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(Sixth Session)



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C O N T E N T S

No. 22—Tuesday, December 10, 1968/Agrahayana 19, 1890 (Saka) COLUMNS

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LOK SABHA

Tuesday, December 10, 1968; Agrahayana
19, 1890 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

TWENTIETH ANNIVERSARY OF
THE UNIVERSAL DECLARATION
OF HUMAN RIGHTS

MR. SPEAKER : To-day is the 20th Anniversary of the adoption of the Universal Declaration of Human Rights by the General Assembly of the United Nations. It is fitting that before we start our business to-day, we should recall the historic Declaration which was adopted unanimously by the United Nations General Assembly on the 10th December, 1948. It may be recalled that on the 10th December, 1958 on the occasion of the 10th Anniversary of the said Declaration a reference thereto was made in this House.

Twenty years have passed since the Declaration was adopted. Unfortunately, the Declaration has not been fully given effect to in some parts of the world, and in some countries even the principles which underlie the Declaration are denied. Racial discrimination and the policy of apartheid still constitute one of the most flagrant abuses of Human Rights and fundamental freedoms and there is urgent need to secure their abandonment through persistent and intense efforts.

If the Declaration is fully acted upon, many of the troubles that the world suffers from to-day will fade away.

India has always stood firm by the Declaration. All the same we should remind ourselves of it and continue to act up to it.

The Declaration is a fairly lengthy document. Copies thereof have been placed on the desks of Members.

श्री जार्ज फर्नेंडोज (दम्बाई-दक्षिण) : अध्यक्ष महोदय, इसको भराठी में नहीं दिया है। दूसरी बात यह है कि इसको अमर नहीं लाया जाता है, सिफ़ माना जाता है।

श्री इस्हाक साम्भली (अमरोहा) : रिजनल लैग्युजिज में क्यों नहीं है? भराठी में इसको क्यों नहीं दिया गया है। यह कहाँ का इसाफ़ है। आप तो हयूमन राइट्स को मानते हैं।

و جمل لینگوکار میں کہوں اے
کے۔ مراٹھی میں اسکو کہوں اے
دیا کیا کے۔ کہاں کا اصل اے
آپہ کو ہومن والپس کو مالکے ہو۔

MR. SPEAKER : Hindi-English has nothing to do with human rights.

ORAL ANSWERS TO QUESTIONS

Talcher Industrial Complex

*631. SHRI SRADHAKAR SUPAKAR:
SHRI SRINIBAS MISRA :
DR. SUSHILA NAYAR :

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

(a) whether any final decision has been taken about the setting up of a coal based fertilizer plant at Talcher in Orissa ; and

(b) whether the Talcher Industrial Complex is proposed to be included in the Fourth Five Year Plan ?

THE MINISTER OF STATE IN THE
MINISTRY OF STEEL, MINES AND
METALS (SHRI P. C. SETHI) :

(a) No, Sir.

(b) No final decision has been taken so far pending certain detailed tests that are to be carried out before the project is taken up for execution.

SHRI SRADHAKAR SUPAKAR : The letter of intent for this project was issued as early as 27th April, 1964 and a Committee which was set up to Examine the viability of the project has submitted its report to the Cabinet Sub-Committee. May I know when this report of the Committee which was appointed by the Planning commission was submitted to the Cabinet, and how long it has been pending consideration by the Cabinet ?

SHRI P. C. SETHI : It is not pending consideration. It has been already considered by the Cabinet Sub-Committee and it was decided that the test should be taken up on a commercial scale, and therefore, at the recent meeting with the Planning Commission and other concerned Ministries, it was decided that the Council of Scientific and Industrial Research should be asked to take up further studies whether coke can be found out of this coal.

SHRI SRADHAKAR SUPAKAR : When was this reference to the CSIR made, and how long has this matter been pending examination and technical consideration by the CSIR, and may I know whether the project is likely to be included in the Central sector ?

SHRI P. C. SETHI : The Cabinet Sub-Committee considered this question in the month of June, and the Council has been recently asked to investigate into this matter further. As far as the Orissa State is concerned, they have now stated that if the Talcher complex cannot be taken up, the question of setting up a fertiliser plant should be taken up, and that question is now further being considered in consultation with the Planning Commission and the Ministry of Petroleum and Chemicals.

SHRI SRINIBAS MISRA : Is it a fact that the Government of Orissa has set apart Rs. 20 crores for this coal-based fertiliser plant at Talcher in its fourth

Plan and is it also a fact that the Fertiliser Corporation has given the project report with the remark that within four years the total investment will be paid back ?

SHRI P. C. SETHI : The Fertiliser Corporation has prepared the feasibility report wherein they have said that about Rs. 36 crores will be the annual benefit by way of foreign exchange if the fertiliser plant is set up and the annual saving would be about Rs. 3 crores per year. According to the feasibility report, they have stated that the fertiliser plant's production of urea would be most beneficial and useful. Now, the Petroleum and Chemicals Ministry has decided to send a team of experts to European countries to study this project and the team is already there, and is expected to come back by 25th December.

डॉ. मुश्तोला नायर : यह प्रोपोजल कौन से साल में शुरू हुई थी और अभी कितना असा और इसका अन्तिम फैसला होने में लगने की सम्भावना है ?

श्री प्र० च० सेठी : इसका प्रोपोजल तो सन् 1964 में आया था और जहां तक केवल कॉटलाइजर प्लाट बिठाने का ताल्लुक है वह प्रोपोजल हाल में ही अबूबर के महीने में उड़ीसा गवर्नरेंट से आया है। यह जो टीम एक्सपर्ट्स की पूरोप गई हुई है उसके बापिस आने पर इसके बारे में कोई फैसला किया जायेगा।

श्री रवि राय : पिछले सत्र में इस पर आध घटे की चर्चा हुई थी। तब भी मशी महोदय ने कहा था कि फैजिबिलिटी रिपोर्ट आने पर इसका फैसला किया जाएगा। अभी भी उन्होंने यही कहा है। उन्होंने यह भी कहा है कि सी० एस० बाई० बार० से भी इसके बारे में रिपोर्ट आने वाली है। उन्होंने कहा कि 25 दिसम्बर तक वहां से रिपोर्ट फाइल काम में आने वाली है। मैं जानना चाहता हूँ कि यह वह संसद को यह आवासन दे सकते हैं कि चीजीय योजना में वह इसको रख लेंगे और सेन्ट्रल सेक्टर, अन्डरटेक्निकल के हिसाब से रख लेंगे।

श्री प्र० च० सेठी : जो जांच करने के लिए सी० एस० आई० आर० को कहा गया वह यह है कि कोयले से कोल बन सकता है ? यह जो टीम यूरोप गई है यह पेट्रोलियम और कैमिकल्स मिलिन्ट्री के एक्सपर्ट्स की गई है जो केवल फिलाइजर प्लाट के एस्ट्रेनिंग मेंट पर विचार करेगी । इसको चौथी योजना में लिया जा सकेगा या नहीं यह इस पर मुनहसर होगा कि इस टीम की क्या रिपोर्ट आती है क्योंकि फिलाइजर प्लाट में करोड़ रुपये की लायत आएगी । इन सब चीजों को देख कर ही इसके बारे में कोई अन्तिम निर्णय किया जाएगा ।

SHRI CHINTAMANI PANIGRAHI : May I know whether this complex has been divided into two stages, one stage for production of pig iron and the second stage for production of fertilisers ? The minister said that the State Government has now suggested to the Union Government that the first phase can be waived and only the second phase can be taken up. Therefore, I would like to know whether the Rs. 20 crores, which has been provided by the State Government, has been provided in consultation with the Planning Commission, the Cabinet Committee, the Secretaries Committee or the Ministry ? If so, has it been done with the understanding that necessary finance will also come from the centre to carry forward the second phase of the complex, i. e., fertiliser complex ? If that is not so, may I know whether the Government of India has any project by itself for better utilisation of the best coal available in Talcher, in the fourth plan ?

SHRI P. C. SETHI : The Central Fuel Research Institute Bureau, while recommending the project, said that it should be taken up in two stages. The first stage would cost Rs. 10.8 crores and that would be for pig iron production and the second stage would be for fertiliser production. This was considered in the Cabinet Sub-Committee as well as in the committee of Economic Secretaries. There, in accordance with the views of the Planning Commission, it was decided that both the stages should

be taken up together. On this issue, there was some difference of opinion. The final position is, the Orissa Government has said that if there is some difficulty in putting up the pig iron plant, we should proceed with the setting up of the fertiliser plant alone. This is being considered and that is why the Petroleum and Chemicals Ministry has sent a team to Europe. About the provision of Rs. 20 crores by the State Government, I have no information.

बाढ़ों के कारण रेलवे सम्पत्ति को छति

के 632. श्री भारत सिंह चौहान :

श्री रामबद्रप विद्यार्थी :

श्री हरदयाल देवगुप्त :

क्या रेलवे भांडी यह बताने की कृपा करेंगे कि :

(क) जुलाई 1968 से 31 अक्टूबर, 1968 तक देश में बाढ़ों के कारण रेलवे सम्पत्ति को कितनी छति हुई;

(ख) क्या यह सच है कि रेलवे अधिकारियों और कम्बारियों की असावधानी के कारण विभिन्न स्थानों पर रेलवे सम्पत्ति को काफी जाते हुई हैं; और

(ग) यदि हां, तो भविष्य में ऐसी असावधानी को रोकने के लिये क्या कायदाही की गई है ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI PARIMAL GHOSH) : (a) Approximately Rs. 6.15 crores.

(b) No, Sir. .

(c) Does not arise.

श्री हरदयाल देवगुप्त : अध्यक्ष महोदय, देश के विभिन्न भागों में होने वाली वर्षा के सम्बन्ध में पिछले सी साल का रिकार्ड भी जूदा

है। किन प्रदेशों में बाढ़ आती है और वर्षा होती है यह भी देशवासियों को मालूम है। जहां अधिक वर्षा होती है, वहां लोगों ने नकान और उनकी छतें भी विशेष प्रकार की बनाई हुई हैं। यह जो 6:15 करोड़ रुपये का नुकसान हुआ है, इसमें अधिक नुकसान ऐसे किन प्रान्तों में हुआ है, जहां पहले कभी बाढ़ नहीं अती थी और वर्षा नहीं होती थी? जिन प्रान्तों में हमेशा से अधिक वर्षा होती है और बाढ़ आती है वहां पर इतना नुकसान हुआ है? इन दोनों प्रकार के प्रान्तों का हिमात बताया जाये, ताकि हम ठीक स्थिति जान सकें।

SHRI PARIMAL GHOSH: Flood is more or less an every-year phenomenon in some parts of the railways. Particularly in the NF Railway, in some sections we have floods every year. This year it was unprecedented. We did not have a similar experience during the last 40 years. As a matter of fact, it is very difficult to pinpoint exactly which areas have not been affected by floods at all and which areas have been affected by unprecedented floods this year. Particularly in the NF Railway, in West Bengal section and some parts of Gujarat and Rajasthan and Orissa, there has been unprecedented flood this year.

श्री हरदयाल देवगुण: मैंने यह "स्न इम लिए पूछा था कि यह पता लगे कि जहां हमेशा फ्लॉड आने की सम्भावना रहती है, वहां पर रेलों को अति से बचाने के लिए सरकार ने क्या अवधारणा की थी?

इस बात का सन्देह है कि रेलवे की बहुत सी अति रेलवे अधिकारियों की नेतृत्व-जेस, लापरवाही और दुव्यवस्था की वजह से उठाई पड़ी है। जहां-जहां यह अति हुई है, वहां वहां पार्लियामेंट के सभी पक्षों के सदस्यों का एक दल भेजा जायेगा, ताकि वह दस दह पता लगा सके कि वहां यह अति रेल बोर्ड और रेलवे विभाग की लापरवाही और दुव्यवस्था के कारण नहीं हुई है?

SHRI PARIMAL GHOSH: In the railways we have a Breach and Flood Control Department which normally goes into the details and checks up whether the waterways provided in some of the embankments and approaches to the bridges are adequate or not. The bridges which we have provided appear to be adequate for normal situations. This year there was difficulty because of the unprecedented floods which nobody could predict. We are constantly in touch with the State Government engineers in the matter. Particularly this year, in the context of the floods in North Bengal, the Irrigation and power Ministry have constituted a committee with which the railway engineers are also associated. They are going into the matter and we are awaiting their report.

श्री हरदयाल देवगुण: क्या उस कमेटी में पार्लियामेंट के सदस्य भी रखे जायेंगे?

श्री चन्द्रिका प्रसाद: मंत्री महोदय ने यह स्वीकार किया है कि एन० ई० रेलवे में रेलवे को काफी अति हुई है। ईस्टनं यू० पी० का क्षेत्र एन० ई० रेलवे के अन्तर्गत आता है। वह गंगा और घाघरा नदियों से घिरा हुआ है। बलिया में अफसरों की लापरवाही के कारण रेलवे लाइन को बचाने के लिए दो करोड़ रुपया खर्च करना पड़ा, लेकिन फिर भी उसका बचाव नहीं हो सका। क्या मंत्री महोदय बतायेंगे कि घाघरा के किनारे बहुलाह से श्रीनगर तक जो लाइन है, क्या उसको बचाने के लिए मिट्टी का बाथ बनाने की अवस्था की जायेगी?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): River Ghagra has been changing its course very frequently and a bridge has been completely washed away in that sector on the North Eastern Railways. The State Government authorities are also concerned with this particular problem. Protective works are under way and when stabilisation is achieved as regards the course of this river, other arrangements as regards that railway line could be considered.

DR. RANEN SEN: It has been almost universally recognised that due to railway embankments in many areas natural rain water cannot be drained, and this has been brought to the notice of the Ministry this year after the Midnapur floods. I myself visited that area and found the outlet very narrow to allow the abnormal flood water to pass through it. May I know whether the railways are considering measures to do away with the defects in the embankments which were causing in the past unprecedented damage to property, including railway property?

SHRI PARIMAL GHOSH: Whenever we have any embankment we always take into consideration the question of providing adequate waterways. In some places, especially when the flood water or rain water is very heavy, waterways may not be sufficiently adequate enough. We are examining this point and, wherever necessary, we are suitably widening the waterways.

SHRI D. AMAT: Has the attention of the hon. Minister been drawn to an article published in the *Engineering Times* of 1st November 1968 by Mr. S. P. Banerjee, a Sirjuri Consulting Chartered Structural Engineer of Calcutta, that the damage was caused due to sabotage also? Even the contemporaries of this news paper doubt that the sudden release of 6 lakhs cusecs of impounded water from the higher region could not have come within so short a time. According to the rainfall report, there was only 43.57 inches of rainfall from October 2 to October 4. May I know from the hon. Minister whether it was due to sabotage; if so, what steps has the Government taken to check such sabotage in future?

SHRI PARIMAL GHOSH: I do not have any information on that particular point.

रात को रेलगाड़ियों में यात्रा करने

सम्बन्धी सुरक्षा उपाय

५६३३. श्री प्रकाश बीर शास्त्री :

श्री सिंह बुम्हार शास्त्री :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) रात को रेलगाड़ियों में यात्रा करने वाले यात्रियों की सुरक्षा के लिये क्या विशेष प्रबन्ध करने का विचार है;

(ख) क्या यह सच है कि विशेषतया रात को बांध लाइनों पर तथा बांधी गाड़ियों द्वारा यात्रा करने वाले यात्रियों को कठिनाईयों का सामना करना पड़ता है; और

(ग) यदि हाँ, तो किन-किन राज्यों में ऐसे यात्रियों की संख्या में विशेष रूप से वृद्धि हो रही है और कहाँ-कहाँ रात को रेलवे यात्रा करना उत्तरोत्तर असुरक्षित होना जा रहा है ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI PARIMAL GHOSH): (a) and (b) : There have been instances where passengers travelling by night trains, particularly on branch line sections in certain areas have complained of such difficulties. Security measures such as provision of armed police escorts with night trains supplemented by Railway Protection Force wherever necessary, special watching of criminals at junctions and important railway stations by police, intensifying surveillance of suspects by detective police staff, checking of bolts and latch fittings in the compartments, are regularly being attended to by the authorities concerned.

(c) Railway journeys being mostly inter-state, it is somewhat difficult to furnish precise information in this regard. Generally speaking, such crimes are increasingly noticed on the Northern, North Eastern, Eastern and Central Railways.

श्री प्रकाश बीर शास्त्री : श्रीमान्, मैं यह जानना चाहता हूँ कि क्या यह सत्य है कि विशेष रूप से रात्रि में जो पैसेंजर गाड़ियां चलती हैं उनमें न तो कान्डकटर होता है और न सुरक्षा पुलिस जो आपको है आर० पी० एफ० उसकी ओर से किसी तरह की व्यवस्था होती है और जो दुर्बंटनाएँ होती है वह इसी

प्रकार की गाड़ियों में और इसी प्रकार के छोटे रास्तों पर अधिक होती है तो उसको रोकने के लिए क्या आपने किसी प्रकार के विशेष पग उठाए हैं? यदि हां, तो वह क्या है?

SHRI PARIMAL GHOSH : It is a fact that these crimes are mostly taking place in some of the branch lines on passenger trains. It is very difficult to provide escort to each and every passenger train. After all, the hon. Member is quite aware of the fact that law and order is a State subject and we are bringing to the notice of the State authorities all these things and the difficulties that are being faced in this respect. As far as possible we are trying to provide escorts in those sections where these kinds of things are apprehended and the places where these things are mostly noticed.

श्री प्रकाश बीर शास्त्री : अध्यक्ष महोदय, मैं समझता हूँ कि शायद मंत्री महोदय के इस उत्तर से आप भी सहमत न हो। जब तक यात्री रेल में सकर करता है तब तक ला एण्ड बांडर स्टेट सबजेक्ट है, यह बात नहीं आती है। रेलवे की जिम्मेदारी उसकी है जब तक कि वह रेल से बाहर नहीं जाता, और रेलवे कम्पाउन्ड के अन्दर या रेल के अन्दर है।

श्री श्वर्गीय श्री दीनदयाल उपाध्याय की मुगल सराय स्टेशन पर हुई हत्या के बाब क्या रेलवे मंत्रालय ने इस प्रकार का निर्णय लिया है कि गाड़ियों से जो पहले दर्जे के डिब्बे या दूसरे डिब्बे कट कर साइडिंग में लटे हो जाते हैं, वहां उनकी सुरक्षा रहे? इसके लिए भी क्या आपने कोई पग उठाए हैं?

SHRI PARIMAL GHOSH : It is a fact that we are carrying almost 60 lakhs of passengers every day. I have already said that basically, though we are very much concerned, the position of law and order is entirely a State subject... (Interruption).

श्री रवि राव : यात्री के अन्दर जब यात्री

आता है तो वहां भी वह स्टेट सबजेक्ट हो जाता है।

SHRI VASUDEVAN NAIR : What is "basically"?

SHRI PARIMAL GHOSH : Whether they are in trains or in the yard safety of passengers in the train as also within the railway premises and stations come within the State subject.....(Interruption).

SHRI HARDAYAL DEVGUN : It means, you are not responsible for their security.

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : May I add by way of explanation that as regards law and order and the crime position are concerned, State Governments have their force, called the Government Railway Police. The Government Railway Police is divided into two branches, the Order Branch and the Crime Branch. We meet the expenditure in connection with Order Branch. We reimburse the State Governments the expenditure they incur with regard to the Order Branch as also the Crime Branch to some extent. That being so, the State Governments have the primary responsibility of looking after the safety of the railways both the passengers and the goods in some respects. Therefore, we always go to the State Governments to provide necessary protection for travelling public because our own force, the Railway Protection Force, cannot function with full powers of a police force because it has not got legally all the powers that a police force can exercise. So, we have to rely upon the State Governments. we reimburse their expenditure in connection with providing necessary force for the railway operations. In this regard, we again go to the State Governments for the necessary arrangement.

श्री शिवकुमार शास्त्री : अध्यक्ष महोदय, मैं आपके द्वारा मंत्री जी से यह जानना चाहता हूँ कि आपके पहले दर्जे के डिब्बे जो स तयुगी हैं जिनमें अनें जाने कां बरांडा नहीं है और जिनमें रेल यात्रा के साथ जीवन यात्रा समाप्त करने का भी सतरा बना रहता है, क्या आप

उनको समाप्त करके नये डग के डिब्बे जिसमें बरांडा और अटेंडेंट का प्रबन्ध हो, उसकी अवस्था करने के लिए सोच रहे हैं? इसके माय ही जो अलीगढ़ से दिल्ली के लिए शट्टल ट्रेन चलती है जिसमें दूधबाले अधिक होते हैं उसमें अधिकांश इन प्रकार की घटनाएँ होती हैं तो उसमें कोई इस ग्राहक की अवस्था करने की बात आप सोच रहे हैं?

SHRI PARIMAL GHOSH : In a phased programme, we are now trying to build up the coaches with a corridor and, as and when, we get new coaches, we introduce them into service. We have already taken up this programme. It will take some time. We are doing that.

SHRIMATIILA PALCHOUDHURI : It has often been brought to the notice of the Railway Ministry that the windows and the exit doors in the corridor-type coaches do not have the bars. If the bars were provided in the windows, that would lead to more safety for the passengers. It was promised in one of the Consultative Committee meetings that this will be done. I would like to know in how many coaches bars have been provided.

SHRI PARIMAL GHOSH : In most of the coaches, the windows are provided with bars. If there are coaches which are not provided with bars, certainly, the matter will be looked into.

श्री अंगिकार लाल बेरेली : मैं यह जानना चाहता हूँ कि जो पहले दर्जे के पुराने डिब्बे हैं उनके अन्दर आपने नीकरों के बैठने की सुविधा होती थी क्योंकि उसमें अटेंडेंट को उसके माय लगता था, लेकिन आवकल के जो डिब्बे बने हैं, जाहे आप हीलक्स में देख लीजिए या और गाड़ियों में देख लीजिए, उनमें कोई अवस्था अटेंडेंट के बैठने की नहीं है। इसलिए अटेंडेंट थोड़े पांचवें दर्जे में जाकर बैठता है और अधिकारी इच्छर रहता है, तो इसके लिए आपने क्या अवस्था की है? पहले अटेंडेंट पास में होते थे तो कोई दुर्बंधन नहीं होती थी। अब उसका कोई सवाल ही

नहीं उठता, तो इसके लिए आपने क्या अवस्था की है?

SHRI PARIMAL GHOSH : It is a fact that in the coaches, the seats for attendants were provided in the same compartment. But with the increasing demand for providing more seats to the people, it has been found that we cannot afford to give that accommodation for the attendants alone. That is why a separate arrangement has been made.

भीमती लक्ष्मीकांतस्मा : क्या यह सही है कि उत्तर रेलवे में कुछ जगहों में गंगे संगठित हैं जो रेल यात्रियों को सूट लेते हैं? इसके लिए सरकार स्टेट सरकार से सहायता लेकर इन स्टोरों को पकड़ने के लिए क्या प्रबन्ध कर रही है?

MR. SPEAKER : Next Question.

विभिन्न मंत्रालयों से संबद्ध विवेकी
सलाहकार तथा विशेषज्ञ

•634 श्री नारायण स्वरूप :

श्रो अटल बिहारी आजपेयी :

श्रो राम सिंह अवराल :

श्रो जगन्नाथ राज जोशी :

क्या औद्योगिक विकास तथा समाजाधार्य मर्जी 27 अगस्त, 1968 के अतारांकित प्रश्न संस्था 6001 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) 1955-67 तक भारत सरकार के प्रयोग मंत्रालय के साथ संबद्ध (एक) सलाहकारों और (दो) विशेषज्ञों की संस्था कितनी-कितनी थी; और वे किन-किन देशों थे थे; और

(ख) उन पर कितनी राशि अव हुई?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI RAGHUNATH REDDI) : (a) and (b) : The information has been received from some Ministries, but has yet to be received from a number of other Ministries. It will be laid on the Table of the

House as soon as all the Ministries have sent their replies.

SHRI NARAIN SWARUP SHARMA : In the absence of the information, what can I ask ?

MR. SPEAKER : We go to the next Question.

Central Industrial Projects

***637. SHRI SHRI CHAND GOYAL :** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) the State-wise break-up of the investments made in the Central industrial projects so far;

(b) whether it is a fact that out of the total investment of Rs. 2500 crores so far made only Rs. 8.5 crores have been invested in Haryana, whereas an investment of Rs. 459 crores has been made in Madhya Pradesh and of Rs. 418 crores in Orissa; and

(c) the steps taken by Government to remove this staggering disparity ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI RAGHUNATH REDDI) : (a) The information was laid on the Table of the House by the Prime Minister on 13th November, 1968 in reply to Starred Question No. 61.

(b) Yes, Sir.

(c) At the instance of the National Development Council the Planning Commission has set up two Working Groups to study the incentives needed to promote dispersal of industries in areas which are relatively less developed industrially.

SHRI SHRI CHAND GOYAL : In view of the present staggering disparity between State and State and specially, the persistent demand from Punjab for the establishment of a tractor factory or an atomic plant or an arms factory, may I

know what Government is doing to meet the demands of those States where the Government has invested only a few crores out of this huge amount of Rs. 2,500 crores ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : Only the other day I had the privilege of informing the hon. members of the policy which the Government wish to pursue in these matters, and I pointed out that it is our objective to reduce the imbalance which has existed during the last three Plans. For that purpose, not only my Ministry but also the Planning Commission have given a serious thought and they have set up two Groups for the purpose of finding out the basis on which such regional imbalances can be removed. As soon as we get the report from the Planning Commission, also taking into account whatever work has been done in my Ministry, we will put up paper for consideration of the Government and for a decision in the matter. I can inform the House that the Government attach importance to this question of regional imbalance, and as far as possible, subject to the necessity of economic development of the country, this matter will be looked into. It is not possible for me to say at this stage till the Plan is finalised which particular item will be included in the Plan for a particular State.

SHRI SHRI CHAND GOYAL : I would like to know why a State like Punjab has been neglected, a State where there is technical knowhow, where there is labour, where there are other resources. I would like to know why such a staggering disparity was existing in the past in spite of there being all the favourable circumstances for investing the Central funds for Central industrial projects in the State of Punjab.

SHRI F. A. AHMED : There is no question of ignoring one State or the other. As I explained the other day also, investment under public undertakings has taken place in areas where there are natural resources, and most of our investments, more than 50 per cent, have gone towards building up of heavy machine-building

plants and steel plants. So far as Punjab is concerned, even though as compared to the number of projects in other States the number of such projects in Punjab is insignificant, yet, the prosperity of the people of Punjab is no less than in those States because of the ancillary and small scale industries which have come up in that area and which can only serve the purpose of removing unemployment as well as increasing the *per capita* income of the people in a particular State.

SHRI SHRI CHAND GOYAL : The prosperity is in spite of you and not because of you.

SHRI R. BARUA : From the reply given by the hon. Minister it is apparent that, in spite of heavy investments in certain areas, the *per capita* income has not increased proportionately with the investment. The States where there have been lower investments have a higher *per capita* income, and, on the other hand, in these areas where higher investments have been made, the unemployment problem is increasing as in the case of Assam. May I, therefore, know from the hon. Minister of Industrial Development whether the whole industrial policy will be related to agriculture, power and irrigation and with that end in view, whether he is going to constitute a small cell so that the dispersal of industries may be related to the local needs and in that way the growth may be economically energised.

SHRI F. A. AHMED : Sir, it is perhaps already known to the hon. Members that in our next plan our immediate priority is to be given to agriculture which will include the development of power and irrigation and flood control. And, as I have said, the question of regional imbalance is being considered by us and to what extent we can remove that regional imbalance. We shall make an effort on the basis of the guidance and principles laid down by the Planning Commission.

बी राम देवक यादव : अध्यक्ष महोदय, मानवीय मंत्री जी ने कहाया कि बोबना बायोव के सामने क्षेत्रीय असन्तुष्टि को दूर करने की बात रेखी बीर वे कोशिक करेंगे

कि इसको दूर किया जाय। मैं जानना चाहता हूँ कि क्षेत्रीय असन्तुष्टि के बीच में ही नहीं है, बल्कि राज्यों के अन्तर्गत भी क्षेत्रीय असन्तुष्टि कायम है, क्या उसको भी दूर करने का प्रयत्न किया जायगा?

श्री फलाहारी अस्ती अहमद : यह एक बहुत बड़ा समस्या आवरेंटिल मेम्बर ने हमारे सामने पेश किया है। हम यह समझते हैं कि इसके ऊपर प्रवेश सरकारों को सोचना है कि यह रिजिनल इम्बेलेंस तिफ़ एक स्टेट से दूसरी स्टेट में ही दूर न हो, बल्कि उनके अन्दर जो एरियाज हैं, वहाँ भी दूर हो। इसके मुतालिक चीफ मिनिस्टर्ज़ की एक कमेटी बनाई गई है, जिसके बेयरमैन प्लार्निंग कमीशन के डिप्टी बेयरमैन हैं और वे यह सोच रहे हैं कि जिलों-जिलों में जो इम्बेलेंस है, वह भी इसके साथ दूर किया जाय।

SHRI C. C. DESAI : Sir, while I do not subscribe to the principle of location of public sector projects merely to correct regional imbalances, may I point out to the Minister that in Gujarat, apart from the petro-chemical complex there is hardly any public sector project and one or two, particularly the Heavy Machine Tools which was contemplated in Bhavnagar has not been sanctioned and what is the present position of that particular project?

SHRI F. A. AHMED : As I have pointed out subject to the necessity of economic development countrywise the question of regional imbalance will have to be given consideration, but where the interest of the country is involved, certainly, we shall have to give preference to the interest of the country to a particular project being located in a particular area. And, so far as the Heavy Engineering is concerned.....

SHRI C. C. DESAI : It was contemplated at Bhavnagar.

SHRI F. A. AHMED : So far as the Heavy Engineering is concerned, whatever project has to be established both in the public and the private sector, the question

with us is whether the product manufactured by them is being absorbed within the country and in respect of whatever the balance which remains, whether it is possible for us to export. And, we have to take all these facts into consideration before taking a decision in these matters.

SHRI K. NARAYANA RAO : The Minister has conceded that in certain areas the industrial growth is imbalanced. In view of this, may I know from the hon. Minister whether in respect of those States where the industrial growth is not as fast as the Government would consider it necessary, whether they will write off the the loans ? I want to know whether they will write off the loans from those respective States which are industrially having lesser growth. In respect of those loans which the States have taken from the Government of India, will the Government of India, as a compensatory measure, think of writing off those loans ?

MR. SPEAKER : That does not arise.

SHRI VASUDEVAN NAIR : In spite of the Minister's claim that his and his Government's aim will be the removal of regional imbalance in the coming plan (as they have been claiming for the last three plans) we are afraid, we really cannot take their words seriously. Because, Sir, I should like to know about one point. I should like to know whether he has decided to abandon the precision instruments factory in Kerala in pursuance of this aim to remove regional imbalance, after investing quite a few lakhs of rupees and acquiring land and all that, in that part of the country.

SHRI F. A. AHMED : Whatever I have said, I have said with the utmost, serious consideration. And the question of Palghat Instruments plant has been coming before this House from time to time and I have already pointed out that there is no question of abandoning that plant, but it has been postponed till the production which is being made at Kotah plant has the internal market and it is possible for us to export the extra production from this plant. And, this matter is also being discussed by me with the Russian delega-

tion which is here. And, if I can be helped out of the difficulty, I will be the first person to see this thing through.

Automobile Ancillary Industry

*638. **DR. RANEN SEN :** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have decided to place the automobile ancillary industry in the list of key industries with a view to give it preferential treatment in the allocation of funds and resources;

(b) if so, the reasons that prompted Government to take such a decision; and

(c) what special concessions are likely to be given to the industry in this respect ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI RAGHUNATH REDDI) : (a) and (b). Yes, Sir. This has been done to promote rapid growth of the industry.

(c) The key industries would be afforded special preferential treatment in respect of release of foreign exchange and all other clearances such as permission for issue of capital, etc.

DR. RANEN SEN : May I know whether it is a fact that the automobile industry is concentrated in a few hands and they are enjoying an absolute monopoly? May I also know whether these ancillary industries are being run by very big business-houses, and if so, which are those houses?

SHRI RAGHUNATH REDDI : The automobile ancillary industries are run by a number of small business concerns and also some associated with big business-houses. Therefore, it is very difficult for me in this short time to differentiate between big business-houses and small concerns. If the hon. Member wants, I shall supply him with a list of the concerns which are manufacturing these things.

DR. RANEN SEN : May I know whether in essence a substantial portion

of these ancillary industries is being controlled or run by the big business-houses? I know that there are smaller industries also. But I wanted to know the percentage of the two.

MR. SPEAKER : The hon. Minister says that he does not have the percentage just now.

DR. RANEN SEN : The hon. Minister has said that some concessions are being given to them in order to help the industry. May I know the special concessions that are being given and for how long they are being given?

SHRI RAGHUNATH REDDI : The hon. Member is fully aware that certain special concessions like release of foreign exchange and supply of raw materials are given to certain categories of industries termed as key industry etc.

Then there are priority industries, and then come the other types of industries. This list is prepared for one year and it is likely to come up for review in March, 1969.

SHRIMATI SHARDA MUKERJEE : One of the concessions given to these industries is in relation to the import licences. I would like to know whether any attempt has been made to find out how many ancillary units have shut down because of the import liberalisation.

SHRI RAGHUNATH REDDI : Having regard to the difficulties that had been placed before Government by a number of ancillary industries Government had to take this step in order to facilitate the proper production of ancillary products in ancillary industries and various regions. So we had come to this conclusion.

SHRIMATI SHARDA MUKERJEE : My question has not been answered. Has any attempt been made to find out how the ancillary industries have suffered because of the import liberalisation policy?

SHRI RAGHUNATH REDDI : The import liberalisation policy is not in respect of completed or finished products

being imported. Only certain components which would go into the production of ancillary products here have been allowed to be imported, and the import liberalisation policy has to be understood in that context.

SHRI LOBO PRABHU : Considering the average age of our cars or automobiles which is the highest in the world and the quality of their manufacture which is indescribable, the spares have a special importance. None-the-less the fact remains that spare parts made in this country are on an average about four times the cost of spare parts imported here. As far as their life is concerned, it is only one-fourth. I would like to know from the hon. Minister what arrangements are made to check the quality and prices of these spare parts.

SHRI RAGHUNATH REDDI : I respectfully share the anxiety expressed by the hon. Member that the quality of not only the cars but also the spares as well as the ancillaries must be improved to such a point that the car itself would run properly without stopping as it does nowadays.

SHRI LOBO PRABHU : Has he tried?

SHRI RAGHUNATH REDDI : For this purpose, as the hon. Member is aware, the Government of India had appointed a committee of inquiry under Shri Pande's chairmanship. A number of recommendations have been made by this committee. Now provision has been made even for the purpose of inspecting the products at the production stage and at other stages. Government have already issued instructions to various automobile concerns and it is hoped that they would implement the various instructions issued by Government.

श्री लोब प्रबाहु स्वामी : अध्यक्ष महोदय, मैं यह जानना चाहता हूँ सरकार से कि देश में कारों की मांग भी बहुत ज्यादा है और उन पर व्यापक चल रहा है और उनको बनाने की इच्छा रखने वालों की संख्या भी बहुत ज्यादा है, बननेवेट ने जितने टेडसं बांगे छोटी

कार और बड़ी कार के लिये बहुत सी कम्पनीज ने टैंडर दिये मोटर कार बनाने के लिये, तो मैं यह जानना चाहता हूँ कि इस देश में 'मोटर कार सस्ती मिल सके इसके लिये जो कार बनाने में लोग तंत्यार हैं उनको लाइसेंस सरकार क्यों नहीं देती है ताकि यहां मोटर गाड़िया ज्यादा बन सके और जो मोनोपली है इसको क्यों नहीं तोड़ा जा रहा है?

भौद्योगिक विकास तथा समवाय मंत्री (धी कल्पहीन अली अहमद) : यह सवाल भी इस हाउस के सामने कई दफा आ चुका है और मैं आप से यह कहना चाहता हूँ कि सब से पहले तो हमको यह देखना है कि आज कार की कीमत किन चीजों की वजह से बड़ी हुई है। मैं समझता हूँ कि कार की कीमत इसलिये बड़ी हुई है कि थोड़ी धोड़ी तादाद में दो, तीन फैस्टरीज कार बना रही हैं। जब तक हम लार्ज नम्बर में उन कारों को नहीं बनायें उनकी कीमत कम नहीं हो सकती है। और इसी स्थाल से चन्द्र प्रोपोजल जो हमारे सामने आये हुए हैं उन पर डिग्कशन हमारा प्लानिंग कमीशन से हो रहा है और हम यह देखते हैं कि इनकी कीमत एक्स-फैक्ट्री प्राइम बहुत कम हो जाये तो किस तरह से हम पब्लिक अन्डरटेकिंग में लार्ज नम्बर आक कासं बना सकें। उसके लिये हमारी कोशिश है और इसका डिग्कशन प्लानिंग कमीशन से चल रहा है।

धी ओम प्रकाश त्यागी : अध्यक्ष महोदय, मंत्रीजी ने जवाब दूसरा दिया। इन्होंने जवाब दिया है कि कार की कीमत कैसे डाउन की जाय। मैं पूछ रहा हूँ कि कारों की संख्या कैसे बढ़ायी जाय। डिमान्ड ज्यादा है। कारों की संख्या ज्यादा बढ़ाने के लिये और कारखाने लगाने के लिये लोग तंत्यार हैं। आपने दो, बार सेठों को मोनोपली क्यों दे रखी है, दूसरों की क्यों नहीं देते हैं?

धी कल्पहीन अली अहमद : मैंने दोनों

बातों का जब दिया कि कारों की तादाद कैसे बढ़ायी जाये इसकी सोच रहे हैं, किस तरह से पब्लिक अन्डरटेकिंग में लार्ज नम्बर आक कार हम कम कीमत पर प्रोड्यूस कर सके इसका मामला जेरे गोर है। और दूसरे इस बत्त तीन लोग कार बना रहे हैं। और भी बहुत बनाना चाहते हैं। अगर पांच, छँ हजार का उनको लाइसेंस दिया गया तो उसका भी नतीजा यही होगा जो इस बत्त दूसरों के साथ है।

SHRI INDRAJIT GUPTA : At present, there are only three makes of passenger cars available in this country or manufactured in this country. As far as commercial vehicles are concerned, the number of makes is again limited, and I think it would not be more than three or four or five. Since the spare parts and components for these vehicles have to be standardised and should be of the standardised type, may I know whether the new measure that Government are contemplating is meant to set up here or encourage the setting up of a completely indigenous industry which will conform to these standard specifications or whether Government want liberal imports of foreign-made components and spare parts which leads to a large amount of blackmarketing and abuse in the country.

SHRI RAGHUNATH REDDI : It is with the idea of encouraging only local industry to the maximum extent possible that his policy has been adopted.

SHRI INDRAJIT GUPTA : I am asking whether the liberalisation of imports of foreign made components and spares is going to be encouraged by this policy.

SHRI RAGHUNATH REDDI : No, Sir.

धी प्रकाशबीर शास्त्री : मैं यह जानना चाहता हूँ, जैसा कि अभी मन्त्री महोदय ने कहा कि हम करों की संख्या बढ़ाने पर ज्यादा विचार कर रहे हैं ताकि कारें सस्ती हो सकें, क्या सरकार ने इस सम्बन्ध में भी

सोचा है कि यह जो तीन प्रकार की ग्राहियों इस देश में बन रही हैं, जीरे-जीरे उनका स्टैंडर्ड बहुत बिरत चला जा रहा है, अब से पहले कुछ और कवरलिटी को कारें आती जीं जैसे एम्बेसेडर है, फीट इट है या स्टैंडर्ड है, लेकिन अब उनका स्टैंडर्ड इतना गिरता चला जा रहा है कि कुछ ही दिनों के बाद नई कारें भी बाराब होने लगती हैं तो उनका स्टैंडर्ड क्षयम रह सके, इसको सुधारने की हास्ति से आप कोई विवरण लेने जा रहे हैं?

दूसरे क्या यह यह सत्य है कि मर्सीडीज ट्रक प्रजहां बनाई जाती हैं उन्होंने मर्सीडीज कार बनावे के सम्बन्ध में भी सरकार से अनुरोध किया है तो उनको क्यों अनुमति नहीं दी गई?

श्री कलदाहीन अस्ती अहवाद : जैसा मैंने कहा कि आजकल जो कारें मिल रही हैं उनका पहले जैसा स्टैंडर्ड नहीं रहा। इसके बारे में शिकायतें भी आई और इसलिए हमें एक कमेटी भी मुकर्रर करनी पड़ी और उसके बाद हमने बन्द स्टेप्स उठाए हैं। हमने यह बात इन्पोज की है कि कारखाने से बाहर कोई कार न निकले जब तक कि इन्स्पेक्टर उसको पास न कर दे। मार्ग ही हमने एक गारन्टी की बात भी रखी है कि अपर एक साल के अन्दर कोई भी जीर बाराब होती है तो कम्पनी को वह कार वापस लेनी पड़ेगी। इन चीजों को हम सोच रहे हैं लेकिन इसके साथ ही साथ एक बहुत बड़ा सवाल भी हमारे मामने है कि किस तरह से हम मस्ती करें मुक्त को दे सकें। उसके लिए बहुत सारे प्रोजेक्ट्स हमारे सामने आए हुए हैं जिनमें से तीन चार प्रोजेक्ट्स पर इत समय हम प्रार्थना कर्मीकरण से बातचीत कर रहे हैं।

श्री प्रकाशवीर लालनी : मर्सीडीज कार के सम्बन्ध में?

श्री कलदाहीन अहवाद : मर्सीडीज कार का जहां तक सवाल है वह बड़ी कार

का सवाल है। उसको उस बबत सोच जायेगा जबकि स्मार्ट कार्स का सवाल हल हो जायेगा। पहले छोटी कार्स की पोजीशन प्लानिंग कर्मीकरण से बिल्डर हो जाए फिर उसके बाद, जो बड़ी कारों के प्रोजेक्ट्स आए हुए हैं, उन पर येर किया जाएगा।

SHRI THIRUMALA RAO : Has it come to the notice of Government that the latest model of Fiat has within three or four weeks of delivery been sent back to the garage? Have Government advised their expert committee to test the quality of these cars before they are delivered to customers?

SHRI F. A. AHMED : Some complaints have been received by me.

SHRI S. K. TAPURIAH : As far as the quality and price are concerned, as the Minister very rightly pointed out, the consumer is the bigger sufferer unlike Ministers who have such cars and servicing provided by the State or who can have imported cars. Does he not agree that it is the small quantity of cars being manufactured, whether in terms of parts and components or of finished cars, which is coming in the way of achieving the desired result in quality and price? Secondly, does he feel that one of the smallest but the most significant concession that the industry and the ancillary industries may want is quick decisions taken by Government in terms of either import or capital or supply of raw materials from the public sector units like CRCA sheets from Rourkela plant which has the capacity but never supplies in time?

SHRI F. A. AHMED : As for the first question, we made enquiries and my information is that when this question was put to some of these people who are manufacturing the car, they said if their capacity was increased it might bring down the price by only about Rs. 500 or Rs. 1,000 ex-factory. I consider that not sufficient to make it a cheap car.

As regards the other thing, we are looking into the matter of how procedural delays can be avoided or eliminated, so

that whenever orders are placed with the public sector units, they are implemented in time.

Central Railway Zone

*641. SHRI S. C. SAMANTA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the Central Railway continues to be the most neglected Zone in so far as the supply of engines, rolling stock and facilities to increase the number of trains run on important routes are concerned;

(b) if so, the reasons therefor; and

(c) how is it that while Northern, Southern and Western Railways have been able to increase Mail, Express and Passenger trains on their main and other lines, Central Railway has only two trains from Delhi to Bombay covering large areas and Capitals of States?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI PARIMAL GHOSH) : (a) No, Sir.

(b) Does not arise.

(c) The main factor that militates against introduction of an additional through train between Bombay V. T. and Delhi is the non-availability at present of requisite line capacity on certain sections enroute.

SHRI S. C. SAMANTA : May I know whether the efficiency of the Central Zone has gone up or gone down after the creation of the South Central Railway ?

SHRI PARIMAL GHOSH : With the introduction of the South Central Railway to some extent its efficiency has gone up.

SHRI S. C. SAMANTA : There was so much clamour for the change of headquarters from Bombay to elsewhere. May I know whether still, after the creation of the South Central Zone, there is any necessity of changing the headquarters to a central place, so that its name will have meaning ?

SHRI PARIMAL GHOSH : The headquarters of the two railways are now situated at Bombay purposely. There is no such consideration of shifting the headquarters from Bombay.

SHRI NITIRAJ SINGH CHAUDHARY : The number of passenger trains has increased four times in the country, but on the Central Railway it has remained the same. The main lines on the Central Railway are Bombay-Delhi and Bombay-Allahabad. May I know from the hon. Minister why this discrimination so far as the Central Railway is concerned ?

SHRI PARIMAL GHOSH : As I have already stated, the main point that militates against the introduction of new trains from Bombay to Delhi is the inadequate line capacity enroute and also the limited line capacity at the destinations and terminating stations of Bombay and New Delhi. To improve on that we have already taken up quite a number of projects which are now in various stages of execution, and we are also planning some more so that these difficulties may be overcome.

SHRI BAL RAJ MADHOK : The Central Railway links the two metropolitan cities of Delhi and Bombay. May I know whether he is contemplating the running of a Rajdhani Express between Delhi and Bombay as is being run between Delhi and Calcutta which will cut down the time by about six hours ?

SHRI PARIMAL GHOSH : After we introduce this new train and with the experience that we gain, we are contemplating to provide that kind of train on the trunk routes connecting Delhi with the various States.

श्रीमती ज्योतेन शाह : अध्यक्ष महोदय, ये जो जोन्स है उनका निर्माण बहुत दिन पहले हुआ था । लेकिन आज डेवलपमेंट के साथ-साथ सारे देश का नवाचा बदल रहा है । इस जोन्स को इयान में रखते हुए क्या सरकार इन जोन्स में कोई परिवर्तन करेगी ताकि एक स्थान से दूसरे स्थान पर सामान इत्यादि

लाने के जावे में सुविधा हो और बाज सारे देश की जो डिमान्ड है वह सेटिफाई की जा सके ? क्या सरकार इस तरह की कोई नयी स्कीय बनायेगी ?

SHRI PARIMAL GHOSH : Such a need is not being felt now.

श्रीमती बाबाबेन शाह : अध्यक्ष महोदय, जैसे कि बेस्टन जोन है, बाम्बे और सारा का सारा राजस्थान, भव्य प्रदेश और बुजरात का हिस्सा है, उसकी क्या डिमान्ड्स हैं, उनका कैसे काम चलता है, इन बातों को देखते हुए सरकार कुछ करने के लिए तैयार हैं ?

MR. SPEAKER : He has answered that.

SHRI S. M. BANERJEE : There has been a persistent demand by the people of Kanpur that there should be a direct train from Kanpur via Jhansi to Bombay. I would like to know whether that proposal has at all been considered, and if not, when the proposal is likely to be considered.

SHRI PARIMAL GHOSH : The main bottleneck for the introduction of that kind of direct train is mainly in the Jhansi Division, as the hon. Member knows. We have taken up doubling of some lines and also increasing the line capacity in other sections. After these works have been completed, this point will naturally be considered.

Heavy Engineering Corporation, Ranchi

*643. **SHRI KARTIK ORAON :** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that plants were imported from U. S. S. R. for the fabrication of the VI Blast Furnace of Bhilai Steel Plant and that they were supposed to be marked at the Heavy Engineering Corporation Limited Ranchi and for which templates were made in the Heavy Machine Building Plant, but later marked plates were imported from U. S. S. R.; and

(b) if so, what was the rate of additional expenditure per ton and the total

additional expenditure involved by way of payment for marked plates ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI RACHUNATH REDDI) : (a) and (b). A statement is laid on the Table of the House.

