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Constitution of India, as passed by Lok Sabha, be taken into consideration:—

"New Clause 7A

(1) That at page 3, after line 4, the following new clause be inserted, namely:—

'Amendment of article 31C—

7A. In article 31C of the Constitution, for the words and figures "article 14, article 19 or article 31", the words and figures "article 14 or article 19" shall be substituted'

Clause 8

(2) That at page 3, clause 8, be deleted.

Clause 35

(3) That at page 8, clause 35, be deleted.

Clause 44

(4) That at page 13, clause 44, be deleted.

Clause 45

(5) That at pages 13, and 14, clause 45, be deleted.

Clause 47

(6) That at page 14, clause 47, be deleted."

The Lok Sabha divided.

AYES

Division No. 2]

[17.48 hrs.

Abdul Lateef, Shri
Ahuja, Shri Subhash
Alluri, Shri Subhash Chandra Bose
Amat, Shri D.
Ananthan, Shri Kumari
Arif Beg, Shri
Arunachalam alias 'Aladi Aruna'
Shri V.
Asokaraj, Shri A.
Bagri, Shri Mani Ram
Bairagi, Shri Jena
Bal, Shri Pradyumna
Balak Ram, Shri
Balbir Singh, Chowdhry
Banatwalla, Shri G. M.
Barakataki, Shrimati Renuka Devi
Barrow, Shri A. E. T.
Basappa, Shri Kondajji
Basu, Shri Dhirendranath
Bhadoria, Shri Arjun Singh
Bhakta, Shri Manoranjan
Bhanwar, Shri Bhagirath
Bharat Bhushan, Shri
Birendra Prasad, Shri
Bonde, Shri Nanasahib

Borole, Shri Yashwant	Gode, Shri Santoshrao
Brahm Perkash, Chaudhury	Gopal, Shri K.
Brij Raj Singh, Shri	Gore, Shrimati Mrinal
Chakravarty, Prof. Dilip	Gotkhinde, Shri Annasaheb
Chand Ram, Shri	Gowda, Shri S. Nanjasha
Chandan Singh, Shri	Goyal, Shri Krishna Kumar
Chandra Pal Singh, Shri	Guha, Prof. Samar
Chandrappan, Shri C. K.	Gulshan, Shri Dhanna Singh
Chandravati, Shrimati	Hande, Shri V. G.
Charan Narzary, Shri	Harikesh Bahadur, Shri
Chaturbhuj, Shri	Hazari, Shri Ram Sewak
Chaturvedi, Shri Shambhu Nath	Heera Bhai, Shri
Chaudhary, Shri Motibhai R.	Hukam Ram, Shri
Chaudhry, Shri Ishwar	Jain, Shri Kacharulal Hemraj
Chaudhury, Shri Rudra Sen	Jain, Shri Kalyan
Chauhan, Shri Bega Ram	Jain, Shri Nirmal Chandra
Chauhan, Shri Nawab Singh	Jaiswal, Shri Anant Ram
Chavan, Shri Yeshwantrao	Jasrotia, Shri Baldev Singh
Chhetri, Shri Chhatra Bahadur	Jethmalani, Shri Ram
Chowhan, Shri Bharat Singh	Jeshi, Dr. Murli Manohar
Chunder, Dr. Pratap Chandra	Kachwai, Shri Hukam Chand
Dandavate, Prof. Madhu	Kadam, Shri B. P.
Das, Shri S. S.	Kailash Prakash, Shri
Dasgupta, Shri K. N.	Kaldate, Dr. Bapu
Dave, Shri Anant	Kamath, Shri Hari Vishnu
Dawn, Shri Raj Krishna	Kar, Shri Sarat
Deo, Shri V. Kishore Chandra S	Kaushik, Shri Purushottam
Desai, Shri Morarji	Khan, Shri Kunwar Mahmud Ali
Deshmukh, Shri Nanaji	Khan, Shri Mahmood Hasan
Deshmukh, Shri Ram Prasad	Khirme, Shri Rinching Khandu
Dhandayuthapani, Shri V.	Kishore Lal, Shri
Dhillon, Shri Iqbal Singh	Kodiyar, Shri P. K.
Dhurve, Shri Shyamal	Kotrashetti, Shri A. K.
Digvijoy Narain Singh, Shri	Krishan Kant, Shri
Durga Chand, Shri	Krishnan, Shrimati Parvathi
Dutt, Shri Asoke Krishna	Kushwaha, Shri Ram Nareish
Elanchezhian, Shri V. S.	Lakkappa, Shri K.
Faleiro, Shri Eduardo	Lalu Prasad, Shri
Fernandes, Shri George	Limaye, Shri Madhu
Gandhi, Shrimati Indira Nehru	Machhand, Shri Raghunir Singh
Ganga Bhakt Singh, Shri	Mahala, Shri K. L.
Ganga Singh, Shri	Mahi Lal, Shri
Gattani, Shri R. D.	Mahishi, Dr. Sarojini
Ghosal, Shri Sudhir	Mandal, Shri B. P.