Statement

In view of the fact that the shell of the 1719 cubic metres blast furnace was being manufactured in the country for the first time and the plates for the shell were being imported in any case, it was decided by the HEC that marked steel plates would be imported for one furnace shell only from the U.S.S.R. At the same time, in order to develop the special skill and expertise in the manufacture of these shells, the Heavy Machine Building Plant also manufactured templates for marking. As a result of this step, the Heavy Machine Building Plant was able to manufacture a much larger blast furnace shell of a capacity of 2000 cubic metres for the Bokaro Plant with unmarked steel plates imported from the USSR. The Heavy Machine Building Plant had contracted with the Soviet suppliers for marked steel plates for the blast furnace shell and steel plates for Copper Stoves, Scrubbers and Dust Catchers.

Since both marked and unmarked steel plates were included in the same contract and since the USSR suppliers have not indicated separate prices for different categories, it would not be possible to indicate the rate of additional expenditure per ton and the total additional expenditure involved by way of payment for marked plates.

SHRI KARTIK ORAON : Obviously if HEC was supposed to prepare the templates and get all the plates imported from USSR marked at the shop of Heavy Machine Building Plant, there was no plan to get marked plates from USSR. I would like to know what were the circumstances which weighed in favour of getting the marked plates from USSR after substantial amount had been spent for design, technology and templates and thus causing the HEC to make additional payment just for nothing.

SHRI RAGHUNATH REDDI : In the first instance as far as the supply to the Bhilai plant is concerned, they imported plates which have been marked. The H. M. B. P. Section of HEC started the work of marking. I may respectfully inform the hon. Member that for the purpose of Bokaro plant, for manufacture a blast furnace shell 2000 cubic metres. The plates which have been imported were marked by the HEC itself. Now the HEC is upto the mark in dealing with such matters.

SHORT NOTICE QUESTION

महमदाबाद में रेलवे सम्पत्ति को लाति

SNQ. 11. श्री यशवंत सिंह कुशवाह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हल ही में उपद्रव करने वाली विद्यार्थियों की एक भी दल ने अहमदाबाद तथा उसके निकटस्थ क्षेत्रों में रेलवे सम्पत्ति को भारी लाति पहुंचाई थी; और

(क्ल) यदि हाँ, तो उसका व्यौरा क्या है ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes Sir. During the last week of November, 1968 an incident took place near Botad Railway Station about 180 kilometres from Ahmedabad when a mob of rioting students, as a protest against the increase in the tuition fees, damaged Railway property and disrupted communications.

(b) On 28-11-68 a mob of students of colleges and high schools and also some outsiders numbering about 4,000 detained goods trains No. 521 UP at the outer signal of Botad station, opened a wagon took out some gunny bags containing cement, caustic soda and lime stone powder, emptied them and set fire to the gunny bags. They also cut telephone and telegraph wires causing disruption to communication between Botad and Bhavnagar Stations.

The cost of damage to the Railways is reported to be at Rs. 4,000/-, Movement

of five trains including Somnath Mail was affected during that time.

श्री यशवंत सिंह कुशवाह : क्या रेलवे मंत्री महोदय यह बताने की कृपा करेंगे कि रेलवे सम्पत्ति को हानि न पहुंचने काये इसके लिए सुरक्षा सम्बन्धी क्या कोई पूर्व तैयारी की गई थी या नहीं ?

क्या मंत्रीजी यह मी बतलाने की कृपा करेंगे कि क्या कोई ऐसी बांध की व्यवस्था की गई है जिससे यह पता लग सके कि इन उपद्रवकारियों की भीड़ के बीच किन राष्ट्र विरोधी तत्वों का हाथ था और उपद्रव में रेलवे सम्पत्ति की कुल कितनी हानि हुई है ? और

क्या इस सम्बन्ध में कुछ गिरफ्तारियाँ भी की गई हैं ? क्या कुछ लोगों पर केस भी बलाये जाने का बकान्ध किया गया है और इन उपद्रवियों की ओर से रेलवे सम्पत्ति की जो हानि हुई है उसकी लाति पूर्ति इन्हीं से करवाने के बास्ते भी कोई कदम उठाया जायगा ?

SHRI C. M. POONACHA : These stray incidents here and there take place for reasons for which the Railways are not generally responsible. For certain things for which the public might have a grouse, they demonstrate their opposition or whatever it is, by coming on the Railway premises and then damaging railway property and all that. These do not normally come to our knowledge.

And when such incidents happen, no doubt we take the necessary precautions and the State Governments also immediately take the necessary action. They are in some measure unpredictable. We do not know what will happen at what time, and the railway organisation being a vast organisation spread out all over the countryside, it is rather difficult to anticipate reasonably certain things happening. All the same, we have been tightening up measures to see that such damage to railway property is prevented and the State Governments

are also taking necessary action in this regard.

श्री यशवन्त सिंह कुमाराह : माननीय अध्यक्ष महोदय, मैंने मंत्री महोदय से यह पूछा था कि क्या इस सिलसिले में कुछ गिरफ्तारियाँ भी की गई हैं, क्या कुछ लोगों पर केस चलाये जाने वाले हैं और उपद्रवियों की ओर से रेलवे सम्पत्ति की जो हानि हुई है उसकी क्षति-पूर्ति के बास्ते भी क्या कोई कदम उठाया जायगा लेकिन इनका उन्होंने कोई जवाब नहीं दिया है। कृपया दिलाइये।

साध-साध मैं यह भी पूछना चाहता हूँ कि अब तक जिस तरीके का ढंग दिलाइ दिया है कि उपद्रवों के समय रेलवे सम्पत्ति को लक्ष्य बना कर खात सौर से कार्यक्रम बनाया जाता है पूर्व निर्धारित योजना होता है कि रेलवे सम्पत्ति को नुकसान पहुँचाया जाय तो यह सारा जो अब तक का अनुभव रहा है उसको देखते हुए क्या मंत्री महोदय कोई ऐसी योजना बना रहे हैं जिससे ऐसे उपद्रवों के समय रेलवे सम्पत्ति की रक्षा विशेष रूप से की जा सके?

SHRI C. M. POONACHA : This again would need active assistance and help from the State Governments concerned. It is true that a number of such instances have taken place. I do not want to go into the details, but if I have the permission, I would like to lay a statement* containing certain action taken and instances of such attacks in this behalf.

MR. SPEAKER : Yes.

WRITTEN ANSWERS TO QUESTIONS

Bombay Oxygen Corporation Ltd.

*635. **SHRI MADHU LIMAYA :** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether the management of the Bombay Oxygen Corporation Ltd. had called an extraordinary general body meeting of the shareholders in the year 1964 to purchase 5000 (five thousand) shares of

Messrs. Permanent Magents Ltd. of Rs. 100 paid-up value per share at a fabulous price of Rs. 300 per share;

(b) whether it is a fact that this general body meeting was cancelled and the proposal was dropped as the same was vehemently opposed by the shareholders of the Bombay Oxygen earlier; and

(c) in view of the mismanagement and poor performances by the company whether Government propose to appoint an officer of the Company Law Department to look into the affairs of the company?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes, Sir.

(b) It is a fact that the Board of Directors of the Company resolved to rescind the proposed meeting by a resolution passed on 19th September, 1964.

(c) The information available at present with the Company Law Board does not indicate mismanagement or poor performance, and the question of appointment of an officer to look into the affairs of the company does not therefore arise..

Small-scale Industries

*636. **SHRI RAM KRISHAN GUPTA :** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state the steps taken to protect small-scale industries from undue competition of large-scale undertakings?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : The development of cottage, village and small scale industries is sought to be encouraged by restricting the volume of production in the large scale sector through the common production programme. For example, during the Third Plan period there has been an increase in production of storage batteries, bicycles and sewing machines in the small scale sector achieved through this programme.

*A Statement was subsequently laid on the Table of the House. [Placed in Library.
See LT-2641/68].

Other measure adopted for providing protection to small scale industries from undue competition from large scale industry are :

- (i) Reservation of 122 items for exclusive purchase by Government under its Stores Purchase Programme;
- (ii) Reservation of 70 products for manufacture in the small scale sector only;
- (iii) Price preference accorded under Government Purchase Programme to small scale products in specific cases.
- (iv) Rendering of techno-managerial consultancy services on cost free basis;
- (v) Common service facilities;
- (vi) Supply of built-up factory space in Industrial Estates in semi-urban and rural areas;
- (vii) Liberalised credit facilities; and
- (viii) Supply of machinery on hire purchase basis.

Corruption and Mismanagement in the Bailadila Iron Ore Project.

*639. SHRI KAMESHWAR SINGH : Will the Minister of STEEL, MINE AND METALS be pleased to refer to the reply given to Unstarred Question No. 1717 on 30th the July, 1968, and state:

- (a) whether the investigations about corruption and mismanagement in the Bailadila Iron Ore Project have been completed and the case handed over to the C. B. I;
- (b) if so the details of the investigation report; and
- (c) if not reasons for delay and the approximate time by which the investigation will be completed?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI) : (a) to (c) These complaints are pseudonymous and certain allegations of vague and general nature. However, National Mineral Development Corporation has made certain preliminary enquiries. These would have to be further examined and appropriate action would be taken if circumstances so warrant.

पूर्वी योरोपीय देशों के साथ व्यापार

*640. श्री कंबरलाल गुप्त : क्या बाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार उन एजेंटों को हटा रही है जो पूर्वी योरप के देशों को सामान सप्लाई करते हैं; और

(ल) यदि हां, तो ऐसे एजेंटों की संख्या कितनी है और उनको हटाये जाने के कारण क्या हैं ?

बाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफी कुरेशी) : (क) जहाँ कुछ वस्तुओं का निर्यात राज्य व्यापार निगम और लनिज तथा बानु व्यापार निगम के माध्यम से किया जाता है अथवा जहाँ निर्माता इन निगमों के सहयोगी संभरक बन गये हैं, उन मामलों को छोड़कर, पूर्वी योरोपीय देशों को प्रत्यक्ष रूप से और निर्यात ग्रहों के माध्यम से माल का निर्यात करने की अनुमति है। बताना कियाविधि में कोई परिवर्तन करने का विचार नहीं है।

(ल) प्रश्न नहीं उठता।

Durgapur Steel Plant

*642. SHRI S. R. DAMANI : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether Government's attention has been drawn to a statement dated the 22nd September, 1968 made by Shri K. T. Chandy, Chairman of the Hindustan Steel

Limited that damages caused to the furnaces at Durgapur Steel Plant were wilful acts;

(b) whether Government agree with this observation:

(c) if so, whether an enquiry has been ordered; and

(d) the nature of disciplinary action taken against those responsible for the damage?

THE MINISTER OF STATE IN THE
MINISTRY OF STEEL, MINES AND
METALS (SHRI P. C. SETHI): (a) Government are aware of the statement
made by the Chairman, HSL.

(b) Damage to the re-heating furnaces was caused as a result of act of sabotage on the part of a group of workers present at the spot.

(c) 36 workers were arrested by the Police and investigations are in progress.

(d) 67 workers including the 36 arrested were suspended by the Management as a result of this occurrence and suitable action is being taken.

Machine Tool Corporation of India Ltd.

*644. SHRI PREM CHAND VERMA:
Will the Minister of INDUSTRIAL
DEVELOPMENT AND COMPANY
AFFAIRS be pleased to state:

(a) the names of the Chairman or Managing Director and members of the Board of Directors of Machine Tool Corporation, when they were appointed and their tenure and terms of appointment;

(b), the amount of loss which the Corporation suffered on account of irregularities, thefts, stock shortages and fires and whether these matters were looked into and if so, the result thereof; and

(c) whether a general assessment of the working of the Corporation has been done at any time and if so, what was the result and if it not, whether Government propose to secure the services of any expert in order to find out the drawbacks and to bring about improvement in its working?

Date of Appointment	
(a) Shri S. M. Patil, Chairman and Managing Director, Hindustan Machine Tools Limited, Bangalore	Chairman
Shri D. K. Saxena, Secretary to the Government of Rajasthan, Industries Department, Jaipur	Director
Shri A. R. Shirali, Joint Secretary to the Government of India, Ministry of Finance (Department of Economic Affairs), New Delhi	Director
Shri G. N. Mehra, Deputy Secretary to the Government of India, Ministry of Industrial Development and Company Affairs, New Delhi	Director

No Managing Director has been appointed. The tenure of the Chairman and Directors ends on the day of the Annual General Meeting of the Company, following their appointment. The Chairman and the members of the Board are not whole time Directors of the Company. They are being paid Travelling and Daily Allowances as admissible under the rules of their respective parent organisations.

(b) Nil. does not arise.

(c) The Company was registered on 11th January, 1967 and the project is in the construction stage. The progress of work is discussed at the meetings of the Directors, and Government are kept informed of it through monthly progress

reports. The necessity for securing the services of any expert to find out the drawbacks and to bring about improvement in Company's working has not arisen.

Closure of Coal Mines

*645. SHRI BHOGENDRA JHA : Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 4498 on the 20th August 1968 and state :

(a) whether Government have made enquiry into the closure of several coal mines due to the present alignment of the Barauni-Haldia pipelines;

(b) whether it is a fact that compensation suits filed by the owners of the closed mines are pending in the Calcutta High Court and there are other claims of compensation worth crores of rupees; and

(c) whether Government, in such a situation, have made an estimate of the workable stocks of coal of different grades in the closed mines; if so, results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI) : (a) No closure of collieries due to the present alignment of the pipelines has come to the notice of the Government and hence the question of enquiry does not arise.

(b) Some compensation claims of certain colliery owners are reported to be pending in the District Judge's Court, Burdwan and with the Competent Authority under the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962.

(c) Does not arise in view of reply to Part (a).

Nationalisation of Railways operated by Private Companies

*646. SHRI A. SREEDHARAN : Will the Minister of RAILWAYS be pleased to state :

(a) which of the Railways are still operated by private companies and when their existing contracts for operating them are due to expire;

(b) whether there is any scheme to nationalise them and any phased programme laid down for taking them over from the respective private companies;

(c) if so, the details thereof; and

(d) whether the process of nationalisation of these railways would be completed by the end of the Fourth Five Year Plan and if not, to what extent they would still continue to be in private hands?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) A statement is placed on the Table giving the details of privately owned Railways and their contracts. [Placed in Library. See LT-2638/68].

(b) to (d) . No, Sir. Some of these Railways have contracts with the Central Government under which the Central Government has an option of purchase recurring periodically and the question of their purchase under that option is considered whenever such options are about to fall due.

भारत का व्यापार संतुलन

*647. श्री महाराज सिंह भारती :

श्री वेणीशंकर शर्मा :

श्री दिं चं शर्मा :

क्या व्याणिक्य मंत्री यह बताने की कृपा करेंगे कि :

(क) चालू वित्तीय वर्ष में भारत का व्यापार संतुलन कितना प्रतिकूल होने का अनुमान है;

(ल) क्या निकट वित्तीय में भारत का व्यापार संतुलन अनुकूल होने की आशा है, जिससे विदेशों से लिये गये जहांगी की अदायगी की जा सके; और

(ग) यदि हां तो इस दिवामें क्या कार्यवाही की गई है?

व्याणिक्य अंभालमें उष-नाली (श्री शोहम्मद शाही कुरेशी) : (क) भारत का प्रतिकूल

व्यापार संतुलन वर्ष 1966-67 के पूर्वादि में 463-37 करोड़ रुपये था जो घटकर वर्ष 1967-68 और वर्ष 1968-69 की उसी अवधि में कमशा: 444-99 करोड़ रु. और 286-08 करोड़ रु. रह गया।

(ल) तथा (ग) . इस समय सरकार द्वारा अपनाई जा रही आयात प्रतिस्थापन और नियन्ति संवर्धन की नीतियों का उद्देश्य नियन्ति उपार्जन के स्तर को इतना पर्याप्त कर देना है कि उससे आयातित माल की हमारी वर्तमान मांग पूरी की जा सके।

Retrenchment in Chittaranjan Locomotive Workshop

*648. SHRI DHIRESWAR KALITA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that 1,500 employees of the Chittaranjan Locomotive Workshop have been served with retrenchment notice; and

(b) if so, reasons therefor?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) No, Sir.

(b) Does not arise.

Bhilai Steel Plant

*649. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) the names of the States to which each General Manager of the Bhilai Steel Plant belonged;

(b) the number of employees appointed during the term of each General Manager; and

(c) how many of them belonged to the State of General Manager concerned?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI) : (a) to

(c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-2639/68].

Industries which have benefited from Devaluation

*650. SHRI RABI RAY : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that Government have decided to initiate early action for a preliminary scrutiny of industries which have benefited from devaluation because of price competition with imports :

(b) If so, the main features of the proposal and the main objects for which the scrutiny is to be undertaken; and

(c) whether it is a fact that on the basis of scrutiny, selected industries will be referred to the Tariff Commission for estimating their case for tariff protection?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) to (c). The Committee appointed by the Government in the Ministry of Commerce to review the working of the Tariff Commission had, *Inter-alia*, recommended : "Since the benefits of devaluation in terms of price-competition with imports, accrue also to other industries which have so far not been subjected to a Tariff Commission inquiry, it is necessary that Government may now initiate early action on the preliminary scrutiny of the industries as contemplated in the Committee's interim Report. On the basis of such scrutiny Government may refer selected industries to the Tariff Commission for examining their case for protection."

The Government in the Ministry of Commerce have accepted this recommendation and addressed all the Ministries concerned to review the matter and name the industries which should be referred to the Tariff Commission for assessing their case for protection.

Periodical Inspection of Ticketless Travel

*651. SHRI LOBO PRABHU: Will the Minister of RAILWAYS be pleased to state:

(a) up to what level higher officers are charged with periodical inspection of ticketless travel;

(b) whether any of their checking is done immediately after that of the staff; and

(c) if so, the instance of such staff being punished for remissness during the last year?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Officers upto the level of Senior Scale are required to conduct periodical inspections of ticketless travel, the frequency of such inspections being left to be decided by individual Railways.

(b) Yes, Sir.

(c) During 1967-68, in 113 instances, Ticket Checking Staff were punished for remissness, as a result of such inspections.

आयात लाइसेंसों का बुरपयोग

*652. श्री ओम प्रकाश स्थानी: क्या वाणिज्य मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या सरकार को पता है कि अधिकांश लोग धोखाधड़ी अथवा घूस देकर आयात लाइसेंस प्राप्त करते हैं;

(ख) क्या सरकार को यह भी पता है कि बिल्सी में एक बड़ा गिरोह सक्रिय है जो सरकार से लाइसेंस प्राप्त करता है और कमीशन प्राप्त कर उनको अन्य व्यक्तियों को बेच देता है;

(ग) क्या सरकार को यह भी पता है कि अधिकांश 'आयात' लाइसेंसों को बद्दल और कलकत्ता के व्यापारियों को बेच जाता है; और

(घ) क्या सरकार इस मामले की केन्द्रीय जांच विभाग द्वारा जांच का आदेश देगी और यदि नहीं, तो इसके क्या कारण हैं?

वाणिज्य मंडालय में उप-मंत्री (श्री शोहम्मद शफी कुरंशी) : (क) से (ग). जी नहीं।

(घ) यदि कोई विशिष्ट जानकारी सरकार के ध्यान में लाई गई तो वह केन्द्रीय जांच विभाग द्वारा जांच करने का आदेश देने में संकोच नहीं करेगी।

Sale of Carpets and Namdas Manufactured in Ladakh

*653. SHRI KUSHOK BAKULA: Will the Minister of COMMERCE be pleased to state:

(a) whether any steps have been taken by Government to increase the export of carpets, mats and namdas made in the Ladakh area of Jammu and Kashmir State, so as to earn foreign exchange and to improve the financial condition of the people of Ladakh; and

(d) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b) . Yes, Sir.

A number of steps have been taken by the Government to increase the exports of carpets, mats and namdas on an all India basis, which include those manufactured in Ladakh area of Jammu and Kashmir State. The most important among these are as under :

(i) From 1st of January 1963 to 5th June, 1966 the Export Assistance Scheme in operation then was for import of wool tops/raw wools, dyes and chemicals to exporters. This scheme from 6-6-1966 was changed to actual user conditions.

- (ii) Assistance is given by way of drawback of customs and excise duties.
- (iii) The Handlooms and Handicrafts Export Corporation (a public sector Corporation) has opened Carpet Warehouses and Depot facilities, in overseas countries.
- (iv) These products are displayed in exhibitions abroad organised by the Government of India.
- (v) Studies have been made in the overseas markets for export of carpets and *namdas*.

Coal Washery in Bihar

*654. SHRIMATIILA PALCHOURDHURI: Will the Minister of STEEL, MINES AND METALS be pleased to state :

- (a) whether it is a fact that a new Coal Washery plant is to be set up in Bihar by an Indian firm, M/s, Bird and Company (P) Limited, in collaboration with an American engineering firm under the name and style of McNally-Bird Engineering Company;
- (b) if so, the estimated cost of this new project and the percentage in the capital outlay of each of the collaborating firms;
- (c) the source for providing the finance required;
- (d) the details of the items proposed to be manufactured by the new Company; and
- (e) the approximate initial annual production thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): (a) No, Sir,

(b) to (e). Do not arise

Imports of Zinc and Copper

*655. SHRI HIMATSINGKA: Will the Minister of COMMERCE be pleased to state :

- (a) the quantum of copper and zinc proposed to be imported during the current year;
- (b) the quantities already imported so far;
- (c) the countries from which their imports are proposed and the extent of imports from each of them;
- (d) how much of these imports have been made through the State Trading Corporation and by the actual users direct;
- (e) how do average import prices of these metals by the State Trading Corporation and by the actual users compare; and
- (f) whether the import prices of State Trading Corporation are higher than those bargained by the actual users?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) The estimated quantity of copper and zinc proposed to be imported during the current year is about 68,000 and Rs. 58,000 tonnes respectively.

- (b) 12,106 tonnes of copper and 46,000 tonnes of zinc or spelter have been imported during 1968-69 upto August, 1968.
- (c) Statement showing the countries from which imports of copper and zinc are likely to be made through M. M. T. C. is attached. It is not possible to indicate at this stage the countries of import in respect of actual user licences.

(d) 3,300 tonnes of copper and 19,310 tonnes of zinc have already been imported by the M. M. T. C. Approximately 25 to 30 per cent of the country's imports of these metals are handled by M. M. T. C. and the rest by the actual users. The exact figures for the actual users are not separately available.

(e) and (f). The average import prices of M. M. T. C. compare well with and are not higher than those of actual users.

Statement

Statement showing the countries from which copper and zinc are likely to be imported through M. M. T. C.

Copper :	U. S. A.	10,600 tonnes
	Canada	400 tonnes
Zinc :	Japan	6,865 tonnes
	U. S. A.	5,900 tonnes
	U.S.S.R.	9,000 tonnes
	Australia	1,375 tonnes
	Canada	935 tonnes
	Zambia	935 tonnes
	TOTAL	25,010 tonnes

Producers of Railway Wagons in West Bengal

*656. SHRI S. K. TAPURIAH : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that three major producers of Railway Wagons in West Bengal were affected by labour trouble, strikes and lock-outs for a prolonged period during the last year;

(b) whether it is a fact that they have now been given a very short time to clear their back-logs;

(c) whether it is also a fact that they have been asked to reduce their prices; and

(d) the steps taken by Government to bring about labour peace in West Bengal?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes, Sir.

(b) No, Sir.

(c) Yes, Sir. The prices were reduced, for those quantities which remained undelivered beyond the contractual delivery date, to fall in line with the current contract prices which were arrived at through tenders and negotiations.

(d) information is being collected by the Ministry of Labour, Employment and Rehabilitation and will be laid on the Table of the Sabha.

Central Sericulture Research Institute, Berhampur.

*657. SHRI JYOTIRMOY BASU : Will the Minister of COMMERCE be pleased to state :

(a) whether Government have received a memorandum from the Central Sericulture Research Institute Employees' Association, Berhampur, West Bengal containing serious charges against the present Director of the Institute;

(b) if so, the contents of the said memorandum; and

(c) the action taken by Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) to (c) . No such memorandum has been received from Central Sericultural Research Station Non-gazetted Employees' Association, Berhampore. The Association however sent a copy of the resolution passed by it containing certain complaints' grievances in respect of administrative matters of the Research Station. The Association is not a recognised one and, as is normal in case of such Associations, no notice has been taken of the resolution.

Import Substitution

*658. SHRI SARJOO PANDEY : SHRI INDRAJIT GUPTA :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have reviewed the working of the import substitution programme;

(b) if so, the result thereof; and

(c) the steps Government propose to take to step up the drive for import substitution?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) The programme for the import substitution is a continuous process and is under constant review.

(b) As a result of the organised measures taken it has been possible to achieve a sizeable reduction in the import of capital goods as also components and raw materials in a number of industries. The saving in foreign exchange on this account during the year 1967 has been about Rs. 30 crores. It is expected that saving in foreign exchange as a result of the import substitution measures will progressively increase from year to year.

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

STATEMENT

The following steps are being taken on a continuous basis to implement the import substitution programme in each of the industry, which are considered quite comprehensive :

- (i) substitution of imported raw materials, components and spare parts with indigenously manufactured materials and components of same specifications or of comparable specifications ;
- (ii) reduction in the consumption of imported raw material and components per unit of production ;
- (iii) progressive change over of production of chemicals and chemical products from intermediates to their production from basic raw materials ;
- (iv) acceleration of phased manufacturing programmes to achieve a greater indigenous content in the shortest possible time ;
- (v) more rigorous scrutiny of the request for capital goods imports with a view to ensuring that the plant and equipment etc. which are already being produced in the country or are likely to be produced in the near future, are not allowed to be imported ;

(vi) instructions to the concerned authorities both in the Central and State Governments to associate the DGID with the planning of the projects from the very early stages, to ensure that the items of equipment which are capable of being developed within the country are not allowed to be imported for lack of timely planning ; and

(vii) a scheme for giving encouragement to the work in the field of import substitution is also under operation under which awards are given to the individuals and institutions for bringing practical ideas for the developmental work in field which should reduce the imports further.

Fifth Steel Plant

*659. SHRI GADILINGANA GOWD: SHRI MURASOLI MARAN :

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

(a) whether Government have taken any decision about setting up of a fifth steel plant during the Fourth Five Year Plan period ; and

(b) if so, whether Government have considered the location of the plant at Vishakapatnam ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI) : (a) and (b) . The Government had earlier obtained site location studies on different regions including Bailadila-Vishakapatnam for setting up of new steel plants. The decision regarding setting up of new steel plant (s) its location etc. are however expected to be taken by the Government only after the recommendation of the Steering Group which has been appointed to help the Government to formulate its Fourth Plan development programme for iron and steel, are available. It is expected that the recommendations of the Steering Group in this regard will be available shortly.

बीबसाइट लाना ले जाना

660. श्री रामावतार शर्मा : क्या इस्पात, जान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जिन राज्यों में बीबसाइट का उत्पादन होता है जिसका प्रयोग एल्यूमीनियम बनाने के लिये किया जाता है वे उसे अन्य राज्यों में ले जाने की अनुमति नहीं देते ;

(ल) यदि है, तो इसके क्या कारण हैं; और

(ग) इस धातु को विभिन्न राज्यों में लाने ले जाने की सुविधा प्रदान करने के लिए सरकार क्या कार्यवाही कर रही है ?

इस्पात, जान तथा धातु भवालय में राज्य-मंत्री (श्री प्र० च० सेठी) : (क) बीबसाइट का उत्पादन करने वाले राज्य, सामान्यतः इसके अन्य राज्यों को संचालन किये जाने की अनुमति दे रहे हैं। वास्तव में, वर्तमान समय में चल रहे सभी एल्यूमीनियम प्रदावक पूरे रूप से या आंशिक रूप से अन्य राज्यों के बीबसाइट पर ही निर्भर हैं और किसी कठिनाइयों की सूचना न तो प्राप्त हुई है न हो रही है।

(ल) और (ग). प्रश्न नहीं उठते।

Hindustan Zinc Limited

3890. SHRI BABURAO PATEL : Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) the quantity in tonnes of zinc imported annually and the quantity produced by the Zinc Smelter of Hindustan Zinc Ltd. ;

(b) the annual consumption of Zinc in India during the last three years and its value in rupees ;

(c) the names and number of foreign

experts employed by the Hindustan Zinc Limited, their country and the duration for which they are employed with the annual cost of maintaining them; and

(d) when the Zinc Smelter is expected to become self-sufficient?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) The import of zinc during 1965-66 to 1968-69 is as under :—

Year	Quantity (in tonnes)
1965-66	80,210
1966-67	48,069
1967-68	65,908
1968-69	64,563
(upto August, 1968)	

The Zinc Smelter of the Hindustan Zinc Limited commenced production on 1-1-1968. upto 31-10-1968, 10,240 tonnes of zinc cathode sheets were produced, out of which 847.88 tonnes were sold. From the remaining quantity, 8,354.66 tonnes of zinc ingots were produced. During November, 1968, 800 tonnes (approximate) zinc ingots were produced.

(b) The consumption of Zinc in India during the last three years and its value are as under :—

Year	Quantity in tonnes.	Value (Rs. in lakhs)
1965-66	80,210	2002
1966-67	48,067	1086
1967-68	69,603	1531

The above figures in respect of years 1965-66 and 1966-67 are based on the imports since there was no indigenous production during those years. The figures for 1967-68 are based on imports together with the quantity of indigenously produced Zinc of 3,695 tonnes sold during that year.

(c) No foreign experts are presently employed by the Hindustan Zinc Limited.

(d) The Smelter has already become

self-sufficient and is being satisfactorily operated by Indian Engineers and staff.

Durgapur Coke-Oven Plant of the West Bengal Government

3891. SHRI JYOTIRMOY BASU : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) the average cost of production (per tonne) of coke produced in the Durgapur Coke Oven Plant of the West Bengal Government during 1955-56 to 1967-68 year-wise;

(b) the average sale price per tonne realised from 1955-56 to 1967-68, year-wise; and

(c) total profit or loss on trade account of the Durgapur Coke Oven Plant from 1955-56 to 1967-68, year-wise ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) :

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

(c) The information for the year 1955-56 to 1960-61 is being collected and will be laid on the Table of the House.

As regards the year 1961-62 to 1967-68, the information is as follows :—

Year	Rupees
1961-62	(—) 66,826.00
1962-63	(—) 6,36,813.00
1963-64	(—) 42,11,927.00
1954-65	(—) 36,59,857.00
1965-66	(+) 5,26,719.00
1966-67	(+) 46,72,479.00
TOTAL (—)	33,76,225.00
(+) Profit.	(—) Loss

Taking into account the excess provision made on power plant assets *i.e.* (+) Rs. 21,31,240.00 and the preliminary expenses of (—) Rs. 1,91,360.00 written off, the

total loss of the Company upto the end of 1966-67 works out to Rs. 14.36 lakhs.

1967-68 Rs. (—) 1,75,00,000.00
(un-audited).

Specialised Tea Course

3892. SHRI HEM RAJ : Will the Minister of COMMERCE be pleased to refer to the reply given to Unstarted Question No. 4987 on 7th July, 1968 and state :

(a) whether the B. Sc. (Agri.) Course on tea has since been started in the Assam Agricultural College, Jorhat; and

(b) if so, the number of seats allotted to each State and the Union Territories ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

(b) No Statewise seat has been allotted, but seven out of the twenty seats have been earmarked for students outside Assam including Union Territories.

Foreign Manufacturers

3893. SHRI BABURAO PATEL : SHRI INDRAJIT GUPTA :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) the number and names of foreign manufacturers who in collaboration with Indian firms or otherwise manufacture in India hair oils, beauty products, after-shave lotions, creams, toothpastes and other cosmetics;

(b) the annual sales and profits of each of these companies during the last 3 years;

(c) the amount of profits remitted overseas by each during the last three years;

(d) the amount of export earnings of each during the last 3 years;

(e) the amount of foreign exchange allowed to each, with names of foreign components, during the last 3 years;

(f) whether it is a fact that Revlons of U. S. A. have been allowed to collaborate with Lakme's of Tatas in spite of Lakme's doing very well; and

(g) If so, the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) A statement (Annexure J) is laid on the Table of the House. [Placed in Library. See No. LT-2616/68].

(b) to (d). In many cases, the manufacture of cosmetics forms only a minor part of the activities of the companies. Separate information regarding the operations relating to cosmetics is not available. The total exports from India of Glycerine, soaps, detergents, cosmetics and toiletries were, however, as follows:—

Year	Value in Crores Rs.
1965-66	1.87
1966-67	1.17
1967-68	1.21

(e) A statement (Annexure II) is laid on the Table of the House. [Placed in Library. See No. L.T. 2616/68]

(f) No, Sir.

(g) Does not arise.

Borooh Committee on Tea Industry

3894. SHRI BABURAO PATEL: Will the Minister of COMMERCE be pleased to state:

(a) the main recommendations of the Borooh Committee on the tea industry;

(b) the number of recommendations that are proposed to be implemented;

(c) whether Government are contemplating the formation of a Central Committee with four members including officials and representatives of the trade and industry to sanction promotional schemes and if so, when;

(d) the cost of maintaining such a committee;

(e) whether in view of the fact that there

is already an elaborate Tea Board functioning, a Central Committee envisaged on the lines mentioned above, would be desirable from the viewpoint of economy; and

(f) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAIFI QURESHI): (a) to (f). The report of the Borooh Committee on the tea industry has just been received and is under examination.

Manufacture of USSR Tractors in India

3895. SHRI CHENGALRAYA NAIDU:
SHRI D. C. SHARMA :
SHRI BENI SHANKER SHARMA:

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Central Government has approved a project for the manufacture of U. S. S. R. tractors in India by private firm;

(b) if so, what will be the expenditure involved on the project;

(c) what will be the capacity of the project; and

(d) what kind of assistance will be provided by U.S.S.R. in this regard?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) M/S Ghaziabad Engineering Co. Private Ltd., New Delhi have submitted a proposal for the establishment of a new undertaking at Loni in the State of Uttar Pradesh for the manufacture of DT-14 B 9 (14 HP) tractors in collaboration with M/S Prommashexport and M/S Tractorexport of USSR. The proposal has been examined and Government's reactions to the terms of foreign collaboration and the phased manufacturing programme proposed have been communicated to the firm. They have also been asked to submit the application for the import of capital goods required for implementing the scheme.

(b) It has been indicated by the firm that the total investment on the scheme will be about Rs. 7 crores.

(c) 10,000 tractors per annum.

(d) The USSR agencies will render necessary know-how and technical assistance, which will include supply of drawings, specifications, engineering data and written description of manufacturing processes. They will also impart training to the technical personnel of the Indian Company at their works abroad and provide the services of their technicians, if so required by the Indian Company.

Donations to Political Parties

3896. SHRI BABURAO PATEL : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) The names of companies in which Government hold shares or with directors representing Government and the amount of contributions each company made to political parties during the last three years with the names of the political parties who got the contributions;

(b) the names of companies where Government representative objected to such donations and whether these objections were minuted and if not, the reasons therefor;

(c) the reasons why Government controlled companies should contribute to political parties and whether there is a provision for such contributions in their respective contributions; and

(d) if not, the steps taken in regard to the constitution ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) to (d). Information is being collected and it will be laid on the Table of the House as soon as it is available.

Bus-train Collision between Pipiani and Khirkiya Stations

3897. SHRI D. V. SINGH :

SHRI G.C. DIXIT :

Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that at least two persons were killed and seven others in-

jured when an Itarsi bound parcel express and a private bus collided at a level crossing between Pipiani and Khirkiya stations on the Central Railway on the 15th November, 1968;

(b) if so, the circumstances and causes of the accident; and

(c) the number and percentage of unmanned railway level crossings in Madhya Pradesh and the scheme if any to man or mechanise these railway crossings to regulate the traffic thereon to prevent level crossing accidents ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) The accident took place on 16.11.1968. In this accident one person was killed and 8 sustained injuries of whom one subsequently succumbed to his injuries in the hospital.

(b) *Prima facie* the accident was due to the level crossing gate having been opened for road traffic by the gateman who could not see the approaching train due to the engine head light having failed on the run.

(c) There are 1795 unmanned level crossings in Madhya Pradesh which form 63.4% of the total number of level crossings in that State. All unmanned level crossings do not need manning. The need to man existing unmanned level crossings is reviewed periodically on the basis of extent of rail and road traffic and other factors and necessary action for manning where found necessary is taken in consultation with State Governments. As present proposals for manning of fifteen unmanned level crossings are under consideration in consultation with the State Government. In addition, proposal for provision of warning bells and flashing lights at thirteen selected unmanned level crossings is also under consideration in consultation with the State Government.

Majitha And Derababa Nanak Flag Stations

3898. SHRI YAJNA DATT SHARMA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that Majitha and Derababa Nanak Railway stations are being made flag halts;

(b) if so, the reasons therefor and whether it will not discourage the development of this frontier area; and

(c) the action proposed to be taken by Government for the development of this area by providing permanent stations instead of halts?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) On Verka-Derababa Nanak section Majithia and Fatehgarh Churian (and not Derababa Nanak) have been converted into flag halt stations with facilities to work the outlying sidings.

(b) and (c) This has been done as a measure of economy as the traffic on this section does not justify the retention of these stations as crossing stations. This will in no way affect the development of the area.

Paper project in Tripura

3899. SHRI KIRIT BIKRAM DEB BURMAN :

SHRI M. MEGHA CHANDRA :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 10018 on the 7th May, 1968 and state:

(a) whether the question of establishing a paper project in the Public Sector in Tripura has since been examined and if so, the decision taken in the matter;

(b) the weightage given in this matter to the industrial and economic backwardness of the border State of Tripura; and

(c) if the establishment of the 50 tonnes a day paper plant in Tripura in the public sector is for some reasons not considered feasible or desirable whether establishment of such a plant in the private sector has been examined by Government and the decision, if any, taken in the matter?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) to (c). There is no specific proposal to establish a paper plant in Tripura in the Public Sector during the 4th Five Year Plan period, 1969-74. In their draft Fourth Plan document, however, the Tripura Government have stated that no suitable proposal was received for establishing a 50 tonnes paper plant in the private sector, despite repeated endeavours.

New Industries to be set up in Maharashtra

3900. SHRI DEORAO PATIL : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Government of Maharashtra has proposed to set up new Industries in Maharashtra; and

(b) if so, the details of the projects proposed to be set up in the Public Sector with the assistance of the Central Government?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes Sir,

(b) The Industrial projects to be set up in Maharashtra during the Fourth Plan period commencing 1st April, 1969 are still under consideration and have not yet been finalised.

Cottage Industries in Tripura

3901. SHRI KIRIT BIKRAM DEB BURMAN : Will the Minister of COMMERCE be pleased to state:

(a) whether there is any proposal for promoting cottage industries in Tripura during the current year;

(b) if so, the details thereof, indicating its layout and the amount of aid granted by Government for the purpose and the item-wise production of the cottage industries in Tripura annually;

(c) whether any special scheme for

promoting cottage industries in Tripura during the Fourth Five Year Plan has been prepared; and

(d) if so, the broad outline and layout thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

(b) to (d). A note showing the broad outline, layout, aid granted by the Government and itemwise production etc. of the Cottage Industries in Tripura is laid on the Table of the House. [Placed in Library See No. LT-2617/68]

बम्बई और नई दिल्ली के बीच अमृतसर

एक्सप्रेस

3902. श्री गं० च० दीक्षित : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) बम्बई और नई दिल्ली के बीच चलने वाली अमृतसर एक्सप्रेस । जनवरी से 31 अक्टूबर 1968 तक की अवधि में कितनी बार समय पर पहुँची तथा इसके देशी से चलने के क्या कारण हैं; और

(ल) इसे समय पर चलाने के लिये क्या कार्यवाही की गई है?

रेलवे मंत्री (श्री गं० च० पुनाचा) : (क) और (ल) — 58दिन । 57 डाउन बम्बई नई दिल्ली, अमृतसर एक्सप्रेस के विभिन्न से चलने के कई कारण थे, जिनमें निम्नलिखित कारण शामिल हैं :—इस गाड़ी और अन्य गाड़ियों में लाते की जंजीरों के बार-बार लीच जाने के कलस्वरूप, लास्तौर पर बम्बई और नवी दिल्ली के बीच इकही लाइन बाले व्यस्त लड़ों पर, 57 डाउन एक्सप्रेस का अनुसूचित समय पर न चल सकना, अन्य असामान्य चटनाएं, जैसे घेर-गियों और बकायिकृत रूप से लाइन पार करने वालों का गाड़ी के नीचे आ जाना,

संचार-व्यवस्था और उपस्कर में लाती आदि ।

इस गाड़ी के संचलन में सुधार लाने के सिए विशेष प्रयास किया जा रहा है और इस सम्बन्ध में सभी सम्बद्ध उपाय किये जायेंगे ।

अमृतसर मेल के साथ ओड़े गये डिब्बे

3903. श्री गं० च० दीक्षित : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) बम्बई और नई दिल्ली के बीच चलने वाली अमृतसर मेल के साथ लगे प्रबंग घेरों के डिब्बे कितने पुराने हैं;

(ल) क्या यह सब है कि इनमें से बहुत से डिब्बों को हालत लाना है तथा वे बहुत पुराने हैं और उनमें घोड़ी दूरी तक यात्रा करना भी आरामदेह नहीं है; और

(ग) यदि हां, तो उनकी हालत सुधारने के लिये क्या कार्यवाही की जा रही है?

रेलवे मंत्री (श्री गं० च० पुनाचा) : (क) बम्बई और नवी दिल्ली के बीच अमृतसर मेल नाम की कोई गाड़ी नहीं चलती । प्रस्तुत में आशय व्याय अमृतसर एक्सप्रेस से है, जो नयी दिल्ली के रास्ते बम्बई और अमृतसर के बीच चलती है, इस गाड़ी में बम्बई और नयी दिल्ली के बीच एक पहले दर्जे का और एक पहले और तीसरे दर्जे का मिला-जुला सवारी डिब्बा बगाया जाता है इस गाड़ी के पहले दर्जे के सवारी डिब्बे 3 बर्च पुराने और पहले और तीसरे दर्जे के मिले-जुले सवारी डिब्बे 11 से 14 बर्च तक पुराने हैं ।

(ल) जी नहीं । इन सवारी डिब्बों को अच्छी हालत में रखा जाता है और वे न तो पुराने हैं और न नीर-आरामदेह हैं ।

(ग) सवार नहीं उठता ।

मध्य रेलवे में रेल गाड़ियों में चोरी के मामले

3904. श्री मं० च० शीक्षित : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह मत्त है कि मध्य रेलवे में मनमाड और बम्बई रेलवे स्टेशनों के बीच रेलवे के प्रथम श्रेणी के डिब्बों में रात के समय बाहर से लिफ्टियां लोल कर चोरी करने के मामलों में बढ़ि हो रही हैं;

(ल) क्या सरकार ने ऐसी चोरियों के कारणों का पता लगाया है; और

(ग) इन चोरियों को बन्द करने के लिए सरकार का विचार क्या विशेष व्यवस्था करने का है ?

रेलवे मंत्री (श्री च० मु० पुनाचा) : (क) जी हाँ ।

(ल) प्रत्यक्षतः ऐसे अपराधों के लिए बम्बई और कल्याण के अपराधी तिम्मेदार हैं। पुलिस ने जांब की थी, लेकिन इन मामलों का पता नहीं चल सका।

(ग) प्रभावित खण्डों पर सरकारी रेलवे पुलिस ने गाड़ियों में पहरे का काम तेज कर दिया है और प्रभावित क्षेत्रों में विशेष रूप से गश्त लगायी जा रही हैं। इन अपराधियों का पता लगाने के लिए नन्दगाव जिला पुलिस के गुप्तचर शास्त्रा और रेलवे पुलिस के विशेष गुप्तचर कर्मचारी विशेष रूप से तैनात किये जा रहे हैं।

खादी ग्रामोदय भवन, नई दिल्ली की अंगदायी भविष्य निधि में जमा राशि

3905. श्री शा. सुम्बरलाल : क्या आणिक्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि खादी भवन के कर्मचारी लघ की शिकायत पर लेन्ड्रिंग अंगदायी भविष्य निधि आयुक्त, दिल्ली ने

खादी ग्रामोदय भवन, नई दिल्ली के मैनेजर को नियमों के अन्तर्गत अंगदायी भविष्य निधि दोनों ओर की बकाया राशि जमा करने के आदेश जारी किये हैं; और

(ल) यदि हां, तो उसका पूरा ब्योरा क्या है तथा यह राशि कब तक जमा कर दी जायेगी ।

आणिक्य मंत्रालय में उपमंत्री (श्री मुहम्मद शाफी कुरूंसी) : (क) जी हाँ ।

(ल) प्रत्येक कर्मचारी के मामले में मई, 1962 से जून, 1967 तक की बकाया राशि के ब्यौरे तैयार किये जा रहे हैं। खादी ग्रामोदय भवन को अभ्यापत्ति सहित राशि जमा करने की हिदायतें देखी गई हैं।

Industrial Licensing Policy

3906. SHRI NARENDRA SINGH MAHIDA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that Government proposed to introduce major changes in the industrial licensing policy to encourage the production of more export goods;

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

(c) by what time these are to come into force ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) to (c). There is no proposal to introduce major changes in the industrial licensing policy to encourage the production of more export goods. However, due consideration is always given to any proposal which is export oriented while granting Industrial Licence. Industrial units which are predominantly export oriented are given the same preferential treatment as Key industries.

Racket of Forged Railway Tickets

3907. SHRI C. K. BHATTACHARYYA : Will the Minister of RAILWAYS be pleased to state :

(a) whether a racket of forged railway tickets has been discovered at Bhadreswar by Howrah Railway Police Enforcement Branch and Eastern Railway Special Squad working at the Howrah Station; and

(b) steps taken to break such rackets of forged railway tickets?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) On 17-11-68, the police authorities of the Enforcement Branch, Howrah, along with the Government Railway Police, Howrah and the Anti Fraud Squad of the Eastern Railway, Howrah, detected at Bhadreswar a case of unauthorised possession by an outsider of 50 used third class tickets for various stations and a dating machine. The tickets and the dating machine were recovered.

(b) Suitable machinery is in existence to curb the evil. Action to prosecute is taken wherever feasible. The State Governments have also been requested to have strict surveillance kept and bring to book unsocial elements indulging in these practices.

Small-Scale Industries in Tripura

3908. SHRI KIRIT BIKRAM DEB BURMAN : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether any efforts have so far been made in Tripura to promote small scale industries in the Cooperative sector;

(b) if so, the progress made in this direction, indicating the number of industries producing different items;

(c) the facilities afforded by the authorities to encourage setting up of such industries in the cooperative sector;

(d) the schemes, if any, being implemented this year for the setting up of cooperative small scale industries and medium scale industries in Tripura and the provision made for promoting such industries in the current year's budget; and

(e) the details of the programmes for promoting each of the said types of industries in Tripura, submitted for implementation under the Fourth Five Year Plan?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes, Sir

(b) to (e) (1) Seven units have been given financial assistance to the extent of Rs. 65,100/- . These units produced furniture, pottery, Gur, Washing soap, Ready-made Garments etc.

(ii) 17,986 tonnes of raw materials for washing soap have been given to one unit.

(iii) marketing facilities have been afforded to all units. Number of Small Scale village industries so far set up in Tripura under Cooperative sector are as follows:—

(1) Weavers Societies	—	67 (5 under liquidation)
(2) Khadi Societies	—	16 (3 under liquidation)
(3) Brass Society	—	1
(4) Dyeing and Printing Society	—	1
(5) Bidi making Society	—	1
(6) Smithy Societies	—	2 (1 under liquidation)
(7) Tailoring Societies	—	8 (1 under liquidation)
(8) Pottery Societies	—	9
(9) Umbrella handle making Societies	—	2
(10) Carpentry Societies	—	9 (2 under liquidation)
(11) Cobblers Societies	—	6 (3 under liquidation)
(12) Soap making Societies	—	2
(13) Bamboo and Cane Worker Societies	—	9
(14) Bee-keeping Societies	—	1
(15) Gur Khandsari Societies	—	4 (1 under liquidation)
(16) Oil Crushing Societies	—	4 (3 under liquidation)
(17) Paddy husking Societies	—	2
(18) Miscellaneous Societies	—	7 (3 under liquidation)

Credit, technical guidance, supply of industrial raw materials, marketing facilities etc. are provided to all units. Power subsidy given to small-scale industrial units has not yet been availed of by any cooperative small scale industrial unit. Financial assistance to cooperative societies for setting up small scale industries is given from the budget provision of small scale industries for which there is an amount of Rs. 2,08,000/- for the current year 1968-69.

It is also intended to expand the existing facilities for marketing and distribution of raw material, conducting area surveys and feasibility studies, providing financial assistance by way of participation in share capital, accommodation in work shed, Study tour of small industrialists etc. Facilities proposed to be given under Small Scale Industries Programme during Fourth Plan will also be admissible for cooperative sector.

Development of Small-Scale Industries in Tripura

3909. SHRI KIRIT BIKRAM DEB BURMAN : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 8298 on the 23rd April, 1968 and state :

(a) the number and nature of job opportunities that are likely to arise from the Small Scale Industries development scheme for 1968-69 in Tripura;

(b) whether any programme for development of small industries in Tripura under the Fourth Five Year Plan, tentative or otherwise, has been submitted for Government's approval; if so, the broad details thereof indicating the proposed outlay and Central assistance sought therefor and Government's reaction thereto; and

(c) the number and nature of job opportunities likely to be created under the programme referred to in (b) above?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Em-

ployment is likely to be provided to 200 unskilled, semi-skilled and skilled artisans.

(b) Under the draft Fourth Five Year Plan, the Tripura Administration have proposed an outlay of Rs. 148.63 lakhs for development of small scale industries. Following is the break up of outlay proposed for different heads of development :—

	(Rs. in lakhs)
(1) Handloom Industry	27.01
(2) Powerlooms	17.97
(3) Small Scale Industries	57.61
(4) Industrial Estates	12.94
(5) Handicrafts	7.94
(6) Sericulture	6.42
(7) Village and Small Industries	18.74
Total	148.63

The proposals of the Administration are under the consideration of Planning Commission.

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

रेलवे मंत्रालय में हिन्दी का प्रयोग

3910. श्री अटल बिहारी वाजपेयी :

श्री नारायण स्वरूप शर्मा :

श्री जगन्नाथ राव जोशी : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनके मंत्रालय में गृह-कार्य मंत्रालय का कार्यालय जापन संघर्ष 2/29/68 ओ. एल. दिनांक 6 जुलाई, 1968 पहुँच गया है;

(ख) यदि हाँ, तो उस जापन की कंडिकाओं संख्या 3, 4, 5, 6, और 7 पर क्या कार्यवाही की गयी है या करने का विचार है;

(ग) अगस्त और सितम्बर 1968 में इस मंत्रालय, इसके अधीनस्थ कार्यालयों एवं

उपकरणों के कितने टेंडरों, कारों, टेक्नो, अधिसूचनाओं, कार्यालय परिपत्र, प्रपत्रों और विज्ञापनों का प्रकाशन हिन्दी में नहीं किया गया;

(घ) प्रथम श्रेणी के ऐसे अधिकारी कितने हैं जो हिन्दी नहीं जानते और जो नियमित रूप से हिन्दी की कक्षाओं में भी नहीं जाते; और

(ङ) उनके नाम क्या हैं और उनके विशद क्या कार्यालयों की गयी है या करने का विचार है?

रेलवे मंत्री (श्री चै. मु० पुनाचा) : (क) जी हाँ।

(ख) यह मंत्रालय 6 जुलाई, 1968 के कार्यालय ज्ञापन के आधार पर रेल मंत्रालय की सभी शाखाओं और सम्बद्ध तथा अधीनस्थ कार्यालयों को अनुदेश जारी कर दिये गये हैं और उनसे कहा गया है कि वे राजभाषा (संशोधन) अधिनियम, 1967 के उपबन्धों को प्रियान्वित करने के लिए तुरन्त कार्रवाई करें।

(ग) से (ङ). सूचना इकट्ठी की जा रही है और सोक सभा-पटल पर रख दी जायेगी।

Employees in Industrial Estates

3911. SHRI KANWAR LAL GUPTA : SHRI SHARDA NAND : SHRI J. B. SINGH :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) the number of industrial estates established in the country during the last two years ;

(b) the number of persons employed in these industrial estates;

(c) the steps Government propose to

take to employ the unemployed persons during the next two years; and

(d) the number of persons to be employed during the next two years under the aforesaid schemes ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) :

(a) 62.

(b) 680.

(c) and (d) : During the Fourth Five Year Plan of which next two years are a part a large volume of employment is likely to be created by means of developing irrigated and non-irrigated agriculture (including assistance to the small farmer) development of infrastructure small scale industries, intermediate technology and social services. It is however not possible to assess at this stage the actual content of employment during the next two years, since the details regarding investments in and physical targets for the different sectors of development during the Fourth Five Year Plan are yet to be finalised. The total direct employment in 248 functioning industrial Estates is, however, about 70,000 at present.

Invention Promotion Board

3912. SHRI KAMESHWAR SINGH : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether Government are aware that Shri V. Dhukerikar of Baroda submitted an application in 1963 to the Invention Promotion Board regarding an invention in the automobile line;

(b) whether it is a fact that the application has not been disposed of till now; and

(c) if so, the reasons therefor ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) The application for financial assistance and price award from Shri V. D. Hukerikar (and not Shri V. Dhukerikar) was received by

the Inventions Promotion Board on the 12th December, 1963.

(b) Yes.

(c) The delay has been due to the applicant not having sent full details of the proposition in the absence of which it has not been possible to evaluate its merit and see whether it is fit for adoption on commercial basis.

कम्पनियों में सभी पूँजी

3913. श्री हकम चन्द्र कछवाय : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) कितनी तथा किन किन कम्पनियों और कर्मी में इस समय एक करोड़ पचास लाख रुपये से अधिक पूँजी लगी हुई है; और

(ल) कितना तथा किन-किन कम्पनियों में 100 करोड़ से अधिक पूँजी लगी हुई है?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री प.क.शद्दीन अली अहमद) :
(क) 1·5 करोड़ रुपये से अधिक को प्रदत्त पूँजी द्वारा प्रतिनिधित्व, पूँजी नियोजन रखने वाली कम्पनियों की संख्या 276 है। उनके नाम सभा पटल पर रखे गये विवरण पत्र में उद्धृत है। [पुस्तकालय में रख दिया गया। देखिये संख्या LT-26181/68] कर्मी के बारे में सूचना उपलब्ध नहीं है।

(ल) केवल एक कम्पनी, अर्थात् 'हिन्दु-स्तान स्टोल लिमिटेड' की प्रदत्त पूँजी 100 करोड़ रुपयों से अधिक है।

चलचित्रों का आयात तथा निर्यात

3914. श्री भारत सिंह चौहान :

श्री रामस्वरूप विद्यार्थी :

श्री हरदयाल बेदगुल :

क्या बालिक्य मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1968 के पहले दस महिनों में कितने विदेशी चलचित्रों का आयात किया गया और कितने स्वदेशी चलचित्रों का निर्यात किया गया;

(ल) किन-किन देशों को इन चलचित्रों का निर्यात किया गया और उससे कितनी विदेशी मुद्रा अर्जित की गयी;

(ग) क्या यह सच है कि विदेशी चलचित्रों का आयात अन्धाधुन्ध किया जा रहा है और बहुत से अशोल चलचित्रों का निर्यात किया गया है जिसके फलस्वरूप भारतीय संस्कृति और परम्परा को आघात पहुँचा है;

(घ) यदि हां, तो क्या सरकार का विचार अशोल चलचित्रों के निर्यात पर प्रतिबन्ध लगाने का है; और

(ङ) यदि नहीं, तो इसके क्या कारण हैं?

बालिक्य मंत्रालय में उप-मंत्री (श्री मुहम्मद शाफी कुरेशी) : (क) और (ल). एक विवरण सभा पटल पर रखा है। [पुस्तकालय में रख दिया गया। देखिये संख्या LT-2619/68]

(ग) जी, नहीं।

(घ) और (ङ). प्रश्न नहीं उठते। चलचित्र अधिनियम, 1952 के अधीन फिल्मों को प्रमाणित किया जाता है। अधिनियम के अन्तर्गत उन फिल्मों का प्रमाणीकरण निषिद्ध है जिनमें दुराचार अथवा अनेतिकता का चित्रण हो। इस आधार पर कई फिल्मों के प्रदर्शन पर रोक लगायी गई है।

बालिक्य मंत्रालय द्वारा हिन्दी में प्रपत्र तथा नियम पुस्तकों का सुदृश

3915. श्री भारत सिंह चौहान :

श्री रामस्वरूप विद्यार्थी :

श्री हरदयाल बेदगुल :

क्या बालिक्य मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय तथा उससे सम्बद्ध कार्यालयों में कितने प्रपत्रों तथा नियम पुस्तकों के हिन्दी संस्करण तैयार किये गये हैं;

(ख) उन प्रपत्रों तथा नियम पुस्तकों की संख्या कितनी है, जिनका अभी हिन्दी अनुवाद किया जाना बाकी है;

(ग) उन प्रपत्रों तथा नियम पुस्तकों के हिन्दी संस्करण तैयार करने के लिये, जिनका अभी तक हिन्दी में अनुवाद नहीं किया गया है, क्या प्रबन्ध किये जा रहे हैं तथा उनके हिन्दी संस्करण तैयार करने में कितना समय सगरे की संभावना है; और

(घ) इसके हिन्दी संस्करण तैयार करने में विसम्ब होने के क्या कारण हैं?

वायिष्य मंत्रालय में उप-मंत्री (व्यापार मुहम्मद शफी कुरेशी) : (क) प्रपत्र : 25

नियम पुस्तकें : कोई नहीं

(ख) प्रपत्र : 35,

नियम पुस्तकें : 4

(ग) और (घ). उपर्युक्त (ख) के उत्तर में उल्लिखित प्रपत्रों तथा नियम पुस्तकों में से दो प्रपत्रों तथा एक नियम पुस्तक का अनुवाद करने का कार्य चल रहा है। बाकी प्रपत्रों तथा नियम पुस्तकों के अनुवाद के लिये प्रबन्ध किये जा रहे हैं।

Dredging at Paradeep Port

3916. SHRI CHINTAMANI PANIGRAHI: Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether the Mineral Advisory Board in its meeting at Ootacamund suggested permanent dredging at Paradeep Port for facilitating export of minerals; and

(b) if so, whether his Ministry is pursuing this matter with the Transport Ministry?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) and (b). For the Mineral Advisory Board meeting held at Ootacamund on 24th-25th September, 1968, one of the agenda items suggested by the Utkal Mining and Industrial Association was :

"There is no dredging arrangement in Paradeep Port due to which export of Minerals from this Port has been jeopardised. Ministry of Transport should immediately arrange for making a permanent arrangement for dredging at Paradeep."

It was explained at the meeting that this matter had been referred to the Ministry of Transport and Shipping.

The Ministry of Transport and Shipping have since reported that due to delay in the supply of Port's maintenance dredger, there has been considerable siltation at Paradeep Port, which resulted in the reduction of the available draft, from 42 ft. to about 28 ft. in mid-August 1968. The maintenance dredger of the Port was, however, delivered in January 1968 and has been working at the Port. A dredger has also been hired from the Calcutta Port and this started working at the Port since the 25th August 1968. The Port was able to declare a draft of 35 ft. on the 30th November, 1968.

There is also a proposal to resort to contract dredging to restore the original draft of 42 ft. at the Port.

व्यापार मंत्री का विद्युत

3917. व्यापार मंत्री :

व्यापार कुमार शास्त्री :

व्यापार मोहन प्रकाश शास्त्री :

व्यापार माडीलिंगम गोद :

व्यापार सिद्धाध्या :

व्यापार मंत्री यह बताने की दृष्टि करने कि :

(क) क्या सरकार ने व्यापारी पंचवर्षीय

योजना अवधि में कुछ और रेलवे लाइनें बिछाने का अन्तिम निर्णय किया है;

(क) यदि हाँ, तो नई रेलवे लाइनें किन-किन क्षेत्रों में बिछाई जायेगी; और

(ग) क्या कुछ मीटर गेज लाइनों का बड़ी लाइनों में बदलने की कोई योजना भी सरकार के विचारधीन है और यदि हाँ, तो तस्सम्बन्धी व्यौरा क्या है?

रेलवे मंत्री (श्री शे० मु० पुनाचा) :

(क) अभी नहीं।

(ख) सबाल नहीं उठता।

(ग) भारतीय रेलों के कुछ मीटर लाइन लण्डों पर आगामी कुछ वर्षों में भारी यातायात घनत्व के विकसित होने की सम्भावना है। बड़े-बड़े बन्दरगाहों, महत्वपूर्ण औद्योगिक केन्द्रों, बड़ी-बड़ी सोह अयस्क खान परियोजनाओं आदि को बड़ी लाइन द्वारा जोड़कर सीधी परिवहन सुविधाएं प्रदान करने की आवश्यकता को भी व्यान में रखते हुए, कुछ महत्वपूर्ण मीटर लाइनों को बड़ी साइन में बदलने का कार्यक्रम रेलवे बोर्ड के विचारधीन है। इन मीटर लाइन लण्डों का बड़ी साइन में वास्तविक परिवर्तन उन सर्वेक्षणों के परिणामों पर निर्भर होगा जिन्हें घन की उपलब्धता को व्यान में रखकर अप्रता निर्धारित करने के लिए हाय में लेने का विचार है। तीसरी पंचवर्षीय योजना की अवधि में, मीटर लाइनों के बड़ी लाइनों में बदलने सम्बन्धी स्वीकृत कुछ निर्माण कार्य चालू हैं। अभी हाल में, मिरज-कोल्हापुर लण्ड को मीटर लाइन से बड़ी लाइन में बदलने की मंजूरी दी गयी है।

गंर-सरकारी कम्पनियों का इस 'ईक्वीटी शेयरों' में बदलना

3918. श्री अटल बिहारी वाजपेयी :

श्री नारायण स्वरूप शर्मा :

श्री शी० ब० तिह :

श्री जगन्नाथ राव जोशी :

क्या औद्योगिक विकास तथा समवाय-

कार्य मंत्री 27 अगस्त, 1968 के अतारांकित प्रश्न संख्या 5930 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार कोई ऐसा विधान लाने का है जिससे वित्तीय सत्याओं द्वारा गंर-सरकारी कम्पनियों को दिये गये शृणों का सम्बन्धित कम्पनियों द्वारा भुगतान न किये जाने की स्थिति में उन्हें 'ईक्वीटी शेयरों' में परिवर्तित किया जा सकेगा; और

(ख) यदि हाँ, तो इस विधान के क्य तक पुरास्थापित किये जाने की सम्भावना है?

ओद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री फलशद्वीन असी अहमद) :

(क) और (ख). मामका अभी तक परीक्षान्तर्गत है।

उत्तर प्रदेश में पल्प फैक्टरी

3919 श्री अटल बिहारी वाजपेयी :

श्री नारायण स्वरूप शर्मा :

श्री जगन्नाथ राव जोशी :

क्या औद्योगिक विकास तथा समवाय कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर प्रदेश के गोंडा-बस्ती-बहराइच क्षेत्र में एह पल्प फैक्टरी तथा सरकारी क्षेत्र का कोई और उपक्रम स्थापित करने का कोई प्रस्ताव सरकार के विचारधीन है;

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

(ग) इस क्षेत्र की प्रति व्यक्ति आय अन्य क्षेत्रों की तुलना में कितनी कम अवधा वर्चिक है?

बौद्धिगिक विकास तथा समवाय-कार्य
मंत्री (श्री फलद्वीन अली अहमद) : (क)
जी, नहीं।

(ख) ग्रन्थ ही नहीं उठता।

(ग) वर्ष 1955-56 की इकट्ठी की
गई सूचना के अनुसार गोंडा, बस्ती तथा
बढ़ाइच जिलों की प्रति व्यक्ति आय कमशः
162, 122 और 150 रुपये थी। इस वर्ष
समूचे उत्तर-प्रदेश की प्रति व्यक्ति आय 213
रुपये तथा समूचे भारत वर्ष की 255
रुपये थी।

Chandigarh Railway Station

3920. SHRI SHRI CHAND GOYAL :
Will the Minister of RAILWAYS be
pleased to state :

(a) whether it is a fact that there are no
proper waiting rooms, bath rooms and
covered platforms, at the Chandigarh rail-
way station, even though Chandigarh is
considered to be the most beautiful city
in Asia and attracts a large number of
tourists every year; and

(b) if so, the steps taken by Government
to remove the draw-back ?

THE MINISTER OF RAILWAYS
(SHRI C. M. POONACHA) : (a) An
upper class waiting room (17' X 14')
with attached sanitized bath, 3rd
class waiting hall 28' X 20' and platform
shelter 50' X 30' already exist at the
station.

(b) Does not arise.

Representation by Commercial Clerk's Association against absorption of Dec- ategorised Transportation Staff

3921. SHRI SHRI CHAND GOYAL :
Will the Minister of RAILWAYS be
pleased to state :

(a) whether the Commercial Clerk's
Association has represented to Government
against the absorption of the declassified
Transportation staff in the Commercial
Department;

(b) whether the policy of Government
has encouraged the Transportation staff
to falsely get vision failed certificates in
order to secure their absorption in the
Commercial Categories; and

(c) the action taken on the repre-
sentation ?

THE MINISTER OF RAILWAYS
(SHRI C. M. POONACHA) : (a) to
(c). Certain representations have
been made in this regard. No specific
action was considered necessary as such
matters could always be discussed with the
local Railway Administration by the
Organised Labour which enjoy negotiating
facilities at the different tiers of the Admin-
istration. However, the position with
regard to the point raised is that, since it
is mandatory for the Railways to provide
alternative jobs to the medically declassi-
fied staff, their absorption against posts
in Commercial or any other Department,
for which they are found suitable, cannot
be helped.

Central Industrial Projects at Chandigarh

3922. SHRI SHRI CHAND GOYAL :
Will the Minister of INDUSTRIAL
DEVELOPMENT AND COMPANY AF-
FAIRS be pleased to state :

(a) whether Government are contem-
plating to set up some Central Industrial
Project at Chandigarh during the Fourth
Five Year Plan and if so, the details there-
of; and

(b) whether Government have examined
the desirability of setting up some project
in Chandigarh ?

THE MINISTER OF INDUSTRIAL
DEVELOPMENT AND COMPANY
AFFAIRS (SHRI F. A. AHMED) :
(a) and (b) : There are already two
Central projects at Chandigarh, namely the
Ordnance Cable Factory and the Central
Scientific Instruments Organisation. The
question of establishing a bakery at Chan-
digarh is presently under the consideration
of Modern Bakeries (India) Ltd., which is
a Government of India undertaking.

Picketing of Cochin Mail Near Ernakulam Junction

3923. SHRI KANWARLAL GUPTA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the Dy. Chief Optg. Superintendent Southern, Railway sent a note to I. G. Police, Complaining of inaction by police on the 19th September, 1968 when a crowd picketed the Cochin Mail near Ernakulam junction;

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

(c) whether the Railways made any arrangements to take action against the culprits when police failed to take any action against them ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) and (b). A report of the Strike Officer (Railways) giving details of the incidents that occurred near about Ernakulam on 19th September, 1968 was sent to the Inspector General of Police, in which it was also brought out that although the Deputy Superintendent of Police, incharge of protection arrangements at Ernakulam put in his best efforts in dealing with the situa-

tion, the force at his disposal was inadequate to cope with the magnitude of the prevailing conditions. No reply was asked for.

(c) Does not arise

एकस्वों सम्बन्धी विदेशी

3924. श्री कंवरलाल गुप्त : क्या औद्योगिक विकास तथा समवाय कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में कितने एकस्व पंजीकृत किये गये हैं तथा विदेशी और भारतीय एकस्वों की संख्या कितनी-कितनी है;

(ख) ऐसे भारतीय एकस्वों की संख्या कितनी है जो विदेशी पंजीकृत किये गये हैं; और

(ग) विदेशी एकस्वों का पंजीकरण करने के बारे में सरकार की क्या नीति है ?

औद्योगिक विकास तथा समवाय कार्य मंत्री (श्री फलददीन अली अहमद) : (क) 1952 से अब तक भारत में पंजीकृत पेटेन्टों की संख्या निम्न प्रकार है :—

वर्ष	भारतीय	विदेशी	योग
1952 से	5,375	51,924	57,299
1959 तक			
1960	261	2,252	2,513
1961	325	2,601	2,926
1962	377	3,226	3,603
1963	279	3,399	3,678
1964	365	3,889	4,254
1965	340	3,377	3,717
1966	468	3,657	4,125
1967	395	3,425	3,820
1968			
(30-6-68 तक)	205	1,488	1,693

- (स) जानकारी उपलब्ध नहीं है।
 (ग) भारत में पेटेन्टों के पंजीकरण। स्वीकृति के बारे में भारत सरकार भारतीय तथा विदेशी पेटेन्टों के बीच कोई विभेद नहीं करना चाहती।

Tally Clerks at Kandla Bunder Station

3925. SHRI ONKAR LAL BERWA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the services of 56 Tally Clerks working at Kandla Bunder Station, Western Railway, have been loaned to the Food Corporation of India;

(b) if so, on what conditions;

(c) whether these Tally Clerks are on the permanent roll of the Railways with full facility and right of service conditions like other Railway employees;

(d) if not, the reasons therefor;

(e) whether any arrangement for their residential accommodation has been made by the Railway or Food Corporation of India; and

(f) if not, the reasons therefor ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) :

(a) 52 Tally Clerks have been appointed for work connected with Food Corporation of India at Kandla Bunder.

(b) The cost of these staff is to be borne by the Department of Food, Ministry of Food and Agriculture.

(c) Yes.

(d) Does not arise.

(e) and (f). This category of staff is classified as non-essential for the purpose of allotment of Railway quarters. They will get their chance only when quarters become available and in their turn.

रिकार्डी-रत्नगढ़ रेल गाड़ियों का चलना स्वीकृत किया जाना

3926 श्री मोकार लाल बेरवा : क्या रेलवे मंत्री यह बताने की हुपा करते कि :

(क) क्या यह सच है कि रिकार्डी-रत्नगढ़ रेलगाड़ी के बन्द किये जाने के बाद जनता को बहुत असुविधा हो रही है;

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

(ग) इस सम्बन्ध में वार्षिक आय और व्यय का अंदरा क्या है ?

रेलवे मंत्री (श्री बी० मु० पुनाचा) : (क) और (ल). सूरतगढ़-हनुमानगढ़ लण्ड में ट्रॉफूट होने के कारण आवश्यक माल यातायात को लालगढ़-सूरतगढ़ लण्ड से बीकानेर-मादुलपुर लण्ड के रास्ते भेजना आवश्यक हो गया। इस यातायात की निकासी के लिए अमता बढ़ाने के उद्देश्य से । बी० आर० आर०/4 बी० आर० आर० रेलगाड़ी-मादुलपुर-रत्नगढ़ सवारी गाड़ियों को अस्थायी रूप से बन्द करना पड़ा। ।-10-1968 से इन गाड़ियों को फिर से चालू कर दिया गया। यात्रियों की असुविधा को कम करने के लिए लण्ड की बाकी गाड़ियों में डिब्बों की मंधा आवश्यकतानुसार बढ़ा दी गयी थी।

(ग) आमदनी के अंकड़े गाड़ीबार नहीं रखे जाते। भाग (क) और (ल) के उत्तर में जिन दो गाड़ियों का उल्लेख किया गया है, 1966-67 में उनके चालन पर औसतन 19.85 साल रुपये लाभ हुए।

रामदेवजी मेले के अवसर पर विशेष रेल गाड़ियाँ

3927. श्री मोकार लाल बेरवा : क्या रेलवे मंत्री यह बताने की हुपा करते कि :

(क) क्या यह सच है कि रेलवे ने पिछले बच्चों की भाँति इस बर्ष भी रामदेवजी मेले के अवसर पर विशेष रेल गाड़ियाँ चलाई थीं;

(क) यदि हाँ, तो यात्रियों को क्या-क्या सुविधायें दी गईं;

(ग) इससे रेलवे को कितनी आय हुई;

(घ) क्या यह भी सच है कि वहाँ प्रतिवर्ष हजारों रुपये लगाकर अस्थायी रेड शैड बनाये जाने हैं; और

(ङ) यदि हाँ, तो रेलवे को होने वाली आय को देखते हुए तथा यात्रियों के लिए सुविधाओं की व्यवस्था करने के लिए उस स्टेशन पर एक स्थायी शैड न बनाये जाने तथा नल कूप न लगाये जाने के क्या कारण हैं?

रेलवे मंत्री (श्री चै. मु० मुनाज़ा):

(क) जो हाँ।

(क) एक विवरण सभापत्ति पर रखा है जिसमें सूचना दी गई है। [पुस्तकालय में रख दिया गया। देखिये संख्या LT 2620/68]

(ग) लगभग 5,20,000 रुपये।

(घ) रामदेवरा में गोलेत में 2 शेडों के लिए (जिनमें से प्रत्येक 150 फुट लम्बा और 75 फुट चौड़ा है) स्थायी रूप से रेल सरकना की व्यवस्था की गयी है। इन शेडों को तिरपालों से ढक दिया जाता है और भेले के दौरान प्लेटफार्म पर 80 फुट लम्बा और 20 फुट चौड़ा एक अतिरिक्त शैड बना दिया जाता है। दो स्थायी शेडों को ढकने और एक स्थायी शैड की व्यवस्था करने की वार्षिक मंडूरी लगभग 2500 रु आती है।

(ङ) इस स्टेशन पर स्थायी शैड और नलकूप के निर्माण का औचित्य नहीं है क्योंकि भेले के समय केवल एकाष महीने की ओड़ी अवधि के लिए इन सुविधाओं की ज़रूरत पड़ती है। इस अवधि में अस्थायी शेडों की व्यवस्था की ज़रूरत है और आस-पास के स्टेशनों से अतिरिक्त पानी की टंकियों द्वारा पानी की सप्तशाई बढ़ा दी जाती है।

हिन्दुस्तान साल्ट कम्पनी

3928. श्री ऑकारलाल बेरवा : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजस्थान सरकार स्थित हिन्दुस्तान साल्ट लिमिटेड में भारत सरकार की ओर से राजस्थान सरकार के 40 प्रतिशत हिस्से हैं;

(ख) यदि हाँ, तो उपरोक्त कम्पनी में राजस्थान सरकार के कितने सदस्य हैं; और

(ग) उपरोक्त कम्पनी को हाल ही की बाढ़ के कारण कितनी लाति हुई और बाढ़ से कितने टन नमक बह गया?

ओद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री फलशद्वीन असी अहमद) : (क) जी, नहीं। हिन्दुस्तान साल्ट्स लिमिटेड की सारी अंशदायी पूँजी भारत सरकार की है।

(ख) प्रश्न ही नहीं उठता।

(ग) बाढ़ों के कारण हिन्दुस्तान साल्ट्स लिमिटेड को कोई हानि नहीं हुई है।

Textile Mills in Maharashtra

3929. SHRI ONKAR LAL BERWA :
DR. SUSHILA NAYAR :

Will the Minister of COMMERCE be pleased to state :

(a) Whether Government have taken any final decision regarding taking over of sick textile mills in Maharashtra;

(b) if so, whether any proposal has also been received from that state to bring forward a legislation to take over these Mills; and

(c) if the reply to part (a) be in the negative the reasons for the delay and when

a final decision is likely to be taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Government does not have under consideration any proposal to take over sick textile mills in Maharashtra.

(b) Government of Maharashtra have made a proposal for enactment of a special legislation to take over such textile mills, which are in liquidation or otherwise closed and the matter is under consideration.

(c) Does not arise.

Special Police Establishment Investigation into Import Licences for prohibited Items

3930. DR. SUSHILA NAYAR: Will the Minister of COMMERCE be pleased to refer to the reply given to Starred Question No. 458 on the 13th August, 1968 and state:

(a) the further progress made so far by the special Police Establishment in its investigations regarding the issue of licences for import of prohibited items; and

(b) the time by which the investigations are likely to be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). A number of persons and documents have been examined so far. However, it is difficult to indicate

when the investigation of the Special Police Establishment in progress will be completed.

Export Duty on Iron Ore

3931. SHRI S. R. DAMANI : SHRI S. S. KOTHARI : SHRI B. K DASCHOWDHURY :

Will the Minister of COMMERCE be pleased to refer to the reply given to Unstarred Question No. 2846 on the 6th August, 1968 and state:

(a) whether a decision has since been taken on the question of revision of export duty on iron ore;

(b) if so, the extent of reduction and the likely benefits thereby;

(c) how our export prices of iron ore compare with the prices offered by Australia, Russia and other competing countries for comparable qualities of iron ore; and

(d) the export price variation if present duty is reduced by 25 per cent, 50 per cent, 75 per cent and 100 per cent and how much reduction is actually needed to make our price competitive?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). Yes, Sir. Export duty on certain grades of lumpy iron ore has been reduced effective from 31st August, 1968. The statement below indicates the changes in export duty:

Grade	As from August 1966	Export Duty rate from 24.7.67	Duty after reduction from 31-8-68	Relief
(Rs. Per Tonne)				
Lumpy Iron Ore of Fe Content				
63% and above	10.00	10.50	10.50	Nil
62% and above but below 63%	10.00	10.50	6.00	4.50
60% and above but below 62%	10.00	9.00	6.00	3.00
58% and above but below 60%	10.00	7.50	5.00	2.50
Below 58%	10.00	7.50	4.00	3.00

There has been no reduction in export duty on iron ore fines.

(c) and (d). The Russian iron ore is of lower grade and high in Silica and is thus not quite comparable with the Indian iron ore. Indian iron ore by and large is comparable with iron ore from other major sources, such as, Australia and Brazil. The F. O. B. T. price of Indian ore *vis-a-vis* these sources is comparable. As for Australia, better loading facilities in their ports and the capacity of their ports to accept large size vessels place her in a better position in the matter of landed cost of their ore in Japan. Any downward adjustment in export duty as such for grades for which the duty rates have not been changed, or further reduction for the grades for which the above adjustments have been made, could reduce the rupee costs of Indian exporters but not directly affect the export prices at which we are selling, since the foreign buyers are not directly concerned with various items in our internal costs. The best way to make our ores more competitive without detriment to our foreign exchange realisation, would be to reduce the ocean freight cost between India and the importing countries by bringing our loading ports to the same standards as that of our main competitors.

Demand of Cycle Tyres and Tubes

3932. SHRI S. R. DAMANI : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

- the present demand for cycle tyres and tubes in the country and the estimated demand at the end of the Fourth Plan;
- the names of Units in large scale sector producing tyres and tubes, their capacity and actual production during the last three years;
- the names of units in small scale sector their capacity and actual production; and
- the steps proposed to increase the capacity in small scale sector and locations considered suitable for the purpose ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) :

- The present demand for bicycle

tyres and tubes is estimated to be of the order of 24 million nos. each. The demand by the end of the Fourth Plan period (i. e. 1973-74) is estimated to be 43.7 million nos. each of tyres and tubes.

(b) A statement (Annexure I) is laid on the Table of the House. [Placed in Library. See No. LT-2621/68]

(c) The names of units manufacturing bicycle tyres and tubes in the small scale sector are given in the statement (Annexure II) laid on the Table of the House. [Placed in Library. See No. LT-2621/68]. The installed capacity of these units is estimated at 4.8 million nos. of tyres and 6.4 million nos. of tubes. Manufacture of tyres in the small scale sector has only recently commenced and their production has been only to a small extent. The production of tubes in this sector during 1967 was 6.03 million nos.

(d) Manufacture of bicycle tyres and tubes in the small scale sector is being encouraged in various regions. The units are being helped by the provision of technical and other assistance, supply of credit and machinery on hire purchase, etc.

Deposits of phosphate in Uttar Pradesh

3933. SHRI S. R. DAMANI : Will the Minister of STEEL, MINES AND METALS be pleased to state :

- the progress made in exploratory work of the Phosphate deposits near Mussoorie and Dehra Dun by the Geological Survey of India;
- whether any target date has been fixed for the completion of investigations by the G. S. I.; and
- the estimated expenditure for completing the stage of explorations and the details of agreement if any entered into between the Ministry and the G. S. I. ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) :

- A potential zone, comprising about 150 sq. km area in the Mussoorie-Narendra-

nagar region Utter Pradesh, is being explored by the Geological Survey of India in search of deposits of phosphorite. Bands of phosphorite of varying quality and quantity have been located in selected parts of this area. Detailed exploration including drilling and exploratory mining are also currently underway in the more promising and accessible deposits.

(b) Yes, Sir. The detailed exploration in priority-I blocks (Maldeota, Paritibba, Chamasari and Masrana-Kimo) is expected to be completed by 31st December, 1969.

(c) The estimated expenditure likely to be incurred to complete the detailed exploration in priority-I areas and also to undertake preliminary work in other parts of Mussoorie-Dehradun area by 31-12-1969 is estimated to be Rs. 45 lakhs.

Any question of agreement between the Ministry of Steel, Mines and Metals and the G. S. I. does not arise as G. S. I. is a subordinate department under this Ministry.

Heavy Engineering Corporation, Ranchi

3934. SHRI KARTIK ORAON : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that the junior most employees of Heavy Machine Building Plant were transferred to Foundry Forge Plant of Heavy Engineering Corporation Limited, Ranchi and were promoted to the next higher grade after giving a fake training for about a year ; and

(b) if so, what action Government propose to take to punish the officer or officers who are instrumental in unbecoming activities like this ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F.A. AHMED) : (a) and (b). In 1963-1964 certain employees of Heavy Machine Building Plant who could be spared from the plant without affecting normal work there and without reference to their seniority were transferred to Foundry Forge Plant. It is not a fact

that they were put on fake training. The individuals concerned were put on intensive training and only after passing a trade test for the respective trade for which they were so trained, they were absorbed against specific vacancies.

Machine Tool Corporation of India

3935. SHRI PREM CHAND VERMA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether the Machine Tool Corporation of India has proper rules of staff recruitments for jobs carrying more than Rs. 500 p. m. for purchases, contracts and sales ; and

(b) if not, whether there is any proposal to draft these rules ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes, except for sales.

(b) The project is in the construction stage. The procedure with regard to sales is proposed to be laid down, well before orders for the machines to be produced are booked.

National Newsprint and Paper Mills Limited

3936. SHRI PREM CHAND VERMA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether the production and development targets of the National Newsprint and Paper Mills Ltd. have been achieved and if so, when and how and if not, the reasons thereof ;

(b) whether any foreign collaboration was involved in the setting up of the Company and if so, what are the names of countries which collaborated, what were the terms of collaboration and how much foreign exchange as aid was received;

(c) what items the company is producing at present, the extent of production

and whether these products are up to international standard, the figures of production and sale during the last three years and how much of this production was exported; and

(d) whether there are any difficulties with which the company is faced at present and how Government propose to remove them?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A AHMED): (a) The production target originally set for the Mills viz. 30,000 tonnes per annum has been achieved from 1963-64.

No development target as such was fixed for Nepa mills in the original plan. This Mill is now implementing its expansion scheme, raising its capacity from 30,000 to 75,000 tonnes per annum, the New Paper Machine is expected to be commissioned during the current month, with imported pulp. Pulp from the plant that is being set up by the Mill to meet the requirements of the expanded capacity is expected to be available during 1970.

(b) No, Sir.

(c) The Company, at present, is producing only newsprint, and during 1967-68 exceeded the target of 30,000 tonnes per year. The quality of newsprint is satisfactory but it cannot be compared with that of imported newsprint which is made from superior raw materials. The figures of production and sales, during the last three years, are as under:—

	<i>Production</i> (in tonnes)	<i>Sales</i> (in tonnes)
1965-66	30,347	30,237
1966-67	29,506	29,596
1967-68	31,308	31,267

The bulk of the requirements of newsprint of the Country are met from imports. Consequently, there are no exports of newsprint.

(d) No special difficulty has been experienced by the Mills except that the cost of production is rising on account of

higher costs of Power, Steam, Labour etc. To counteract some of these costs, Government permitted an increase in the price of Nepa Newsprint from Rs. 1050/- to Rs. 1100/- per tonne from the 1st of May 1968.

Triveni Structural, Ltd.

3937. SHRI PREM CHAND VERMA: With the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state;

(a) when the Triveni Structural Ltd. was set up and what were the objects to be achieved as a result;

(b) whether the targets of setting up units according to projects reports, production and development targets, were achieved and if so, when and how and if not, why;

(c) whether any foreign collaboration was involved in the setting up of the Company and if so, what are the names of countries which collaborated, what were the terms of collaboration and how much foreign exchange as aid was received with details thereof;

(d) what items the Company is producing at present and the extent of production and whether these products are up to international standard, the figures of production and sale during the last three years and how much of this production was exported; and

(e) whether there are any difficulties with which the company is faced at present and how Government propose to remove them?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) A company under the name Triveni Structural Ltd. was incorporated in July, 1965, to take up the implementation of a project for the manufacture of Heavy steel structures for buildings and various other purposes including manufacture of cranes, plate work, penstocks, storage tanks, transmission towers, big bridges, L. D. Converters, etc. The project has been designed

for an ultimate capacity of 25,000 tonnes per annum.

(b) According to the project report production was to start during the year 1968-69 and the company has gone into initial production according to this schedule.

(c) This company has been set up in collaboration with M/s. VOEST of Austria who hold 49% of the shares. The remaining 51% shares are held by the Government of India. The initial authorised capital of the company was Rs. 2 crores. Out of the foreign collaborators' share Rs. 98 Lakhs, shares worth Rs. 20 lakhs have been assigned to them for consideration other than cash in lieu of the supply of technical know-how. The balance amount of Rs. 78 lakhs is being utilised for the import of capital equipment as and when necessary. Recently it has been decided to increase the authorised capital of the company from Rs. 2 to 3 crores. No foreign exchange has been received as aid.

(d) The company has started producing steel structures. These are being fabricated according to Indian standards. The target for production during the year 1968-69 is 500 tonnes. There was no production or sale during the last three years. No items have been exported so far.

(e) The company has been experiencing shortage of raw steel plates. After taking into account availability of such plates, indigenously, the company has been advised to make arrangements to import the balance requirements.

Bharat Heavy Electricals, Ltd.

3938. SHRI PREM CHAND VERMA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) the names of Chairman and Members of the Board of Directors of Bharat Heavy Electricals Ltd. at present, when they were appointed and what is their tenure and terms of appointment;

(b) how much loss the company suffered on account of irregularities, thefts,

stock shortages, fires or any other such causes and whether these matters were looked into and if so, what was the result and if not, why;

(c) whether the company has proper rules of staff recruitment (for jobs carrying more than Rs. 500 p.m.) for purchase, contracts and sales; if so, what are those rules and if not, whether there is any proposal to draft these rules; and

(d) whether a general assessment of the working of the company has been done at any time and if so, what was the result and if not, whether Government have any idea of securing the services of any expert in order to find out the drawbacks and to bring about improvement in its working ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A AHMED) : (a) The present Board of Directors of Bharat Heavy Electricals Limited is as under :—

1. Shri D. C. Baljal, Chairman, Bharat Heavy Electricals Ltd., New Delhi.
2. Shri P. M. Nayak, Additional Secretary, Department of Labour and Employment, Ministry of Labour, Employment and Rehabilitation, New Delhi.
3. Shri K. L. Vij, Vice Chairman, Central Water and Power Commission, New Delhi.
4. Shri Rana K. D. N. Singh, Joint Secretary, Deptt. of Industrial Development, Ministry of Industrial Development and Company Affairs, New Delhi.
5. Shri K. M. Chinnappa, General Manager, Tata-Ebasco Ltd., Bombay.
6. Major General E. Habibullah, 11 Mahatma Gandhi Road, Hazraiganj, Lucknow.

7. Shri S. K. Majumdar,
Joint Secretary,
Department of Expenditure,
Ministry of Finance.
8. Shri M. A. Abbasi,
Secretary,
Industries Department,
Government of Andhra Pradesh.

The Board was appointed on the 3rd October, 1968 except Shri S. K. Majumdar and Shri M. A. Abbasi, who were appointed respectively on the 17th October, 1968 and 21st November, 1968. This Board will function till its next reconstitution as its Annual General Meeting after a year. All the Directors retire at this meeting except the Chairman. The present Chairman is in receipt of a pay of Rs. 3000 per month without any reduction on account of retirement benefits. Sarvashri P. M. Nayak, K. L. Vij, Rana K. D. N. Singh, S. K. Majumdar and M. A. Abbasi are official Directors and they only get daily and travelling allowances as admissible under Government Rules. The other non-official Directors get remuneration as under :—

(1) *For attending meetings of the board of directors :*

(i) the remuneration of a Director who is neither a Government servant nor the Managing Director, will be Rs. 100/- for each meeting of the Board of Directors attended by him, irrespective of the fact that a particular meeting of the Board of Directors may be spread over more than one day, by some reason of adjournment of otherwise;

(ii) the Managing Director will not be entitled to any special or additional remuneration for attendance at Board Meetings but he will be entitled to travelling allowance at the rate admissible to him under the rules of the Company, unless he has been permitted to draw travelling allowance at the rate admissible under any other rules, in respect of every Board Meeting held at places outside his headquarters;

(iii) a Director who is neither a Government servant nor the Managing Director, attending a meeting of the Board

at a place other than the place of his residence, shall in addition to fees as provided in (a) above, draw actual first class rail or air fare, plus a fixed sum of Rs. 100/- (Rupees one hundred only) for the first day of the meeting, and Rs. 50/- (Rupees fifty only) for each subsequent day if the meeting of the Board extends beyond one day, incidental expenses of the journeys and halting allowance, provided that :—

(i) for journeys performed by road, he may be paid the same rate of mileage allowance as is admissible to Government of India officers of the First Grade;

(ii) for journeys by air in his own conveyance, he may be paid single standard air fare each way; and

(iii) for rail journeys in air-conditioned coach, he may be paid the fare for the air-conditioned class in place of first class rail fare.

(iv) the drawal of travelling allowance by a Director who is a Government servant will be regulated under Ministry of Finance (Department of Expenditure) O. M. No. F. 5 (126) Est IV/56, dated the 28th February, 1957, as amended from time to time.

(2) *Meetings of the committees and sub-committees appointed by the board :*

For attending meetings of the Committees/Sub-committees appointed by the Board, a Director of the company shall be paid :—

(i) Actual travelling expenses by Rail (including ACC) or Air Fares to and from the normal place of residence.

(ii) Rs. 50/- (Rupees fifty only) as incidental expenses inclusive of daily allowance for a day's halt.

Provided that if a meeting of the Committee/Sub-committee is extended beyond one day, he shall be paid daily allowance of Rs. 20/- only per day for the second day and for each subsequent day, if any.

(3) For Visiting Hardwar, Hyderabad and Tiruchirapalli to Acquaint oneself with the Progress of the Projects :

A director of the company who desires to visit Haradwar/ Hyderabad/Tiruchi to acquaint himself the progress of the project shall be paid :—

(a) Actual travelling expenses by Rail (including A. C. C) or Air fares to and from his normal place of residence; and

(b) Rs. 50/- as incidental expenses for the visit.

Provided that when a Director combines a visit to watch the progress of the project at site with a meeting of the Board of Directors or a meeting of Committee/Sub-committee appointed by the Board of Directors of Bharat Heavy Electricals Limited and his total stay exceeds one day he shall be paid a daily allowance of Rs. 20/- per day, for the second day and for each subsequent day, if any.

(b) A statement is laid on the table of the House [Placed in Library See No. LT 2622/68]

(c) Yes, Sir. Recruitment to the posts which are in the scale of Rs. 350—900 and above is made on an all India basis through the medium of advertisements in all the leading news papers of the country. Selections are finalised through the Central Selection Board, which includes the General Manager of the Unit concerned and two retired members of the U. P. S. C. Specialists of the field concerned are co-opted to the Selection Board as required. For posts in the scales of Rs. 1300—1600 and above, Chairman of the Company also sits in the Board.

Offers are issued to those selected in order of merit as recommended by the Selection Board.

(d) The Committee on Public Undertakings (Third Lok Sabha) examined the working of the Company in 1966 and submitted its report to Parliament on the 2nd March, 1967.

Cost structure of man-made Fibre and Yarn Industry

3939. SHRI YAJNA DATT SHARMA: Will the Minister of COMMERCE be pleased to refer to the replies given to Unstarred Question. Nos. 1601 and 1602 on the 30th July, 1968 and state :

(a) whether the Tariff Commission have since inquired into the cost structure of the man-made fibre/yarn Industry; and

(b) if so, the details of the findings of the Commission ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). The Tariff Commission is expected to complete its inquiry and submit its report by the end of April, 1969.

Heavy Engineering Corporation Ranchi

3940. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state the achievements of the Heavy Machine Tool Plant, Heavy Machine Building Plant and Foundry Forge Plant, the three constituents of Heavy Engineering Corporation, Ranchi, separately with regard to :

- (i) their installed capacity and the actual production now;
- (ii) progress in respect of erection;
- (iii) imported raw material constituent in their output;
- (iv) the total expenditure;
- (v) value of annual production;
- (vi) losses suffered; and
- (vii) foreign experts engaged for each ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) The targets of production for the year 1968-69 are as under :—

Heavy Machine Building Plant

Mechanical items	16000 tonnes
Structurals	5785 "
Structurals (other agencies working under HMBP)	8215 "
Total ..	30,600 "

Foundry Forge Project

G. I. Castings	7250 tonnes
Ingot moulds	2500 "
Rolls	1500 "
Non-ferrous castings	100 "
Steel Rolls	500 "
Steel Castings	4800 "
Steel ingots	3000 "
Forgings	2000 "
Total ...	21650 "

Heavy Machine Tools Plant

Machine Tools	33 Nos.
C. L. W. Traction Gear Assembly (in sets).	10 sets.

Target for April-September, 1968 and the actual production during April-September, 1968 are as under :—

Heavy Machine Building Plant

(*Figures in Tonnes*)

	Target	Actual
Mechanical items	4490.0	4206.50
Structurals	2436.0	2288.10
Structurals (other agencies working under HMBP)	3723.0	4581.90
Total ...	10649.0	11076.50

Foundry Forge Project

(*Figures in Tonnes*)

	Target	Production
G. I. Castings	3150.0	2329.861
Ingot Moulds	750.0	953.07
G. I. Rolls	750.0	429.84
Non-Ferrous		
Castings	380	36.741
Steel Castings	1900.0	907.983
Synthetic Pig Iron	—	653.30
Steel Ingots	1200	986.59
Steel Rolls	150	—
Forgings	900	694.680
Total ...	8838.0	6982.065

Heavy Machine Tools Plant

Machine Tools	9 Nos.	5 Nos.
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(ii) Heavy Machine Building Plant—Out of the total requirement of 28,000

tons of plants and equipments to be erected 26,469.52 tonnes have been erected upto October, 1968.

Foundry Forge Project

The position of erection of equipment in main production shops is as under :—

- (a) Grey Iron Foundry 100% completed.
- (b) Steel Foundry 95.9%
- (c) Forge Shop 85.5%
- (d) Rough Machine Shop 83.1%
- (e) Fettling Shop 96.8%

Heavy Machine Tools Plant

The position of the erection of machinery and equipment as on 31-10-68 is indicated below :—

Item	Total Nos. to be erected	Total Nos. erected.
1. Machine Tools	368 (4781 T)	335
2. E.O.T. Cranes	25	24
3. Wall bracket crane	22	22

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

(iv) The total investment upto 1st July, 1968 amounts to Rs. 200.6 crores of which Rs. 100 crores is in the form of equity capital and 100.6 crores is in the form of long term loans.

(v) The value of annual production during 1967-68 was as under :—

	Value Tonnes (in Rs. lakhs)
Heavy Machine Building Plant	14611 556.93
Foundry Forge Plant	9003.13 179.60
Heavy Machine Tools Plant	15 Nos. 56.6

(vi) The total accumulated loss upto 31-3-68 was Rs. 2557.03 lakhs.

(vii) Foreign experts engaged for each plant as on 31-10-68 was as under :—

	No. of experts.
Foundry Forge Plant.	183
Heavy Machine Building Plant	118
Heavy Machine Tools Plant	18

Railway Wagons Manufacturing Unit**3941. SHRI A. SREEDHARAN :****SHRI K. LAKKAPPA :****SHRI KAMESHWER SINGH :**

Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the Railway wagons manufacturing unit will fulfill the target to 50 per cent of the wagons to be exported to U. S. S. R.;

(b) if so, whether wagon-building possibilities have been studied at Jamalpur Railway Workshop; and

(c) if not, the reasons therefor?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) No, Sir.