Mandal, Shri Dhanik Lal
 Mangal Deo, Shri
 Mankar, Shri Laxman Rao
 Mavalankar, Prof. P. G.
 Meerza, Shri Syed Kazim Ali
 Mehta, Shri Ajit Kumar
 Mhalgi, Shri R. K.
 Miri, Shri Govind Ram
 Mishra, Shri Janeshwar
 Mishra, Shri Shyamnandan
 Mohanarangam, Shri Ragavalu
 Mondal, Dr. Bijoy
 Mritunjay Prasad, Shri
 Multan Singh, Chaudhary
 Munda, Shri Govinda
 Munda, Shri Karia
 Murmu, Father Anthony
 Nahar, Shri Bijoy Singh
 Naidu, Shri P. Rajagopal
 Nair, Shri M. N. Govindan
 Narendra Singh, Shri
 Nathu Singh, Shri
 Nathwani, Shri Narendra P.
 Nayak, Shri Laxmi Narain
 Nayar, Dr. Sushila
 Negi, Shri T. S.
 Onkar Singh, Shri
 Pajanor, Shri A. Bala
 Pandeya, Dr. Laxminarayan
 Pandit, Dr. Vasant Kumar
 Parmai Lal, Shri
 Parmar, Shri Natwarlal B.
 Parulekar, Shri Bapusaheb
 Paswan, Shri Ram Vilas
 Patel, Shri H. M.
 Patel, Km. Maniben Vallabhbhai
 Patel, Shri Meetha Lal
 Patel, Shri Nanubhai N.
 Patidar, Shri Rameshwar
 Patil, Shri Chandrakant
 Patil, Shri S. B.
 Patil, Shri S. D.
 Patil, Shri U. S.
 Patil, Shri Vijay Kumar N.

Patnaik, Shri Biju
 Periasamy, Dr. P. V.
 Pipil, Shri Mohan Lal
 Poojary, Shri Janardhana
 Pradhan, Shri Gananath
 Pradhan, Shri Pabitra Mohan
 Qureshi, Shri Mohd. Shafi
 Rachaiah, Shri B.
 Raghu Ramaiah, Shri K.
 Rahi, Shri Ram Lal
 Rai, Shri Narmada Prasad
 Rai, Shri Shiv Ram
 Raj Keshar Singh, Shri
 Rajan, Shri K. A.
 Rajda, Shri Ratansinh
 Ram, Shri R. D.
 Ram Deo Singh, Shri
 Ram Dhan, Shri
 Ram Gopal Singh, Chaudhury
 Ram Kinkar, Shri
 Ram Murti, Shri
 Ramachandran, Shri P.
 Ramalingam, Shri P. S.
 Ramamurthy, Shri K.
 Ramapati Singh, Shri
 Ramdas Singh, Shri
 Ramji Singh, Dr.
 Ramjiwan Singh, Shri
 Rao, Shri Jagannath
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathor, Dr. Bhagwan Dass
 Ravi, Shri Vayalar
 Ravindra Pratap Singh, Shri
 Reddy, Shri K. Brahmananda
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Rodrigues, Shri Rudolph
 Roy, Shri Saugata
 Sahoo, Shri Ainthu
 Sai, Shri Larang
 Sai, Shri Narhari Prasad Sukhdeo
 Saini, Shri Manohar Lal
 Saran, Shri Daulat Ram