(b) and (c). Jamalpur Workshop is primarily concerned with the major over-haul of steam locomotives. As this work will continue at Jamalpur for sometime there is no spare capacity available for manufacture of wagons.

नियात पर छूट तथा रियायत

3942. श्री महाराज सिंह भारती : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1967-68 में विभिन्न वस्तुओं के नियात पर करों में दी गई छूट तथा की गई रियायत के कारण अववा अन्यथा कितने करोड़ रुपयों का घाटा हुआ है तथा जिन-जिन वस्तुओं पर करों में छूट दी गई है, उनके नाम क्या हैं; और

(ल) उन वस्तुओं के नियात से कुल कितनी आय हुई है?

वाणिज्य मंत्रालय में उप-मंत्री (श्री शुहन्मद शाफी कुरेशी) : (क) और (ल). शुल्कों में दी गई छूट अववा करों में की गई रियायतों का सम्बन्ध वित मंत्रालय से है। उस मंत्रालय द्वारा यह सूचित किया गया है कि 1967-68 में विभिन्न उत्पादों के नियात पर दी गयी छूट तथा केन्द्रीय उत्पादन शुल्कों

की वापसी के रूप में लगभग 14.15 करोड़ ८० की राशि दी गई। जिन वस्तुओं पर उपरोक्त धन-राशि दी गई, उनके नियात से कुल 184 करोड़ ८० के लगभग आय होने का अनुमान है। 1967-68 के दौरान नियायों पर आय-कर में छूट देने की कोई योजना लागू नहीं थी। नियायों पर दी गई केन्द्रीय उत्पादन शुल्कों में छूट अववा रियायत की राशि के विषय में जानकारी इस समय उपलब्ध नहीं है।

सरकारी क्षेत्र द्वारा विदेशों में किया गया व्यापार

3943. श्री महाराज सिंह भारती : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1967-68 में सरकारी क्षेत्र द्वारा कितने प्रतिशत नियात तथा आयात व्यापार किया गया और जीपी पंचवर्षीय योजना के अन्त तक सरकारी क्षेत्र द्वारा विदेशों में किये जाने वाले व्यापार में कितने प्रतिशत वृद्धि की जाने की संभावना है; और

(ल) किन-किन नये क्षेत्रों में उक्त व्यापार का विकास किये जाने की संभावना है?

वाणिज्य मंत्रालय में उप-मंत्री (श्री शुहन्मद शाफी कुरेशी) : (क) और (ल). जानकारी एकत्र की जा रही है और सभापत्ति पर रख दी जायेगी।

टेरिन तथा रेलम के बाजारों का आवात

3944. श्री महाराज सिंह भारती : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1967-68 में विदेशों से कितनी मात्रा में कच्चा रेलम, हातिम रेलम, टेरिलिन तथा अन्य हातिम बाजारों और शुल्की तथा बाजे का आवात किया गया; और

(ल) उक्त अवधि में रेशम तथा कृत्रिम रेशम के कपड़े कुल कितनी मात्रा में तैयार किये गये तथा कितने कपड़े का निर्यात किया गया और कितने कपड़े की खपत देश में हुई ?

बाणिज्य मंद्रालय में उप-मंत्री (श्री मुहम्मद शफी कुरेशी) :

(क) 1967-68 में आयात की गई मात्रा :

कच्चा रेशम	...	44,841 कि० ग्रा०
सस्केप्ट पुनरस्थापित रेशा/धागा	...	42.8 लाख कि० ग्रा०
टेरिलीन (रेशा धागा)	...	4.8 लाख कि० ग्रा०
मछली के जाल का धागा, टायर कोडं आदि जैसे विविध धागे	...	2.0 लाख कि० ग्रा०
रासायनिक लकड़ी की लुगदी (रेशन घेड़)	...	108.5 लाख कि० ग्रा०

(ल) 1967-68 में निर्मित, निर्यातित तथा उपभोग की गई मात्रा :—

(मात्रा दस लाख वर्ग मीटरों में)

असली रेशम का कपड़ा	नकली रेशम का कपड़ा
निर्माण किया गया	234.0 (प्राक्कलित) 9170.0 (प्राक्कलित)
निर्यात किया गया	23.81 63.0
उपभोग किया गया	210.0 (प्राक्कलित) 9130.0 (प्राक्कलित)

Heavy Electricals Ltd., Bhopal
3945. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

the statement laid on the Table of the House [Placed in Library. See No. LT-2623/68]

मारीशस के साथ व्यापार

3946. श्री प्रकाशबीर शास्त्री :

श्री रामावतार शर्मा :

श्री शिव कुमार शास्त्री :

क्या बाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मारीशस सरकार ने यह पेशकश की है कि भारतीय व्यापारी मारीशस जाये और वहाँ व्यापार करें ;

(ल) यदि हाँ, तो क्या उक्त पेशकश

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) to (c). The required information is furnished in

को देखते हुए सरकार ने कोई योजना बनाई है; और

(ग) यदि है, तो उसकी रूपरेखा क्या है?

वाणिज्य मंत्रालय में उप-मंत्री (श्री मुहम्मद शफी कुरंशी) : (क) सरकार के पास ऐसा प्रस्ताव नहीं आया है।

(ख) और (ग) प्रश्न नहीं उठते।

Technical Licence Agreements

3948. SHRI RABI RAY :

SHRI D. N. PATODIA :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Confederation of the British Industry according to a report in 'National Herald' of 27th September, would send a small team of British specialists to India to look in depth into the difficulties surrounding the issue of technical licence agreements and allied subjects; and

(b) if so, the main features?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F.A. AHMED) : (a) and (b) : A declaration of the Confederation of British Industry visited India in the last week of November, 1968 for discussions with the Government of India *inter alia* on technical collaboration arrangements. The delegation had discussions with the Deputy Prime Minister, the Minister for Industrial Development and Company Affairs, the Minister of Commerce and some senior Government officials.

The discussions were wide-ranging and among other matters, covered research and development in India different forms of obtaining technical 'know-how' relations between the parties to technical collaboration agreements, the problems of repetitive import of know-how, encouragement of exports from India and the basis of payments and taxation.

Export of Peacock Feathers

3949. SHRI RABI RAY :

SHRI S. A. AGADI :

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that large quantities of peacock feathers are collected, by killing the birds, for export purposes;

(b) if so, the total quantity of peacock feathers exported, year wise, since 1966 to 1968;

(c) whether it is also a fact that large quantities of peacock feathers are collected in Mysore State for export;

(d) if so, how many exporters are still allowed to export this item; and

(e) whether Government are considering to ban the export of peacock feathers to prevent the national bird from becoming extinct?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) No, Sir.

(b) However, a quantity of 6,875 Kgs. and 4,080 Kgs. was exported during the years 1966-67 and 1967-68 respectively.

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

(d) 26.

(e) No, Sir.

बीकानेर दिल्लीजन रेलवे कर्मचार्यों द्वारा साकेतिक हृष्टाल में भाग लिया जाना

3950. श्री प० ला० बाल्याल : क्या रेलवे मंत्री यह बताने की कुशा करेंगे कि :

(क) 19 सितम्बर, 1968 की मरकारी कर्मचारियों की साकेतिक हृष्टाल में उत्तर रेलवे के बीकानेर दिल्लीजन की रेलवे कर्मचार्यों के कितने कर्मचारियों ने भाग लिया था;

(ख) उसमें के लिये कर्मचारियों के

हड्डताल में सक्रिय रूप से भाग लिया था तथा कितने कर्मचारी द्वयूटी से अनुपस्थित रहे थे; और

(ग) क्या उक्त कर्मचारियों की एक सूची, जिसमें उनके नाम तथा पते दर्ज हों, सभा पटल पर रखी जायेगी ?

रेलवे मंत्री (श्री चै. मु० पुनाचा) :
(क) बीकानेर रेल कारखाने में 1255 कर्मचारियों ने 19-9-1968 को हड्डताल में भाग लिया ।

(ख) (i) उन कर्मचारियों की संख्या जिन्होंने बीकानेर कारखाने की हड्डताल में सक्रिय रूप से भाग लिया — 19.

(ii) बीकानेर कारखाने के उन कर्मचारियों की संख्या जो काम से अनुपस्थित रहे—1236.

(ग) लोक-सभा पटल पर रखने के लिए 1225 नामों की सूची और अन्य व्यौरे तैयार करने में काफी भेहनत और लेखन सामग्री लगेगी जो उस प्रयोजन के अनुकूप नहीं जान पड़ती जिसके लिए उसका उपयोग हो सकेगा ।

बीकानेर डिवीजन के रेल कर्मचारियों की हड्डताल

3951. श्री प० ला० बाकपाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर रेलवे के कर्मचारियों द्वारा 19 सितम्बर, 1968 को हड्डताल करने का नोटिस दिये जाने के समय बीकानेर डिवीजन के अधिकारियों ने सहयोग प्राप्त करने के लिये 'इंटक' से सम्बद्ध रेलवे कर्मचारियों के कामिक संघ के प्रतिनिधियों से छोर्व बातचीत की थी;

(ख) क्या हड्डताल के बाब्द दोने का

कारण यह था कि इस उद्देश्य के लिये रेलवे कर्मचारी संघ ने कर्मचारियों को काम पर लगाया गया;

(ग) क्या यह सच है कि बीकानेर में गोली चलने के समय राज्य सरकार के सब सम्बन्धित उच्चाधिकारी वहाँ उपस्थित थे परन्तु रेलवे अधिकारी अपने बंगलों के बाहर भी नहीं निकले ; और

(घ) क्या यह भी सच है कि उत्तर रेलवे कामिक संघ के मंत्री ने इस सम्बन्ध में तार द्वारा रेलवे मंत्रालय को सूचित किया था और यदि हाँ, तो उस पर क्या कार्रवाई की गई ?

रेलवे मंत्री (श्री चै. मु० पुनाचा) :

(क) जी, हाँ ।

(ख) जी, नहीं ।

(ग) जी, नहीं ।

(घ) इस सम्बन्ध में एक सूचना मिली थी, लेकिन ऊपर भाग (ग) के उत्तर को देखते हुए कोई कार्रवाई आवश्यक नहीं समझी गयी ।

रेलगाड़ियों में स्थान रक्षित करने सम्बन्धी नियम

3952. श्री ओमप्रकाश स्थानी : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने रेलगाड़ियों में स्थान रक्षित करने सम्बन्धी नियमों में कुछ परिवर्तन कर दिये हैं;

(ख) यदि हाँ, तो क्या परिवर्तन किये गये हैं;

(ग) क्या सरकार ने यह बात अनिवार्य कर दी है कि प्रत्येक यात्री अपने रक्षित स्थान पर याही बसने से बढ़ मिनट मुड़

बैठ जाये अन्यथा उसके रक्षण को रद्द समझा जायेगा;

(घ) यदि हाँ, तो यह नियम किस हद तक उचित है; और

(ङ) क्या रेलवे विभाग स्थान के रक्षण को रद्द करने के बाद धन राशि को वापिस करेगा और यदि नहीं, तो इसके क्या कारण हैं?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) जी हाँ।

(ख) एक विवरण सभा पटल रखा है। [पुस्तकालय में रख दिया गया। देखिये संख्या LT—2624/68]

(ग) जी, हाँ।

(घ) पहले यात्रियों के लिए अपेक्षित था कि वे आरक्षित स्थान गाड़ी छूटने से 5 मिनट पहले ग्रहण कर लें। इसपे प्रतीक्षा सूची के यात्रियों को उन शायिकाओं का आवाटन करने के लिए पर्याप्त समय नहीं मिलता था जो आरक्षित तो थीं लेकिन पूर्व सूचना दिये बिना यात्रियों द्वारा यात्रा रद्द कर दिये जाने के कारण उन पर कोई कंजा नहीं करता था। जहाँ एक और प्रमुख गाड़ियों के लिए लम्बी प्रतीक्षा सूचियां होती थीं वहाँ दूसरी ओर आरक्षित शायिकाओं पर किसी का कंजा दूष बिना गाड़ियां छूटती थीं। यह अपव्यय न हो और गाड़ियों के छूटने में विलम्ब दूष बिना प्रतीक्षा सूची के यात्री अपने नाम आवंटित इस तरह की शायिकाओं पर कंजा करके आसानी से गाड़ी में अपना सामान लाद सकें, इसके लिए गाड़ी छूटने से पहले आरक्षित स्थान प्रहण करने को समय-सीमा 5 मिनट से बढ़ाकर 10 मिनट कर दी गयी है।

(ङ) जिन टिकटों पर आरक्षण किया

गया हो और जिनको इस्तेमाल न किया गया हो, उनकी रकम कोचिंग दर सूची और रेलवे समय सारणी में अधिसूचित नियमों के अनुसार, आरक्षण रद्द करने का शुल्क काट कर बापत की जाती है।

रेलवे गोदामों में चोरी

3953. श्री बोबप्रकाश स्थानी : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) चालू वर्ष में सितम्बर, 1968 के अन्त तक रेलवे गोदामों में कितनी चोरियां हुईं;

(ख) उक्त अवधि में इस सम्बन्ध में कितने अपराधी गिरफ्तार किये गये;

(ग) चोरी के आरोप में गिरफ्तार व्यक्तियों में कितने व्यक्ति रेलवे विभाग के हैं;

(घ) चोरी किये गये सामान के मालिकों द्वारा रेलवे से कितने बन की मांग की गई है; और

(ङ) चोरियों को रोकने के लिये सरकार द्वारा और क्या कार्यवाही की गई है ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) 253,

(ख) 166,

(ग) 29,

(घ) गोदामों में हुई चोरी के मामलों में किये गये दावों के आंकड़े अलग नहीं रखे जाते।

(ङ) 1—मालगोदामों और पार्टेंस चरों में रेलवे सुरक्षा दल की व्यवस्था की बदाबर समीक्षा की जाती है, ताकि रेलवे के माल को बेहतर सुरक्षा और हिफाजत की जा सके। 2—रेलों पर अपराध बासूचना

कर्मचारियों की संख्या हाल में बढ़ा दी गयी है और अपराध आसूचना इकट्ठी करने और उसके फल-स्वरूप अपराधियों का पता लगाने पर अधिक जोर दिया जाता है।

3—खास-खास मालगोदामों और पार्सेल घरों में रेलवे सुरक्षा दल के अधिकारियों द्वारा अव्यावधि जांच का काम तेज कर दिया गया है।

4—रेल सम्पत्ति (अवैध कड़ा) अधिनियम, 1966 के उपबन्धों के अन्तर्गत अब रेलवे सुरक्षा दल को यह अधिकार दे दिया गया है कि यदि किसी व्यक्ति के पास ऐसी रेल सम्पत्ति मिले, जिसके बारे में यह सन्देह हो कि वह चोरी की है अथवा अवैध रूप से प्राप्त की गयी है, तो उस व्यक्ति पर अभियोग चलाया जा सकता है।

राज्यों में स्थापित किये गए उद्योग

3954. श्री ओमप्रकाश श्यामी : क्या औद्योगिक विकास तथा समव्यापकार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्र द्वारा स्थापित किये गये सरकारी क्षेत्र के उद्योगों की संख्या, राज्यवार, कितनी है;

(ख) इन उद्योगों में, राज्यवार, कितनी पूँजी लगाई गई है;

(ग) क्या किसी राज्य ने कोई ऐसी शिकायत की है कि सरकारी क्षेत्र के ये उद्योग तथा कारखाने स्थापित करने के बारे में कुछ राज्यों की अव्यवहार्ना कर के अन्य राज्यों के साथ वक्षपात्र किया गया है;

(घ) यदि हाँ, तो उन राज्यों के नाम द्वया हैं और उनकी शिकायतों का व्योरा द्वया है, और

(ङ) उन के बारे में सरकार की क्या प्रतिक्रिया है ?

औद्योगिक विकास तथा समव्यापकार्य मंत्री (श्री फलस्वरूप अली अहमद) : (क) और (ख). अपेक्षित जानकारी प्रधान मंत्री द्वारा 13 नवम्बर, 1968 को ताराकित प्रश्न संख्या 61 के उत्तर में सभा-पटल पर रखे गये विवरण में दी गई है।

(ग) से (ङ). लगभग सभी राज्य सरकारें केन्द्रीय सरकार को समय-समय पर यह लिखती रही है कि सरकारी क्षेत्रों की परियोजनाओं को स्थापित करने के मामले में अन्य राज्यों की अपेक्षा उनके राज्य की उपेक्षा की गई है। केन्द्रीय औद्योगिक परियोजनाओं का स्थान निर्धारण प्रमुख रूप से तकनीकी आविक विचार की दृष्टि से किया जाता है। फिर भी, विगत बर्षों में तकनीकी आविक परिस्थितियों के आधार पर सरकारी क्षेत्र की परियोजनाओं को स्थापित करने के मामले में देश के अपेक्षाकृत पिछड़े हुए क्षेत्रों को वरीयता दी गई है।

Growth rate of Exports

3955. SHRI M. SUDARSANAM : Will the Minister of COMMERCE be pleased to state :

(a) the rate of growth of exports during the five years preceding devaluation of the rupee; and

(b) the maximum rate achieved since the commencement of the First Five Year Plan ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) A statement (Annexure I) showing the rate of growth of exports during the years 1961-62 to 1965-66 is laid on the Table of the

House. [Placed in Library. See No. LT-2625/68]

(b) Exports at Rs. 732.94 crores during 1951-52 compared to Rs. 600.64 crores during 1950-51 registered the highest rate of growth viz : 22% since the commencement of the First Five Year Plan. This rise was however abnormal in the sense that it was due mainly to the Korean War boons.

Since then the highest rate of growth registered was in 1954-55 (+11.7%) compared to 1953-54. The above rate of growth has however been considerably surpassed during the half year April-September, 1968 (+17.5%) compared to April-September, 1967. A statement (Annexure II) showing the value of India's exports from 1951-52 onwards is laid on the Table of the House. [Placed in Library. See No. LT-2625/68]

Prices of Tea

3956. SHRI S. K. TAPURIAH : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that prices of tea have been continuously going down at sales ;

(b) whether it is also a fact that there has been no consequent fall in prices at the last point of sales ; and

(c) whether Government propose to take any action so that benefits of the fall in price at sales is passed on to the consumer and not withheld by the trade ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD SHAFI QURESHI) : (a) A decline in the prices of Indian tea has been noticed from early 1958.

(b) The relationship between auction price and retail price is not immediate and would take some time to be effective, provided that there is a significant decline in price of those grades of tea which are consumed in India and these are not offset by the increase in other costs, such as cost of packing, transport, wages and overheads.

(c) Government are watching the situation carefully and do not think that it is necessary to take any specific step in this regard immediately.

Wagon Supply to Collieries

3957. SHRI S. K. TAPURIAH : Will the Minister of RAILWAYS be pleased to state :

(a) Whether it is a fact that wagon supplies to the collieries during the last six months have been much below the number indented for;

(b) the reasons for such short supply; and

(c) the number indented for and the number supplied, month-wise ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes, Sir.

(b) (i) Variation between indents and supplies for loading of coal is unavoidable as the planned pattern of movement provides for loading a stipulated number of wagons daily while indents vary widely, sometime falling short of the target and sometimes far in excess of the target. The Railways capacity for movement of coal remains uniform throughout the year, but coal users tend to inflate indents beyond the railways capacity during certain months of the year making it impossible for the Railways to comply with the same in full.

The wagons supplied to the collieries are not always fully utilised. On an average 1813 wagons were drawn empty every month during the six months' period from May to October 1968, from the colliery sidings causing wastage of transport capacity. Moreover, fresh placements could not be made on a number of occasions as the collieries failed to load in time the wagons previously supplied.

(iii) The misguided agitation launched by a section of locomotive crews on the Eastern Railway in May 1968 and on the Southern and South Central Railways in June and July 1968 slowed down movements and resulted in delays to wagons reaching the collieries. Besides, coal loading

in June and July 1968 was also affected by the massive movement of foodgrains both indigenous and imported which had to be undertaken on top priority basis and completed within a limited period. Excessive rains and breaches in Western India during August, 1968 necessitated regulated coal allotments for destinations on Central and Western Railways. Token strike by the Central Government employees during September and heavy breaches on the East Coast Section in October 1968 led to curtailed allotment of coal to destinations in the South and affected coal loading to a great extent. Coal loading in November was severely affected by the accident at Sonnagar on 15/16th night which interrupted through communication over Grand Chord Section of Eastern Railway for nearly 3 days.

Coal loading during September and October 1968 has been the highest in any month so far.

(c) Month	Indents	Supplies
(In terms of B. G. Wagons)		
May, 1968	404560	233821
June, 1968	399710	211103
July, '68	349924	232042
Aug., 1968	324964	236107
Sept., 1968	362627	250916
Oct., 1968	329291	259545
Nov., 1968	352212	422085
(Provisional)		

Through Express Train from Nagpur to Poona

3958. DR. A. G. SONAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that there was a proposal to have a through express train from Nagpur to Poona via Kurduwadi;

(b) whether this proposal has now been dropped ; and

(c) if so, reasons therefor ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) No.

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

Spinning Mills

3959. DR. A. G. SONAR : Will the Minister of COMMERCE be pleased to state :

(a) the number of spinning (Yarn) mills established during the Third Five Year Plan in each State ; and

(b) the numbers out of them being run on co-operative basis in each State ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) and (b). A statement is laid on the Table of the House. [Placed in Library. See No. LT-2626/68]

Self-sufficiency in Cotton

3960. SHRI HIMATSINGKA :

SHRI S. K. TAPURIAH :

Will the Minister of COMMERCE be pleased to state :

(a) whether the Indian Cotton Mills Federation has drawn up a 5-fold programme to achieve self-sufficiency in cotton and to stop drain on the country's foreign exchange to the tune of Rs. 90 crores a year on cotton imports ;

(b) if so, the details thereof ; and

(c) Government's reaction thereto and the steps proposed to be taken to implement it effectively ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) The Indian Cotton Mills' Federation is reported to have undertaken a five-fold expansion of its cotton development project.

(b) The details of the Federation's programme are as under :--

(i) To organise a network of large scale demonstration-cum-education centres in all the cotton tracts ;

(ii) To establish several Agro-Service Centres in different tracts for providing the required inputs and repair and workshop facilities ;

- (iii) To undertake mass plant protection campaign on large chunks of cotton areas;
- (iv) To organise crop competition on all levels (village, taluka, district, etc.) ; and
- (v) To undertake self-supply scheme by selecting limited areas and providing all inputs on loan basis to cultivators with the understanding that they will pool and market their produce to the financing body.

(c) Since the scheme is intended for the development of cotton, Government welcomes the scheme and its implementation by the Indian Cotton Mills Federation.

Exports during Fourth Plan

3961. SHRI HIMATSINGKA :
SHRI S. K. TAPURIAH :

Will the Minister of COMMERCE be pleased to state :

(a) whether an annual growth of 7 per cent in the exports has been recommended by the Planning Commission ;

(b) if so, the likely expansion in the exports of each of the traditional items of our exports and the new items of exports likely to be introduced during the Fourth Five Year plan and the extent of exports of each of these items during the period ; and

(c) the new potential markets for Indian goods including the potential of exports of each item in each market and how far the exports to the traditional importers of Indian goods are likely to increase in respect of each item during the Fourth Five Year Plan ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir,

(b) and (c). The targets for exports in the Fourth Five Year Plan are under formulation. With Government's encouragement and assistance, Indian producers and traders are continually making efforts to export every possible product and to

explore every possible market, although it is obviously not possible in advance to indicate the new products which may be exported or the new markets which may be explored.

Decline in sale of Explosives and Accessories of Indian Explosives, Ltd.

3962. SHRI GADILINGANA GOWD : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that there was a sharp decline in the sale of explosives and accessories of the Indian Explosives Ltd. during the half year ending the 31st March, 1968 but there is an increase in operating costs ; and

(b) if so, the reasons therefor and the remedial measures adopted in this direction ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and (b). The decline in turnover during the half year ending 31st March, 1968 compared to corresponding period ending 31st March, 1967 was 10.4 per cent. This was due to the impact of Industrial recession, but intensive sales drive and industrial recovery during the 6 months ending 30th September, 1968 have restored the position to normal. The increased costs were mainly the result of a wages agreement and improved benefits but the impact has not warranted any exceptional measures.

Exploitation of Mineral Deposits

3963. DR. RANEN SEN :
SHRI SITARAM KESRI :

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

(a) whether it is a fact that not much progress has been made in the exploitation of the known mineral deposits in the country;

(b) if so, the reasons for this slow progress; and

(c) the steps being taken to step up exploitation of mineral deposits?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) and (b). No, Sir. In fact the overall progress in the exploitation of known mineral deposits in the country has been good. In 1948 the total value of mineral production in the country was Rs. 64 crores which increased to Rs. 258.74 crores in 1963 and to Rs. 302.61 crores in 1966. The quantity index of mineral production has also been showing a progressively rising trend; taking 1960 as the base at 100.0, the quantity index for 1963 was 123.3 and for 1966 it was 135.0. Further, considerable progress has also been made in the development and production of Iron Ore and Non-ferrous Metals—particularly Aluminium and Zinc.

However, in case of a few minerals such as copper ore, diamond, fluorspar, pyrites etc., the progress has been somewhat slow mainly due to difficulties in getting suitable foreign collaboration for setting up smelter in case of copper ore; technical difficulties in preparation of flow sheets, mining programmes and procurement of suitable mining and beneficiation machinery, etc.

(d) The Central Government and some of the State Governments have set up public sector undertakings for development and exploitation of important mineral deposits like coal, iron ore, diamond, copper, lead and zinc, manganese, bauxite, gold and flourite etc. Units in the private sector are also being encouraged for development and exploitation of mineral deposits.

Foundry Plant at Wardha

3964. SHRI GADILINGANA GOWD: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether the foundry plant project at Wardha has been finalised; and
(b) if so, the main features thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) No, Sir.

(b) Does not arise.

Use of Funds by Managing Directors of Companies

3965. SHRI GADILINGANA GOWD: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have any machinery to detect if the Managing Directors of Companies have properly used the funds of the companies; and

(b) if not, how Government safe-guard the interests of share holders?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) and (b) : The Companies Act provides for disclosure of true state of affairs of companies in their accounts which are audited by independent Auditors and then placed before the shareholders and also filed with the Registrars of Cos. If the scrutiny of accounts reveals any irregularities or complaints are received, there is provision in the Companies Act for causing an inspection of the books of accounts. An investigation can be ordered where there are *Prima Facie* materials indicating fraud, misfeasance or misuse of funds etc. There is provision for Government to move the Courts for removing the management and also to record a decision whether or not a particular person is a fit and proper person to hold the office of a Director. In case of an adverse finding by the Court, the person concerned can be removed from office and may not hold office of a director or any other office connected with the management of any company for a period of five years after removal.

Issue of Industrial Licences during 1967-68

3966. SHRI GADILINGANA GOWD: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state the number of Industrial Licences granted during 1967-68 in the country State-wise and Industry-wise?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): Two Statements showing the State-wise and

Industry-wise distribution of licences issued under the Industries (Development and Regulation) Act, 1951 during 1967 and 1968 (upto 31-7-68) are laid on the Table of the House. [Placed in Library See No. LT-2627/68]

Trade Agreement with Bulgaria

3967. SHRI BISHWANATH ROY :
SHRI D. N. PATODIA :

Will the Minister of Commerce be pleased to state :

(a) whether any new agreement between India and Bulgaria was signed recently regarding trade in the coming years; and

(b) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes. Sir.

(b) An Indian Trade Delegation visited Sofia recently. On the conclusion of the trade talks, a new five year Trade and Payments Agreement between India and the People's Republic of Bulgaria was signed on the 18th October, 1968. The new agreement envisages a steady growth of mutual trade. Copies of this Agreement, which is effective from 1-1-1969, have been made available to the Parliament Library.

Prices of Iron Ore in International Markets

3968. SHRI S. R. DAMANI :
SHRI K. P. SINGH DEO :

Will the Minister of COMMERCE be pleased to state :

(a) whether consultations have been held by India with other major iron ore exporting countries for checking the fall in iron ore export prices;

(b) if so, the names of the countries which participated and the decisions taken; and

(c) the extent of loss in exports suffered by these countries as a result of competition from Australia ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

Consultations were held in Caracas (Venezuela) in September this year, between India and other developing countries, who are major exporters of iron ore.

(b) The other participants, apart from India, were Peru, Chile, Brazil, Venezuela, Mauritania and Liberia. The consultations are still in an exploratory stage.

(c) The information is not available.

Railway Line Between Khurda and Balangir

3969. SHRI A. DIPA : Will the Minister of RAILWAYS be pleased to state :

(a) whether any representations have been made to Government for construction of a railway line between Khurda and Balangir via Dasapilla-Purnacuttack-Tarokha in Orissa State; and

(b) if so, action taken thereon ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes.

(b) Investigations had revealed that this line would not be remunerative. Hence it is not being considered for construction.

Railway Line between Talcher and Berhampur

3970. SHRI A. DIPA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that representations have been made to Government for the construction of a railway line between Talcher and Berhampur via Angul-Boindia-Athmalya-Purnacuttack-Phulbani in Orissa State; and

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

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes.

(b) Due to the present difficult ways and means position, it is not possible to consider the construction of the Talcher-Berhampur line in the near future.

Diversification of Steel Products

3971. SHRI D. N. PATODIA : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether it is a fact that a review made recently has shown that unless immediate steps are taken to diversify the steel products, the Indian Iron/Steel exports are likely to suffer heavily within a couple of years;

(b) if so, whether Government have impressed upon the above need to both the industry in public and private sectors; and

(c) in what way the pattern of present production is brought to be changed in order to make exports ever more profitable ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) to (c). A review recently made has shown that the demand for bars and rods is diminishing in East Asian and South East Asian countries, as re-rolling facilities are coming up there. It has therefore been considered necessary to diversify the export of steel products. The production of high tensile bars and rods in place of the conventional ones is one of the measures to achieve this. The steel plants both in the Public and Private Sectors have been made aware of the need to change production patterns accordingly.

Low Cost of Production of Steel in Japan

3972. SHRI D. N. PATODIA

SHRI R. K. SINHA :

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

(a) whether the cost of production of steel in Japan is much low as compared to that in India;

(b) if so, the factors which have helped that country to produce steel at cheaper rate; and

(c) to what extent those conditions can be introduced in India ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a)

Figures indicating cost of production of steel in Japan are not available. It is however generally known that the cost of production of steel in Japan is lower as compared to India.

(b) The main factors which are helpful to Japan are understood to be better quality raw-materials, particularly coal, lower capital cost, better technological processes and lower manning.

(c) In so far as the existing steel plants are concerned, the scope of introducing some of these conditions would be limited to technological improvements. New units can, however, be located so as to take advantage of high quality imported coal.

Indian Trade Delegations

3973. SHRI JYOTIRMOY BASU : Will the Minister of COMMERCE be pleased to state :

(a) the number of trade delegations, both official and non-official separately, which went abroad during the period from 1st January, 1967 to 30th June, 1968 ;

(b) the expenditure incurred on them ;

(c) whether our foreign trade position has improved as a result of these visits ; and

(d) if so, the nature of improvement ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) 27 Official and 17 Non-Official Trade Delegations went abroad during the period from 1st January, 1967 to 30th June, 1968.

(b) An expenditure of about Rs. 3,44,000 on Official Delegations and about Rs. 1,37,000 on Non-official Delegations was incurred.

(c) and (d). Yes, Sir. During the period January-June, 1968 our exports totalled Rs. 604 crores as against Rs. 576 crores during the corresponding period of 1967.

Foreign Collaboration Agreements

3974. SHRI JYOTIRMOY BASU : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be

pleased to lay on the Table of the House a list of Companies in the private sector (with foreign Collaboration agreements), in which the foreign collaborators hold (i) more than 50 per cent, (ii) more than 40 per cent and less than 50 per cent, and (iii) more than 25 per cent and less than 40 per cent of ordinary shares ;

(b) the name and nationality of foreign collaborators in each case ; and

(c) the details of the terms of collaboration agreements in the cases where the foreign collaborators have been allowed to hold more than 50 per cent of the ordinary shares ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and (b). Two statements giving the names of the Indian Companies, amount consented, percentage of foreign participation and the name of the foreign participants since 1951-52 are laid on the Table of the House. [Placed in Library. See No. LT-2628/68] Cases of foreign majority and minority participation are indicated in two separate statements.

(c) The details of terms of foreign collaboration are considered confidential.

Foreign Collaboration Agreements

3975. SHRI JYOTIRMOY BASU : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) the number of foreign collaboration agreements signed during 1956-57 to 1967-68 year-wise and industrywise ; and

(b) the number of companies (with foreign collaboration agreements) in which foreign investors have been allowed to hold more than 50 per cent of the ordinary shares during 1956-57 and 1967-68 year-wise ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) A statement (Annexure A) giving the number of foreign collaboration cases approved since 1956 is laid on the Table of the

House. [Placed in Library. See No. LT-2629/68]. The industries under these collaboration include--Ferrous and Non-Ferrous metal products, Automobile, Machine tools and small tools; Industrial Machinery and equipments ; Electrical equipments; Inorganic Chemicals; Drugs and Pharmaceuticals; Rubber; Plastic; Leather; Ceramic; Glass; Petroleum and Petro-Chemicals ; Tractors; Locomotives ; Consultancy and Engineering Services.

(b) A statement (Annexure 'B') giving the number of Companies which were granted consents for initial issue of capital, having foreign majority participation is laid on the Table of the House. [Placed in library See No. LT-2629/68].

Railway Reservations

3976. SHRI HEMRAJ : Will the Minister of RAILWAYS be pleased to state :

(a) which are the trains in different Railway Zones in which accommodation is fully reserved by Railways ; and

(b) how far overcrowding has been curtailed by this arrangement ?

THE MINISTER OF RAILWAYS. (SHRI C. M. POONACHA) : (a) The entire accommodation in the following trains is made available for reservation :—

(1) 25/26 Bombay Central-New Delhi/Amritsar Airconditioned Express (triweekly).

(2) 81/82 Howrah-New Delhi/Amritsar Airconditioned Express (triweekly).

(3) 95/96 Bombay V. T. Howrah Airconditioned Express (Via Nagpur-weekly).

(4) 97/98 Madras Central-Bombay V. T. Airconditioned Express (weekly).

(5) 99/100 Madras Central-Howrah Airconditioned Express (weekly).

(6) 79/80 New Delhi Agra ~~Qutb~~ Taj Express (daily).

(b) As passengers are booked only to the extent accommodation is available in the trains mentioned above, there is no overcrowding in these trains.

Tea Stalls on Railway Stations

3977. SHRI HEM RAJ: Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that no tea stalls have been constructed on the Nurpur Jalara, Jawanwala Shahr, Anur, Mangwal, Guler, Jawala-mukhi Road, Kangra, Nagrota Bagwan and Palampur stations of the Northern Railway and the contractors have to put their stalls in the open in the rains; and

(b) if so the time by which they will be provided with roofed stalls ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) and (b). At Nurpur Road (Not Nurpur), the contractor conducts sales of tea, etc; from a barrow and a tray. At Talara (not Jalara), Jawanwala Shahr and Guler, the contractors have been provided Tea Tables. The passenger traffic dealt with at these stations is meagre and the custom for the vending contractors is rather poor. The provision of Tea Stalls at these stations is, therefore, not justified and the existing arrangements for sale of tea to passengers are considered adequate. At Anur and Mangwal, the contractors had agreed to erect the stalls at their cost but as the existing sites of these stations will be affected by the Pong Dam, the work of erection of stalls has been kept in abeyance. At Jawalamukhi Road, Kangra and Nagrota, tea shops have been provided inside the railway premises. At train timings, tea is served to passengers from tables kept on the platforms. These arrangements are considered adequate. There is no station called 'Bagwan'. The reference is presumably to Bharmar where there is no vending contract. At Palampur Punjab (not Palampur), a tea stall has already been provided. .

Booking of Goods at Pathankot Station

3978. SHRI HEM RAJ: Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that goods are

booked on turn from Pathankot to Up stations on the Kangra Valley Section and that all the goods that are received at Pathankot on broad gauge take long time to be booked and transported to Up Stations; and .

(b) if so, the steps Government propose to take to transport such goods to the Up Stations on the Kangra Valley Section as and when they arrive on the broad gauge at Pathankot ?

THE MINISTER OF RAILWAYS (SHRI C.M. POONACHA): (a) and (b). Booking of goods from Pathankot for stations on Kangra Valley Section is done strictly according to priority. However, goods booked from other stations via Pathankot to stations on Kangra Valley Section, some times suffer some delay for transhipment due to various reasons such as arrival of goods in spurts, non-availability of adequate N. G. Rolling Stock, etc. Efforts are being made to minimise these delays within the available resources as it is not possible to make sizeable investments for augmenting the rolling stock on the section which is unremunerative.

बम्बई की एक मोटर कम्पनी द्वारा चोर बाजारी

3979. श्री यशपाल तिहु : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बम्बई की एक प्रसिद्ध मोटर कम्पनी के विरुद्ध चोर-बाजारी का एक मामला औद्योगिक न्याय-धिकरण के सामने विचाराधीन था ;

(ल) क्या यह भी सच है कि मामले को अब समाप्त कर दिया गया है; और

(ग) यदि है, तो इस मामले को समाप्त करने के क्या कारण हैं ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कल्पनीन अली बहमद) : (क) से

(ग). अरेक्षित सूचना महाराष्ट्र सरकार से मांगी गई है, प्राप्त होने पर सभा-पटल पर रख दी जायेगी।

Train Collision at Sonenagar Station

3980. SHRI M. L. SONDHI : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the train driver ignored the red signal on the crucial date of Railway collision on Sonenagar station on the 15th November, 1968; and

(b) if so, action taken to punish the guilty and also to prevent recurrence of such accidents every now and then ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) The Additional Commissioner of Railway Safety has held a statutory inquiry into this accident. The cause of the accident and responsibility therefor would be known on receipt of the inquiry report which is awaited.

(b) Suitable action would be taken against the defaulting staff.

The Railways are already engaged in an intensive four-pronged safety campaign—educative, psychological, punitive and technological—to arouse the safety consciousness of the staff and prevent accidents.

Amendment of Industries (Development and Regulation) Act.

3981. SHRI M. SUDARSANAM : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether there is any proposal to further amend the licensing provisions of the Industries Development and Regulation Act; and

(b) if so, the main features thereof ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and (b). There is no proposal as such to

further amend the licensing provisions of the Industries (Development and Regulation) Act, under consideration of the Government at present. However, proposal for granting exemption [under Section 29 B of the Industries (Development and Regulation) Act, 1951] to certain industries from the licensing provisions of the Act is under consideration at present. The list of the industries which may thus be delicensed has not yet been finalised.

बिल्ली आते समय संसद सदस्यों के लिए स्थानों का आरक्षण

3982. श्री जगेश्वर यादव : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनको इस बात की जानकारी है कि बहुत से अवसरों पर संसद सदस्य अपने निर्वाचन दोष से दिल्ली आते समय गाड़ियों में अपने स्थान आरक्षित नहीं करवा पाते और उनको रेलवे स्टेशनों पर रातें गुजारनी पड़ती हैं;

(ख) यदि हाँ, तो इस कठिनाई को दूर करने के लिये सरकार का क्या कार्यवाही करने का विचार है;

(ग) क्या सरकार का विचार कानपुर में संसद सदस्यों के लिये कुछ स्थान आरक्षित करने का है ताकि बांदा जिले से आते समय उन्हें कानपुर से 11 अप और लक्ष्मण एक्सप्रेस में जगह मिलने में कोई कठिनाई अनुभव न हो ?

रेलवे मंत्री (श्री डॉ मु० मुकुलाचा) :

(क) से (ग). संसद सदस्यों के वास्ते आरक्षण की व्यवस्था करने के लिए रेल प्रशासन पूरा प्रयास करते हैं। ऐसे प्रत्येक मामले को जिसमें आरक्षण की व्यवस्था न किये जाने के कारण किसी संसद सदस्यों को अनुचित हुई हो, बड़ा गंभीर समझा जाता है।

संसद सदस्य जब लंबद सम्बन्धी काम से यात्रा करते हैं, तो वे पहले दर्जे में 30

पहले स्थान आरक्षित करा सकते हैं जबकि साधारण जनता को 20 दिन पहले आरक्षण कराने की अनुमति है। जब संसद् सदस्य अल्प सूचना देकर यात्रा करना चाहते हैं, तो रेल प्रशासन स्थान आरक्षण के लिए उनके अनुरोधों को पूरा करने का भरसक प्रयत्न करता है। रेल प्रशासनों को यह हिंदायत भी दी गयी है कि यदि विभिन्न गाड़ियों में निर्धारित एच० ओ० आर० कोटा के पात्र उच्च अधिकारी इस कोटे का प्रयोग नहीं करते हैं, तो संसद् सम्बन्धी काम से यात्रा कर रहे उन संसद् सदस्यों को, जिनका नाम प्रतीक्षा सूची में है, बाकी बचे एच० ओ० आर० कोटा से स्थान देने में दूसरों की अपेक्षा तरजीह दी जाये। रेलों को यह हिंदायत भी जारी की गयी है कि, राज्यों की राजधानीयों और दिल्ली/नवी दिल्ली के बीच चलने वाली मुख्य गाड़ियों में पहले दर्ज की शायिकाओं के उचित कोटे निर्धारित किये जायें और अधिवेशन की अवधि में अपने निवासिनी लोगों को आने-जाने वाले संसद् सदस्यों को ये कोटे देने में तरजीह बरती जाये। 11 अप्रैल 83 अप्रैल गाड़ियों से कानपुर और दिल्ली/नवी दिल्ली के बीच यात्रा के लिए इन गाड़ियों में स्थान आरक्षण करने के लिए कानपुर में निम्नलिखित कोटे निर्धारित हैं :

11 अप्रैल-दिल्ली एक्सप्रेस

बातानुकूल पहला दर्जा—2 शायिकायें

पहला दर्जा—18	शायिकायें
जिनमें एच० ओ०	
आर० की	2
शायिकायें	भी
शामिल हैं।	

दूसरा दर्जा—2 शायिकायें

83 अप्रैल सकानड़ और बिल्ली एक्सप्रेस
पहला दर्जा—10 शायिकायें जिनमें एच० ओ० आर० की 2 शायिकायें भी शामिल हैं।

तीसरा दर्जा—16 शायिकायें

11 अप्रैल 83 अप्रैल में आरक्षण के लिए संसद् सदस्यों का अनुरोध ऊपर बताये गये कोटे के भीतर पूरा किया जाता है और जब उच्च अधिकारियों के लिये एच० ओ० आर० कोटे की जरूरत नहीं होती तो उसमें आरक्षण के लिए संसद् सदस्यों को तरजीह दी जाती है।

Export of Indian Textiles to Australia

3983. SHRI D. N. PATODIA :
SHRI Y. A. PRASAD :

Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that recent indications are that not only the off-take of Indian textiles in Australia has increased but there is likelihood of more expansion of India's textile trade with Australia;

(b) if so whether any effort has been made to find out the extent of fresh demand for Indian textiles in Australia; and

(c) if so, the findings thereof and the steps taken to push up India's trade further ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) to (c). Exports of cotton textiles to Australia during 1968 so far show a rising trend. Discussions have recently been held with the Australian authorities including the Australian Tariff Board and the Ministry of Trade to explore possibilities of further increasing India's exports of cotton textiles to that country. Detailed studies have been made from time to time of the qualities in demand in Australia and India's competitive capacity in these items. Special efforts are now being made to offer suitable varieties at competitive prices in order to improve exports to Australian market.

Arrest of Railway Employees

3984. SHRI RAMAVATAR SHASTRI : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that many Railway employees have been arrested

during the current year on the Western Railway by the Railway Police or Railway Protection Force;

- (b) if so, their number;
- (c) the grounds of their arrest; and
- (d) number of them convicted and for how long?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes.

(b) 275

(c) For various offences like thefts, mischief, criminal breach of trust etc. and offences under Railway Property (Unlawful Possession) Act, 1966 and Bombay Police Act;

(d) 8 persons have so far been convicted with fines ranging from Rs. 5/- to 20/-.

पूर्व रेलवे के तकनीकी पर्यवेक्षकों को रात्रि भत्ता

3985. श्री रामावतार शास्त्री : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि रेलवे में तकनीकी पर्यवेक्षणों को रात्रि भत्ता दिया जाता है;

(ख) क्या यह भी सच है कि इम नियम के बावजूद भी पूर्व रेलवे के तकनीकी पर्यवेक्षकों को कोई रात्रि भत्ता नहीं दिया गया है;

(ग) यदि हाँ, तो इसके बया कारण हैं; और

(घ) बया सरकार का विचार उनको भत्ता देने का है?

रेलवे मंत्री (श्री चै. मू. पूनाचा) : (क) जो हाँ, बताते हैं अधिकृत बेतन मान में प्रति मास 470 रुपये तक पा रहे हों और काम के घटों से संबंधित विनियमों के अन्तर्गत 'निरन्तर' अवधा 'बहाल' के रूप में बर्गीकृत हों, और जो रात के 10 बजे और सुबह

6 बजे के बीच ड्यूटी करते हों। कारखानों में केवल चार्जमैन और मिस्ट्री रात में काम करने का भत्ता पाने के पात्र हैं।

(ख) से (घ) सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी।

Sanctioned Strength of S. Ms. and A. S. Ms. on Eastern Railway

3986. SHRI RAMAVTAR SHASTRI : Will the Minister of RAILWAYS be pleased to state :

(a) the present sanctioned strength of Station Masters and Assistant Station Masters (grade-wise) on the Eastern Railway;

(b) the actual number of posts of S. Ms and A. S. Ms (grade-wise) existing at present; and

(c) what should be the actual number of distribution of posts for S. Ms. and A. S. Ms. (grade-wise) according to the Railway Board's letter No. PC 60/PS-5-TC-3, dated the 9th April, 1964 ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA):

(a)

Scale	S. Ms.	A. S. Ms.
450-575	3	—
370-475	5	—
335-425	18	—
250-380	31	69
205-280	426	574
130-240	—	1901
	483	2544

(b)

450-575	3	—
370-475	5	—
335-425	17	—
250-380	31	69
205-280	426	574
130-240	—	1901
	482	2544

(c)

Scole	S. Ms.	A. S. Ms.
450-575		—
370-475	57	—
335-425		—
250-380		50
205-280	426	585
130-240	—	1909
	483	2544

commencing from 1-1-1969 was signed in Warsaw on 31st October, 1968. The lists of goods to be exchanged have been considerably enlarged with the object of diversifying the trade between the two countries. A long term understanding has also been reached under which Poland would supply to India increasing quantities of Sulphur and Urea. Poland has also agreed to a substantial increase in the oftake of Indian Engineering Goods.

Minerals in Jhansi and Mirzapur Districts

3987. SHRI VISHWA NATH PANDEY: Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether it is a fact that the southern parts of Jhansi and Mirzapur Districts which were generally considered as a barren tract for mineral deposits have emerged as extremely important regions in the State for finding iron ore, copper, lead, zinc, cobalt and nickel; and

(b) if so, reaction of Government?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) No, Sir.

(b) The Geological Survey of India has, however, drawn up and is pursuing programmes for intensified surface and sub-surface exploration mainly for non-ferrous metals in the area.

Trade Agreement with Poland

3988. SHRI VISHWA NATH PANDEY: Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that a long term trade and payments agreement between India and Poland was signed in Warsaw on the 31st October, 1968; and

(b) if so, the broad features of the agreement?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

(b) A Five Year Trade and Payments Agreement between India and Poland

Copper and Lead Deposits in U. P.

3989. SHRI VISHWA NATH PANDEY: Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether it is a fact that copper and lead were found in three border districts of Almora, Pithoragarh and Chamoli of Uttar Pradesh; and

(b) if so, reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) and (b). The information is being collected and will be laid on the Table of the House, when available.

Recovery of a dead body in Delhi Kalka Mail

3990. SHRI VISHWA NATH PANDEY: Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the dismembered body of a young woman was recovered from a steel box when the Down Delhi-Kalka Mail arrived at Howrah on the 27th October, 1968;

(b) if so, details thereof; and

(c) what steps Government are considering to take regarding such accidents?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes.

(b) On 27th October 1968, after the arrival of 2 Down Kalka-Delhi-Howrah Mail at platform No. 9 of Howrah Railway

Station, when the passengers got down and left the platform, a constable of the Government Railway Police noticed a trunk and a holdall lying on the platform in front of a Second Class coach. The constable took them to the platform Inspector's Office as unclaimed property. As the foul smell emitted due to the movement of luggage, the Officer Commanding of the Government Railway Police, Howrah, was called and on opening the luggage a dismembered dead body in pieces was detected. Four pieces were found in the trunk and one piece within the holdall. The identity of the deceased person has not yet been established. However, all clues are being pursued by the police to establish the identity. No arrests have so far been made.

(c) Under the Constitution, maintenance of law and order within the railway premises and the safety and security of life and property of passengers is the responsibility of State Governments and the State Government Railway Police. The Government Railway Police take preventive steps to deal with these crimes and escort important long distance trains. They have further alerted their staff to keep a look out on the unclaimed luggage.

Railway Bridge on Basin

3991. SHRI R. K. AMIN : Will the Minister of RAILWAYS be pleased to state :

- (a) whether it is a fact that a bridge on Basin between Palghar and Bombay shows weaknesses due to jerks of trains;
- (b) whether the Railway authorities have been warned of its possible breakdown; and
- (c) if so, the details thereof and steps proposed to be taken in the matter ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) to (c). Presumably, the Honourable Member is referring to the bridge over the Basin creek between Palghar and Bombay. If so, while the bridge does not show any weakness due to jerks of trains, some fender piles and bearings require renewals, which is being attended to.

Demand for Wagons in Gujarat State

3992. SHRI R. K. AMIN : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that there has been persistent demand for wagons by salt manufacturers from Gujarat State :

(b) whether the salt-industry has suffered a good deal due to difficulty of transportation ; and

(c) if so, action Government propose to take to mitigate this difficulty ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes

(b) and (c). Not known as there had been no appreciable difficulty in transportation. Salt for human consumption, programmed by the Salt Commissioner and approved by the Railway Board, is moved in priority class 'C' upto the quotas indicated in the Zonal Scheme by the Salt Commissioner. Salt not so programmed, is cleared in priority class 'E' along with other general goods traffic according to date of registration. Salt required as raw material for various industries is, however, moved in priority class 'D'. Efforts are made to ensure the availability of maximum number of wagons for movement of both programmed and non-programmed salt. During the period from 1st May to 20th November, 1968, 6028 B. G. and 14007 M. G. wagons of programmed salt and 3281 B. G. and 15887 M. G. wagons of non-programmed salt were loaded from the salt producing centres in Gujarat State situated on the Western Railway, as compared to 5736 B. G. and 11928 M. G. wagons of programmed and 2853 B. G. and 14520 M. G. wagons of non-programmed salt loaded during the corresponding period of last year. Movement of salt to Assam and North Bengal had to be temporarily suspended due to breaches on the North-East Frontier Railway in October and November, 1968.

Boycotting of Indian Sarees in Ceylon

3993. SHRI R. K. AMIN :
SHRI HUKAM CHAND KACHWAI :

Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that Indian Sarees have been boycotted in Ceylon; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). Import of Sarees into Ceylon from all sources, including India, is banned since July, 1967. As no discrimination against India is involved, the question of taking any action by the Government does not arise.

Small-Scale Industries Commission

3994. SHRI D N. PATODIA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the K. D. Malaviya Committee has suggested comprehensive change in the personnel set-up of the Small-Scale Industries Commission;

(b) whether Government have considered the recommendation contained in the Committee's Report; and

(c) if so, which of the recommendations have been accepted by Government?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir.

(b) and (c). The recommendations of the 'Malaviya Committee' are under examination and a decision thereon has not yet been taken.

Circular regarding Foreign Technicians

3995. SHRI ABDUL GHANI DAR: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Central Government have issued any circular that all foreign technicians should be released;

(b) if so, the nature thereof and the reasons for issuing such a circular;

(c) whether Government are aware that Indian technicians who have had the training from abroad are competent in theory but with independent experience have spoiled the production, degree and the quality and due to their inexperience many industrialists suffered intolerable losses; and

(d) if so, whether Government propose to postpone the implementation of this circular for such period as Indian technicians gain practical experience under foreign technicians?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A AHMED): (a) No, Sir.

(b) Does not arise.

(c) No such instances have come to Government's notice.

(d) Does not arise.

National Productivity Council

3996. SHRI BABURAO PATEL: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the annual expenditure for running the National Productivity Council with the names of ten top officers and their monthly salaries and emoluments:

(b) whether the National Productivity Council conducted a consultancy assignment in the Medical Stores, Bombay (Ministry of Health) in May, 1967; if so, their findings;

(c) whether similar assignments have been conducted in other States; and

(d) the reasons why the report is still not submitted and when it is likely to be submitted?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A AHMED): (a) to (d). Information is furnished in the Statement laid on the Table of the House. [Placed in Library See No. LT-2630/68]

Transfer of Parcel Clerks

3997. SHRI BENI SHANKER SHARMA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that transfer orders of some parcel clerks working at Delhi Main, New Delhi and other Stations of Delhi Division of the Northern Railway were issued in the years 1967 and 1968;

(b) if so, whether all these transfers have been carried out ; and

(c) if not, reasons therefor in each case ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes.

(b) No.

(c) 11 out of about 125 employees have not carried out transfers as they could not be spared due to shortage of staff in the category. This matter is receiving the attention of the Northern Railway Administration.

Broad-Gauge Line from Manduadilh to Stations Near Barabanki

3998. SHRI BISWANATH ROY : Will the Minister of RAILWAYS be pleased to state :

(a) whether any scheme is under consideration of Government regarding extension of broad gauge railway line from Manduadilh near Varanasi up to any Railway Station near Barabanki Via Bhatni, Deoria Gorakhpur and Gonda in the Fourth Five Year plan; and

(b) if so, when the construction work is expected to start ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) and (b). Preliminary Engineering-cum -Traffic Surveys have been sanctioned to determine the justification for the conversion of the metre gauge line from Varanasi (Manduadilh) to Gorakhpur Via Bhatni, and from Gorakhpur to Gonda, with an additional broad gauge line between Gonda and

Barabanki. A decision on the conversion of these meter gauge lines to broad gauge, or their retention as metre gauge, will be taken after the above mentioned surveys are completed and the reports thereon examined by the Railway Board.

Exports to Ceylon

3999. SHRI ABDUL GHANI DAR : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that as per notification issued by Government, incentives will not be given to the exporters who export their goods to Ceylon;

(b) whether it is also a fact that though some exporters exported their goods through High Commissioner of Ceylon in India and their goods were cleared by the Excise and Custom Authorities before the 3rd June, 1966 prior to the date of notification dated the 6th June, 1968, yet some of them were permitted incentives and while others were refused; and

(c) If so, the reasons for discrimination in this respect ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAJI QURESHI) : (a) Normally export assistance in the form of cash assistance is allowed irrespective of the destination of exports. However, under credit arrangements extended by the Government of India to other Governments, it has been decided to restrict the grant of cash assistance on exports to a maximum of 15% of f. o. b. value. In case the product is eligible for a lower percentage, the same will apply. Other facilities remain unaffected.

(b) and (c). Exports are not made through High Commissions or Embassies, and the information sought in the Question is not clear. Presuming that the expression "6th June 1968" is a mistake for "6th June 1966", the Question seems to be why benefits permissible under the Export promotion Scheme in force prior to the devaluation of the Rupee on the 6th June 1966 were not extended to certain consign-

ments passed for export by the Indian customs authorities before the 6th June, 1968. If so, the answer is that for the purpose of extending the benefits under the Export promotion Scheme the Bill of Lading date has been taken to be the date of export.

दिल्ली-पलवल शटल गाड़ी

4000. श्री भोलानाथ मास्टर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली-पलवल शटल गाड़ी से प्रति दिन लगभग 7000 पास वाले व्यक्ति यात्रा करते हैं जिसके परिणाम-स्वरूप भीड़ बहुत अधिक हो जाती है और जीवन की असुरक्षा बनी रहती है;

(ल) क्या यह सच है कि इस शटल गाड़ी के उत्तर रेलवे तथा मध्य रेलवे के क्षेत्र से गुजरने के कारण गाड़ी के समय में सुधार करने तथा डिब्बों की संख्या में वृद्धि करने में विलम्ब हो रहा है; और

(ग) इस मामले में सरकार का क्या कार्य बाही करने का त्रिभार है?

रेलवे मंत्री (श्री चै० मु० पुनाचा) :

(क) जी नहीं।

(ल) जी नहीं।

(ग) सबाल नहीं उठता।

उत्तर रेलवे में अनुसूचित जातियों के उपक्रियों की यातायात प्रशिक्षणार्थियों के पद पर नियुक्ति

4001. श्री अर्जुन सिंह भद्रोहिया : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर रेलवे के यातायात प्रशिक्षणार्थियों के वैकल्पिक पदों पर अनुसूचित जातियों के उपक्रियों की नियुक्ति के बारे में उहें 28 अगस्त, 1968 से कोई पत्र-अस्यावेदन प्राप्त हुआ है;

(ल) यदि हाँ, तो उस पर क्या निर्णय किया गया है; और

(ग) तृतीय श्रेणी के निम्नतम वर्ग के वैकल्पिक पदों पर ऐसे प्रशिक्षित उम्मीदवारों की नियुक्ति में क्या कठिनाई है?

रेलवे मंत्री (श्री चै० मु० पुनाचा) :

(क) जी हाँ, एक भूतपूर्व ट्रैफिक अप्रैटिस के बारे में।

(ल) सम्बन्धित व्यक्ति को 110-180 रुपये के बेतनमान में बलकं के पद पर नियुक्ति का प्रस्ताव भेजा जा चुका है।

(ग) यदि कोई उम्मीदवार किसी ऐसे पद के लिए निर्वाचित प्रशिक्षण को सफलतापूर्वक पूरा करने में असमर्थ हो जिसके लिए उसकी भर्ती की गयी थी, तो उसे वैकल्पिक नियुक्ति की कोई गारंटी नहीं दी जाती। इसके अलावा किसी दूसरी कोटि के पदों के लिए ऐसे उम्मीदवार की उपयुक्तता का प्रश्न भी उठता है। यदि वह वैकल्पिक पद पर लगाया जाता है, तो उस पद के योग्य बनाने के लिए उसे फिर कुछ और प्रशिक्षण देना होगा। ऐसे उम्मीदवार उपलब्ध हो सकते हैं जो उस कोटि के लिए विविध चुने गये हैं और जिन्होंने उसके लिए अर्हता प्राप्त कर ली है। यदि नियुक्ति के लिए ऐसे उम्मीदवारों के अधिम दावे को नजरअन्दाज करके किसी ऐसे उम्मीदवार को नियुक्त किया जाये जो रेलवे के एक अन्य पद के लिए अयोग्य सिद्ध हो चुका है, तो उनकी शिकायत उचित होगी। इसके अलावा ऐसे असकल उम्मीदवार को नियुक्त करने के लिए कोई पद भी उपलब्ध होना चाहिए। इन दिनों यह बात अधिक महत्वपूर्ण हो गयी है क्योंकि सभी उपलब्ध साली जगहों के लिए सीधे भर्ती करने की अपेक्षा फालतू कर्मचारियों को उच्चतम अप्रता देनी पड़ती है।

प्रशिक्षण स्कूल, मुजफ्फरपुर में यातायात प्रशिक्षणार्थियों को भोजन विवा जाना

4002. श्री अर्जुन सिंह भद्रैरिचा : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पूर्वोत्तर रेलवे के अधिकारियों ने अक्टूबर, 1961 से दिसंबर, 1965 तक प्रशिक्षण स्कूल मुजफ्फरपुर के यातायात प्रशिक्षणार्थियों को अवैध रूप से मुफ्त भोजन देकर 22,397.77 रुपये का दुरुपयोग किया था;

(ख) इस दुरुपयोग के लिये जिम्मेवार अधिकारियों के नाम और पद क्या हैं;

(ग) इस दुरुपयोग के लिये जिम्मेवार अधिकारियों को क्या दण्ड दिया गया है; और

(घ) इस हानि की पूर्ति किस प्रकार की गई है?

रेलवे मंत्री (श्री लै० म० पुनाचा) :

(क) इस मालमें पर अभी विवार किया जा रहा है। आशा है शोध ही इसका फैसला हो जायगा।

(ख) से (घ). फिलहाल सवाल नहीं उठता।

Rail Link between Talcher and Rourkela

4003. SHRI K. P. SINGH DEO : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the Paradeep Port Trust have requested Government for the construction of rail link between Talcher and Rourkela and to give priority to the proposed project in the Fourth Plan; and

(b) if so; reaction of Government in regard to the proposal?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes.

(b) It has been decided to carry out necessary surveys during 1969-70 for assessing the cost and economic viability of Talcher-Bimlagarh Rail Link.

Decline in Mica Production

4004. SHRI K. P. SINGH DEO : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether it is a fact that during the past few years there has been sharp decline in mica production which is one of the major foreign exchange earners;

(b) if so, the comparative decline in mica production during the last three years;

(c) the reasons therefor;

(d) the loss in foreign exchange suffered as a result thereof; and

(e) the steps taken by Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) Yes, Sir.

(b) The figures of production during the last three years are given below :—

Year	Quantity (tonnes)	Value Rs. In '000'
1965	37,531	110,391
1966	30,467	128,349
1967	21,172	148,358
1968	16,223	94,018
(Jan. August)		

(c) Various reasons given by most of the mine-owners for fall in production are reported to be low concentration of mica in pegmatite, uneconomic workings, shortage of labour and difficulties regarding mining machinery and spares etc.

(d) It is not possible to correlate the decline in production in a year with the export value in the same year or in the next year. The export value in terms of rupees has gone up during the last three

years as would appear from the figures given below :—

Year	Total value of Exports in Rs. '000'
1965	110,091
1966	128,349
1967	148,958
1968	94,018

(Jan. August)

(e) Mica being mainly an export-oriented commodity, the production follows the export demand and international market conditions. The Mica Export Promotion Council which looks after the export trade of mica, has suggested reduction in the export duty. The matter is at present under consideration of the Government.

Production of Automobile Tyres

4005. SHRI K. P. SINGH DEO : Will the Minister of INDUSTRIAL DEVELOP-

MENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that Government have permitted certain producers to raise the production capacity of automobile tyres;

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

(c) the extent to which the increased production capacity of automobile tyres is likely to ease the shortage of tyres in the country ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes, Sir.

(b) Government have approved the establishment of additional capacity for the manufacture of automobile tyres and tubes to the extent of 14.5 lakhs nos as under :—

Name of the Unit	Capacity approved	Remarks
1. Dunlop India Ltd. (Ambattur Unit)	250,000 nos.	Expansion
2. Madras Rubber Factory Ltd.	250,000 nos.	Expansion
3. Ceat Tyres of India Ltd.	250,000 nos.	Expansion
4. Incheck Tyres Ltd.	300,000 nos.	Expansion
5. Modi Industries Ltd.	400,000 nos.	New Unit

(c) The country is almost self-sufficient in regard to the requirements of automobile tyres and tubes except to a small extent in respect of certain categories of tyres for tractors, scooters motor cycles and trucks. The additional capacity which has now been approved is likely to materialise in about two years, time and it will take care not only of the categories of tyres in respect of which there may be a shortage presently but also the enhanced requirements on account of the stepping up of vehicle manufacturing programme, etc. for about three years from the commencement of production. The existing capacity and the capacity that is likely to be established through balancing equipment can meet the requirement of tyres during the next two years.

Export of Manganese Ore

4006. SHRI K. P. SINGH DEO : SHRI RAMAVATAR SHASTRI : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that the export of manganese ore has suffered considerable set-back during the last few years and that the country has lost many foreign markets;

(b) whether it is also a fact that about 300 mines in the country are on the verge of closure as a result thereof;

(c) if so, the comparative decline in the export of manganese ore during the last three years;

- (d) the reasons therefor; and
 (e) the steps taken by Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) and (c). Exports of manganese ore from India during the last six years are indicated below :—

Year	Quantity '000' Tonnes
1962	908
1963	932
1964	1569
1965	1369
1966	1168
1967	1083
1968	1010
(January to Oct.)	

It is a fact that exports during the last 2 years have declined compared with those of previous years.

(b) Government have no exact information on the number of manganese mines which are on the verge of closing as a result of drop in exports.

(d) The emergence of new sources of supply close to consuming centres, development of captive mines, lesser dependence on manganese ore in steel production due to technological advances and higher ocean freight on exports from India are some of the major factors affecting exports of Indian manganese ore.

(e) The Minerals and Metals Trading Corporation is keeping a close touch with the principal consumers through its selling agents. It has also been sending delegations abroad to negotiate export orders. It has taken advantage of the services of Indian Embassies and Trade Missions abroad to maximise the export of manganese ore.

States Power Loom Scheme

4007. SHRI K. P. SINGH DEO : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that some state Governments have urged the Central Government to reshift the States Power Loom Schemes as a centrally sponsored scheme as they find it difficult to allot 25 per cent of their revenues to the scheme;

(b) if so, the names of these State Governments;

(c) the number of power looms which these State Governments were required to install under the scheme;

(d) the extent to which they were required to finance the scheme;

(e) the number of power looms, if any, installed by them; and

(f) the reaction of Government in regard to (a) above.

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

(b) The Government of Maharashtra.

(c) and (d). Maharashtra State has been allotted 7,300 powerlooms. The State Government have been given freedom to distribute the powerlooms between the co-operative and the private sectors, in accordance with the local conditions. Only powerlooms allocated to the co-operative sector are entitled to assistance from the Central Government and State Governments in the ratio of 75 : 25.

(e) Nil in Maharashtra.

(f) The Government have not accepted the request for treating the scheme of Installation of powerlooms as a centrally sponsored scheme.

Change of Lien of Railway Staff

4008. SHRI D. C. SHARMA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the change of lien of staff from one clerical unit to another is not within the rules as the seniority of each unit is Branch-wise;

(b) whether there are still some cases where the change of lien with special

reference to Telephone Operators on the Northern Railway has been allowed;

(c) if so, the reasons for allowing such inter-change of lien; and

(d) steps taken to safeguard the promotion chances of the persons already working in their unit?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Such a change of lien is not normally made.

(b) to (d). Information is being collected and will be laid on the Table of the Sabha.

Removal of the Truck Adda from the Graveyard near Malka Ganj Delhi

4009. SHRI ARJUN SINGH BHADORIA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 6135 on the 27th August, 1968 and state :

(a) whether the Truck-adda has been removed from the graveyard near Malka Ganj, Delhi; and

(b) if not, the reasons therefor and the action taken against the persons who are avoiding the orders of the Waqf Board?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) No, Sir.

(b) The term of lease agreement with the Truck Union has expired in August, 1968. The Secretary, Anjuman-i-Raiyan had been instructed not to renew the lease agreement with the Truck Union and also to get the truck adda removed. On failure of the Anjuman-i-Raiyan to comply thus far with the instructions issued by the Delhi Wakf Board, action has been instituted by the Board under section 43 (1) of the Wakf Act and a show-cause notice has been served as to why action for removal should not be taken against the Mutawali under the said section. Action has also been instituted under section 36B of the Wakf Act, 1934,

by sending a requisition to the Collector of Delhi to take possession of the wakf land from the present occupant being an unauthorised one and to deliver it to the Delhi Wakf Board.

पूर्वोत्तर रेलवे स्टाफ नसों के लिये विस्तरों का आरक्षण

4010. श्री मोलू प्रसाद : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पूर्वोत्तर रेलवे गोरखपुर के चिकित्सा विभाग में स्टाफ नसों के लिये विस्तरों के आरक्षण की व्यवस्था नहीं है;

(ख) क्या यह भी सच है कि बाहरी रोगियों से धन प्राप्त करके उन्हें विस्तर दे दिये जाते हैं और नसों के बीमार होने पर भी विस्तर नहीं मिलते हैं; और

(ग) यदि हां, तो इसके क्या कारण हैं?

रेलवे मंत्री (श्री लेंड मूरु पुनाचा) : (क) जी हां। किसी विभाग के किसी भी विशिष्ट वर्ग के कर्मचारियों के लिए, जिसमें रेलवे के चिकित्सा विभाग की स्टाफ नसें भी शामिल हैं, खाटे आरक्षित नहीं की जाती हैं।

(ख) जी नहीं।

(ग) सवाल नहीं उठता।

Accumulation of Zinc Sheets at Hindustan Zinc Limited

4011. SHRI INDRAJIT GUPTA : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether there is large accumulation of zinc sheets at the Hindustan Zinc Ltd., Udaipur on account of liberal import of zinc by actual users;

(b) if so, the steps taken to clear the accumulated stocks at the factory;

(c) whether it is a fact that the cost of the zinc sheet produced at Hindustan Zinc Limited is higher than the cost of the imported sheets; and

(d) if so, the reasons therefor and the steps taken to bring down the cost?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) There was some accumulation of zinc metal with Hindustan Zinc Limited, on account of the large arrivals of zinc metal against import licences issued under the liberalised import policy. The lack of off take of the indigenous electrolytic zinc was also due to the reluctance of the steel plants to utilise this zinc in their galvanising unites as they seem to have felt that the percentage of trace metals like Lead did not come up to the specifications they had been accustomed to.

(b) Government reviewed the position regarding accumulation of stocks of zinc metal with indigenous producers and various steps have been taken to improve the situation. The zinc metal produced by indigenous producers have been reallocated to the different consumers in the country whereby the accumulated stock is being progressively reduced. Simultaneously Government have also restricted the import of zinc metal by placing it under the category "ACTUAL USERS RESTRICTED" for purposes of import.

(c) As the Zinc Smelter of the Hindustan Zinc Limited is still in the initial stage of production, reliable estimates of cost of production of zinc metal are not available at this stage. However, the cost of zinc metal supplied by the Hindustan Zinc Limited to the consumers is higher than the cost of imported metal.

(d) One of the reasons for the higher cost of the zinc metal produced by the Company is the comparatively higher rate of electric power supplied to the zinc smelter by the Rajasthan State Electricity Board. The question of securing a reduction in the power rate has been taken up with the State Government. The company is also exploring further possibilities of reducing the other elements of cost of production.

Talks on Trade with Ghana

4012. SHRI N. K. SANGHI : SHRI RAMACHANDRA VEERAPPA :

Will the Minister of COMMERCE be pleased to state:

(a) whether Ghana's Minister of Trade recently visited New Delhi;

(b) if so, the specific areas of trade and industry in which Indian entrepreneur's assistance was sought and the outcome of these talks; and

(c) the existing balance of trade with Ghana and how far our exports to and imports from that country are likely to increase as a result of those talks?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir. Mr. Francisco Ribeiro Ayeh, Ghana's Commissioner of Trade (rank equal to a Minister) visited India from the 12th to the 25th November, 1968.

(b) and (c). The balance of trade during 1967-68 between India and Ghana was as under:—

Imports from Ghana	Rs. 5. 65 lakhs
Exports to Ghana	Rs. 8. 99 lakhs
Balance	Rs. 3. 34 lakhs

Mr. Ayeh was primarily interested in an increase in the trade between the two countries. While no quantitative estimates were possible at this stage, the discussions indicated that there was considerable scope for increasing and diversifying the flow of trade between India and Ghana. India's capacity to supply quality goods in the engineering and chemical fields was specially noted. These preliminary discussions are proposed to be followed up through diplomatic or other channels.

Problems of Machine Tool Industry

4013. SHRI N. K. SANGHI : SHRI R. BARUA :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that an Industrial Mission sponsored by the world Bank had a detailed discussion with Members of the Engineering Association of India on the problem of the machine tool industry which is suffering from serious under-utilisation of capacity; and

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

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and (b). The Engineering Association of India has reported that members of an Industrial Mission sponsored by the world Bank had meeting with some members of the Association on the 7th November 1968 and discussed the recent trends in the Machine Tool Industry. The purpose of the Mission's visit was to gather statistical and other information on factors affecting recent trends in industrial output, investment and trade as part of the Bank's normal economic studies.

Agreement between India and Russia to set up Aluminium Project at Korba

4014. **SHRI N. K. SANGHI :**
SHRI SITA RAM KESRI :
SHRI D. C. SHARMA :

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

(a) whether it is a fact that an agreement has been signed between Bharat Aluminium Company and the Soviet Agency Tjazhpromexport, Moscow for preparing a project report in respect of the Aluminium project at Korba Madhya Pradesh;

(b) if so, the details thereof; and
(c) the estimated cost of the scheme ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) Yes, Sir.

(b) Brief details of the Agreement are as under :—

(i) The Soviet Agency will prepare only a portion of the Detailed Project Report relating to the main produc-

tion units of the Project, namely the Smelter and Fabrication Facilities. The Project Report in regard to all ancillary and subsidiary facilities, as also the Project Report as a whole, will be prepared by an Indian agency;

(ii) M/s. Tjazhpromexport have also agreed to associate Indian experts in the designing work which they will be carrying out in the design organisations in the Soviet Union;

(iii) The Soviet portion of the Detailed Project Report will be submitted to Indian party in 11 months from the date of signing of the Agreement;

(iv) Along with the preparation of the Detailed Project Report, the Soviet Union has also agreed to transfer know-how and utilisation rights of patents and licences that belong to them and which are required for the Project; and

(v) A fee of one million Roubles equal to about Rs. 83.3 lakhs will be paid to Messrs. Tjazhpromexport.

(c) A reliable estimate of the capital cost of the Smelter and Fabrication Plants will be available only after the Detailed Project Report is completed.

Destruction of Attendance Recording Machines at H. E. C. Ranchi

4015. **SHRI HIMATSINGKA :**

SHRI S. K. TAPURIAH :

SHRI P. C. ADICHAN :

SHRI RAM AVtar SHARMA :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that as many as 40 attendance recording machines at the Heavy Engineering Corporation have been deliberately destroyed so far;

(b) if so, in what circumstances these machines were destroyed; and

(c) whether enquiries have been made into the deliberate destruction of the imported machines and if so, with what results ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) No, Sir.

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

Heavy Engineering Corporation, Ranchi

4016. SHRI HIMATSINGKA :

SHRI S. K. TAPURIAH :

SHRI P. C. ADICHAN :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that while the Heavy Engineering Corporation, Ranchi requires the much needed experience to quickly gain efficiency, it is paradoxically avoiding fresh orders and if so, the reasons therefor;

(b) whether it is also a fact that the Heavy Engineering Corporation is not likely to be in a position to supply about 90,000 tons of machinery, equipment and structural required by the Bokaro Steel project by 1970-71, and whether it is a fact that the HEC authorities are deriving consolation from the fact that the Bokaro itself is likely to be behind schedule by a year; if so, what are the reasons therefor; and

(c) what is the total extent of orders for machines and equipments and structural pending execution with the HEC and how far these orders are sufficient to keep the HEC mills working and what steps are being taken to secure additional orders ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) It is not a fact that HEC is avoiding fresh orders. Quotations are being submitted keeping in view the manufacturing facilities available, the orders already in hand and the preparatory and manufacturing cycle required.

(b) and (c). It is not a fact that HEC is not in a position to supply about 90,000

tonnes of equipments and structural ordered by Bokaro Steel Plant. In fact, manufacture of most of the equipment is already in hand. As for the delivery schedule for supply of such equipment, many of which are extremely sophisticated, which are being manufactured in the country for the first time depends on a large number of factors, particularly the flow of design documentation, availability of steel plates and other raw materials and supply of imported components from the USSR. The HEC is making all efforts to supply various items to Bokaro as early as possible. The revised schedule of deliveries is being finalised in consultation with the Bokaro authorities. The total orders pending with Heavy Machine Building Plant as on 1-11-68 is for 91,470 tonnes of mechanical items and 34,456 tonnes of structural and 45 machine tools in the Heavy Machine Tool Plant. These orders will keep the Heavy Machine Building Plant occupied upto 1971-72. However, capacity will be available for certain items of manufacture, particularly on some of the sophisticated equipment in this plant. As far as the Heavy Machine Tool Plant is concerned, the capacity is being built up and the position will vary for each model of machine tool.

Heavy Engineering Corporation, Ranchi

4017. SHRI S. K. TAPURIAH :

SHRI HIMATSINGKA :

SHRI A. SREEDHARAN :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that the Heavy Engineering Corporation, Ranchi has by now missed at least three successive deadlines for the supply of machinery and equipment for the overall modernisation of a rolling mill in defence establishment; and

(b) if so, the main features of the machinery and equipment required to be supplied and the reasons for the delay ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and

(b). The job envisages revamping of an existing mill. This is a difficult and complicated job, involving modifications to the existing items of equipment, introduction of new ones such as hot bloom transfer, tooling beds, construction of scale pit at a new place, modification of motor houses etc. The original dates of completion for different phases of work had to be revised because of various production problems, particularly shortfalls in supply of castings and forgings, most of which had been ordered on private firms who could not adhere to their delivery schedules. The communal disturbances in Ranchi in 1967 also contributed to delay in execution of this, along with other orders. Work on this equipment is now proceeding apace and the first and second phases are both hoped to be completed together by March, 1970. Construction and erection work at site will be commenced very shortly.

Foundry Forge Plant of H. E. C. Ranchi

4018. SHRI S. K. TAPURIAH :
SHRI HIMATSINGKA :
SHRI P. C. ADICHAN :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that some of the items manufactured by the Foundry Forge Plant of the Heavy Engineering Corporation, particularly the equipment supplied for the expansion of the Bhilai Steel Plant, oil drilling rigs supplied to the oil and Natural Gas Commission and certain defence equipment, have been found defective;

(b) if so, what was the over-all extent of defective equipment and machinery produced and supplied so far by the Foundry Forge Plant; and

(c) what are the main reasons for the large amount of defectives produced at the Foundry Forge Plant and what steps are being taken to ensure that such defects are avoided in future ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) The Foundry Forge Plant produces castings and forgings mostly for the Heavy Machine

Building Plant which manufactures the final products for supply to various customers. In respect of supplies to Bhilai for the expansion unit, certain defects were noticed in some of the coolers and notches, which were replaced by the H. E. C. and with regard to welding, which was rectified on site. Certain complaints regarding welding on equipment supplied to the ONGC were also supplied. An item of equipment viz: 'Guide Bush' supplied to M/S Bharat Electronics was also found to be defective.

(b) and (c). Since supplies to customers are not made by FFP but by the HEC as a whole, a statement showing the rejections of the products of the Corporation during the last five years on ground of poor quality, is laid on the Table of the House. [Placed in Library. See No. LT-2631/68] These defects are on account of initial teething problems of the Company and it is expected that the Company will master the manufacturing techniques and overcome these initial difficulties in the very near future.

**Installation of Power Looms in
Uttar Pradesh.**

4019. SHRI LOBO PRABHU : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that Government propose to sanction installation of 10,000 power looms in U. P.;

(d) whether Government have considered the idle capacity of handlooms and powerlooms already in existence, and if not, whether a sample survey of the same is contemplated before the proposed powerlooms are sanctioned;

(c) whether Government are also aware that in the States of Madras and Kerala where powerlooms are not allowed, the export of power loom made cloth from the neighbouring States in disengaging handlooms with serious loss in their demand for yarn; and

(b) if so, the reasons for which Government are allowing the installation of power

looms, which have already been largely dispersed from the existing cotton mills in order to avoid income-tax and labour laws, and whether Government will make a sample survey about this?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAIFI QURESHI) : (a) Yes, Sir. 10,300 powerlooms have been allocated to Uttar Pradesh.

(b) Yes, Sir. As such, the question of sample survey does not arise.

(c) and (d). The Government of India set up a Power-loom Enquiry Committee under the Chairmanship of Shri Asoka Mehta in 1963, to enquire into the problems of the Powerloom Industry. The Committee, after taking into account all the relevant factors, came to the conclusion that in order to meet the requirements of cloth during the Fourth Plan Period, it was necessary to instal 1,10,000 powerlooms. This recommendation was accepted by the Government and powerlooms have been allocated to the different States. There are no restrictions on movement of cloth whether produced by mills or powerlooms or handlooms from one State to another.

High charges on Goods entering Calcutta Port

4020. SHRI B. N. SHASTRI : Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the Calcutta Port is considered uneconomical by the merchants due to high charges on items of entry; and

(b) if so, whether Government propose to consider some measures to reduce these charges and thereby promote export trade?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAIFI QURESHI) : (a) Commercial interests have been of the view that port charges at Calcutta are high. Port charges are generally fixed with reference to various considerations including port operational costs, requirements of export

promotion, etc. The financial position of the Calcutta Port including the level of port charges is under review by the Ministry of Transport and Shipping.

(b) The charges levied on goods exported from Calcutta Port are less than those levied on import cargo. This concession is being given with a view to promoting exports.

पूर्वोत्तर रेलवे में रेलवे स्टेशनों पर हिन्दी में नाम पट्ट

4021. श्री भीठालाल मीठा : क्या रेलवे मंत्री यह बताने की हुआ करेंगे कि:

(क) क्या यह सच है कि पूर्वोत्तर रेलवे में अनेक स्टेशनों पर हिन्दी में लिखे हुए नाम पट्टों को तारकोल से काला कर दिया गया है;

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

(ग) ये नाम पट्ट कब तक साफ करके पुनः लिखे जायेंगे?

रेलवे मंत्री (श्री डॉ मु. पुमारा) :

(क) जी नहीं।

(ल) और (ग). सवाल ही नहीं उठता।

Corporations for Purchase of Cotton and Jute

4022. SHRI BASUMATARI : Will the Minister of COMMERCE be pleased to refer to the reply given to Unstarred Question No. 511 on the 23rd July, 1968 and state:

(a) whether Government have since considered the question of setting up of corporations for the purchase of cotton and jute; and

(b) if so, the functions of the proposed corporations and location of their headquarters?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAJI QURESHI) : (a) and (b). Proposals to set up cotton and jute corporations are being examined but details have not yet been worked out.

Capital Investment in Public Sector Steel Plants

4023. **SHRI BASUMATARI :** Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 4469 on the 20th August, 1968 and state :

(a) whether the required information regarding capital investment in Public

Sector Steel Plants has since been collected; and

(b) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) and (b). The required information which has been sent separately to the Department of Parliamentary Affairs in implementation of the assurance is as under :

The following table indicates the total capital expenditure incurred upto 31-3-1968 on the establishment/expansion of steel plants in the public sector at Rourkela (Orissa), Bhilai (Madhya Pradesh), Durgapur (West Bengal), Bokaro (Bihar) and the Alloy Steels plant at Durgapur (West Bengal).

(Rupees in Million)

Plant	Total capital expenditure	Foreign exchange
1. Rourkela Steel Plant	3716.3	1812.8
2. Bhilai Steel Plant	3726.9	1613.1
3. Durgapur Steel Plant	2.58.2	1167.5
4. Bokaro Steel Plant	925.5	236.9
5. Alloy Steel Plant.	588.9	208.1

Foreign exchange requirements were mostly met from West German Credit in the case of Rourkela, USSR Credits in the case of Bhilai and Bokaro and U. K. Credit for Durgapur. In the case of Alloy Steel Plant, foreign exchange expenditure has been met mainly from Yen and Canadian Credits.

During the year 1967-68, the total production of Saleable Steel by the three steel plants in the public sector and the two plants in the private sector was of the order of 4.56 million tonnes.

During the year 1967-68, 17.65 lakh tonnes of Iron & Steel (including ferro-scrap) were exported and Rs. 645.8 million were earned in foreign exchange.

Long-term demand for iron and steel is presently under consideration in connection with the formulation of the Fourth Five Year Plan.

Production and Import of Steel

4024. **SHRI K. N. PANDEY :** Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply

given to Unstarred Question No. 3871 on the 13th August, 1968 and state :

(a) whether the required information regarding production and import of steel has since been collected;

(b) if so, the details thereof; and

(c) the total quantity and value of each variety of steel imported from abroad during the same period ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) and (b). A statement showing the total production of saleable steel by the Main Producers during 1960-61 to 1966-67 and value thereof is laid on the Table of the House. [Placed in Library See No. LT 2632/68].

(c) A statement showing the category and value of steel imported during the above period is also laid on the Table of the House. [Placed in Library See No. LT 2632/68].

Expansion of the Public Sector Alloy Steel Plant at Durgapur

4025. SHRI K. N. PANDEY: Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Starred Question No. 545 on the 20th August, 1968 and state:

(a) whether the question of expansion of the Public Sector Alloy Steel Plant at Durgapur from 100,000 tonnes capacity to 300,000 tonnes capacity has been considered by Government; and

(b) if so, the progress made in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) and (b). The steel development programme over the 4th Plan is now under formulation. A market survey on alloy steels demand has also been conducted by M/s. Dastur & Co., and the report submitted by them is under consideration. Further action to take up the expansion scheme will be taken in the light of the position that emerges from these studies.

Import of Foreign Films

4026. SHRI JUGAL MONDAL: Will the Minister of COMMERCE be pleased to state:

(a) the number and names of foreign films imported into India during 1967-68;

(b) the countries and the number of films from which these were imported;

(c) the amount remitted abroad by each importer from the collections made in India with their names;

(d) the amount retained in India by each importer and the manner in which money retained in India was used by the importers in regard to the import of films; and

(e) the terms and conditions on which Government remittances abroad are made and the total amount of annual remittances abroad by each importer of foreign films during the last five years ending the 31st March, 1968?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) This information is not available as the records are not maintained according to number and names of films imported.

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-2633/68].

(c) and (e). Bilateral trade agreements have been concluded with U. S. S. R. and the Motion Pictures Export Association of America. While no remittances are allowed to U. S. S. R. the member-companies of the Association all together are permitted to remit a total amount of Rs. 25 lakhs per annum. A statement showing the remittances made by the member-company of the Association during the period 1963-64 to 1967-68 is laid on the Table of the House. [Placed in Library. See No. LT-2633/68].

(d) A statement showing the amount retained in India by each importer is laid on the Table of the House. [Placed in Library. See No. LT-2633/68]. These are held in blocked accounts and cannot be remitted or be used for the import of Films.

सवाई माधोपुर और जयपुर के बीच अतिरिक्त रेलवाही

4027. श्री मोठालाल भीना : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार सभी ओर से निरन्तर मांग को ध्यान में रखते हुए सवाई माधोपुर और जयपुर के बीच एक अतिरिक्त यात्री गाड़ी चलाने का है;

(ल) यदि हाँ, तो यह गाड़ी कब तक चालू हो जायेगी;

(ग) यदि नहीं, तो इसके क्या कारण हैं; और

(घ) क्या यह सच है कि इन स्थानों के

बीन 24 घंटों में केवल दो रेलगाड़ियाँ ही बच्ची हैं ?

रेलवे मंत्री 'श्री डॉ. श० पुनाचा) :

(क) जी नहीं ।

(ख) सतान नहीं उठता ।

(ग) और (घ). सवाई माधोपुर-जयपुर लेण्ड पर इस समय कुल मिलाकर 4 गाड़ियाँ चल रही हैं । वर्तमान गाड़ियों के उपयोग के विश्लेषण में पता लगा है कि कि हाल यातायात की हाइट से इस लाह पर कई अतिरिक्त गडी चाले का औचित्य नहीं है ।

राजस्थान में बड़े पैमाने के उद्योग

4028. श्री भीठालाल भीना : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मरकार का विचार चौथी पंचवर्षीय योजना में राजस्थान में बड़े पैमाने के उद्योगों के विकास का कार्यक्रम शामिल करने का है; और

(ख) यदि हां, तो उसका व्यौरा क्या है ?

‘औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कलश्वरीन अली अहमद) :

(क) और (ख). चौथी पंचवर्षीय योजना अभी तैयार की जा रही है, राज्य मरकार का प्रस्ताव विचाराधीन है । कि भी जेतौं तांबा परियोजना तथा मशीन ट्रॉल प्लॉट, अजमेर नामक दो केन्द्रीय औद्योगिक परियोजनाएँ जो राजस्थान में अभी कार्यान्वित की जा रही हैं, उनके चौथी योजना काल में पूरी हो जाने की आशा है ।

Retired Employees of South Central Railway

4029. SHRI D. B. RAJU : Will the Minister of RAILWAYS be pleased to state :

(a) the number of cases of the retired employees of the South Central Railway

as on the 3rd October, 1968 which have been lying pending for more than three years, one year and six months respectively;

(b) the reasons for not deciding these cases so far;

(c) when these cases are likely to be decided; and

(d) the particulars of the cases with names in the Vijayawada Division ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) to (d). The information is being collected and will be laid on the table of the House.

लादी प्रामोदोग भवन, नई दिल्ली में भण्डारों की रखने की व्यवस्था

4030. श्री श्यांसुन्दरलाल : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि लादी प्रामोदोग भवन, नई दिल्ली से वस्तुओं की बड़ी संख्या में चोरी होती है;

(ख) क्या यह भी सच है कि भवन में भण्डारों की देवभाल की जिम्मेदारी किमी एक पर नहीं डाली गई है, और यदि नहीं, तो जिन कर्मचारियों को यह जिम्मेदारी सौंपी गई है उनका व्यौरा क्या है;

(ग) क्या यह भी सच है कि भण्डारों की गिनती अवधा वस्तुओं को भीटरों में लम्बाई के हिसाब से नहीं रखा जाता बल्कि उनका हिसाब रूपयों में रखा जाता है, जो कि उनकी बड़ी हड्डी लागत दिखाते हैं;

(घ) यदि हां, तो इसके क्या कारण हैं; और

(इ) 1967-68 में माल की पहलाल के समय कम अवधा अविक पाई गई वस्तुओं का मूल्य तथा व्यौरा क्या है और इसके क्या कारण हैं ?

बाणिज्य मंत्रालय में उप-मंत्री (श्री मुहम्मद शफी कुरेशी) : (क) से (क). जानकारी एकत्र की जा रही है और सभापत्त पर रख दी जायेगी।

साथी ग्रामोद्योग भवन, नई दिल्ली

4031. श्री श्रां सुमदरलाल : क्या बाणिज्य मंत्री 16 अप्रैल, 1968 के अताराकित प्रश्न संख्या 7247 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) रंगाई और छपाई के लिये ठेकेदारों को दिये गये ठेकों के मामले में खादी ग्रामोद्योग भवन, नई दिल्ली में को जा रही घूमलोरों के बारे में जांच करने के लिए मध्यवर्ती विभाग अथवा सरकार ने क्या कार्यवाही की है;

(ख) यदि नहीं, तो इस मामले में वाम्नविक स्थिति का पता लगाने के लिए सरकार द्वारा दिये गये आश्वासन को ध्यान में रखते हुए ऐसी कार्यवाही न करने के क्या कारण है; और

(ग) यह सुनिश्चित करने के लिए सरकार का क्या कार्यवाही करने का विचार है कि भट्टाचार्य व्यक्तियों के विशद समुचित कार्यवाही की जाय?

बाणिज्य मंत्रालय में उप-मंत्री (श्री मुहम्मद शफी कुरेशी) : (क) वास्तविक स्थिति का पता लगा लिया गया है। भवन द्वारा दिए गए रंगाई तथा छपाई के ठेकों में घूमलोरों के किसी मामले की आयोग को अभी तक कोई शिकायत प्राप्त नहीं हुई है।

(ख) और (ग). प्रश्न नहीं उठते।

Passenger Car Unit

4032. श्री R. K. SINHA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have under consideration proposals for the setting up of one more passenger car unit in the country;

(b) if so, whether the unit would be in the public sector; and

(c) the probable venue and estimated cost of the same?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS : (SHR. F. A. AHMED) : (a) and (b). The question of establishing manufacture of an economically priced small passenger car in the public sector is under the consideration of Government.

(c) These aspect will be considered after a decision has been taken regarding implementation of the project referred to above.

Sale of Cars to Government Departments by State Trading Corporation

4033. SHRI R. K. SINHA : Will the Minister of COMMERCE be pleased to state :

(a) the number of imported cars purchased by the various Ministries and Departments of the Central Government from the State Trading Corporation during the current year;

(b) the value thereof; and

(c) the approximate income they would have yielded to the State Trading Corporation if they were sold to the public through tenders?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) and (b). 8 Cars valued at approximately Rs. 3,15,545.

(c) It is difficult to estimate correctly what profit S. T. C. would have made on these cars if these had been sold by tenders. Judging by the prices similar cars have fetched in open auction, it is possible that if these cars had been sold through tenders, about 25% higher prices could have been realised.

Exploitation of Iron Ore at Bailadila

4034. SHRI R. K. SINHA: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) the quantities of iron ore proposed to be exploited annually from the Bailadila mines in Madhya Pradesh;

(b) the quantity of iron ore to be exported and the countries to which exports will be made; and

(c) the quantity to be consumed by the Steel Plants in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) Against the annual rated capacity of 4 million tonnes from Deposit No. 14 the export commitment to Japan during the current financial year during which the project has been commissioned is 1.8 million tonnes, and it is expected to be fulfilled. During the year 1969-70 and subsequent years, the output from the Bailadila Deposit No. 14 is expected to be 4 million tonnes per annum, the rated capacity.

(b) The entire output from the mine at Deposit No. 14 will be exported to Japan.

(c) Does not arise.

समवाय विधि प्रशासन कार्यालय

4035. श्री मोलहू प्रसाद : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि समवाय विधि प्रशासन कार्यालय में काम करने वाले अधिकारियों के नाम और पदनाम क्या हैं?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री फलरहीन अली झहमद): समवाय विधि प्रशासन कार्यालय जैसी पाँली का कोई कार्यालय नहीं है; परन्तु यदि इच्छित सूचना, कम्पनी कार्य विभाग में कार्यरत अधिकारियों के नामों तथा पदनामों के सम्बन्ध में पूछी गई है, तो उक्त विभाग के अधिकारियों

के बारे में यह सूचना मार्च, 1968 की नवीनतम दिल्ली टेलीफोन निर्देशिका के पृष्ठ 469 पर व टाइम्स ऑफ इन्डिया निर्देशिका के पृष्ठ 1007 पर तथा 1968 की वार्षिक पुस्तक व ऐसी अन्य निर्देश पुस्तकों में दी गई है।

कम्पनियों के विरुद्ध मुकदमे दायर किये जाना

4036. श्री मोलहू प्रसाद : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) उन समवायों के नाम क्या हैं जिनके बारे में समवाय विधि प्रशासन ने वर्ष 1960-67 और 1967-68 में आय कर अपवर्तन और अष्टावार के मामलों का पता लगाया था; और

(ख) उन समवायों के नाम क्या हैं जिनके विरुद्ध मुकदमे दायर किये गये थे और जिनके नाम काली सूची में दर्ज किये गये थे?

औद्योगिक विकास एवं समवाय-कार्य मंत्री (श्री फलरहीन अली झहमद) :

(क) कम्पनी कार्य विभाग को निहित की गई शक्तियों के अन्तर्गत, यह विभाग, आयकर अपवर्तन तथा अष्टावार के मामलों में जांच-पड़ताल अथवा फार्यावाही नहीं कर सकता। फिर भी, कम्पनी अधिनियम के अन्तर्गत की गई जांच पड़तालों के समय यदि कर अपवर्तन अथवा अष्टावार से संबंधित संशय स्पष्ट परिस्थितियां हटियो जाएं होती हैं, तो सम्बद्ध सूचना आगे कार्यवाही करने के लिये मध्यविधित विभाग को भेज दी जाती है। चूंकि कम्पनी कार्य विभाग ऐसे मामलों के बारे में पता नहीं लगाता, अतः इनमें भ्रष्ट कम्पनियों के नामों की सूचना देने का प्रयत्न ही उत्पन्न नहीं होता।

(ख) ऊपर (क) में दिये गये उत्तर को हटि में रखते हुये, कम्पनी कार्य विभाग द्वारा

मुकदमे दायर करने अथवा कृत्य सूची में नाम लिखने का प्रश्न ही उत्पन्न नहीं होता।

पूर्वोत्तर रेलवे भण्डार विभाग

4037 श्री मोलहु प्रसाद क्या रेलवे मंत्री यह बताने की कृपा बरेंगे कि :

(क) क्या यह सच है कि एक सहायक भण्डार-नियन्त्रक के अधीन पूर्वोत्तर रेलवे भण्डार विभाग का एक डिवीजन-कार्यालय सोला गया था; और

(ख) यदि है, तो उक्त कार्यालय क्वान्तांग गत था और इस कार्यालय के कर्तव्य तथा कृत्य क्या हैं?