Sarangi, Shri R. P.
 Sarda, Shri S. K.
 Sarkar, Shri S. K.
 Sarsonia, Shri Shiv Narain
 Satpathy, Shri Devendra
 Satya Deo Singh, Shri
 Sayeed, Shri P. M.
 Sen, Shri Prafulla Chandra
 Shaiza, Shrimati Rano M.
 Shakya, Shri Daya Ram
 Shakya, Dr. Mahadeepak Singh
 Shankaranand, Shri B.
 Sharma, Shri Jagannath
 Shastri, Shri Bhanu Kumar
 Shastri, Shri Ram Dhari
 Shastri, Shri Y. P.
 Shejwalkar, Shri N. K.
 Sheo Narain, Shri
 Shiv Sampati Ram, Shri
 Shrikrishna Singh, Shri
 Shukla, Shri Chimanbhai H.
 Shukla, Shri Madan Lal
 Sikander Bakht, Shri
 Singha, Shri Sachindralal
 Sinha, Shri C. M.
 Sinha, Shri H. L. P.
 Sinha, Shri M. P.
 Sinha, Shri Purnanarayan
 Sinha, Shri Satyendra Narayan
 Somani, Shri Roop Lal
 Somani, Shri S. S.
 Stephen, Shri C. M.
 Subramaniam, Shri C.
 Sudheeran, Shri V. M.
 Suman, Shri Surendra Jha
 Sunna Sahib, Shri A.
 Suraj Bhan, Shri
 Surya Narain Singh, Shri
 Swamy, Dr. Subramaniam
 Swatantra, Shri Jagannath Prasad
 Tan Singh, Shri
 Tej Pratap Singh, Shri
 Thorat, Shri Bhausaheb
 Tiwari, Shri Brij Bhushan

Tiwary, Shri D. N.
 Tiwary, Shri Ramanand
 Tripathi, Shri Madhav Prasad
 Tripathi, Shri Ram Prakash
 Tyagi, Shri Om Prakash
 Ugrasen, Shri
 Unnikrishnan, Shri K. P.
 Vajpayee, Shri Atal Bihari
 Varma, Shri Ravindra
 Vasisht, Shri Dharma Vir
 Venkataraman, Shri R.
 Venkatasubbaiah, Shri P.
 Verma, Shri Brijlal
 Verma, Shri Chandradeo Prasad
 Verma, Shri Hargovind
 Verma, Shri R. L. P.
 Verma, Shri Raghunath Singh
 Verma, Shri Sukhdeo Prasad
 Visvanathan, Shri C. N.
 Yadav, Shri Hukmdeo Narain
 Yadav, Shri Jagdambi Prasad
 Yadav, Shri Narsingh
 Yadav, Shri Ramji Lal
 Yadav, Shri Sharad
 Yadav, Shri Vinayak Prasad
 Yadawa, Shri Roop Nath Singh
 Yadvendra Dutt, Shri
 Yuvraj, Shri
 Zulfikarullah, Shri

NOES

Basu, Shri Chitta
 Bhagat Ram, Shri
 Bhattacharya, Shri Dinen
 Bhattacharyya, Shri Shyamaprasanna
 Bosu, Shri Jyotirmoy
 Burande, Shri Gangadhar Appa
 Chatterjee, Shri Somnath
 Das, Shri R. P.
 Dhondge, Shri Keshavrao
 Goswami, Shrimati Bibha Ghosh
 Joarder, Shri Dinesh
 Kisku, Shri Jadunath
 Lahanu Shidava Kom, Shri

Mandal, Shri Mukunda

Modak, Shri Bijoy

Mukherjee, Shri Samar

Patnaik, Shri Sivaji

Pradhan, Shri Amar Roy

Rangnekar, Shrimati Ahilya P.