रेलवे मंत्री (श्री चै. मु० पुनाचा) :

(क) जो नहीं।

(ख) सवाल नहीं उठता।

रेलवे मंत्रालय में कर्मचारी

4038 श्री मोलहु प्रसाद : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि उनके मंत्रालय, रेलवे बोर्ड, रेलवे सेवा आदेशों और प्रत्येक लेत्रीय रेलों में श्रेणी-वार उन कर्मचारियों के नाम और पद क्या हैं जिन्हें अक्टूबर 1968 तक गृह-कार्य मंत्रालय के कार्यालय जापन संस्था 9-45-60 एस्टाबिलिशमेंट दिनांक 20 अप्रैल, 1961 से साम पैदा हैं?

रेलवे मंत्री (श्री चै. मु० पुनाचा) : ये आदेश केवल रेलवे बोर्ड कार्यालय के कर्मचारियों पर लागू होते हैं जो अन्य सेवा-वालय कर्मचारियों के लिए शुह मंत्रालय द्वारा जारी किये गये आदेशों से भासित

होते हैं। रेलवे बोर्ड कार्यालय के जो कर्मचारी इस कार्यालय जापन से लाभान्वित हुए हैं, उनकी संख्या इस प्रकार है :—

तीसरे दर्जे के कर्मचारी—66

चौथे दर्जे के कर्मचारी—33

Export of Iron Ore from Paradeep Port

4039. SHRI G. C. NAIK :

SHRI D. AMAT :

SHRI MAHENDRA MAJHI :

Will the Minister of COMMERCE be pleased to state :

(a) the quantity of Iron ore exported through Paradeep Port during the years 1966, 1967 and 1968 and the sources of their supply;

(b) the quantity of iron ore supplied from each source;

(c) the targets of export of iron ore through Paradeep during the next three years;

(d) the export prices of iron ore for different grades meant for exports from this port;

(e) the quantities expected to be supplied from Barbil, Bhanspani and Barajamda Sectors;

(f) the cost of procurement of iron ore at the dock yard with break-up of cost from different sources; and

(g) whether the exports through Paradeep port are likely to be affected after opening of Haldia Port?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) and (b). The exports of iron ore from Paradeep Port during the last 3 years with sources of supply are indicated below :

Year	Actual Exports	Source of Supply		Qty. in lakh tonnes
		Bardil/Banaspani/ Barajamda Sector	Daiteri/Tonka	
1966 (Later part of the year).	0.24	...	0.24	
1967	5.96	4.27	1.69	
1968 (January-November)	9.5 (Approx.)	8.5	1.00	

(c) and (e). The anticipated export of iron ore from Paradeep during the next three years with sources of supply is as follows :

Qty. in Million Tonnes

Year	Target	Sources of Supply	
		Barajamda Sector	Daiteri
1969-70	2.0	1.3 to 1.5	0.5 to 0.7
1970-71	3.0	1.5	1.5
1971-72	3.5	1.5	1.5 to 2.00

(d) and (f). Considering the very competitive international market for iron ore, it would not be in public interest to disclose the commercial details covering the export price for different grades, their procurement prices and the break-up of cost of production.

(g) No, Sir.

Reserve of Iron Ore and Manganese Ore

4040. SHRI G. C. NAIK :

SHRI D. AMAT :

SHRI MAHENDRA MAJHI :

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

(a) whether Geological Survey of India, Indian Bureau of Mines and the Governments of Orissa and Bihar have surveyed the potentialities of iron ore and manganese ore in the districts of Keonjhar, Sundargarh and Singhbhum;

(b) the extent of iron ore and manganese ore reserves in each of these Districts;

(c) the quantity of iron ore and manganese ore extracted and despatched

for export and for consumption in different steel mills during the last three years from each of the above districts:

(d) the quantity of iron ore and manganese ore despatched from Barbil, Banspani and Barajamda sector of Keonjhar and Singhbhum districts of Bihar to Rourkela Steel Plant during the last three years;

(e) the transport cost by rail from these areas to Rourkela Steel Plant; and

(f) whether a Railway line from these sector to Barsuan or Rakshi (Bondamunda and Barsuan line) is feasible ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND META'S (SHRI RAM SEWAK) : (a) to (f). The information is being collected and will be laid on the Table of the House, when available.

Automatic Train Control Device on the Eastern Railway

4041. SHRI C. CHITTYBABU : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that an automatic train control device to prevent the possibility of accidents is going to be tried on the Eastern Railway;

(b) if so, the cost of the device;

(c) when it is going to be implemented; and

(d) where it is exactly going to be installed?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes.

(b) Rs. 55.7 lakhs.

(c) The work is expected to be commissioned progressively from October, 1970 to March, 1971.

(d) Automatic Train Control will be provided on.

(i) Howrah-Burdwan section via main line as well as Howrah-Burdwan Chord.

(ii) Burdwan-Gaya-Mughalsarai section via Grand Chord.

Kudremukh Iron Ore Project

4042. SHRI LOBO PRABHU : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) for how long the pilot project of the Kudremukh Iron Ore has been delayed after its sanction, the reasons for the same and how they are being removed;

(b) the reasons for not starting the construction of the road to Kudremukh, when this is necessary even for the pilot project;

(c) the reasons for not constructing this road through Karkal which has more feeder roads and is in greater width than Belthanangadi; and

(d) what is the programme for the iron ore project at present keeping in view the fact that the Harbour Project presumes supply of iron ore from Kudremukh by 1972 ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) Final approval of the Government to the undertaking by the National Mineral Development Corporation Ltd., of techno-economic feasibility and plant studies of the Kudremukh Iron Ore Deposits, was accorded on the 19th Oct., 1968, following which the Corporation held detailed discussions with the foreign partners from the 15th November to 25th November, 1968 and commenced the studies on the 1st December, 1968. There has been, therefore no delay in the commencement of the work.

(b) and (c). The National Mineral Development Corporation has already approached the State Government to improve the roads and construct necessary bridges urgently. The Corporation has also requested the State Government to include the Karkal-Mala Bhagvatli road alignment in the Fourth Five-Year Plan and to expedite surveys for the alignment.

(d) The first phase for the development of the Mangalore Harbour, scheduled for completion by 1972, does not take into account the availability of ore from Kudremukh. The present sanction for Kudremukh is confined to techno-economic feasibility studies and pilot plant testing programme, which is scheduled to be completed within 18 months from now. A decision on the main project for commercial exploitation of the Kudremukh deposits will be taken only after the feasibility studies have been completed by about the middle of 1970.

National Industrial Development Corporation

4043. SHRI VISHWA NATH MENON : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that a letter, dated the 28th August, 1968 written by one Member of Parliament was received by him regarding the irregularities in the National Industrial Development Corporation or the

Technological Consultancy Bureau of the Corporation; and

(b) if so, what were those irregularities and what action has so far been taken to look into the matter/irregularities?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes, Sir.

(b) The alleged irregularities related to :—

- (i) Increase in working hours;
- (ii) Grant of overtime allowance;
- (iii) Appointment of certain officers in the scale of 1600/2000;
- (iv) purchase of air-conditioners;
- (v) Non-registration of N. I. D. C. either under the Industrial Disputes Act or Shop and Establishment Act.

These are being looked into.

सस्ते स्कूटरों का निर्माण

4044 श्री शिवचरण लाल : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश में सस्ते स्कूटरों के निर्माण के लिए एक कारबाने को स्थापित करने का प्रस्ताव है;

(ख) यदि हाँ, तो यह कहाँ पर स्थापित होगा और कार्य कब तक आरम्भ करने का प्रस्ताव है और वहाँ पर कितने व्यक्तियों को रोजगार मिलेगा ?

श्री औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कलशद्वीन अली अहमद) : (क) और (ख). स्कूटरों के उत्पादन के लिए जिन तीन कारों की योजनाओं पर विचार किया जा रहा है उनमें से एक ने उत्तर प्रदेश में गान्धीनगर में एक कारबाना स्थापित करने के लिए आवेदन पत्र दिया है। विचाराधीन इन तीन

कारों में से किसी एक को साइंसेंस देने के बारे में नियंत्रण निकट भविष्य में किए जाने की आशा है। यदि अंततोगत्वा उस पार्टी को ही स्कूटरों के उत्पादन के लिए नया कारबाना स्थापित करने के हेतु साइंसेंस देने के लिए चुना जाता है, जिसने उत्तर प्रदेश में कारबाने की स्थापना के लिए आवेदन पत्र दिया है तो नया कारबाना साइंसेंस प्राप्त होने के बाद लगभग दो वर्षों में उत्पादन प्रारम्भ कर देगा। कर्म ने बताया है कि इस नये कारबाने में लगभग 750 व्यक्तियों को रोजगार मिल सकेगा।

राजस्थान में नई रेलवे लाइनें

4045. श्री मोठालाल मीना : क्या रेलवे मंत्री यह बताने वी कृपा करेंगे कि :

(क) क्या यह सच है कि राजस्थान सरकार ने राजस्थान में कुछ नई रेलवे लाइनें बिछाने की सिफारिश की है;

(ख) क्या यह भी सच है कि इन रेलवे लाइनों में गंगापुर शहर-धौलपुर बड़ी लाइन का निर्माण कार्य और सवाई माधोपुर-जयपुर लाइन को बड़ी लाइन में बदलने का काम भी शामिल होगा;

(ग) क्या उपरोक्त रेलवे लाइनों के बारे में कोई सर्वेक्षण किया गया है;

(घ) यदि हाँ, तो उसका व्योरा क्या है ;

(ङ) यदि नहीं, तो यह सर्वेक्षण कार्य कब तक किये जाने की सम्भावना है; और

(च) नई लाइनों का निर्माण कार्य किस तारीख से प्रारम्भ किया जायेगा ?

रेलवे मंत्री (श्री जे० मू० मुनारा) : (क) और (ख). यह हाँ।

(ग) से (ड). गंगापुर सिटी-धौलपुर बड़ी लाइन के निर्माण और सवाई माधोपुर-जयपुर मीटर लाइन को बड़ी लाइन में बदलने के लिए अभी हाल में कोई सर्वेक्षण नहीं किया गया है। लेकिन सवाई माधोपुर-जयपुर मीटर लाइन को बड़ी लाइन में बदलने के लिए भूतपूर्व जयपुर रियासत द्वारा 1905 में एक सर्वेक्षण किया गया था। इस सर्वेक्षण का परिणाम अब उपलब्ध नहीं है। 1949 में की गयी एक जांच से पता चला था कि इस आमान परिवर्तन पर 1-08 करोड़ रुपये खर्च होंगे।

(च) वर्तमान कठिन वित्तीय स्थिति के कारण इन प्रस्तावों पर विचार करने के लिए बेहतर समय की प्रतीक्षा करनी होगी।

Robbery in Gaya-Patna Passenger Train

4046. SHRI C.K. BHATTACHARYYA : Will the Minister of RAILWAYS be pleased to state :

(a) whether a gang of armed bandits had held up the Gaya-Patna passenger train between Punpun and Parsa Bazar stations of the Eastern Railway on the 18th November, 1968 and looted cash from a businessman of Patna;

(b) whether any arrest has been made; and

(c) steps taken to prevent such incidents in future ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes, but the incident took place on 17-11-68.

(b) Yes, three persons have so far been arrested by Government Railway Police, Patna.

(c) Maintenance of 'law and order' within railway premises as also safety and security of railway property and life and property of passengers is the responsibility of the State and State Government Railway Police. However, close co-operation is maintained with the Government Railway Police at all times for the control of crime and their attention is promptly drawn to any serious crimes that occurs and to any

increase in criminal activities in particular area or train for taking remedial measures and providing armed police escorts on night passenger trains. In this case Officer Commanding, Government Railway Police, Patna Junction have registered a crime number 18 u/s 395 IPC and investigation is proceeding.

Hindustan Machine Tools, Ltd.

4047. SHRI MAHANT DIGVIJAY NATH : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that Hindustan Machine Tools, Ltd. recorded the highest production of watches during August, 1968.

(b) if so, the total production of watches during that period and how the figure compares with the production of watches during the same period of last year;

(c) whether a date device has also been introduced by HMT and if so, the name and cost of the watch;

(d) whether Government are considering to export such watches and if so, the main features thereof; and

(e) the target fixed for the production of watches by HMT during the current financial year and the extent by which it shall meet the domestic demand ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F.A. AHMED) : (a) Yes.

(b) The total production of watches during August, 1968 was 26,000 numbers compared to 20,000 numbers produced in August, 1967.

(c) Yes. Two types of watches with date device have been introduced by H.M.T. The details are as follows :

<i>Name</i>	<i>Price (exclusive of taxes)</i>
(1) 'H.M.T.—Tareeq' (Golden plated case).	Rs. 140/-
(2) 'H.M.T.—Tareeq' (Stainless Steel Case).	Rs. 135/-

(d) Export of these watches will be considered after production has been further stepped up.

(e) 3,00,000 watches. This targetted production of 3,00,000 watches is expected to meet about 30% of the domestic demand.

Meeting of Economic Cooperation for Asia and Far East Countries

4048. SHRI MAHANT DIGVIIAJI NATH : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that a meeting at ministerial level of the Economic Cooperation for Asia and Far East countries will be held at Bangkok in the month of December, 1968;

(b) if so, the subjects to be discussed; and

(c) who is representing India in this meeting ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

(b) A copy of the revised provisional agenda for the Conference is laid on the Table of the House. [Placed in Library. See No. LT-2631/68].

(c) Shri Dinesh Singh, Commerce Minister, assisted by representatives of the Ministries concerned with important agenda items, will represent India at the Conference.

Cuttack-Paradeep Railway Link

4049. SHRI P. K. DEO :

SHRI G. C. NAIK :

SHRI A. DIPA :

SHRI K. P. SINGH DEO :

SHRI D. N. DEB :

SHRI D. AMAT :

SHRI MAHENDRA MAJHI :

Will the Minister of RAILWAYS be pleased to state :

(a) whether attention of Government has been invited to news-items in the

'Amrita Bazar Patrika' Cuttack Edition and the 'Hindusthan Standard' of 15th November, 1968 that there are some "interested and sinister moves" behind the delay in going ahead with the construction of the Cuttack-Paradeep rail-link; and

(b) if so, Government's reaction in this regard ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Government is aware of the news items referred to.

(b) There is no basis for the allegation contained in these press reports.

Collaboration Policy

4050. SHRI SITARAM KESRI : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have recently modified the guidelines for the collaboration policy, and

(b) if so, the main features thereof ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and (b). With a view to ensuring expeditious disposal of applications for foreign collaboration, Government has agreed to the delegation of powers to the Foreign Investment Board, its Sub-Committee and the administrative Ministries. To facilitate work, Government has drawn up illustration lists of industries (a) where foreign investment may be permitted with or without technical collaboration; (b) where foreign technical collaboration may be permitted but not foreign investment; and (c) where no foreign collaboration (financial or technical) is considered necessary. Government has also indicated the ranges of royalties to be ordinarily allowed for the know-how to be obtained under such collaboration for different categories of industries. A copy of the Press Note, dated the 26th November, 1968, issued by the Ministry of Industrial Development and Company Affairs, which gives the detailed information on the subject, is laid on the Table of the House. [Placed in Library. See No. LT-2635/68].

Import of Cotton from U. A. R.

4051. SHRI SITARAM KESRI : Will the Minister of COMMERCE be pleased to state :

(a) whether the importers of cotton from the United Arab Republic have demanded necessary safeguards in the terms and conditions governing the cotton trade with Egypt; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) The Indian Cotton Mills Federation and the East India Cotton Association have sought certain clarifications in regard to the payment clause in cotton contracts with the U. A. R. shippers.

(b) Necessary advice has been given to the Indian Cotton Mills Federation and East India Cotton Association.

Indo-Nepal Trade Talks

4052. SHRI SITARAM KESRI :

SHRI D. N. PATODIA :

SHRI GEORGE FERNANDES :

SHRI HEM BARUA :

SHRI R. R. SINGH DEO :

SHRI RAMACHANDRA

VEERAPPA :

SHRI C. CHITTYBABU :

Will the Minister of COMMERCE be pleased to state :

(a) whether the trade relations between India and Nepal were reviewed at the talks held recently between the representatives of the two Governments;

(b) if so, the outcome of the talks; and

(c) whether India has extended certain concessions to Nepal ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

(b) and (c). The outcome of the talks has been set out in the Joint Press Note, a

copy of which has already been placed on the Table of the House by Shri B. R. Bhagat, Minister of State in the Ministry of External Affairs.

Iron Ore discovered in Assam

4053. SHRI JAHANUDDIN AHMED :
SHRI HEM BARUA :

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

(a) whether it is a fact that a rich deposit of iron ore has been discovered recently in Chandodanga and Haleem, Goalpara District of Assam; and

(b) if so, the quantity of deposits discovered and the measures taken for utilisation of the same ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) and (b). The information is being collected and will be laid on the Table of the House, when available.

Manufacture of Protein food

4054. SHRI VIRENDRA KUMAR SHAH : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether Government's attention has been drawn to the article "Hazards of Protein Deficiency", published in the September, 1968 issue of 'Swasth Hind,' a Government of India publication;

(b) if so, the steps taken by Government to encourage the manufacture of protein food;

(c) the number of applications for licences received by Government in the last two years for the setting up of such factories and the names of the applicants;

(d) the action taken by Government in respect of those applications; and

(e) whether it is a fact that undue delay has taken place in the clearance of an application from Messrs. Protein and

Chemicals Ltd., and if so, the reasons for the same and the rectifying action taken to avoid such delays ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F.A. AHMED) : (a) and (b). Government are seized of the problem of malnutrition prevailing in the country and appropriate steps are being taken to encourage setting of protein rich food industries ;

(c) Fourteen applications were received. These were from :

(1) M/s. Tata Oil Mills Co. Ltd., Bombay.

(2) M/s. Kamani Oil Mills Co., Bombay.

(3) M/s. Punjab State Industrial Corporation Ltd., Chandigarh.

(4) M/s. Unichem Laboratories Ltd., Ghaziabad (U. P.)

(5) Shri R. G. Patel, Bombay.

(6) M/s. Polsons Ltd., Patna.
(for manufacture of high protein beverage)

(7) M/s. Polsons Ltd., Patna.
(for Soya Milk, etc.)

(8) M/s. Corn Products Co. Ltd., Bombay.

(9) M/s. Kusum Products Ltd., Distt. Hooghly (W. Bengal).

(10) M/s. Bharat Starch & Chemicals Ltd., Calcutta.

(11) M/s. Hanuman Vitamin Foods Private Ltd.

(12) M/s. Raptakos, Brett & Co. Ltd., Bombay.

(13) M/s. Reckitt Colman of India Ltd., Calcutta.

(14) M/s. Proteins & Chemicals Ltd., Bombay.

(d) Applicants at (1) to (3) have been granted letters of intent while the applicant

at (4) has been issued an Industrial Licence. In cases at (5) and (6), the firms have been advised to revise their applications which should be based on indigenous know-how. Applications from firms mentioned at (7) to (12) are under consideration. The applications at (13) & (14) have been rejected.

(e) No, Sir.

Car Industry

4055. SHRI R. BARUA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether Mr. James Roche, Chairman of the General Motors Corporation of U. S. A, who recently visited India and held discussions with the leading car manufacturers and also the Government, had made any suggestions about the car industry's future in the country ; and

(b) if so, the main features of the suggestions made and Government's reaction thereto ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and (b). Mr. James Roche, Chairman of the General Motors Corporation of U. S. A., visited India and inaugurated the new engine plant of Hindustan Motors Ltd., at Uttarpara on 11th November, 1968. He has not made any suggestions to Government about the car industry in India for their consideration.

Cable Factory at Hyderabad

4056. SHRI CHENGALRAYA NAIDU : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that cable factory at Hyderabad in the public sector has been sanctioned;

(b) if so, what will be its total cost;

(c) whether it is a fact that the construction work was stopped due to the objection of the Finance Ministry;

(d) if so, what was the main objection; and

(e) what steps are being taken to re-start the work?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and (b). The proposal to establish a cable factory at Hyderabad is still under examination. According to the D. I. R. prepared for the purpose the total cost is estimated at about Rs. 486 lakhs excluding Township.

(c) No.

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

Cement factory in Andhra Pradesh

4057. SHRI CHENGALRAYA NAIDU : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Government have sanctioned a proposal for the establishment of a Cement Factory at Thandur in Andhra Pradesh;

(b) if so, the progress made so far; and

(c) the reasons for delay in its setting up?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) No, Sir.

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

Collaboration of M/s. Revlon of U. S. A. with Lakme of India

4058. SHRI H. N. MUKERJEE : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Messrs Revlon of U. S. A. are being permitted to collaborate with Lakme, a Tata concern, in spite of the latter having already established itself firmly;

(b) whether it is a fact that U. S. firm is also going to be allowed to collaborate with a cosmetics firm in Goa;

(c) whether any review has been made of the impact of foreign collaboration in

the field of cosmetics where foreign know-how is by no means indispensable; and

(d) if so, the views of Government in the matter?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) No, Sir.

(b) A collaboration was approved in December, 1964 between M/s. Shulton (Great Britain) London, a wholly owned subsidiary of Shulton Inc. of U. S. A. and M/s. Cosme Matiaz, Goa.

(c) No, Sir.

(d) Government do not favour foreign collaboration in such a low priority industry.

Import of Synthetic Fabrics and Stainless Steel

4059. SHRI KANWAR LAL GUPTA : Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that India has agreed to allow the import of synthetic fabrics and stainless steel utensils; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) and (b). No, Sir. The import of synthetic fabrics and stainless steel utensils is not allowed except from Nepal on restrictive basis under the provisions of the Treaty of Trade and Transit, 1960 with the Government of Nepal.

Impact on India's Exports of restrictions imposed by Britain

4060. SHRI D N. PATODIA :

SHRI CHENGALRAYA NAIDU :

SHRI NARENDRA KUMAR SALVE :

SHRI GEORGE FERNANDES :

SHRI SHIVA CHANDRA JHA :

SHRI BENI SHANKER SHARMA :

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the British Government has imposed new restrictions

which are likely to affect severely India's exports to that country;

(b) if so, the restrictive measures introduced;

(c) their impact on India's trade; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). The Government of the United Kingdom announced on Friday the 22nd November, 1968 a series of measures designed to make an impact on imports into Britain with a view to improving their balance of payments position. The Import Deposit Scheme forms part of the aforesaid measures. The main provision of this scheme is that importers of goods accounting for about 40% of Britain's total imports would be required to deposit 50% of the value of the imported goods with the Government for a period of six months. Broadly speaking, this scheme covers manufactured goods including textiles, but excludes raw materials, food, feeding stuffs, oils and oil products. Tea, jute yarn, jute fabrics, jute bags coir yarn, coir mats and mattings are among the items excluded from the Scheme.

(c) and (d) : An assessment is being made of the impact which this Scheme would have on our exports so that appropriate steps could be taken to overcome the adverse effects. Our High Commissioner in London has already expressed our concern to the British Government and our interest in securing exclusion of commodities of export interest to us particularly textiles from the operation of the Scheme. Our High Commissioner will also be examining the steps necessary to be taken at the trade level to see that promotional efforts to introduce our new industrial products into the United Kingdom are not jeopardised.

Capacitor Industry

4061. SHRI S. S. KOTHARI :

SHRI SHARDA NAND :

SHRI SURAJ BHAN :

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Indian Electrical Manufacturers Association have informed Government that considerable capacity for manufacturing capacitors is lying idle in the Capacitor Industry;

(b) if so, the reasons for which Government permitted imports of capacitors during the previous and the current years;

(c) the reasons for which Government propose to allow Tata Hydro Electric Company, to import capacitors, when the same could be obtained from indigenous source in the same delivery period; and

(d) whether Government propose to take immediate steps to ban further imports of capacitors and cancel licences already issued so that the existing industries do not suffer?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes. Sir.

(b) Imports of power capacitors up to 11 KV ratings are not being allowed. Imports of capacitors of ranges above 11 KV ratings have been permitted in the last and current years as indigenous capacity for manufacture of high voltage capacitors has not yet been developed to the extent required. Certain special types are also permitted to be imported as these are not manufactured locally.

(c) A request for allowing import of HT capacitors of 22 KV ratings for a quantum of 100 MVAR for the Tata Hydro Electric Supply Co. is under consideration.

(d) Imports of capacitors up to 11 KV ratings are not being allowed although the item has not been banned for actual users. It is not considered desirable to completely ban the import of capacitors above 11 KV rating as indigenous capacity has not been developed to the extent required. Each case of imports is examined on merits.

Meeting of Advisory Council on Trade

4062. SHRI CHENGALRAYA NAIDU : Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that a meeting of

the Advisory Council on Trade was held on the 22nd November, 1968;

(b) if so, whether it has suggested a foreign drive on two fronts;

(c) if so, how far this suggestion has been accepted; and

(d) other decisions arrived at in the meeting?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

(b) and (c): The Minister of Commerce, who is the Chairman of the Council, stated in his inaugural speech that a two pronged drive (viz : export promotion and import substitution) was necessary in the field of foreign trade to keep under control the balance of payment of a developing country like India.

(d) A statement indicating the salient observations made and conclusions arrived at, at the meeting of the Advisory Council on Trade held on the 22nd and 23rd November, 1968, is enclosed.

Statement

In regard to export promotion, the objective would be to follow a fairly stable policy coupled with whatever flexibility is needed to meet changing world conditions.

2. A two-pronged drive, viz., export promotion and import substitution is necessary in the field of foreign trade, to keep under control the balance of payments of a developing country like India.

3. An Inter-Departmental Committee is to be set up for the purpose of initiating and pursuing the implementation of the measures of import substitution. This Committee will seek to identify new areas in which indigenous raw materials and spares can be substituted for imported ones besides reviewing the working of import control.

4. Awards in the form of silver shields will be made to firms, organisations, institutions like public corporations, banks, newspapers, magazines and suppliers of ancillary materials and services as also to

individuals; making a distinct contribution to the expansion of export trade. Certificates of merits will also be issued to the best exporters from amongst registered members to each export Promotion Council and Commodity Board for improvement in export performance.

5. The question of simplification of procedure will be examined with a view to eliminating restrictions preventing exports.

6. The difficulties encountered by exporters will be given highest attention so as to maintain our export Commitments.

7. The trade and industry should be able to form organisations to go into the question of quality control. Government would extend all cooperation to promote this objective.

8. Subject to certain conditions Government would consider the feasibility of allowing import of machinery for export production.

9. As regards difficulties which existed in octroi and other taxes levied by the State Governments, the matter will be further discussed with the State Governments.

10. It is proposed to set up a small consultative committee to help exploit the possibilities of exports of woollen fabrics and also mixed fabrics.

11. Several suggestions were made in respect of linking of exports with imports. Manufacturers and traders have an obligation to earn foreign exchange to meet the requirements of imports from abroad.

12. While the import of luxury items has been banned, it may not be desirable to impose similar ban on import of consumer goods.

13. It is the intention of the Government to give all possible assistance to the small scale sector and the cooperative sector in their export efforts. State Trading Corporation would take further steps in this connection.

14. The question of appointing Advisers at important port towns would be

considered for dealing with matters relating to exports through those ports.

15. Ways and means would be devised to induce labour to play greater role in export promotion.

16. The feasibility of importing good varieties of sheep for breeding programmes would be pursued.

17. A suggestion was made that a plan should be drawn up in consultation with businessmen for suitably restricting the export of traditional items to East European countries, which can earn free foreign exchange.

18. Another suggestion made related to Small Scale Industries exporting 5% of their production being made eligible to priority treatment and preferred sources of supply.

19. Among the various other suggestions made at the meeting the more important ones were (a) an arbitration clause should be included in our Agreements with the East European countries, (b) small scale exporters should be allowed to aggregate their replenishments so as to enable them to buy machines with the cumulative value of exports for three to four years, (c) handloom industry should be allowed to import dyes which are required in small quantities for giving tone to coloured fabrics, (d) export duty on tobacco, tanned skins and snake skins should be removed, (e) excise duty on foot wear should be removed, (f) auditors certificate should be accepted as documentary proof for exports by Chief Controller of Imports and Exports for cash assistance, and import replenishments for exports above Rs. 25 lakhs (g) the present procedure of compelling industrial units intending to import machinery exceeding Rs. 7.5 lakhs in value to advertise in Indian newspapers should be reviewed (h) mechanism should be devised to control the pricing of manufactured goods, which are used as raw material for products of other small scale industries.

अनुसूचित जातियों तथा अनुसूचित आदिम जातियों के लोगों के लिये मुक्त रेलवे पास

4063. श्री रामसिंह अयरवाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अनुसूचित जातियों तथा अनुसूचित आदिम जातियों, विशेष रूप से बस्तर तथा ऐसे अन्य पिछड़े लोगों के आदिमासियों, के लोगों को देशाटन के लिये मुक्त रेलवे पास देने का कोई प्रस्ताव विचाराधीन है; और

(ख) यदि नहीं, तो उनके उत्थान के लिये अनिवार्य इस सुविधा से उन्हें वंचित करने के क्या कारण हैं ?

रेलवे मंत्री (श्री डॉ मूरु पुनाचा) :
(क) जी नहीं।

(ख) मानार्य निःशुल्क रेलवे पास उच्च स्थानि के अखिल भारतीय संगठनों को राष्ट्रीय महत्व के ऐसे कार्यों में सहायता पहुंचाने के उद्देश्य से दिये जाते हैं जिनके मानवाधिक स्वरूप अथवा सामाजिक अथवा सांस्कृतिक महत्व के कारण इस प्रकार की सरकारी सहायता देना उचित समझा जाता है।

सागर स्टेशन पर पुल

4064 श्री राम सिंह अयरवाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि मध्य रेलवे के सागर स्टेशन पर पुल के निर्माण में विलम्ब होने के कारण हैं ?

रेलवे मंत्री (श्री डॉ मूरु पुनाचा) :
सम्भवतः माननीय सदस्य का आशय सागर में बर्तमान समपार के बदले प्रस्तावित कारी सड़क पुल से है। यदि हां तो, स्थिति इस प्रकार है :-

बर्तमान नियमों के अधीन यह बहरी है कि व्यस्त समपारों के बदले रेलवे लाइन के ऊपर/नीचे पुल बनाने का प्रस्ताव राज्य सरकार प्रायोजित करे और यह बताये कि इस काम को कितनी प्राथमिकता दी जाये और वह किस बर्व निर्माण कार्य की सामत में सड़क-प्राधिकारी के हिस्से के बर्व की

व्यवस्था कर सकेगी, जैसा कि वर्तमान नियमों के अधीन अपेक्षित है।

सागर में समपार के बदले ऊरी सड़क पुल के निर्माण के लिए अभी तक राज्य सरकार से कोई पक्का प्रस्ताव नहीं मिला है। राज्य सरकार द्वारा इस समपार के बदले ऊरी सड़क पुल बनाने के लिए अन्तिम नियंत्रण लेने और आवश्यक रकम नियत करने के बाद ही रेल प्रशासन पुल के निर्माण के लिए उचित कार्रवाई करेगी।

Selection of Chairman or Managing Director of Mines or Corporations

4065. **SHRI NATHURAM AHIRWAR:**

SHRI NITIRAJ SINGH

CHAUDHARY :

Will the Minister of STEEL, MINES AND METALS be pleased to state ;

(a) whether there is any criteria for selecting persons for appointment as Chairman or Managing Director of Mines or Corporations; and

(b) the special qualifications which weighed with Government in appointing the present Chairman or Managing Director of Kiriburu Iron Ore Mine, Khetri Copper Project, Bailadila Iron Ore Project and Zinc Smelter, Udaipur ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) Selection to the posts of Chief Executives for the Mining Projects/Corporations is made having due regard, among other things, to their background, experience and professional attainments.

(b) A statement showing the academic, technical and professional qualifications of the present incumbents of the posts of Chief Executives of Kiriburu Iron Ore Project, Khetri Copper Project, Bailadila Iron Ore Project and Hindustan Zinc Limited, is laid on the Table of the House. (Placed in Library See No. LT-2636/68.)

Export of Iron Ore to Japan

4066. **SHRI LATAFAT ALI KHAN:** Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that by exporting iron ore to Japan, India gets Rs. 73 per tonne but total cost per tonne comes to Rs. 74.50; and

(b) if so, whether Government are considering to revise the rates of Supply ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) The FOBT cost of Iron Ore differs from grade to grade and port to port. It will not be in the business interest of M. M. T. C to give details of the price for particular exports.

(b) In every negotiation with the foreign buyers, the selling agency namely M. M. T. C endeavours to secure the best possible price keeping in view the increasingly competitive world market.

Inauguration of Bailadila Iron Ore Mines

4067. **DR. RANEN SEN :** Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether it is a fact that on the eve of opening of Iron ore mines at Bailadila under the auspices of Minerals and Metals Trading Corporation, foreign dignitaries and pressmen were taken by the Government of India to Bailadila; and

(b) if so the place where they stayed and the expenditure incurred thereon for the function ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) Presumably the reference is to the inauguration ceremony held on 10-11-68 of the Bailadila Iron Ore Project (Deposit No. 14) developed by the National Mineral Development Corporation Ltd. Foreign dignitaries were taken to Bailadila for the inauguration function. Pressmen too were invited for the same.

(b) The guests were accommodated in various buildings in the project area.

Details of the expenditure incurred are being collected and will be laid on the Table of the House.

Production and Distribution of Tractors

4068. SHRIMATI NIRLEP KAUR : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) the names of firms engaged in the production of tractors in India;

(b) the names of different kinds of tractors and their annual output; and

(c) the system of distribution of tractors in different parts of the country ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) and (b). Information about the names of the firms manufacturing tractors in India, the makes of tractors manufactured by them and their annual output, is as under :

<i>Name of the manufacturer</i>	<i>Make and type of tractor manufactured</i>	<i>Production during 1967-1968 (Upto Oct.) Nos.</i>	
		<i>1967</i>	<i>1968</i>
1. M/s. Tractors & Farm Equipment Ltd., 202/203 Mount Road, Madras-34	Messy-Ferguson (MF-1035)	3819	2831
2. M/s. International Tractors Co. of India Ltd., Bombay	International B-275	2669	3116
3. M/s. Hindustan Tractors Ltd., Bombay	Hindustan-50 Hindustan-35	1032 773	942 622
4. M/s. Escorts, Ltd., Faridabad	Escort-37 Escort-27 W Escort-47 W	1316 795 —	2205 287 740
5. M/s. Eicher Tractor Ltd., Faridabad	Eicher	122	306

(c) The distribution of tractors is made by the manufacturers through their distributors, dealers and sub-dealers. Each manufacturer has a net-work of dealers and sub-dealers spread over the areas where tractors are in demand, who are responsible not only for the sale of tractors but also for their after-sale maintenance and repair.

Price of Tractors

4069. SHRIMATI NIRLEP KAUR : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that tractors produced in India are quite costly as compared to their counterparts in foreign countries;

(b) if so, the reasons therefor; and

(c) the steps being taken by Government to provide tractors to farmers at cheaper price.

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) The prices of indigenous tractors are comparative higher than the prices of similar models, if imported from abroad.

(b) The cost of indigenous tractors is higher for a number of reasons such as high cost of imported and indigenously brought out components, high cost of raw materials, in India higher overheads and other charges on account of the low volume

of production, incidence of customs/excise duty on certain components raw materials etc.

(c) In order to bring down the cost of production, the indigenous manufacturers are being encouraged to increase production to the maximum extent possible.

Sale of Tractors in Black-Market in Punjab and Haryana

4070. SHRIMATI NIRLEP KAUR : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that tractors are being sold in the black-market in Punjab and Haryana;

(b) if so, the reasons therefor;

(c) whether it has come to the notice of Government that tractors are being sold at very high rates in Punjab; and

(d) if so, the steps Government propose to take in this regard ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) to (d). The Tariff Commission had been requested to institute an enquiry with a view to determining fair selling prices of tractors manufactured in the country. After the receipt and examination of the Commission's report, the ceiling selling prices of various makes of indigenous tractors have been notified with effect from the 3rd June, 1968 under the provisions of the Tractors (Price Control) Order, 1967.

Some general complaints have been voiced that tractors are being sold at prices in excess of the prescribed ceilings. Details of specific transactions of this nature are being ascertained with a view to taking action against the parties involved. So far no specific complaints in this regard against particular firms have been received.

Manufacture of Scooters

4071. SHRI MAHANT DIGVIJAI NATH : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that Government are considering to issue a licence to a new unit for the manufacture of scooters;

(b) if so, the expected production of scooters by the unit annually;

(c) whether the said unit will be set up with foreign collaboration or it will be purely indigenous;

(d) the extent to which it shall be in a position to meet the domestic demand; and

(e) the extent by which the price of the scooter will be lowered from the present price after the start of production from this unit ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Government have decided to license a new scooter manufacturing unit.

(b) The capacity of the new unit will be 50,000 Nos. per annum on double shift basis.

(c) The new unit will be set up with foreign collaboration.

(d) It is expected that the production from the existing units and the proposed new unit would by and large meet the demand for scooters in the country, as anticipated at present.

(e) It is hoped that after the new unit has gone into production, there will be a sizeable reduction in the prices of scooters manufactured in the country.

Crisis in Tea and Jute Industries

4072. SHRI SHRI CHAND GOYAL : SHRI KANWAR LAL GUPTA : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that tea and Jute industries in India are facing a crisis; and

(b) if so, the action contemplated by Government to help these industries ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) and (b). A statement giving the information is attached.

Statement

I. Tea Industry :

Government of India have been concerned over the continually falling prices of tea in the international market which have been affecting the economy of the tea plantations in the country. In order to ensure that in consequence the maintenance and development expenditure by the industry is kept up to the adequate level, Government of India have announced measures of relief to the tea industry with effect from 1-10-1968 as indicated below :—

1. REDUCTION IN EXPORT DUTY :

The export duty rebate has been increased from 24 p. to 35 p. per kg.

2. REDUCTION IN EXCISE DUTY :

The special excise duty amounting to 20% of the basic excise duty has been withdrawn.

3. REPLANTING SUBSIDY :

A replanting subsidy scheme at the rate of Rs. 3,500/- per hectare for plain gardens and Rs. 4,500/- per hectare for hill gardens,

Government of India are watching the situation carefully.

II. Jute Industry :

The jute mills have of late been facing difficulties on account of acute shortage of raw material and consequent rise in prices of jute and jute goods. The following steps have been taken to help the jute industry to tide over the crisis :

- (i) A Committee consisting of Jute Commissioner, representatives of jute industry and other interests has been formed to scrutinise the applications made to it by the Jute and Jute Goods Buffer Stock Association for the import of raw

jute. On the recommendations of the Committee, the import of 2.7 lakh bales of jute, jute cuttings and mesta valued at Rs. 8.65 crores has been authorised;

(ii) The total quantity of jute earmarked for distribution among the mills during November, 1968 was allocated to the mills by the Jute Commissioner in proportion to their production of jute goods during the period 1st July, 1967 to the 30th June, 1968. This scheme is being continued for the month of December, 1968 also.

(iii) The Jute Commissioner has been delegated powers to regulate production of jute goods on the basis of allotment of raw jute and is issuing orders to the mills for this purpose.

(iv) To arrest the rise in prices in sackings, statutory maximum selling price of B. Twills Sacking has been fixed at Rs. 200/- per 100 bags with effect from the 22nd October, 1968.

(v) The Reserve Bank of India has placed some restrictions on advances against—

(a) raw jute to parties other than jute mills;

(b) jute goods in respect of *pucca* delivery orders.

(vi) It has been decided to exercise some restraints on domestic consumption of jute goods during the period of shortage.

Piling up of Jute Bales at Cossipore Road Godown

4073. SHRI M. L. SONDHI : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that lakhs of jute Bales have piled up at the Cossipore Road godowns of the Eastern Railway;

(b) if so, steps taken to clear the godowns quickly and to punish the defaulters; and

(c) who are the defaulters for such piling up?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) It is a fact that there has been accumulation of jute bales at Cossipore Road Goods Shed of the Eastern Railway but not of the order of lakhs of bales.

(b) and (c). The accumulation took place on account of failure of the consignees to effect prompt delivery and removal of goods. The Eastern Railway administration contacted the Indian Jute Mills Association and requested them to impress upon their members to remove the consignments promptly. The Jute Commissioner was also contacted, who held a meeting with the jute trade on 26-11-1968 with a view to have the accumulation cleared. The Cossipore Road Goods Shed was kept open round the clock from 26-11-68 to 3-12-1968 in order to facilitate removal of goods. Wharfage and demurrage charges were also levied.

Recommendation of the Administrative Reforms Commission on Coal Board

4074. SHRI DEVEN SEN : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether it is a fact that the Administrative Reforms Commission has recommended a radical change in the constitution of the Coal Board;

(b) if so, details thereof;

(c) whether Government have accepted the recommendations; and

(d) if not, reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) and (b). The Administrative Reforms Commission have, *inter alia*, recommended that the Coal Board should be reconstituted into a Development Board of the type they have

described in the Report on Economic Administration.

(c) The recommendations are under consideration.

(d) Does not arise.

Shortage of Paper

4076. SHRI MAHANT DIGVIJAI NATH :
SHRI KANWAR LAL GUPTA:

Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that the Study Group of the National Commission on Labour has warned about the acute shortage of paper in the country in the coming years;

(b) if so, the reasons therefor;

(c) the steps Government are considering to take for maintaining proper supply of paper in the country; and

(d) the details of the recommendations made by the study group of the National Commission on Labour for maintaining proper supply of paper ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes, Sir.

(b) Paper Industry is a highly capital intensive industry which has much less profitability as compared to other industries. This Industry also requires considerable amount of foreign exchange for the import of capital equipments and it is also finding it difficult to obtain the requisite rupee capital.

(c) Some expansion schemes of the existing units are under implementation which are expected to give additional capacity of about 80,000 tonnes by 1971-72. Besides, Govt. is also considering at present the question of the establishment of one or two Paper Plants in the Public Sector during the Fourth Plan Period.

(d) A statement containing the recommendations made by the Study Group of the National Commission on Labour is attached.

Statement

CONCLUSIONS AND SUGGESTIONS MADE IN THE REPORT OF THE STUDY GROUP FOR PAPER AND PULP INDUSTRY SET UP BY THE NATIONAL COMMISSION ON LABOUR.

- (i) The welfare measures prevailing in paper industry are better than those envisaged in the Factories Act. The scope for further improvement in the working conditions and in the welfare measures now available to the workmen in the industry will improve with increase in productivity and improvement of economic condition of the industry due to decontrol of prices of paper.
- (ii) The existing facilities of training available at Institutes at Dehradun and Saharanpur should be fully utilised by the industry. With the increased demand for trained technical personnel, more such institutes should be set up by Government and Industry.
- (iii) At present, the research facility exists only in respect of testing and utilisation of cellulosic materials at Forest Research Institute at Dehradun. In addition, it is necessary that a Central Organisation be set up to undertake research on substitution of imported spares and components required by the paper mills.
- (iv) To overcome the increased demand of raw materials, the present programme of raising the plantation of fast-growing species should be followed up vigorously and Government should make available adequate funds.
- (v) The practice of leasing out forests by the various State Departments,

the selection of lessees, and the fixation of royalty have since been subjects of criticism from the paper industry. For the convenience of the paper mill industry, the mill-owners have pleased for the leasing out of the forests to paper mills at reasonable royalties. When both the Planning Commission and the Tariff Commission have recommended that leases of forest areas should be granted to paper mills on a long-term basis, this matter may further be recommended to the Government by the National Commission on Labour for due consideration.

- (vi) The industry should make every effort to utilise more and more of unconventional raw materials like straws, bagasse, hardwoods etc.
- (vii) With a view to ensure healthy industrial relations in the industry and further to combat the sinister effects of trade union rivalry and also to implement Code of Conduct and Discipline, it is suggested that trade unions be recognised on the basis of Bombay Industrial Relations Act.
- (viii) The Code of Discipline as evolved by the 15th Indian Labour Conference does not appear to be effective in helping to restore healthy industrial relations. It is suggested that provisions of the Code be incorporated in some labour enactment to give it legal sanction.
- (ix) Voluntary arbitration has not been found successful and the number of litigations are on the increase. It is suggested that for a set of subjects of dispute of minor nature arbitration should be made compulsory, following failure of conciliation.
- (x) Beside permanent workers' there is a good number of contract

workers employed on certain jobs, which are essentially of intermittent nature in view of the peculiar nature of operations in the paper industry. For this purpose, the contract system should be retained in the industry.

(xi) The industry should try to introduce parity in the wages of permanent and contract workers.

(xii) The existing grade structure introduced in some of the mills either as per agreement or as per award of the industrial tribunal does not create any incentive for increased productivity. A tripartite body should be formed to determine the wages on the following basis:—

(a) Proper utilisation of man-power and the material.

(b) Proper assessment of minimum and maximum work-load per capita or group.

(c) Regional socio-economic conditions.

Nirmali-Bhaptiaki Railway Line

4077. SHRI SHIVA CHANDRA JHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to lay a railway line between Nirmali and Bhaptiaki;

(b) if so, when; and

(c) if not, the reasons therefor?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) to (c). Nirmali-Bhaptiaki is one of the sections of Railway lines which were abandoned in 1935-38 due to severe flood havoc in the River Kosi. The section from Supaul-Thurbhita was restored in October, 1957. Investigations for further extension of the line from Thurbhita to Bhaptiaki have been carried out and are under examination. The question of restoring the Nirmali-Bhaptiaki section will naturally have to be

considered only after a decision regarding the restoration of Thurbhita-Bhaptiaki section is taken.

Export of Khadi Goods

4078. SHRI SHIVA CHANDRA JHA: Will the Minister of COMMERCE be pleased to state:

(a) the annual export of Khadi goods to foreign countries during the last 5 years;

(b) the main items comprising the same;

(c) the names of the countries to which they were exported; and

(d) the amount of foreign exchange earned therefrom?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAJI QURESHI): (a) to (d). The information is being collected and will be laid on the Table of the House.

Issue of Licences to Birla Concerns

4079. SHRI SHIVA CHANDRA JHA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Birla concerns have applied to Government for new licences during the last two months; and

(b) if so, the details thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes Sir, during the last two months (October and November, 1968) four applications for licences, under the Industries (Development and Regulation) Act, 1951, have been received from Companies belonging to the Birla Group of Industries.

(b) All the four applications are still under consideration of the Government. Details of applications on which decisions are still to be taken are not normally publicised.

Memorandum from Belgaum Coal and Coke Consumers Co-operative Associations Ltd.

4080. SHRI JAGANNATH RAO JOSHI : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Belgaum Coal and Coke Consumers' Co-operative Association Ltd submitted a memorandum on the 4th November, 1968 to him; and

(b) if so, the action taken regarding the demands made in the memorandum ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) Yes, Sir. A memorandum was submitted on 4th November, 1968 in regard to movement of hard coke from Calcutta and certain other matters.

(b) The points mentioned in the memorandum are receiving attention.

Machinery to deal with disputes regarding the Quality or Support Price of Cotton

4081. SHRI DEORAO PATIL : Will the Minister of COMMERCE be pleased to state :

(a) whether any machinery has been set up by the Textile Commissioner for dealing with the dispute that may arise in respect of the quality or support price of cotton; and

(b) if so, the number of disputes settled by the machinery upto now ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir. There is a Committee specifically set up by the Textile Commissioner for settling disputes that may arise in respect of quality or support price of Indian cotton and to issue certificates in respect of exportable varieties of cotton.

(b) The Committee has had no occasion so far to settle any dispute.

Imports from Nepal

4082 SHRI C CHITTYBABU : Will the Minister of COMMERCE be pleased to state :

(a) the items imported from Nepal during the year 1967-68 together with the quantities and values thereof; and

(b) the number of items of imports from Nepal on which duty is leviable and the number of items which are duty free ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) A statement showing quantity and value of items imported from Nepal during 1967-68, is laid on the Table of the House. [Placed in Library See No. L 1-2637/68]

(b) All items of Nepalese origin imported into India are exempted from the levy of customs duties and other equivalent charges. Subject to such exceptions as are made in accordance with conditions laid in Annexure II of the Memorandum of Understanding of December, 1966, additional duty equivalent to the excise duty leviable on like products in India is charged on imports from Nepal. The exceptions so far made in this respect are matches, Jute goods and straw board and liquor. With respect to matches, jute goods and straw board, the levy of additional duty has been completely waived. With respect to liquor, additional duty equal to Rs. 13.00 per bulk litre is being charged.

Exporters of Stainless Steel and Synthetic Fabrics in Nepal and Importers in India

4083. SHRI C. CHITTYBABU : Will the Minister of COMMERCE be pleased to state :

(a) whether Government are aware that the importers of stainless steel and synthetic fabrics in India are either the sister concerns or the collaborators of the firms in Nepal which export these items;

(b) whether the exporting firm in Nepal and importing firm in India for the synthetic fabrics and stainless steel have the same partners or directors or their near relatives; and

(c) if so, the names and addresses of the exporting firms in Nepal and the importers in India who imported synthetic fabrics during the year 1967-68 ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : (a) to (c). The requisite information is being collected and will be placed on the Table of the House.

Aerial Survey Organisation

4085. SHRI D. C. SHARMA : Will the Minister of STEEL, MINES AND METALS be pleased to state :

(a) whether the Geological Survey of India proposes to have an aerial survey organisation of its own;

(b) whether the proposal has been considered; and

(c) if so, results thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : (a) to (c). For a speedier and more effective search for non-ferrous metal resources by means of electromagnetic, magnetic and radiometric surveys over selected areas in Andhra Pradesh, Rajasthan and Bihar-Bengal covering an area of 120,000 sq. km., a crash programme known as 'Operation Hard Rock' was drawn up in collaboration with the US Agency for International Developments (US Aid). The aerial survey commenced on 19th July, 1967 and was completed on 14th May, 1968. This is now being followed up by ground geological and geophysical work where necessary.

A proposal to set up a wing for airborne geophysical surveys in the Geological Survey of India for undertaking similar surveys in other potential areas is under consideration.

Shortage of Car and Scooter Tyres

4086. SHRI D. C. SHARMA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that car and scooter tyres are hard to get in Delhi;

(b) whether it is a fact that the authorities blame the dealers for cornering stock and the dealers in turn blame the officials

for introducing the permit system and the manufacturer accuses both, thus creating a vicious circle in which the ultimate sufferer is the customer who has to pay through his nose at black-market prices; and

(c) if so, the steps taken or proposed to be taken to deal with the situation ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Car and scooter tyres have been declared as "essential commodity" under the Essential Commodities Act, 1955 and acquisition and disposal of these tyres and tubes in Delhi is controlled by the Delhi Administration. There is no shortage of car and Lambretta Scooter tyres. The Delhi Administration had reported shortage of tyres for Vespa scooters. The Tyre Companies have been advised to step up the supply of Vespa scooter tyres to the Delhi region.

(b) No, Sir.

(c) Does not arise.

Market for surplus products from HEL, Ranchi etc.

4087. SHRI BENT SHANKER SHARMA : Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state :

(a) whether the Soviet Union has been sounded about the market for surplus products from the Heavy Engineering Corporation at Ranchi, the Instrumentation Plant at Kota, and the Heavy Electrical Equipment Plant at Hardwar.

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

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

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED) : (a) Yes, Sir.

(b) and (c). This is under consideration and discussion with the Soviet authorities and no decision has been taken so far.

Fire in Diesel Tankers Near Botad Railway Station

4088. SHRI BENI SHANKER SHARMA : Will the Minister of RAILWAYS be pleased to state :

(a) whether two diesel oil tankers of a goods train were set on fire by a mob of over 4,000 students at the Outer signal of Botad railway station, about 167 Km from Ahmedabad on the 28th November, 1968;

(b) whether any inquiry has been made into the incident; and

(c) if so, the reasons therefor, the estimated loss and the action taken in the matter ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) No. However, a mob of students detained a goods train and took out some gunny bags, emptied their contents and set the bags on fire. Tankers or wagons did not catch fire.

(b) Yes, the incident was enquired into by the District Magistrate Bhavnagar and Deputy Inspector General, Criminal Investigating Department Crime and Railways, Ahmedabad.

(c) The students were protesting against some increase in tuition fees in high school classes in Gujarat State. The estimated cost of damage to the Railways is about Rs. 4,000/- . Twenty six persons were arrested and a case was registered at Botad Police Station on Crime No. 174/68 under Sections 143, 147, 149, 332, 336, 337, 353 and 427, Indian Penal Code and 121, 127 and 128 Indian Railways Act.

M/s A. H. Wheeler & Co's Bookstalls at Railway Stations

4089. SHRI S. M. SOLANKI : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government have given the contract of bookstalls to Messrs. A. H. Wheeler & Company permanently on all the Railway stations of India ;

(b) if so, reasons therefor; and

(c) whether Government invited tenders or gave them the contract by private negotiations ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA) : (a) No.

(b) The question does not arise.

(c) A statement giving the information is attached.

Statement

(c) M/s A. H. Wheeler & Co. have been holding the bookstall contracts at a number of Railway stations for many years and it is not known whether the contracts were allotted to them by inviting tenders or by negotiations.

2. The contracts with the firm have been extended from time to time in terms of the agreements which contained a provision giving the firm an option to extend the contracts at the end of the stipulated period of each contract. While extending the contracts from 1-1-1967, the provision in the agreements giving the firm an option to extend the contracts at the end of the contract period has been deleted after holding negotiations with the firm.

12.07 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER MINES AND MINERAL (REGULATION AND DEVELOPMENT) ACT.

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK) : I beg to lay on the Table a copy each of the following Notifications under sub-section (1) of section 28 of the Mines and Mineral (Regulation and Development) Act, 1951 :

(1) G. S. R. 2053 published in Gazette of India dated the 23rd November, 1968 making certain amendment to the Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1951. [Placed in Library, See No. LT-2611/68.]

(2) S. O. 4118 published in Gazette of India dated the 23rd November, 1968 making certain amendment to Notification No. S. O. 1923 published in Gazette of India dated the 23rd June, 1962. [Placed in Library, See No. LT-2612/68.]

NOTIFICATIONS UNDER TARIFF COMMISSION ACT, REPORT OF TARIFF COMMISSION ON PROTECTION TO DYESTUFF INDUSTRY AND ANNUAL REPORT OF COFFEE BOARD.

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) :

I beg to lay on the Table—

- (1) A copy each of the following papers under sub-section (2) of section 16 of the Tariff Commission Act, 1951 :—
 - (i) (a) Report (1968) of the Tariff Commission on the continuance of Protection of the Aluminium Industry.
 - (b) Government Resolution No. 1 (1)-Tar/68 dated the 7th December 1968 (Hindi and English versions).
 - (c) A statement showing reasons why the documents mentioned at (a) and (b) above could not be laid on the Table within the period prescribed in sub-section (2) of section 16 of the said Act.
- (ii) (a) Report (1968) of the Tariff Commission on the continuance of protection to the Dyestuff Industry.
- (b) Government Resolution No. 14 (1)-Tar/68, dated the 7th December, 1968 (Hindi and English versions).
- (c) Notification No. 14 (1)-Tar/68-I published in Gazette of India dated the 7th December, 1968 (Hindi and English versions), issued under sub-section (1) of section 4 of the said Act.
- (d) Notification No. 14 (1)-Tar/68-II published in Gazette of India dated the 7th December, 1968 (Hindi and English versions), issued under sub-

section (1) of section 3A of the said Act.

(e) Notification No. 14 (1)-Tar/68-III published in Gazette of India dated the 7th December, 1968 (Hindi and English versions), issued under sub-section (1) of section 3A of the said Act.

(f) Notification No. 14 (1)-Tar/68-IV published in Gazette of India dated the 7th December, 1968 (Hindi and English versions), issued under sub-section (1) of section 3A of the said Act.

(g) A statement showing reasons why the documents mentioned at (a) to (f) above could not be laid on the Table within the period prescribed in sub-section (2) of section 16 of the said Act. [Placed in Library, See No. LT-2613/68.]

(2) A copy of the Annual Report of the Coffee Board for the year 1967-68. [Placed in Library, See No. LT-2614/68.]

DR. KARNI SINGH (Bikaner) : Sir, I would like to bring before the House, a very important matter...

MR. SPEAKER : Is it in relation to the Paper Laid on the Table ?

DR. KARNI SINGH : About my Calling Attention.

MR. SPEAKER : Then I would not allow it.

DR. KARNI SINGH : I think you cannot muzzle a Member of Parliament from ventilating public grievances. You had requested us that we should see you about these matters. 50 people have died...

MR. SPEAKER : Nothing will be taken down.

DR. KARNI SINGH : **

**Not recorded

SHRI SRINIBAS MISRA (Cuttack) : Sir, regarding item 5 (1) (a) which was just now laid on the Table of the House, I want to say this. I had occasion to draw the attention of the House to the negligence by the Ministry in laying papers on the Table of the House. Years have passed. Here, in this case, it is an important matter, and the statute itself lays down a certain period of limitation. But this is being laid beyond that period of limitation. Some cock-and-bull story is given to show why delay has been caused. This is about the report of the Tariff Commission on the continuance of protection of the aluminium industry. In the meantime, protection is already given. If this delay is caused, then why was it laid down in the statute that it should be laid on the Table of the House so that the House may give its opinion ?

SHRI MOHD. SHAFI QURESHI : The report of the Tariff Commission pertains to 1968; and the reasons for the delay are self-explanatory.

12.09 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY : Sir, I have to report the following messages received from the Secretary of Rajya Sabha :

- (i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 5th December, 1968, agreed without any amendment to the Banking Laws (Amendment) Bill, 1968, which was passed by the Lok Sabha at its sitting held on the 6th August, 1968."
- (ii) "In accordance with the provisions of the rule 127 of Rules of the 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, 1968, agreed without any amendment to the Madras State (Alteration of Name) Bill, 1968, which was passed by the Lok Sabha at its sitting held on the 22nd November, 1968."

UNION TERRITORIES (SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS) BILL

(I) Report of Joint Committee

SHRI VIKRAM CHAND MAHAJAN (Chamba) : I beg to present the Report of the Joint Committee on the Bill to provide for the separation of judicial and executive functions in Union territories.

(II) Evidence

SHRI VIKRAM CHAND MAHAJAN : I beg to lay on the Table a copy of the evidence given before the Joint Committee on the Bill to provide for the separation of judicial and executive functions in Union territories.

12.10 hrs.

STATEMENT RE. RECENT INCIDENTS IN BANARAS HINDU UNIVERSITY

MR. SPEAKER : Dr. Triguna Sen.
SOME HON MEMBRSS ROSE--

श्री रवि राय (पुरी) : अध्यक्ष महोदय, इस सिलसिले में मुझे यह निवेदन करना है कि हम लोगों ने इस बारे में कुछ ध्यानाकर्षण के नोटिसेंज दिये थे कि बनारस यूनिवर्सिटी में बड़ी गड़बड़ चल रही है। बनारस विश्वविद्यालय को छोड़कर लड़के भाग गये हैं कोई लड़का वहाँ पढ़ता नहीं है लेकिन पुलिस को जहाँ भी कोई एक-आध लड़का दिख जाता है उसे पुलिस पीटती है। इस तरह की वहाँ पर एक गड़बड़ी और अव्यवस्था की स्थिति चल रही है और मैं चाहता हूँ कि उस बारे में हम लोगों को सवाल पूछने की इजाजत दी जाय।

यह बहुत महत्वपूर्ण मसला है। कोई लड़का रहता हो नहीं है वहाँ। सब छोड़ कर भाग गए हैं...

SHRI S. M. BANERJEE (Kanpur) : On a point of order, Sir; this statement is being made by the Minister under rule 372, under which no question can be asked.

Nearly 50 or 60 calling attention notices have been given and we were informed by the lobby assistant that they have not been rejected. We were told that it has been selected and we were eagerly awaiting to call the attention of the Minister under rule 197, so that some of us can put questions, may be three or four of us. But now he is making a statement under rule 372. (*Interruptions*).

श्री जार्ज फर्नेंडोज (बम्बई दक्षिण) : इस पर बहस होनी चाहिये ।

MR. SPEAKER : It is not too late even now. After all, you want some opportunity to ask some questions. How best an opportunity can be given, you kindly leave it to me to decide.

श्री रवि राव : अभी नहीं तो कल इसको आप लें ।

MR. SPEAKER : Not now but afterwards. That is what I said.

SHRI S. KUNDU (Balasore) : In Rajasthan. 50 people have died and the Maharaja of Bikaner wants to make a submission

DR. KARNI SINGH (Bikaner) : If somebody rises to make a submission, you would not listen to him. But if people start yelling, you smile at them.

MR. SPEAKER : Even to them, I have not conceded.

DR. KARNI SINGH : You can give us a smile. Do we have to make a lot of noise, to make you listen to us? An independent in this House is being completely ignored. It is an unfair attitude on the part of the Speaker. (*Interruptions*).

SHRI S. KUNDU: rose—

Mr. SPEAKER : Mr. Kundu, it is not fair.

DR. KARNI SINGH : It is not fair because he is supporting an Independent?

MR. SPEAKER : It is not a question of Independent Member. Some hon. Members write to me a letter saying, "I am coming at 3 PM. Kindly permit me to speak at 4 PM".

SHRI H. N. MUKERJEE (Calcutta North East) : Our colleague, the Maharaja of Bikaner, happens to be a Member of very long standing and he does not usually intervene with any kind of unwarrantable requests. Some people have died in Rajasthan and he feels disturbed.

MR. SPEAKER : I showed him that consideration and I had to incur the wrath of the other Members a few days ago I know he is a senior Member and I always show him respect.

DR. KARNI SINGH : What sort of consideration did you show me? You brushed me aside in a minute.

MR. SPEAKER : Because I gave you a chance, you do not know how much trouble I had to face.

DR. KARNI SINGH : I do not think it was a great favour. (*Interruptions*)

MR. SPEAKER : Can any Member in this House say that I refused to discuss any matter with him in the Chamber? Even if one Member says that I have refused to discuss with him anything, I am prepared to say, I am very sorry. I am trying my best to hear them patiently and discuss with them. If I can convince them, well and good. If I cannot, I get convinced myself. I take so much trouble, but if some hon. Members do not show me that much courtesy, what can I do? I will hear any hon. Member.

12:15 hrs.

RE : SITUATION IN HARYANA

श्री अटल बिहारी वाजपेयी : (बहरामपुर) : मैं आपकी आज्ञा से हरियाणा का मामला उठाना चाहता हूँ। वहाँ एक राजनीतिक सूचारु आया है। कल हरियाणा विधान सभा के 41 सदस्यों ने स्वयं को संयुक्त विधायक दल के रूप में राज्यपाल के सामने पेश किया था। इससे स्पष्ट है कि हरियाणा की विधान सभा में आज करिंस का बहुमत नहीं है। विधान सभा की कुल सदस्य संख्या 81 है। उसमें से एक सीट खाली है जिसका उपचुनाव होने वाला है। एक सदस्य विधान

[श्री अटल बिहारी वाजपेये]

सभा के स्पीकर हैं। जब 41 सदस्यों ने स्वयं को राज्यपाल के सामने पेश कर दिया तो फिर बंसीलाल मंत्रिमंडल को बहुमत का समर्थन कर्त्ता प्राप्त रहा... (इन्टरप्रश्न)

श्री विश्वनाथ मिश्र (मोतीहारी) : राज्यपाल ने कहा है कि मैंने गिना नहीं है।

MR. SPEAKER : All of you may kindly sit down. These things do happen. When the hon. Member requested me that he should be allowed to raise it here, I did consider this...

SHRI ATAL BEHARI VAJPAYEE : Sir, you have allowed me.

MR. SPEAKER : I know. Having taken into consideration such a situation, the Presiding Officer's Conference which met earlier has clearly stated—I am reading it from the records.

"The question whether the Chief Minister lost the confidence of the Assembly shall at all times be decided in the Assembly." (Interruptions)

श्री जाज़ फर्सेन्डोज़ (बम्बई दक्षिण) : इस्तीफा दो अभी।

श्री रवि राय (पुरी) : आपका निर्देश नहीं मान रहे हैं, अध्यक्ष नहोदय।

MR. SPEAKER : I am reading it. We are also an Assembly.

"Where, however, there is undue delay in summoning the Legislative Assembly and a majority of members of the Legislative Assembly desire to discuss a motion of no confidence in the Ministry and make a request to that effect in writing to the Chief Minister, the Chief Minister shall advise the Governor to summon the Assembly within a week of such request."

This is not my personal view. This is from the proceedings of the Conference of Presiding Officers.

श्री अटल बिहारी वाजपेयी : मैं निवेदन कर रहा हूँ कि विधान मंडलों के अध्यक्षों ने

जो सिफारिश की है क्या उस पर अमल किया जायेगा? हरियाणा के राज्यपाल के सामने तीन रास्ते हैं। कल जब 41 सदस्यों ने स्वयं को उनके सामने पेश किया और यह मांग की कि बंसीलाल मंत्रिमंडल बहुमत में नहीं है, तब वह श्री बंसीलालजी को अपना त्यागपत्र देने के लिए कह सकते थे। दूसरा रास्ता यह था कि वह श्री बंसीलालजी को कहें कि वह विधान सभा की बैठक बुलायें। विधान मंडलों के अध्यक्षों ने जो सिफारिश की है उसके अनुसार एक सप्ताह में बैठक होनी चाहिये। अगर हरियाणा के मुख्य मन्त्री बैठक बुलाने में देर करते हैं तो फिर एक ऐसी परिस्थिति पैदा होगी जिस में राज्यपाल से कहा जाएगा कि वह मंत्रिमंडल को बरखास्त कर दें।

एक बात और है। एक सप्ताह के भीतर विधान सभा की बैठक होनी चाहिये। मुख्य मन्त्री बहुमत में हैं या नहीं, यह सन्देह का सवाल है। हमारा तो विश्वास है कि वह बहुमत में नहीं हैं।

कुछ माननीय सदस्य : नहीं है।

श्री अटल बिहारी वाजपेयी : लेकिन प्रश्न यह है कि क्या इस एक सप्ताह में मुख्य मन्त्री को अपने मंत्रिमंडल का विस्तार करने का अधिकार होना चाहिये? जो मुख्य मन्त्री अल्पमत में रह गया है, जिसे विधान सभा का सामना करना है, उसे रिहबत देकर मंत्री बनाने का अधिकार नहीं होना चाहिये।

यह संविधान के प्रतिकूल परम्परा होगी। यह अनेकिक कार्य होगा। बिना मंत्रिमंडल का विस्तार किये मुख्य मन्त्री को विधान सभा का सामना करना चाहिए।

श्री रवि राय : अध्यक्ष महोदय, हम भी इस बारे में कुछ कहना चाहते हैं।

MR. SPEAKER : No more discussion now.

श्री रवि राय : अध्यक्ष महोदय, विधान सभा की बैठक सात दिन के अन्दर होनी चाहिए।

MR. SPEAKER : Not now. The Assembly is still existing. The Assembly has to meet and decide. If something wrong and unparliamentary goes on... (Interruption) the Assembly is still existing and as we all envisage, the whole Parliament the Assembly is the supreme body. It is the Assembly that has to decide who has got the majority and who has not got the majority. Therefore, since the Assembly is still existing, let us leave it to the Assembly. Let us hope that the Assembly will meet quickly.

श्री स० मो० बनर्जी (कानपुर) : विधान सभा की बैठक पार्लियामेंट का सेशन खराम होने से पहले होनी चाहिए।

श्री जार्ज फर्नेंडीज : अध्यक्ष महोदय, आप गृह मंत्री से इस बारे में आश्वासन देने के लिए कहें। आप के कहने से क्या लाभ होगा?

MR. SPEAKER : Let us leave it to the Assembly. To discuss it at this stage in Parliament will be taking away the powers of the Assembly.....(Interruption)

श्री जार्ज फर्नेंडीज : सदन की नेता, प्रधान मंत्री, इस बारे में कुछ कहें।

श्री रवि राय : अध्यक्ष महोदय, क्या गृह मंत्री आप लोगों के इस रीकमेंडेशन से सहमत हैं या नहीं कि विधान सभा की बैठक सात दिनों में बुलानी चाहिए?... (व्यवस्थापन)

SHRI NAMBIAR (Tiruchirappalli)
Dictations are going from the Home Minister to Haryana. That is our complaint.....(Interruption). He should not dictate... (Interruption). The people of Haryana should decide.

DR. KARNI SINGH (Bikaner) : The Home Minister did not allow it in Rajasthan. The Congress was in a minority and was converted into a majority by horse-trading.

When the same thing happens in Haryana, why is a different yardstick being applied?

SHRI H. N. MUKERJEE : Rose.

MR. SPEAKER : If you get up everybody will get up. If I allow one, I will have to allow everybody.....(Interruption).

SHRI VASUDEVAN NAIR (Peermade) : If you go on standing like this, others cannot speak.

MR. SPEAKER : I am trying to prevent people from getting up and speaking.

SHRI VASUDEVAN NAIR : You sit down so that the leaders can say something.

MR. SPEAKER : Now even Shri Hiren Mukerjee is quietly sitting.

SHRI VASUDEVAN NAIR : He was standing.

MR. SPEAKER : I know that he was getting up and sitting down. If Shri Hiren Mukerjee gets up, Shri Rabi Ray will get up. If Shri Rabi Ray gets up, somebody else from the Swatantra Party will get up and then it will be discussed on the floor of the House. But I am not prepared to allow any discussion today.....(Interruption).

As I read out to you just now.....(Interruption) that was the opinion of the Speaker's Conference. We did not belong to any one party; there were Opposition Parties' Speakers also. We just laid down something which, we thought, was good for the States. We did not do that on the basis of any party. The Government will take a decision what they would do. I cannot ask them to do it now. Let us give them time. I have made it clear from my point of view and from the Speakers' Conference point of view. Of course, Shri Hiren Mukerjee cannot shout like Shri Fernandes or Shri Banerjee; I know, he cannot do it. But the moment I request him to speak, I cannot avoid requesting Shri Rabi Ray, Shri Desai or somebody else. Then, Shri Kachwai and Shri Sheo Narain are there. Every minute Shri Sheo Narain is on his legs. So it will become a discussion on the floor of the House. There will be a time when we will have to discuss

Mr. SPEAKER

it; the whole House will have to discuss it. A time will come perhaps, but not just at present. As Raja Sahib has said, Rajasthan and Bengal examples are there.

AN HON. MEMBER : Up is there.

MR. SPEAKER : Some other examples are also there. Parliament will take that into consideration. Government also will take that into consideration and take a decision. After that there will be appropriate time for us to discuss.

SHRI ATAL BIHARI VAJPAYEE : In the mean time the hon. Home Minister can inform the House whether he has received any report from the Governor or not.

MR. SPEAKER : Of course, but not immediately.....(Interruption). When I hear others, I will also hear you. When I did not hear a senior Member like Shri Hiren Mukerjee, it is not proper that I should hear you; it will not be fair.

12.25 hrs.

STATEMENT RE, RECENT INCIDENTS IN BANARAS HINDU UNIVERSITY—Contd.

MR. SPEAKER : Now, about Banaras Hindu University, it is a Central University and we are entitled to discuss it. Let the Minister make a statement. We will have some half-an-hour discussion, something like that. I have been myself worrying about it because of the trouble everywhere. This is a Central University and we are entitled to discuss it here. The Minister will make a statement now. We will fix some time for it. Day after tomorrow, the Business Advisory Committee will meet and fix half an hour or an hour, whatever it is, for it so that a useful contribution can be made.

The Minister of State in the Ministry of Education (Shri Bhagwat Jha Azad) : Sir, on November 14, 1968 I made a statement in this House...

MR. SPEAKER : It may be laid on the Table.

SHRI BHAGWAT JHA AZAD : I lay the statement on the Table of the House.

Statement

On November 14, 1968 I made a statement in this House in which I gave an account of the happenings in the Banaras Hindu University. After the disturbances of November 6 and 7, teaching work in the University had been going on normally. The P.A.C. was, however, kept posted at various vital points in the University campus.

2. On December 3, the Vice-Chancellor issued orders for the expulsion of four more students for their misconduct and disorderly behaviour in the past. This order of expulsion led to fresh demonstrations and agitations in the campus. On December 5, the situation became more tense and a procession of about 1,000 students was taken out on the main roads of the University. The demonstrators surrounded the Chief Proctor's office and wanted to use force for snatching the microphones which had been taken away from them the previous night by the proctor's staff. But on the persuasion of the police and the Magistrate on duty they dispersed peacefully.

3. On December 6, the students formed themselves into many groups in various college hostels. A group of about 1,000 students, armed with iron bar implements, inflammable material, etc., surrounded the Central Office of the University and indulged in heavy brickbattling. They did not, however, succeed in setting the Central office on fire due to timely arrival of the police and the crowd was chased away. While retreating, they set fire to a postal van, a road-roller, and drums of tarcoal. Another crowd of students entered the main University library and caused damage. The police foiled their attempts to set fire to the library building. A jeep of the College of Indology and a bus of the Teacher's Training College were also set on fire.

4. On December 7, attempts were made by students to set on fire the Office of the

Dean of Students, the Students Home, the Swimming Pool, the Hobby Centre, and the quarters of the Warden of a hostel.

5. On December 8, the students set fire to building material of a contractor lying in the campus. The police, who tried to extinguish the fire, were pelted with stones by the students. Altercation between two groups of students led to stabbing of a student. Another student was thrown down from the top floor of the Rama-krishna hostel. Both students have been admitted to the hospital and are reported to be out of danger. Clashes took place between the students and the police in which some students were injured.

6. No disturbances took place on December 9. The attendance in the classes except in a few Departments, was, however, thin. A large number of students have left the hostels. About 100 persons have been arrested during these days. It has also been reported that a number of outsiders took part in these disturbances.

7. P.A.C. continues to be stationed in the campus. The situation is reported to be under control

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12.27 hrs.

CONSTITUTION (TWENTY-SECOND AMENDMENT) BILL*

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : I beg to move for leave to introduce a Bill further to amend Constitution of India.

SHRI SHRI CHAND GOYAL (Chandigarh) : Sir, I want to oppose it.

MR. SPEAKER : You can do so, only on a constitutional point. Don't go into the merits of the Bill.

12.27 $\frac{1}{2}$ hrs.

[MR. DEPUTY-SPEAKER *in the Chair.*]

SHRI SHRI CHAND GOYAL : Mr. Deputy-Speaker, Sir, I rise to oppose the

introduction of this Constitution (Twenty-second Amendment) Bill because it is likely to open a flood gate of similar demands for creation of autonomous States in other parts of the country.

SHRI K. NARAYANA RAO (Bobbili) : On a point of order, Sir. This is a Constitution Amendment Bill. According to the Rules, at the introduction stage, the Bill can be opposed only on one ground, that is, with regard to the distribution of powers between the Centre and the States. So far as the Constitution Amendment Bill is concerned, the question of Centre-State legislative relation under Schedule VII does not arise at all. In the light of this, there cannot be any question of objection to the Constitution Amendment Bill at the introduction stage.

MR. DEPUTY-SPEAKER : This is not correct. On general grounds, he is entitled to oppose it. He has given a prior intimation. So, whatever submission he has to make he can do.

SHRI SHRI CHAND GOYAL : Sir, I was making a submission that this Constitution Amendment Bill is going to open a flood gate for similar demands from other parts of the country. We already know that the people of Kumaon hills are demanding the creation of a separate Hill State out of the area of the present Uttar Pradesh. Similarly, the efforts are now being made in the State of Kerala to, initially, create a Muslim-majority district and, ultimately, it will ripen into the demand for a separate State in that part of the country also. Then, the demand for a separate Vidarbha has not yet died down. So, the introduction of this Bill, as I submitted, is going to open a flood gate for similar demands.

The constitutional complications that it is likely to create are very obvious. A separate autonomous State is being created within the framework of the State of Assam and the members of this new autonomous State will enjoy the membership of both the autonomous State and the membership of the State of Assam. We already know that

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 10-12-48.

SHRI SHRI CHAND GOYAL

the requirement of the constitutional provision and the Representation of People's Act is that a member cannot, simultaneously, remain a member of two legislatures and that if one is elected to two Houses, one has to vacate the seat of one House so that he does not enjoy the membership of two legislatures. What is going to be the position here is that the members of the new autonomous State will enjoy the membership of the new autonomous State as well as that of the State of Assam. This is going to be a constitutional anomaly.

Then, I would submit, as we already know, that in the Sixth Schedule of the Constitution, the District Councils have already been given autonomy. So, the position is, there are the District Councils enjoying autonomy on one side, the people of the new autonomous Hill State enjoying second autonomy and the full State of Assam enjoying third autonomy.

Are they going to revert to a system of triarchy? You know that, when triarchy existed during the British regime, it was a subject of much criticism. Now we are going to adopt a system of triarchy in which there will be three independent bodies and the interests of the new State of Assam are likely to come in conflict with the interests of the people of the full State of Assam.

My respectful submission is that not only we are going to allow a situation in which these ugly demands will get strengthened, but Constitutional complications are also likely to arise. Therefore, I vehemently oppose the introduction of this Bill.

THE MINISTER OF LAW (SHRI GOVINDA MENON): These are matters pertaining to the merits of the Bill. Probably they are important points which the House should consider at the time of consideration of the Bill.

MR. DEPUTY-SPEAKER : The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The Motion was adopted.

SHRI Y. B. CHAVAN : I introduce the Bill.

12-32 hrs.

FOOD CORPORATIONS (AMENDMENT) BILL--*Contd.*

MR. DEPUTY-SPEAKER : Now we shall take up further consideration of the Food Corporations (Amendment) Bill. The time allotted was two hours. We have already exhausted one hour and 50 minutes. As I said on the last occasion these matters are decided by the Business Advisory Committee where all groups and parties are represented. The maximum discretion left to the Chair, whosoever is sitting, is just half an hour.

Now, I would request the hon. Minister to reply.

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHIB SHINDE): I am glad that various sections of this House have welcomed the provisions of this Bill. Of course, some criticism also has been made on the floor of the House, and I will try to meet some of the points raised by the hon. members. But before I go into the specific points raised by the hon. members, I would like to submit that, by and large, the intention of the provisions is to provide safeguards to the employees whose services are to be transferred to the Food Corporation. There are three categories for which the hon. members have expressed some concern.

In the case of the category of Central Secretariat employees which is specifically excluded from the purview of this Bill, there is some rationale behind it, and I hope the hon. members will be in a position to appreciate this rationale. Even in the old days when the Food Corporation was not there, the Food

† Introduced with the recommendation of the President.

Department was broadly divided into two sections : one, the policy section, and the other, the Regional Directorates of Food. After the Food Corporation has come into being, naturally, progressively the work which was being handled by the Regional Food Directorates is being transferred to the Food Corporation, but the policy section which was being handled with the assistance of the Central Secretariat employees continues to be with the Government. If the hon. members examine even the original scheme of the Food Corporation Act, they will find that it is the Government of India which is competent to issue policy directives to the Food Corporation. That means, even at the time of enactment of the Food Corporation Act, it was contemplated that policy formulation should be with the Government of India. Naturally, the secretariat which helps in the formulation of policy is going to be with the Government of India and, therefore, the question of transfer of the services of the Central Secretariat employees does not arise. Unfortunately in the beginning everybody wanted to resist the transfer. Now when large sections of the employees are going over to the Food Corporation pressure is being brought on us, saying, why not also transfer along with them the employees of the Central Secretariat. I don't think this is justified. Their services are well protected and I don't think there should be any grievance in regard to that category of employees. The second category in regard to which some concern was expressed is the existing employees, direct employees of the Food Corporation of India. They are directly recruited employees and their services are governed by the rules and regulations which have been framed under the Food Corporation of India Act. They are all well protected—even their scales of pay are better than the Government employees. They have also got the retirement benefits; there are also benefits in regard to leave etc. Moreover the other benefits which are available for the Government employees are also available to them like medical benefits and so on. All that has been provided for and I don't think there need be any fear on that account.

SHRI S. M. JOSHI (Poona) : What about seniority and promotion ?

SHRI ANNASHAHIB SHINDE : Even in regard to that you will appreciate that the normal rules would apply. From the time of recruitment, if they fall in a particular category, normally, they will be eligible for promotion on the normal standards.

SHRI S. M. JOSHI : Will it be seniority or seniority-cum-merit ?

SHRI ANNASHAHIB SHINDE : Instead of going into details I would say, whatever rules are there, those will apply. The present rules governing the Food Department employees would prevail. There won't be any discrimination against the directly-recruited employees. I think that should satisfy the hon. Members.

SHRI S. KANDAPPAN (Mettur) : There are 24 people under orders of retrenchment in Tanjore. That is what I brought to your notice yesterday.

SHRI S. KUNDU (Balasore) : We have a fear that the direct recruits will lose seniority. The seniority of the departmental employees are well-protected. In respect of these people, they will lose the seniority. You are retrenching the direct recruits also. You are taking fresh people from the Department. They are very much concerned about it. You can do something about it.

SHRI ANNASHAHIB SHINDE : The fear is unfounded. Suppose a Government employee of Food Department has been serving the Government for the last 20 years, do you mean to say that he should be placed below in the same category as compared to the employee who has been recruited only two years ago ? But, by and large, in the same category, in regard to seniority etc. the normal rules will apply. And their interests will not be adversely affected in any way by the existing arrangements.

SHRI N. SREEKANTAN NAIR (Quilon) : Is there not a third category which is quite large, namely, the deputationists ? What about that category ?

SHRI ANNASAHIB SHINDE : I propose to come to the point raised by Shri Sreekanth Nair a little later.

I was making this point the main bulk of the employees for whom this Bill has been brought forward is the employees belonging to the Food Department. Now, I am really puzzled a little bit when I see hon. Members complaining and asking what are you doing to protect the interests of the employees who are directly recruited. Previously they asked : What are you doing for the employees of the Food Department. All along pressure was being exerted on the Government that Government must come forward with a Bill, with a legislation, to protect the interests of the Food Department employees whose services are to be transferred to the Food Corporation. When we have come with that kind of Bill, now some doubts are being expressed and we are asked as to what we are doing in regard to other sections. Now, Sir, may I broadly say this ? Government has taken into account the legitimate interests of all sections of the employees and we will not do anything which will give any injustice of any kind to the employees.

SHRI S. KANDAPPAN : Does the hon. Minister deny the order of ousting served on certain employees at Tanjore to which I made a reference yesterday ? I brought it to the notice of the hon. Minister yesterday, Sir.

श्री एस० एम० जोशी : मैं आप से सिफ़ इतना पूछना चाहता हूँ कि क्या नये आदमी फूँड डिपार्टमेंट से फूँड कारपोरेशन में नहीं लाए जाएंगे ? जो रुल बना रहे हैं वह नये आदमियों के लिए है । लेकिन वह जो आएंगे तो यह जो डायरेक्ट रिकूट्स हैं यह जूनियर बनेंगे और सरप्लस भी हो सकते हैं, तो आप उनको यह आश्वासन दे सकते हैं कि इस तरह से उनको सरप्लस नहीं बनाया जायगा ?

SHRI ANNASAHIB SHINDE : Again, I should say that that fear is also a little bit unfounded, because the existing employees are being transferred along with their posts.....

SHRI LOBO PRABHU (Udipi) : Duplicate posts.

SHRI ANNASAHIB SHINDE : After all, I would like my hon. friend to understand the existing arrangements for work. Suppose the Regional Director of Food is working in a particular place, the various employees there are being transferred along with their existing posts. Therefore, there should not be any fear. Moreover, I wish to point out that the Food Corporation is expected to do much more work than the Regional Food Directorates, because the Food Corporation is entering in a bigger way in procurement. Naturally, there would be a large number of posts, such as inspection posts, posts of quality checking inspectors etc. The Food Corporation is also entering the food processing industry in a big way. Therefore, the food Corporation is likely to undertake a number of activities which are consistent with the objectives of the Corporation. In fact it is likely to open more avenues for employment and promotion. So, I fail to understand why there should be such expression of apprehension in regard to what might happen to the employees transferred to the Food Corporation.

A point has been made as to what the retirement benefits, pension benefits and service conditions etc. of the existing employees will be. Broadly, I have already indicated that the existing facilities would continue. The Bill provides for option. If a particular employee wants to continue the existing facilities, he is free to do so; if he wants to opt for the facilities or benefits available from the food corporation he is free to opt for the rules of the Food Corporation. So, there is no difficulty on that score.

My hon. friend Shri Lobo Prabhu has asked us why we are spending Rs. 3 crores more. If some employees opt for the scales of the Food Corporation, then they will get better scales of pay.....

SHRI LOBO PRABHU : Let him spend even Rs. 30 crores. But the money has to come from somewhere.

SHRI ANNASAHIB SHINDE : If some of our employees are likely to benefit by a

result of this transfer from the monetary point of view, I would welcome it and I would not be prepared to accept any criticism on that score.

SHRI DEVEN SEN (Asansol) : What about children's education allowance and widows pension etc. ?

MR. DEPUTY-SPEAKER : I shall permit the hon. Member to ask for clarification later. But now let the hon. Minister be allowed to complete his reply.

SHRI ANN ASAHI B SHINDE : The hon. Member has raised the point in regard to the educational facilities, medical benefits etc. All these facilities are there. May I say that the facilities provided by the Food Corporation are even better than those provided to Government employees ? If in their wisdom some employees whose services are transferred to the Food Corporation want to take advantage of the facilities or the conditions of service provided by the Food Corporation, I think we should welcome that, and we should not have any sort of hesitation on that score. So, there should not be any fear in the minds of hon. Members.

The question has been asked as to what would happen to their accommodation. Normally, a Government employee is not having Government accommodation now, but is getting 15 per cent of pay as house rent allowance. But the Food Corporation provides 20 per cent house rent allowance. So, those employees who in their wisdom desire to opt for the Food Corporation are entitled to 20 per cent house rent allowance and so on that score also not much inconvenience is going to be caused to those employees.

Then a question was asked why a particular wording had been used in the Bill that they would cease to be Government employees after their services are transferred to the Food Corporation. A point was also made by Shri S.M. Banerjee that an assurance had been given by Shri Jagjivan Ram that this particular wording would not be there. I have looked into the papers and I found that what the Minister said was this. Of course, as far as my Ministry was concerned, we took the view

that if we could possibly omit this wording, we would very much welcome it. But even at that time the Minister had observed that this might be referred to the Law Ministry for their scrutiny. Then this was referred to the Law Ministry, the Law Ministry had advised us that when an autonomous body like the Food Corporation was likely to avail of the services of these officers permanently, there was no sense in keeping that working and they said that this would not be consistent with legal provisions and would be against the provisions of the existing arrangements and the entire scheme of the Food Corporation. So, how could we act against the Law Ministry's advice ? That is the reason for the present wording. After all, the point that Shri S. M. Banerjee had in mind when he raised this issue was whether the service conditions of the employees would be protected. I have already made it amply clear that their service conditions are not going to be affected and they were not likely to lose on that score.

Even in regard to permanency and other benefits naturally those will be available to them because it is only on paper that the transfer would take place. But by and large, the same conditions would prevail except where they would like to opt for better conditions.

Then a question has been raised as to what would happen when the Food Corporation is wound up at some later stage. My hon. friend Shri S. M. Banerjee had raised that point. He wanted to know whether Government would give some firm assurance in regard to that. I would like to say that I am prepared to give the firm assurance that in case the food corporation is wound up—of course, I do not foresee that eventuality, but assuming for argument's sake that it is wound up—the existing policy approach of Government to provide re-employment to those employees would be there. We would treat them as any other Government employees. In the case of the employees who have been transferred from the Food Department to the Food Corporation, supposing the Corporation is wound up or their posts are abolished, or their posts are retrenched, or their posts are declared surplus, they would

[Shri Anna Sahib Shinde]

be rendered re-employment assistance in accordance with or consistent with the general Government policy approach, and so, there should be no fear on that score also. But I would like to submit that looking to the history of the Food Department in our country, I do not think that there is any likelihood of the Food Corporation being wound up in the next generation or two.....

SHRI S KANDAPPAN : There would be scarcity and they would continue.

SHRI ANNASHAHIB SHINDE : It is not a question of scarcity at all. There are two possibilities. Even when there is a surplus, as we had last year, when there was a substantial surplus, we have to protect the interests of the producers, because whenever there is a surplus, unless there is a powerful agency having a commanding position in the market, I do not think it would be possible to protect the interests of the farmers or producers. So, assuming for the sake of the argument that the scarcity is no longer there, even then, there would be necessity for the Food Corporation; in fact, I think there would be need to expand the activities of the Food Corporation more and more in case our country becomes surplus or some of our states become surplus. In regard to periods of scarcity the corporation will no doubt be there during those periods. My hon. friend Shri Lobo Prabhu had based his argument on the assumption that the Food Corporation was part of scarcity and Government of India wanted to create scarcity through the Food Corporation. I do not agree with that thesis. But the point that I was making was that there was no possibility in the near future of the Food corporation being wound up in any circumstances. Therefore, the fear of what would happen to the future of the employees transferred to the Food Corporation is a point which should not engage our attention.

Shri Kandappan made the point that the Act provides that the Food Corporation headquarters would be in Madras and asked why it should have been shifted from Madras to Delhi. I would draw his attention to the original Act which says that it would be at Madras or such other

place as the Central Government may by notification in the official gazette specify. So the competence of Government to shift the headquarters is established.

SHRI S. KANDAPPAN : I did not question their competence, but their efficiency. If within such a short time they had to shift the headquarters, why should it originally have been located at Madras ?

SHRI ANNASHAHIB SHINDE : First, I must explain the legal provision and then I will explain the other point. The hon. Member is well aware that when the Corporation started operations in 1965, they were mainly confined to the southern parts of the country. At that time, we thought that instead of managing the affairs of the Corporation from Delhi, it would be better at that time to have the headquarters in Madras. It was from that angle that the headquarters were located in Madras. Thereafter, the Corporation's operations have extended to other parts of the country, mainly, to many States in North India. This necessitated a change in the original decision to locate the headquarters. Moreover, we have found from experience that if the headquarters of the Corporation are far away from the capital, it becomes very difficult for the Ministry to keep in touch with it in regard to issue of policy directives and also with a view to seeing whether those directives are properly implemented or not.

SHRI S. KANDAPPAN : It is better for an autonomous body to be always away from Ministers.

SHRI ANNASHAHIB SHINDE : The Ministers are responsible to Parliament for the activities carried on by the Corporation. I do not think there is any week without questions regarding the Food Corporation having been raised. I am not criticising, because hon. Members have the right to raise such questions. If the Corporation's headquarters were away from the capital, it would have been difficult for us to satisfy hon. members with our replies and information required. From all these points, I think Government rightly decided to shift headquarters to Delhi.

SHRI LOBO PRABHU : Will there be any change if the DMK Government loses power in Madras ?

SHRI ANNASHAHIB SHINDE : I do not think any political meaning should be attributed to it.

SHRI S. M. BANERJEE (Kanpur) : Because the Corporation is of all-India importance, let us have a mobile office.

SHRI ANNASHAHIB SHINDE : I would request Shri Kandappan to see that this decision was not actuated by any political considerations or background, because Ministers come and go but the continuity of government policy has to be maintained. This decision was not, I repeat, taken because of the coming into power of the DMK in Madras. If he has any such impression, I would on behalf of Government dispel it.

SHRI NAMBIAR (Tirucherappalli) : This is not a convincing argument. It may be a pious desire.

SHRI ANNASHAHIB SHINDE : Shri Nambiar will never be convinced.

SHRI NAMBIAR : I am always open to conviction.

MR. DEPUTY-SPEAKER : He should not take note of interruptions.

SHRI ANNASHAHIB SHINDE : A point has been made that close relations of Ministers and Officers are being appointed in the Food Corporation. I take serious note of this.

भी रवि राय (पुरी) : कुछ नाम भी दिया गया है।

SHRI ANNASHAHIB SHINDE : I have gone into all those names. The criticism is not correct, it is not justified. First of all the number of employees in Category I is very limited and it extends only to two figures. I want into the details of the cases which were mentioned by hon. Members yesterday. I found there were more than 100 applications for particular posts. There was a committee of officers to scrutinise those applications. They interviewed them

and then on the basis of merit 37 persons were selected. Even this committee of officers was not the final authority. Then a committee consisting of the Managing Director and Chairman again went into them. The officers whose names have been referred to here were found to belong to Category A. Among the employees one or two were found to be A plus, much above the average or outstanding. Their educational qualifications were found to be First class degrees in particular courses etc.

SHRI S. M. BANERJEE : Shri Deven Sen mentioned the case of a lady. She had no qualifications except that she was known to Mr. S. K. Patil.

SHRI ANNASHAHIB SHINDE : I am sorry. That lady also is qualified.

SHRI THIRUMALA RAO (Kakinada) : He should be more serious. He is flippant. Because he is privileged to be a Member of Parliament he should not take the names of those who are not present here. It is very unfair.

MR. DEPUTY-SPEAKER : I entirely agree with him.

SHRI S. KANDAPPAN : That was already mentioned in the House.

SHRI S. M. BANERJEE : On a point of personal explanation. I may inform you that I have nothing against Mr. Patil or the lady. It was mentioned by Mr. Deven Sen that she had no qualification and she had been given a good post. That is why I mentioned, nothing else.

SHRI ANNASHAHIB SHINDE : I am satisfied at the moment that all these selections have taken place on merit, and I would like the Food Corporation to follow the policy of making selections on merit. At the same time the hon. Members should not be sensitive. Suppose somebody is highly placed and his son or daughter is qualified on merit, is it the contention of the hon. Member that they should not serve anywhere or should not be selected for any post ? I do not think the hon. Members should go to that extent.

श्री रवि राय : कोई वायर पुलिंग नहीं होना चाहिये।

SHRI ANNASHAHIB SHINDE : I have conceded the point that appointments in the Food Corporation should be strictly on merit and that should be the only criterion for selection.

SHRI S. KANDAPPAN : You are avoiding the question of retrenchment.

SHRI ANNASHAHIB SHINDE : I do not want to say anything which may not be correct. I have gone into the telegram which is from Tanjore of Madras. I have no immediate information. I will try to get the information, but I have explained the broad approach of the Government. As a result of this transfer of the employees of the Food Department the intention is not to retrench the employees of the Food Corporation who have been directly recruited.

I have already explained the position.

श्री रवि राय : भविष्य में भी नहीं करेंगे ? . . . (अवधान) . . .

SHRI ANNASHAHIB SHINDE : I am sorry to say—because I have explained this point. (Interruptions). The employees are being transferred along with their work. Therefore, as a result of transfer. . . .

MR. DEPUTY-SPEAKER : How much more time will the hon. Minister take ?

SHRI ANNASHAHIB SHINDE : I will take about 7 or 8 minutes more.

MR. DEPUTY SPEAKER : He may then continue after lunch.

RE. BUSINESS OF THE HOUSE

MR. DEPUTY-SPEAKER : At the request of Shri Madhu Limaye and Shri Fernandes, the discussion under Rule 193 has been deferred.

13 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock

The Lok Sabha then re-assembled after Lunch at five minutes past Fourteen of the Clock.

[SHRI R. D. BHANDARE in the Chair]

FOOD CORPORATION (AMENDMENT) BILL—Contd.

MR. CHAIRMAN : The hon. minister may continue.

श्री जार्ज फरनेंडोज (वर्म्बई दक्षिण) : सभापति महोदय, अभी इस सदन के अंदर जो विधेयक आने वाला है उस के सिलसिले में व्यवस्था सम्बन्धी प्रश्न उठाना चाहता हूँ..

सभापति महोदय : उसके आने के बाद आप अपनी व्यवस्था को बात सुनाइयेगा।

श्री जार्ज फरनेंडोज : आप पहले मेरी बात सुन तो लीजिये। मेरी इस सदन के कामकाज के बारे में एक बहुत ही बड़ी तकलीफ है.....