Roy, Dr. Saradish

Saha, Shri A. K.

Saha, Shri Gadadhar

Sen, Shri Robin

MR. SPEAKER: After correction the result of the division is: Ayes 273, Noes 23. The 'Ayes' have it; the 'Ayes' have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

(Interruptions)

MR. SPEAKER: If any member wants to check up, he can do so.

SHRI C. M. STEPHEN (Idukki): I wanted to raise one thing which I raised last time also. The point is: 377A is the governing provision and under 377A.... Sir, I do not raise it.

MR. SPEAKER: Now is it the pleasure of the House to continue the discussion today or to continue it tomorrow?

SHRI C. M. STEPHEN: I would suggest that we continue and finish the Bill.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): We may complete it and the clauses may be put together.

MR. SPEAKER: Now we take up the amendments.

MR. B. C. KAMBLE—he is not here.
Shri Somnath Chatterjee.

SHRI SOMNATH CHATTERJEE (Jadavpur): I beg to move:

That for Amendment No. 5 made by Rajya Sabha, the following be substituted:—

Pages 13 and 14,—

for clause 45, substitute,—

'45. In article 368 of the Constitution, in clause (2), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that no amendment shall be made which—

(a) seeks to make any change which, if made, would have the effect of—

(i) impairing the secular or democratic or federal character of this Constitution; or

(ii) abridging or taking away the rights of citizens under Part III, or

(iii) prejudicing or impeding free and fair elections to the House of the People or the Legislative Assemblies of States on the basis of adult suffrage; or

(iv) compromising the independence of the judiciary; or

(b) seeks to amend this proviso." (2)

That for Amendment No. 6 made by Rajya Sabha, the following be substituted—

Page 14,—

for clause 47, substitute,—

'47. In the Seventh Schedule to the Constitution,—

(a) In List I—Union List, in entry 2A, after the words "any State" the words "only with the consent of the said State," shall be inserted;

(b) in List III—Concurrent List, after entry 25, the following proviso shall be inserted, namely:—

“Provided that Parliament shall not make any law with regard to any of the matters relating to this entry, unless requested by Resolution to that effect passed by the Legislature of not less than three fourth of the States.” (3)

MR. SPEAKER: Mr. Kamath, are you moving your amendments?

SHRI HARI VISHNU KAMATH: Sir, after your ruling, it is an unnecessary exercise.

MR. SPEAKER: So you are not moving.

SHRI SOMNATH CHATTERJEE: I have moved my amendment No. 2 to Clause 45 and amendment No. 3 to clause 47.

So far as clause 45 is concerned, it relates to amendment of the Constitution, which is Art. 368. There, we found how taking advantage of the amending power that was there in the original Constitution, the 42nd Amendment was brought about under the cover of the constitutional provision itself. We have seen how the 42nd Amendment was conceived, formulated and rushed through the Parliament with a view to institutionalise a ruthless dictatorship in the country under the garb of a democratic set up. The Members of this Lok Sabha are committed to the people of this country to remove the cancer from the body politic and to free the organic law of all the undemocratic and the anti-people provisions which were deliberately introduced by the 42nd Amendment. After the Lok Sabha elections, the verdict of the people was absolutely clear; the Janata Party went to the people with the vow to remove lock, stock and barrel the 42nd Amendment.

The party unnecessarily dragged its feet, tried to come to an arrangement with the perpetrators of the crime and with the good wishes of those people wanted to bring about a constitution amendment Bill and for that purpose waited more than a year allowing these authoritarian forces in the country again to regroup themselves and we find today the strange phenomenon of the people's clear verdict being mutilated and nullified by the other House where the members are not directly elected. The position is this that one cannot but view what was done to mutilate the Forty-fifth Amendment Bill as anti-people.

Sir, by the amendments which Rajya Sabha has made the seeds of authoritarianism are kept embedded in our Constitution to be nourished and nurtured by those authoritarian and totalitarian forces and to utilise them if they are able to get an opportunity again for which they are now waiting on the wings. Sir, it is our solemn duty that we should not allow those who had been responsible for taking away the people's rights, those who had perpetrated most heinous crimes against humanity and democratic traditions and values in this country, who ushered in an era of complete darkness and who kept people including Members of Parliament in detention without trial for no fault of their because their only crime was that they loved democracy and they opposed dictatorship to nullify the mandate of the people.

Sir, when during that regime people lost their right to life and liberty and emergency was proclaimed in this country not for the sake of the people but for one individual and her family, then it is our solemn duty to register our protest against the anti-people action taken by the Rajya Sabha. Sir, we feel that the Rajya Sabha had taken advantage of a temporary and artificial majority although that House has not been directly elected—though I do not mean any disrespect to any member. We found after Lok Sabha

(Shri Somnath Chatterjee.)

elections in 1977 that the State Assemblies in various States ceased to represent the wishes of the people and that was proved by the Assembly elections held in June 1977. That proved that the previous assemblies did not represent the wishes of the people any longer and the result was that new assemblies have been constituted and new governments have been formed but the Rajya Sabha which has been elected by the old assemblies have now stood in the way of the advance of the people towards restoration of their democratic rights. And, Sir, taking advantage of that those persons who have been guilty of all these have retained the power of amending the Constitution as in the Forty-second Amendment Bill, and we must register our protest. We submit, Sir, that if we are a party to this it will be a betrayal of the people of this country. (*Interruptions*)

SHRI B. SHANKARANAND (Chikodi) : Sir, I rise on a point of order. Whether comments can be made on the functioning of the Rajya Sabha in this House and aspersions can be cast on the functioning of the Rajya Sabha and the members of Rajya Sabha. I think the hon'ble Member has cast aspersions. That should be expunged from the record.

MR. SPEAKER : It is not a point of order. He has not mentioned anything objectionable.

SHRI B. SHANKARANAND : Mr. Speaker, can he cast aspersions on the functioning of Rajya Sabha? This House has no right. Please look into the record. (*Interruptions*)

MR. SPEAKER : I do not think the point of order is valid. No aspersion has been cast on Rajya Sabha.

SHRI SOMNATH CHATTERJEE : Sir, as an institution I have not said anything but that institution—a part of Parliament—has been utilised by some members of a particular politi-

cal party and some of their supporters. Therefore, I am entitled to say that. Therefore, Sir, my amendment is that at least so far as amending power is concerned under Article 368 there must be a check and a restraint. That cannot be allowed to be abused in the manner it was done. Therefore, at least in our wisdom I appeal to all the hon'ble friends, that my amendment with regard to 368 be adopted because let us find out whether hon'ble Members of the Rajya Sabha will have a re-thinking of their own on the basis of the fact that the Lok Sabha which represents the people of this country and which represents the latest views of the people of this country and we have seen it in Fatehpur and Samastipur that they have voted against authoritarianism, have rejected their amendment. Now, let us find out whether Rajya Sabha will reconsider the position and come in tune with the people's urges and aspirations. We know, Sir,.... (*Interruptions*)

MR. SPEAKER : Mr. Chatterjee, you have taken a lot of time.

SHRI SOMNATH CHATTERJEE : Therefore, Sir, our duty is to see that, as was said at the time of the Forty-second amendment of the Constitution that under the constitutional provision itself the amendment had been brought about, we undo that situation. We do not want to allow anybody to take the help of the constitution, to wreck the Constitution. The other important point (*Interruptions*)

SHRI A. BALA PAJANOR : Sir, you said that the pleasure of the House is to extend the time of the House. We want to know upto what time. It cannot be indefinitely. You please spell it out.

SHRI C. M. STEPHEN : Sir, the point is that we thought we could get the Bill through today. But if long speeches are attempted—I do not want to stand in the way of anybody making a point of it—then this being the

Constitution amendment Bill members have to be present for voting. We cannot keep it pending indefinitely. If anybody wants to make a point and reply will have to be given it looks like that, we may have to adjourn the House because we cannot remain that indefinitely long. (*Interruptions*)

MR. SPEAKER: He will take another two minutes.

SHRI SOMNATH CHATTERJEE: Sir, after all this is an amendment to the Constitution. (*Interruptions*) As regards the Centre-State relations which have been upset, even the limited powers of the State which were upset by the Forty-second amendment and which this House in its wisdom restored that has been upset by the Rājya Sabha. (*Interruptions*)

MR. SPEAKER: The question is:

That for Amendment No. 5 made by Rājya Sabha, the following be substituted:—

Pages 13 and 14,—

for clause 45, substitute,—

'47. In article 368 of the Constitution, in clause (2), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that no amendment shall be made which—

(a) seeks to make any change which, if made, would have the effect of—

(i) impairing the secular or democratic or federal character of this Constitution; or

(ii) abridging or taking away the rights of citizens under Part III; or

(iii) prejudicing or impeding free and fair elections to the House of the People or the Legislative Assemblies of States on the basis of adult suffrage; or

(iv) compromising the independence of the judiciary; or

(b) seeks to amend this proviso."'
(2)

The motion was negatived.

MR. SPEAKER: I will now put Amendment No. 3 of Shri Somnath Chatterjee to the vote of the House.

The question is:

That for Amendment No. 6 made by Rājya Sabha, the following be substituted:—

Page 14,—

for Clause 47, substitute,—

'47. In the Seventh Schedule to the Constitution,—

(a) In List I—Union List, in entry 2A, after the words "any State" the words "only with the consent of the said State," shall be inserted;

(b) in List III—Concurrent List, after entry 25, the following proviso shall be inserted, namely:—

"Provided that Parliament shall not make any law with regard to any of the matters relating to this entry, unless requested by Resolution to that effect passed by the Legislatures of not less than three-fourth of the States." (3).

The motion was negatived.

MR. SPEAKER: Both these amendments of Shri Somnath Chatterjee are lost.

Now, shall I put the clauses to vote? It is only putting to vote, nothing more than that.

AN. HON. MEMBER: No speeches.

SHRI RAVINDRA VARMA: I would request the hon. Leader of the Opposition to agree to sit for a few more minutes so that the clauses may be disposed of.

MR. SPEAKER: It will take more than 45 minutes.

SHRI RAVINDRA VARMA: Let us complete the voting.

MR. SPEAKER: You may not have the quorum.

SHRI C. M. STEPHEN: You are not going to get that number.

SHRI A. BALA PAJANOR: It was decided that everything will be over today. That is the consensus in the B.A.C. and in the House also. I wish that you take an upper hand and control the timing and finish it up today itself.

MR. SPEAKER: All right. I will now put Rajya Sabha Amendment No. 1 regarding insertion of 'New Clause 7A' to vote.

Division now.

Let the lobbies be cleared.

The lobbies have been cleared.

Now, Mr. Minister, you can make up your mind whether it cannot be taken up tomorrow.

(Interruptions)

I am very much doubtful whether you have got the required number.

SHRI RAVINDRA VARMA: Please take it up tomorrow, the first thing after the Question Hour.

(Interruptions)

MR. SPEAKER: Now, the lobbies have been cleared. Both the Minister for Parliamentary Affairs and the Leader of the Opposition think that the matter may be taken up tomorrow. So.....

(Interruptions)

Therefore, we shall take it up the first thing tomorrow after the Question Hour. The House now stands adjourned to meet tomorrow at 11 A.M.

18.23 hrs

The Lok Sabha then adjourned till Eleven of the Clock of Thursday, December 7, 1978/Agrahayana 16, 1900 (Saka).