सभापति महोदय : बाद में रखियेगा।

श्री जार्ज फरनेंडोज : आप एक मिनट के बाल मेरी बात सुन लें व्योंगि अगर अभी आप नहीं सुनते हैं तो वह बाद में बेमतलब हो जायगी।

आज सुबह बर्म्बई के मजदूरों के संगठनों की ओर से एक पेटिशन मराठी भाषा में मैंने लोकसभा सचिवालय के दफ्तर में दी है। जिसको कि मुझे सदन में पेश करना है लेकिन दफ्तर मुझे यह कह करके कि उसके हिन्दी अथवा अंग्रेजी अनुवाद के बिना अनुमति नहीं दी जा सकता है। उसको पेश करने की इजाजत नहीं दे रहा है।

SHRI ANNASHAHIB SHINDE : Sir, I have already satisfied hon. members in regard to the important matters raised by them. Various figures have been mentioned about the number of directly recruited employees of the Food Corporation as 3000 and above. The number is not so big. There are only about 2300 direct recruits and out of them, category 3-quality inspections—form the bulk. There

should not be any difficulty about them, because that staff was originally short with the Food Department. As far as their prospects are concerned, I do not think there would be any difficulty.

Though not directly concerned with the Bill, a point was made about political appointments, specially the Chairman. The Chairman who has been appointed now, Shri Shah Nawaz Khan, belongs to a minority community. That is not a point on which there should be any criticism. In fact, we should be proud of that. Even then, we have taken the decision on merits. He is a patriot of long standing.

AN HON. MEMBER : A defeated candidate.

SHRI ANNASAHIB SHINDE : that does not mean that he is not a competent person. He has had long ministerial experience. He is a patriot of INA fame. He is a person who devotes himself to his work. While he was Chairman of the National Seeds Corporation, he did outstanding work. I would not have touched on this but for the criticism made by a number of hon. members.

The Food Corporation is one of the very important organisations, which has been designed to protect the interests of both the producers and the consumers. The food problem has been with us for the last 30 to 40 years. You know what happened during the British regime in 1943, when lakhs of people died of starvation, because there was no public sector agency.

At that time, a commission was appointed to go into the question of the causes of the famine etc. Even at that time, the commission of inquiry had suggested that unless Government were in a position to effectively intervene with a public sector agency, it would not be possible for the Government of India to handle the food situation properly. Our experience in 1966-67 also has indicated that we were able to overcome a very difficult situation because the Food Corporation of India was there.

What I am trying to suggest is that the

good-will of all the hon. Members is necessary so that we can develop the Food Corporation as a very powerful instrument to serve the interests of our country and the interests of the producers and the consumers. I hope, therefore, that hon. Members will have a sympathetic approach towards this Bill.

As far as the present Bill is concerned, I am glad that a number of Members, especially like Shri N. Sreekanth Nair have expressed the view that for the first time Government have come forward with a progressive legislation. I hope that with this sentiment, all hon. Members will co-operate and see that the Bill is passed as early as possible.

SHRI N. SREEKANTAN NAIR (Quilon) : He has not said anything about the disciplinary action to which I had referred.

SHRI ANNASAHIB SHINDE : That will come up when the amendments are taken up.

MR. CHAIRMAN : Now, I shall put Shri Deven Sen's motion for circulation of the Bill to vote.

The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th February, 1969." (15)

The motion was negatived.

SHRI VISHWANATH PANDEY : I seek leave of the House to withdraw amendment No. 26.

Amendment No. 26 was by the leave withdrawn

MR. CHAIRMAN : The question is :

"That the Bill to amend the Food Corporations Acts, 1964 and to declare the Central Government as the appropriate Government under the Industrial Disputes Act, 1947 in relation to the Food Corporation of India, be taken into consideration."

The motion was adopted.

Clause 2—(Insertion of new section 12A)

Page 2.—

MR. CHAIRMAN : Now, we shall take up the clauses. First, we shall take up clause 2. Hon. Members who have amendments and want to move them may do so now.

SHRI ANNASHAHIB SHINDE : I beg to move:

Page 2.—

for lines 9 to 11, substitute—

"Provided that no order under this sub-section shall be made in relation to any officer or employee in such Department or office who has, in respect of the proposal of the Central Government to transfer such officer or employee to the Corporation, intimated within such time as may be specified in this behalf by that Government, his intention of not becoming an employee of the Corporation." (3)

Page 2, line 35.—

for "the retirement or" substitute—

"the leave, provident fund, retirement or" (4)

Page 2, line 38.—

for "the provident fund or" substitute

"the leave, provident fund or" (5)

Page 3, lines 31 and 32.—

for "as may be prescribed" substitute—

"as may be specified in the regulations made by the Corporation under this Act". (6)

SHRI DEVEN SEN (Asansol) : I beg to move:

Page 2, lines 5 and 6.—

for "any of the officers or employees" substitute—

"all the officers and employees". (7)

after line 11, insert.—

"(1A) All the officers and employees transferred to the Corporation under sub-section (1) shall be deemed to have been declared permanent before their transfer." (9)

Page 2.—

for lines 12 to 16, substitute—

"(2) Notwithstanding anything contained in section (1) the Central Government shall not transfer but absorb in an equivalent post in any of the Departments of the Central Government, an officer or employee serving in the Department of Food or any of its subordinate or attached offices, who in writing expresses his desire not to be transferred to the Food Corporation." (10)

Page 2, line 19.—

omit "cease to be an employee of the Central Government and" (11)

Page 2.—

after line 27, insert—

"Provided that the Corporation shall not make any rules and regulations which may render the conditions of service of such employees in any way or at any time less favourable than the conditions of service applicable to officers and employees of comparable status under the Central Government :

Provided further that notwithstanding transfer to the Corporation, all the aforesaid officers and employees shall continue to enjoy such of the facilities as were available to them before the said transfer by virtue of their service under the Central Government." (12)

Page 4.—

omit lines 12 to 15. (13)

Page 4.—

after line 15, insert—

"Provided that an appeal shall lie to a board of appeal comprising the Home

Secretary, the Labour Secretary and the Food Secretary of the Central Government against any order of dismissal or removal or reduction in rank." (14)

Page 4,—

after line 26, Insert—

"12B. (1) Notwithstanding anything contained in section 12 A the Corporation shall within a period of six months from the date of passing of the Food Corporation (Amendment) Act, 1968, make regulations or amend its existing regulations to provide for safeguarding the interests of the sections of the employees other than those covered by sub-section (1) of section 12A as regards their security of tenure, seniority and promotion.

(2) On their transfer to the Corporation, the employees referred to in sub-section (1) of section 12A shall be treated on par with the other section of the employees in all respects." (19)

SHRI VISHWA NATH PANDEY (Salempur) : I beg to move :

Page 2, line 29,—

for "six" substitute—

"three". (21)

Page 4,—

after line 26, insert—

"12B. (1) Notwithstanding anything contained in section 12A the Corporation shall within a period of three months from the date of passing the Food Corporations (Amendment) Act, 1968 amend its existing regulations to provide for safeguarding the interests of the sections of the employees other than those covered by sub-section (1) of section 12A as regards their security of tenure, seniority and promotion." (22)

SHRI LOBO PRABHU : I beg to move :

Page 3,—

after line 5, insert—

"Provided further that for making the staff permanent, the staff of the Corporation and that transferred to it shall be treated separately and shall be made permanent on the previous ratio of permanent to temporary in each cadre." (27)

Page 4,—

omit lines 7 to 20. (28)

Page 4, line 21,—

for "Nothing" substitute—

"Subject to sub-section (4), nothing". (29)

SHRI DEVEN SEN ; I beg to move :

Page 2, lines 7 and 8,—

for "or any of its subordinate or attached offices and engaged in the performance of those functions" substitute—

"under the Directorate General of Food dealing with those functions which under Section 13 are functions of the Corporation". (30)

Page 2, line 24,—

after "remuneration" Insert—

"continuity of service," (32)

Page 2,—

after line 27, Insert—

"Provided that in the absence of an equivalent grade in the Corporation any officer or employee of the Department of Food shall be fixed in the next higher grade in the Corporation :

Provided further that every officer or employee transferred to the Corporation by the Central Government shall be considered for promotion to a post not lower than the one to which he would have been promoted by the Government, but for his absorption in the Corporation." (33)

Page 3;

after 26, insert

"Provided further that for the purpose of fixation of pay the officers and employees transferred to the corporation in each region shall be deemed to have been transferred from the date the first programme of transfer commenced in that region : Provided also that *inter se* seniority of the officers and employees transferred by the Central Government to the Food Corporation of India shall remain unchanged irrespective of the date or dates of their transfer to the Corporation." (34)

Page 4, line 2,

add at the end

"Duly carried out under the rules made by the President of India from time to time which would have governed him as an officer or employee of the Central Government" (35)

SHRI TENNETI VISWANATHAN (Visakhapatnam) : Sir, I beg to move :

Page 2,

after line 27, insert —

"Provided that in the event of any retrenchment of employees of the Corporation or the winding up of the Corporation it shall be the responsibility of the Central Government to absorb these Central Food employees either in the Food Department, if revived or in any other Department under the Government of India, without adversely affecting their continuity of service, pay, pension, rights and other condition of service and in such an event the period of service rendered in the Food Department as well as the Food Corporation of India of an officer or an employee shall be deemed to be in service rendered under the Central Government for all purposes :

Provided also that the Corporation shall not make any rules and regulation which may render the conditions of service of such employees in any way or at any time less favourable than the

conditions of service applicable to officers and employees of comparable status under the Central Government :

Provided also that notwithstanding transfer to the Corporation all the aforesaid officers and employees shall continue to enjoy such of the facilities as were available to them before the said transfer by virtue of their service under the Central Government.

(3A) For the purpose of fixation of Pay, the officers and employees transferred to the Corporation in each region shall be deemed to have been transferred from the date the first programme of transfer commenced in that region and the pay of every such officer or employee shall be fixed nationally as from that date.

(3B) In fixing the seniority of any officer or employee transferred from the Department of Food *vis-a-vis* the staff employed, by the Food Corporation of India from other sources the period of continuous service rendered in the Department of Food in a grade which may be equated with a grade in the Food Corporation of India shall be treated as Service in that equivalent grade in the Corporation." (44)

SHRI SHINKRE (Panjim) : I beg to move :—

Page 2, line 11,—

for "1966" substitute "1965" (47)

Page 4, —

after line 26, insert —

"12 B. (1) Notwithstanding anything contained in section 12 A the Corporation shall within a period of six months from the date of passing the Food Corporations (Amendment) Act, 1968 make regulations to provide for safeguarding the interests of the sections of the employees other than those covered by sub-section (1) of section 12 A as regards their security of tenure, seniority and promotion.

(2) On their transfer to the Corporation, the employees referred to in sub-section (1) of Section 12 A shall be treated at par with the other sections of the employees in

all respects other than those covered by section 12 A and the regulations made under sub-section (1)." (48)

SHRI N. SREEKANTAN NAIR : I beg to move :—

Page 4,—

for lines 18 to 26, substitute—

"Inquiry as is referred to in sub-section (5), an appeal may be made to the Secretary to the Department of Food and his decision shall be final." (61)

SHRI P. VISWAMBHARAN (Trivedam) : I beg to move ;

Page 4,—

after line 26, insert—

"12 B. Notwithstanding anything contained in section 12 A, the Corporation shall within a period of six months from the date of passing of the Food Corporations (Amendment) Act, 1968 make regulations or amend its existing regulations to provide for safeguarding the interests of the sections of employees other than those covered by sub-section (1) of section 12 A as regards their security of tenure, seniority and promotion." (62)

SHRI TENNETI VISWANATHAM : I beg to move :

Page 4,—

after line 26, insert—

"Provided, however, that direct recruits and transferees shall be treated in the same way as direct recruits and promotees are treated in Government Departments (which permit direct recruitment) in the matter of fixing seniority." (65)

SHRI CHANDRIKA PRASAD (Ballia) : I beg to move :

Page 4,—

after line 26, insert—

"12 B. (1) Notwithstanding anything contained in section 12 A the Corporation

shall within a period of six months from the date of passing the Food Corporations (Amendment) Act, 1968 make regulations or amend its existing regulations to provide for safeguarding the interests of the sections of the employees other than those covered by sub-section (1) of section 12 A as regards their security of tenure, seniority and promotion.

(2) On their transfer to the Corporation the employees, referred to in sub-section (1) of section 12 A shall be treated at par with the other section of the employees in all respects other than those covered by section 12 A and the regulations made under sub-section (1)." (64)

SHRI DHIRESWAR KALITA (Gauhati) : I beg to move :

Page 3,—

after line 5, insert—

"Provided further that while making the staff permanent, the staff transferred by virtue of section 12 A above and the directly recruited staff shall be treated separately and in so far as the former are concerned only such staff as were permanent as on 31st December, 1964 shall be considered as permanent in the Corporation as from 1st January, 1965 while the directly recruited staff shall be confirmed as per Corporation Rules and Regulations." (66)

Page 4,—

after line 26, insert—

"(8) In the case of retrenchment as a result of shrinkage of business in the Corporation, the directly recruited employees shall not be retrenched so long as all the staff covered by sections 12 A are transferred and accommodated in other Departments of the Government of India.

(9) In the event of the Corporation being wound up, all its employees, including the directly recruited employees shall be absorbed in the Government of India." (67)

भी बेबेन सेन (आसनसोल) : समाप्ति महोदय, मेरी पहली एमेंडमेंट सात नम्बर की है। इसमें मैंने कहा है :

Page 2, lines 5 and 6, for 'any of the officers of employees' substitute 'all the officers and employees'.

यांत्री एक एत इंडियजुअल को ट्रान्सफर किया जाएगा, थोटा-योड़ा करके और थोड़ी-योड़ी तादाद में ट्रान्सफर किया जायेगा। इससे दिक्कत पैदा होगी जैसे अभी पैदा हुई है। जो ट्रान्सफर हो कर आयेंगे, उनकी सीनियरार्टी इत्यादि को लेकर जगड़ा पैदा होगा। इसलिए मैंने कहा है एनी आफ दि आफिसर्स आर एम्प्लायोज के स्थान पर आठ दि आफिसर्स एंड एम्प्लायोज रख दिया जाए। एनी एम्प्लायोज आर आफिसर्स लिखने का कोई मतलब नहीं है।

एमेंडमेंट नम्बर आठ सरकार ने मंजूर कर ली है, इसलिए मैं उसके बारे में कुछ नहीं कहना चाहता हूँ।

MR. CHAIRMAN : Is the hon. Minister accepting amendment No. 8 ?

SHRI ANNASAHIB SHINDE : I have moved an amendment which incorporates in itself the amendment which has been tabled by my hon. friend.

भी बेबेन सेन : मेरी नी नम्बर की जो तरमीम है उसका मता यह है कि जो एम्प्लायी ट्रान्सफर होकर आएगा, उसको पहले से ही परमानेंट हुआ समझा जाएगा, ट्रान्सफर के पहले ही यह समझा जाएगा कि वह परमानेंट था। आने के बाद यह जगड़ा ही नहीं रहेगा कि तुम परमानेंट थे या नहीं थे। इसकी छानबदीन ही करने की नीबत नहीं आएगी और न ही छंटनी करने की नीबत आएगी। इस तकलीक से बचने के लिए ही मैंने यह एमेंडमेंट दी है कि उसको पहले से ही परमानेंट डिक्लेयर कर दिया जाए।

मेरी दूसरी नम्बर की जो एमेंडमेंट है उसकी ओर अब मैं आपका ध्यान क्षीबना चाहता हूँ। मैंने इस में यह चाहा है कि अगर कोई कर्मचारी खाद्य विभाग को लिखित रूप में यह सूचना दे दे कि मैं ट्रान्सफर नहीं होना चाहता हूँ तो उसको ट्रान्सफर नहीं किया जायेगा और उसको सरकार किसी न किसी जगह पर एन्जाब कर लेगी। हम लोग किसी को मजबूर नहीं करना चाहते हैं कि तुम को जाना ही पड़ेगा कारपोरेशन में। हम उनको फ़ीडम देना चाहते हैं जाने की। अगर वे जाना चाहते हैं तो जायें और अगर नहीं जाना चाहते हैं तो न जायें लेकिन उनकी नीकरी सुरक्षित रहेगी।

जहां तक मेरी ध्यारह नम्बर की एमेंडमेंट का सम्बन्ध है, मंत्री महोदय ने सबेरे जो एकस्वल्पेनेशन दिया है उससे हम सन्तुष्ट नहीं हैं। यह इस प्रकार है :

Page 2, line 19, omit 'cease to be an employee of the Central Government and'.

आपने कहा है कि एक बार वह कारपोरेशन में चला जाएगा तो वह सेंट्रल गवर्नरमेंट का एम्प्लायी नहीं रहेगा। हमारी दिक्कत यह है कि अगर कारपोरेशन का एम्प्लायी उसको मान निया जाएगा तो सेंट्रल गवर्नरमेंट के एम्प्लायोज को जो सुविधायें प्राप्त होती हैं, जैसे पेशन की है या एक्युकेशनल एलाउसिस की है या और दूसरी हैं, ये सब कारपोरेशन के एम्प्लायी बनने के बाद उनको प्राप्त होती या नहीं, इसको इस बिन्दु में स्पष्ट रूप से लिखा नहीं गया है। मंत्री महोदय ने कहा तो है कि ये सब उनको मिल जाएंगी। लेकिन इस तरह की ब्लैकिट एश्योरेंस का कोई मतलब नहीं होता है। बिल में यह सब चीज होनी चाहिये। अगर बिल में आ जाए तो हम मंजूर कर लेंगे।

जर्जी तक एमेंडमेंट बहार का सम्बन्ध है, वह इस प्रकार ले है :

Page 2, after line 27, *Insert* :

"Provided that the Corporation shall not make any rules and regulations which may render the conditions of service of such employees in any way or at any time less favourable than the conditions of service applicable to officers and employees of comparable status under the Central Government."

कलाज 12 ए (3) में कहा गया है :

to be governed by the regulations made by the Corporation under this Act.

लेकिन हम लोग चाहते हैं कि इस बात की स्पष्ट रूप से व्यवस्था होनी चाहिये कि उन रेग्युलेशन्स के जरिये से उन कर्मचारियों को ट्रांसफर से पहले की मेवा-शर्तों में किसी प्रकार का प्रतिकूल परिवर्तन न किया जाये। इसलिए मैंने संशोधन संस्था 12 में यह प्रेवाइज़ो रखा है :

"Provided further that notwithstanding transfer to the Corporation, all the aforesaid officers and employees shall continue to enjoy such of the facilities as were available to them before the said transfer by virtue of their service under the Central Government."

उन लोगों को सेंट्रल गवर्नरेंट के एस्प्लाइज होने के नाते हाउसिंग, विडो पेन्शन और दूसरी बहुत सी सुविधायें प्राप्त हैं। आज सब सरकारी दफतरों में डिकेटरिशप चल रही है। हो सकता है कि कार्पोरेशन अपने रेग्युलेशन्ज बनाये और उन कर्मचारियों से कहे कि अब वे सुविधायें उन्हें नहीं मिलेंगी; यदि वे रहना चाहें, तो रहें बर्ना वापिस चले जाएँ। इसलिए उन लोगों के हितों की हिफाजत के लिए यह संशोधन रखा गया है।

सब-कलाज (5) (बी) (iii) में कहा गया है :

It shall not apply

"to an officer or employee who, after transfer to the Corporation, is appointed

to a higher post under the Corporation in response to an open advertisement and in competition with outsiders."

संशोधन संस्था 13 के द्वारा मैं चाहता हूँ कि इन लाइनों को ओमिट कर दिया जाये। इस सब-कलाज का अर्थ यह है कि जो हक दूसरों को प्राप्त है, वह उन लोगों को प्राप्त नहीं होगा, जो कि ट्रांसफर के बाद कार्पोरेशन में ऊचे पद पर नियुक्त हो गये हैं। मैं इसको बहुत बड़ा अन्याय समझता हूँ और चाहता हूँ कि इस प्राविजन को हटा दिया जाये।

श्री विश्वनाथ पांडेय (सलेमपुर) : सभापति महोदय, फूड कार्पोरेशन एक्ट, 1964 में जो नया सेक्षन 12 ए जोड़ा जा रहा है, उसमें उन कर्मचारियों की तब्दील, सीनियारिटी, प्रोमोशन और पेन्शन आदि सेवाशर्तों के संरक्षण के लिए प्रावधान किया गया है, जो कि केन्द्रीय स्थान भंत्रालय या उस के किसी विभाग से स्थाय निगम में आये हुए हैं। लेकिन जो कर्मचारी भी ऐसे स्थाय निगम के द्वारा नियुक्त किये गये हैं, इसमें उनको छोड़ दिया गया है। मैं समझता हूँ कि प्रजातन्त्र में इस प्रकार का विभेद करना मुनासिब नहीं है। जो कर्मचारी केन्द्रीय स्थाय भंत्रालय या किसी अन्य विभाग से आये हैं, उनकी संलग्न करीब 18,000 है और जिन कर्मचारियों की नियुक्ति सीधे स्थाय निगम के द्वारा हुई है, उनकी संलग्न 3,000 के करीब है और वे विशेष योग्यता रखते हैं। मैं चाहता हूँ कि उन लोगों की नोकरी, तनस्वाह, सीनियारिटी, प्रोमोशन और पेन्शन आदि के संरक्षण के लिए व्यवस्था होनी चाहिए और इस लिए मैंने संशोधन संस्था 22 के द्वारा एक नया सेक्षन 12 बी ओड़ने का सुझाव दिया है। मुझे बाधा है कि मंत्री महोदय मेरे इस संशोधन को स्वीकार कर लेंगे या इस बात पर प्रकाश ढालेंगे कि किस प्रकार उन लोगों की तनस्वाह, सीनियारिटी आदि को संरक्षण दिया जायेगा।

SHRI LOBO PRABHU (Udipi) : Sir, I have to admire the Minister for his spirit of optimism (SHRI ANNASHIB SHINDE ; I hope, you are not a pessimist) in respect of the difficulties in settling this very large staff of 20,000 members. I would like him to understand the complexities because as a Minister his role is a very clear one but when Government servants and others of a lower order are concerned, things are not as easy and require to be understood.

Under this particular Bill no less than six new classes are being created in respect of the Food Department employees. Firstly, there are those who are recruited after 1965. They are excluded from employment. Secondly, you have the class of those who elect for the Food Department scales of pay and pension. Thirdly, you have those who elect for the Corporation's scales of pay and retirement. Fourthly, you have got a class of people who have been transferred in advance of others and have been promoted. There is a provision for them. Fifthly and sixthly, you have got this very large class of those who are permanent and who are not permanent.

I made an enquiry from the Secretary of the Ministry as to what proportion—I did not say, what numbers—is permanent and what proportion is not permanent. He was not able to give me a reply. These factors are very important because you are dealing with six classes.

As far as the Food Corporation employees are concerned, there are two classes—those who have been confirmed after one year of service and those who have not been confirmed after one year of service.

These categories are relevant when at least three situations arise. First is the situation of retrenchment. It is no use pretending that there will be no retrenchment. My hon. friend, Shri Kandappan, has already mentioned a telegram that he has received. There cannot be the slightest doubt that because duplication exists a number of people will have to be retrenched.

A question was raised about the workload. The fact remains that sooner or later, whether the Minister is so pessimistic about it that we shall have scarcity for ever there are a lot of people who think that the food problem can be solved if left to itself and he himself emphasizes all the time that we have had a break through in agriculture, we have increased irrigation and our food production must rise. To that extent the food problem must shrink and the staff will be surplus. When this is the position and retrenchment is an actual fact, what are you going to do ?

There are people in the Food Department who are not permanent even after 16 years of service and there are people in the Food Corporation who are permanent even after two years of service. When retrenchment arises, will the Minister tell me whether he is going to retrench first those who are not permanent for 16 years in the Food Department or those who are permanent only after two years' service in the Food Corporation ? What is the relative priority he is giving to these two classes ? I can bring out other classes, but to make it simple let him here and now say whether the total period of service in the Food Department will be considered or whether the question will be only whether such-and-such a person is permanent or not.

Take the question of promotion. The same problem arises here. Permanent men have a right over those who are not confirmed. What is going to happen ? Is the Food Corporation man with three years' service to have a right of promotion over someone with 16 to 18 years' service in the Food Department ?

Then again there is a question of their qualifications for the various posts. They have fixed a little higher qualifications for the Food Corporation. What is going to happen to the right of promotion of those who do not satisfy these qualifications ? Will those who normally would have been promoted to their own vacancies in the Food Ministry not be promoted now ?

Considering all these, I had made what

I had considered a very necessary amendment, to leave things as they are. No doubt, my good friends here have been pressing for the amalgamation of the two time and again, but they did not consider these complexities. There was no harm in leaving the Food Department official in the Corporation as on deputation.

But you have left it there. I am not pressing that now. All I am saying is that you treat the two categories as separate in respect of retrenchment and promotion. Don't mix them up. You fix the ratio of permanent and non-permanent as it is. It is not a difficult thing. If you don't do, you will have to face so many difficulties and so many complications. All the time, these officials will be spending time in equation of posts and in disposing of writs against orders passed by Government. I have no doubt that there will be intervention from the courts because it is very easy to file a writ that the rights of certain persons have been affected. So, you please consider it very carefully. Even if you are amalgamating the two cadres, keep them separately.

Now, I come to another amendment which relates to certain provisions which I have not been able to understand. You provide that where the authorities cannot find enough evidence, they may record as such and dismiss an employee. This is clearly against article 311. This is against all ethics. When you have no evidence, you dismiss an employee. This provision should go because the benefit of your doubt should go to the employee and not to Government.

Then, I do not see why an officer who has been appointed to a higher post should be exempt from this procedure. That is something which I am not able to understand. You may please explain that further.

My last amendment is in respect of secretariat staff. The hon. Minister said that they were doing the work of policy and they would not be involved and in this particular transfer, they would have no work in the Food Corporation. I would like him to please read that clause very carefully which says.

".....members of the Central Secretariat service or any other service or a person on deputation to the Department....."

They are not in the Secretariat; they are on deputation to the Department. They have a certain work in the Department and that work is now transferred to the Food Corporation. I have suggested an amendment that you allow an option of remaining on the Food Department's scale or on the Government scale. These officers should be allowed the right to join the Food Corporation. The hon. Minister's presumption is not correct to say that they are dealing only with policy.

MR. CHAIRMAN : Shri Kalita.

SHRI DEVAN SEN : Sir, I want to speak on my amendment Nos. 32, 33, 34 and 35.

MR. CHAIRMAN : I told you to speak on all amendments.

SHRI DEVAN SEN : It was difficult to point out the relevant amendments and to speak on them at that time. These are important amendments. I want to speak on them.

MR. CHAIRMAN : All right; I will call you after him.

SHRI DHIRESWAR KALITA (Gauhati) : I agree with Mr. Lobo Prabhu. All amendments which we have moved are regarding employment security to the employees. If their employment security is assured in this enactment itself, we shall withdraw all the amendments. Yesterday he was also, categorically questioned about the direct recruits. Today, he has assured that nearly 2,300 direct recruits are there and they will not be retrenched immediately. But we do not find this guarantee in the Act. That is why we have moved these amendments. Your oral assurance will not do. Although we agree that the Bill should be passed, there should be a certain minimum guarantee in the Act itself to the employees who have been working for years together. I hope the hon. Minister will agree while he assures the House that their services will

[*Shri Dhireshwar Kalita*]

not be rendered surplus and that their services will be kept in tact. Why should not that be put in the Act itself?

Therefore, I would request the hon. Minister to accept my amendments on Pages 3 and 4.

श्री देवेन सेन : मैं अपने अमेंडमेंट नं० 32 को वेश करता हूँ। इसमें है कि पन्ना 2 लाइन 24 पर जहाँ पर रेम्युनरेशन है वहाँ उसके बाद कांटीन्युइटी आफ सर्विस लिखा जाय। इस बिल में हर एक जगह पर लोर, वेंजर वर्गीरह का जिक्र किया गया है लेकिन कहीं पर कांटीन्युइटी आफ सर्विस का जिक्र नहीं है और हम लोगों के दिल में शक है कि कांटीन्युइटी आफ सर्विस नहीं रहेगी। इसलिए उसकी हिफाजत करने के लिए यह मेरा छोटा सा अमेंडमेंट है।

अमेंडमेंट नम्बर 33 भी ऐसा ही हिफाजत के लिए।

Page 2,

after line 27, insert

"Provided that in the absence of an equivalent grade in the Corporation any officer or employee of the Department of Food shall be fixed in the next higher grade in the Corporation :"

मैंने देखा कि अभी जो प्रेड्स आए साथ विभाग के और कारपोरेशन के वह मिलते जुलते नहीं हैं। कहीं तलब ज्यादा है, कहीं प्रेड दूसरा है। इसलिए मेरी तरमीम है कि अगर ट्रांसफर किया जायगा और प्रोमोशन का बहुत आएगा तो इंवीवेलेट प्रेड में उसको बैठाना पड़ेगा। वह नीचे न चला जाय। जूनियर गोडाउन कीपर के लिए ऐसा किया गया। जूनियर गोडाउन कीपर जो है वह कारपोरेशन में जायगा तो नीचे के प्रेड में उसको रखा गया है। इसका एक प्राविजो और है कि :

"Provided further that every officer or employee transferred to the Corporation by the Central Government shall be considered for promotion to a post not lower than the one to which he would have been promoted by the Government, but for his absorption in the Corporation."

इसका तलब साफ है। इसको एक्स-प्लेन करने की ज़रूरत नहीं है।

तरमीम नम्बर 34 इस प्रकार है :

Page 3,

after line 26, insert

"Provided further that for the purpose of fixation of pay the officers and employees transferred to the Corporation in each region shall be deemed to have been transferred from the date the first programme of transfer commenced in that region :"

यह तरमीम बहुत महत्वपूर्ण है। ऐसा होता है आज एक आदमी का ट्रांसफर हुआ और वह वहाँ पर जूनियर है। कारपोरेशन में आकर वह सीनियर हो जायगा और उस के बाद जो ट्रांसफर होकर आएगा वह साथ विभाग में यद्यपि सीनियर था लेकिन यहाँ आकर जूनियर हो जायगा। उस की तलब यो कम हो सकती है क्योंकि कारपोरेशन में इन्क्रीमेंट है 10 रुपये साल और साथ विभाग में इन्क्रीमेंट है 3 रुपये साल। इसलिए इसकी भी हिफाजत होनी चाहिए। और दूसरा है :

"Provided also that *inter se* seniority of the officers and employees transferred by the Central Government to the Food Corporation of India shall remain unchanged irrespective of the date or dates of their transfer to the Corporation."

कूंकि एक दिन एक आदमी ट्रांसफर हो जाता है और दूसरा रह जाता है, तो सब की सीनियारिटी को लेकर बहुत संग्राम होगा। इसलिए हमें उसकी हिफाजत करनी चाहिए।

मेरा लास्ट अमेंडमेंट है 35 नम्बर का ।
यह इस प्रकार है :

Page 4, line 2;

That is to say, "evidence adduced during such inquiry".

add at the end—

"duly carried out under the rules made by the President of India from time to time which would have governed him as an officer or employee of the Central Government."

इसका मतलब भी साफ है। मैं ज्यादा खुलासा करना नहीं चाहता ।

श्री चंद्रिका प्रसाद (बलिया) : सभापति जी, इस विल में धारा 12 (ए) के अन्दर 18 हजार कर्मचारियों के हितों की रक्षा तो की गई है लेकिन जो खाद्य निगम बना उस में रिकूट हुए तीन हजार के करीब कर्मचारी जो हैं उनके बारे में इसमें कोई जिक्र नहीं किया गया है। उनकी पेशन, उनकी सीनियरिटी, उनका प्रोमोशन आदि और अगर खाद्य निगम बंद हो तो वह बेचारे सड़क पर न कोंक दिये जायं इसका आश्वासन होना चाहिए। तो उन 18 हजार के साथ इन 3 हजार की रक्षा करनी चाहिए। इनकी रक्षा करने के लिए मेरा अमेंडमेंट 12 (बी) (1) और 12 (बी) (2) है। हम चाहते हैं कि इसको स्वीकार किया जाय।

SHRI TENNETI VISWANATHAM (Visakhapatnam) : There are two amendments standing in my name. One is amendment No. 44 and the other is amendment No. 65. They all relate to conditions of service of those officers or employees who are transferred from the Department to the Food Corporation. The second amendment relates to the position as between the direct recruits and those who are taken there on transfer. So many amendments have come because of the following. In the Statement of Objects and Reasons it is said :

"In doing so, care has been taken to ensure that the pay, pension and other conditions of service are not, as far as possible, adversely affected on account of such transfer."

This pious wish has been written into the Statement of Objects and Reasons.

Now, the difficulty has arisen because they have not said that all the rules which apply to the Government servants will apply to these people who are transferred from the Food Department to the Corporation on the ground that they are servants of the Corporation. Instead of that, they said, in the original Act, that certain rules and certain conditions of service will be laid down. Therefore, for the redemption of that promise, after some years, they have come now with this Bill; but here, instead of making the rule clear, they have simply provided for some "conditions" and they have not provided for other "conditions"; and what really happens is this : When they gave a number of conditions and omitted certain other conditions by implication it means that the other conditions are denied. That is why these apprehensions have arisen. The Minister thinks that they are misapprehensions.

In drafting this Bill, if simplicity was observed there would not have been scope for this kind of apprehension or misapprehension. Now, Sir, I am not one of those who believe that this kind of white elephant called the Food Corporation will remain for ever. This is an unnecessary thing in normal times. It is an unnecessary burden this country is bearing.

There are many of our friends who think as to why the distribution of food-stuffs should be done through the Government agency knowing full well how Government is functioning in other public sectors. But that apart.

Sir, overnight what has happened? They have transferred Rs. 10 crores to the Food Corporation. From that day, these Rs. 10 crores bear interest at 7½%. The overhead charges cost another 4½%; that is, 11 to 12% is the extra burden on the consumer in this country, apart from other kinds of

expenditure which may be incurred. This 11 to 12% of money is an unnecessary burden on this country; whether there is scarcity of food or whether there is plenty of food, it is certainly an unnecessary burden. That is so, but as long as it is there, the evil is there, we have got to see that the evil is not very much burdensome to all those who are affected by it and among those people who are affected are these government servants. If the Minister is pleased to look into my amendment No. 44, he will see the reasonableness of my plea. He was very categorical when he said that they are not going to be wound up. When we asked, What will happen, supposing the Corporation is wound up, he said "What will happen? Nothing will happen; they will be re-employed." What will happen to all those benefits which they have secured and the long-term service which they have rendered? He simply said, they will be "re-employed" and some provision will be made. That is what he said.

It is very nebulous. People who have served years and years in Government and who are transferred to this Corporation are not given any hopes as to the benefits they will have and the terminal benefits which they should have on retirement, but it is said that if the office is wound up, they will be treated like any others in the same category for the purpose of re-employment elsewhere in Government. This is a very unsatisfactory position and I would request the Minister to think over it.

The second thing is that all of us are anxious--and the Minister also is--to see that the conditions of service of these transferees do not suffer in any way because of their transfer to the Corporation. This is all the gist of all the amendments and, the speeches made yesterday also. What is wanted is that this should be statutorily guaranteed. But the present wording of the provisions in this Bill does not afford that guarantee. If the Minister looks into these amendments and accepts them, so much the better. Otherwise, he may redraft them to his own liking and see that a specific provision is made that while drawing up regulations the Corporation shall not impose any

conditions which will make the conditions of service of the transferees unfavourable or less favourable than what they are, and that as between direct recruits and the people who are transferred to the Corporation, the same rules which apply in other departments in the case of direct recruits would apply here also. Direct recruits should get neither more nor less than what they got in other departments wherever there is direct recruitment. All that the transferees demand is: As a matter of policy, you have created this Corporation and now you are transferring us there, with or without our will; but please see that the conditions which you impose on us will not be less favourable than what they were prior to the transfer. But here the provision in sub Cl. 3 is:

"....and become an employees of the Corporation with such designation as the Corporation may determine and shall, subject to the provisions of sub-sections (4), (5) and (6), be governed by the regulations made by the Corporation under this Act as respects remuneration..."

This does not confer a statutory guarantee than the conditions to be imposed will not be less favourable than what they are at present. All that is wanted that this should be spelled out in the Bill itself, instead of leaving it to the Corporation. These Corporations have become tyrants. The moment a Corporation is created, it develops a new kind of independence like son-in-law and says the next day, 'we are autonomous and independent; we will recruit whomsoever we like on whatever conditions we like; nothing doing about ensuring continuity of conditions of service to government servants in our employ.' They may appoint as a regional manager a person whom they like. He may be somebody's friend in the Corporation. Then the poor Ministers are made to answer here by the Secretary that it is an autonomous department.

What is autonomous about it? The word 'autonomous' is not used in any of the laws passed by Parliament. They are all subject to certain limitations. But an atmosphere is created, an aura is spread or built round these corporations

and all people, including Ministers, are made to believe that they are autonomous and they can do what they like. When we talk of ensuring a certain set of conditions of service for the employees, the Minister simply says it will be subject to such regulations as they may make and all these will be looked after. In his speech he agrees that this will be done, but why does he not make the provision in the Bill itself?

This is the gist of all the amendments. I hope the Minister will give careful consideration to them, and instead of brushing them aside, incorporate the substance of the amendments in the Bill. Government servants are all perturbed because of this transfer to a new house called this new Corporation. We do not know whether it will be made permanent or not and at what point of time it will assume what kind of autonomy it may choose. These are our apprehensions and the Minister should do the needful to allay them.

श्री शिकरे (पंजिम) : सभापति जी, मैंने जो अमेंडमेंट पेश किया है वह बहुत अर्थपूर्ण है इसलिये कि उससे व्यक्त होता है अविश्वास कम से कम तीन हजार कर्मचारियों का जो आज फूड कारपोरेशन में काम करते हैं। बात यह होती है कि जब हम कोई कारपोरेशन और पब्लिक अन्डरटेकिंग स्थापित करते हैं तो अविश्वास पैदा होता है जनता में और वह सोचती है कि आगे क्या होगा, जैसे कि कारपोरेशन स्थापन होने के बाद तीन हजार कर्मचारी फूड कारपोरेशन के, सोचते हैं कि क्या होगा उनका अगे। बात यह है कि पिछले समय में हेमेशा ऐसा हुआ है कि जब कभी हम कोई समस्या सुलझाने का प्रयत्न करते हैं तो बुनियादी समस्या का तो हल होता नहीं, लेकिन उससे 10 नई उप-समस्यायें उत्पन्न हो जाती हैं। इसलिये जब इस विषेयक में फूड कारपोरेशन के कर्मचारियों के लिये शाश्वती नहीं रही, ऐसा दिक्षाया गया, तब वे प्रयत्न करने लगे कि उनको इस विषेयक में शाश्वती मिले,

कोई सब-सेक्शन डालने के बाद। तो मैं मंत्री जी से कहूँगा कि जो अविश्वास निर्माण होता है कर्मचारियों में, जनता में, उसको नष्ट करने के लिये मेरा जो संशोधन है उस को स्वीकार करें। मैं यहाँ स्पष्ट करना चाहूँगा कि उस अमेंडमेंट से जो अविश्वास प्रकट किया जाता है, यह तो मैं नहीं कहूँगा कि मंत्री जी का जो उद्देश्य है, उनकी जो कायं पढ़ति है, उसके बारे में होगा। लेकिन ऐसा होता है कि सरकारी जो यत्रणा, मशीनरी रहती है उम पर अविश्वास रहता है और उस बजह से कर्मचारियों की शाश्वती नहीं मिलती है।

14:51 hrs.

[MR. DEPUTY SPEAKER in the Chair]

SHRI N. SREEKANTAN NAIR (Quilon) : I cannot understand Mr. Lobo Prabhu's amendment and his insistence on keeping the two categories of employees separate. There are only 2,300 on the one said while there are 20,000 on the other. I do not want anybody to be sent away, but if anybody is to be sent away "last come first go" should be the principle.

MR. DEPUTY SPEAKER : I am sorry the hon. Member was not present. He specifically mentioned your point while replying.

SHRI N. SREEKANTAN NAIR : He wants the deputationists to be treated contrary to this principle. I raised that question yesterday, but the Minister did not reply to it. The question of deputationists is a very complex question. They have been taken from the Centre and from the States. The Minister combines all these persons into one group, the so called Secretariat. People from the Secretariat who are sent as Directors are outside the purview of this Bill and of the Corporation, but people who have been sent on deputation get much higher emoluments and rank in the Corporation. So, let us once and for all end this business of deputation.

[SHRI N. SREEKANTAN NAIR]

Let them decide whether they want to continue in the Corporation or in the Central or State Government as the case may be. Let them make a choice and let it be final.

Coming to my amendment, it is against all laws and all the constitutional provisions to punish some body without giving him a hearing. Sub-clause (5) reads :

"No officers or other employee transferred by an order made under Sub-section (1),

- (a) shall be dismissed or removed by an authority subordinate to that competent to make a similar or equivalent appointment under the Corporation as may be prescribed;
- (b) shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity..."

That is fair, but Sub-clause (6) says :

"If, in respect of any such officer or employee as aforesaid, a question arises whether it is reasonably practicable to hold such inquiry as is referred to in sub-section (5), the decision thereon of the authority empowered to dismiss or remove him or to reduce him in rank shall be final."

This is a statutory provision. Yesterday the Minister was saying that rules would be made, but rules cannot be made to go counter to the Statute. Here is a provision which will be struck down by any court.

Nobody can be punished in this country without being given a hearing. If he is not given a hearing and the officer who is empowered to dismiss him says,—'You cannot be given an opportunity', that will not stand in a court of law. Let us not go into the question of legality. It is immoral. So, there must be some other appellate authority. I suggested that the Secretary of the Ministry of Food may hear the appeal because I wanted to take

it out of the purview of the Corporation. If it is a question of denying justice or punish him without an opportunity...

MR. DEPUTY SPEAKER : Do you mean to say that the rights given under Art. 311 of the Constitution have been denied ?

SHRI N. SREEKANTAN NAIR : Yes, Sir. He could be dismissed without being given a hearing and the decision of the officer who is to dismiss him, whether he can be given a reasonable hearing or a reasonable possibility of giving him a hearing, is final. He is the prosecutor and executor and he is also the Judge. There is no question of even an appeal. There must be an appeal. Let the appeal be outside the limits of the Corporation. The Secretary of the Ministry may be the appellate authority because it is an action of the Corporation and it is a question of dismissal, a fundamental right of the employee. I do not want the Minister to be the appellate authority because there may come a time when there is no Minister. Let the bureaucrat enjoy that power, but let there be an authority outside the scope of the Corporation.

SHRI K. NARAYANA RAO (Bobbri): I want to point out...

MR. DEPUTY SPEAKER : If I keep it open for debate, many hon. Members would rise. We have already exhausted the time. I cannot allow.

The hon. Minister has exhaustively covered at the consideration stage. I would request him to be very brief and to the point.

SHRI ANNASHAHIB SHINDE : I am thankful to you for your suggestion. I would myself like to be very brief.

Important points have been raised by Shri Lobo Prabhu and Shri Sreekanth Nair that some of the provisions, especially sub-section (b) of clause 5 are against the provisions of the Constitution. I am really surprised that both the hon. Members who are very learned

members should raise this point which is without any substance because if the hon Members kindly look in to the provisions of Article 311 of the Constitution, they will find the same provisions reproduced in this section. Exception has been taken to a provision wherein it has been said :

"Where the authority empowered to dismiss or remove an officer or employee or to reduce him in rank is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry."

Shri Lobo Prabhu has taken objection to this provision. May I draw his attention that this is nothing but the same clause reproduced from Article 311 of the Constitution. In Article 311 of the Constitution—I shall not go into other clauses—it is said :

"Where the authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry; or"

That means the same provision which is part of the Article 311 has been reproduced in this clause. It is not inconsistent with the provisions of the Corporation.

Shri Sreekanth Nair argued in respect of clause 6 which reads :

"If, in respect of any such officers or employee as aforesaid, a question arises whether it is reasonably practicable to hold such inquiry as is referred to in sub-section (5), the decision thereon of the authority empowered to dismiss or remove him or to reduce him in rank shall be final."

15 hrs.

Again, I would like to draw your kind attention to sub-clause (3) of article 311 wherein it says :

"If, in respect of any such person as aforesaid, a question arises whether

it is reasonably practicable to hold such inquiry as is referred to in clause (2), the decision thereon of the authority empowered to dismiss or remove such person or to reduce him in rank shall be final."

So, it is nothing but reproduction of the clause as given in article 311. The Government has been careful enough to examine all these provisions in consultation with the Ministry of Law and all the constitutional aspects have been looked into.

SHRI N. SREEKANTAN NAIR : In every clause, there is provision for appeal in the other case, but here there is nothing of the sort.

MR. DEPUTY-SPEAKER : Article 311 provides two opportunities. The hon. Minister has said that more or less two opportunities have been provided for in this clause. Beyond that, what do the hon. Members want ?

SHRI S. M. BANERJEE : Yesterday, when I was speaking on the Bill, what I said was that there are certain rules and regulations to be followed according to the Central Government (Classification, Control and Appeal) Rules. These are based on the substance and spirit of article 311. There was a controversy in the House itself, when only one opportunity was given, when Shri A. K. Sen was the Law Minister. Ultimately, the entire thing was discussed and two opportunities were given. I would like to know from the hon. Minister if the same rules govern the service conditions in the matter. Then that should be omitted.

SHRI N. SREEKANTAN NAIR : I can give several instances; I have not brought them with me. Dismissals of Government servants have been quashed by the high courts and the Supreme Court on the ground that they were invalid.

MR. DEPUTY-SPEAKER : I know of several cases which went to the Supreme Court and the decisions were definitely in favour of all those who had suffered

[Mr. Deputy Speaker]

at the hands of the Government. Here, the question that has been raised is, will they be governed by the same service rules as the other Government servants or would they be different. On that, the House got to be satisfied.

SHRI ANNASHAHIB SHINDE : The service rules are framed by the Food Corporation of India but the principle has been accepted; the basic constitutional protection which was there for the Government employee would be available even after transfer.

MR. DEPUTY-SPEAKER : Now, the House must be satisfied.

श्री देवेन सेन : मैं यह जानता चाहता हूँ कि मंत्री महोदय से कि कर्मचारियों की कन्टिन्युइटी आफ सर्विस की हिफाजत के बारे में बिल में कहां पर दिया दृआ है ?

SHRI ANNASHAHIB SHINDE : I have already made it clear, but I shall repeat it because the hon. Member is insisting on that. Why have we come forward with this Bill ? Originally the services were to be transferred by executive order, but many hon. Members, representatives of the employees and members, of trade unions raised the objection that the transfers should be statutorily governed and there should be statutory provision for providing the transfer and the executive order may not satisfy the employees, and that is why we have come with the provisions of this Bill. So, the intention of the Bill is that the continuance of their service would be there.

Shri Tenneti Vaiswanatham raised a point in his amendment which says :

"Provided also that the Corporation shall not make any rules and regulations which may render the conditions of service of such employees in any way or at any time less favourable than the conditions of service applicable to officers and employees of comparable status under the Central Government..."

We fail to appreciate why the hon.

Member is insisting on this, because we have given the option. After transfer of service, if the employees of the Food Department want to avail themselves of the existing rules etc. in regard to scales of pay, retirement benefits and a number of other things, they have the option. The option has been provided. The Government have gone a step forward in saying this : not only can they avail themselves if they desire the facilities and benefits extended by the Food Corporation of India but if they want to continue with the existing benefits, it is entirely at their discretion. And, therefore, there is no point in saying that nothing inconsistent should be provided. This amendment, to my mind, is superfluous, and I do not agree at all with the hon. Member.

SHRI TENNETI VISWANATHAM : He says, these people have got the option and therefore, they would not be worse off. But where is the provision which says that the conditions will not be less favourable than those that were available to them before the transfer ? He may not accept the amendment but after a time, he will be obliged to do it.

MR. DEPUTY SPEAKER : He has given an assurance on an earlier occasion when Mr. Sreekanth Nair and Mr. Lobo Prabhu had raised the point whether they would get the same protection as provided under article 311. He said, the rules will be framed accordingly so that that protection would be available. He had made it clear that once he opts out and joins the Corporation service, that option is final. Then he will be governed by those service rules which will be based on the service rules for other Government servants.

SHRI K. NARAYANA RAO : How is it possible, Sir ?

MR. DEPUTY-SPEAKER : He has given that assurance and I am prepared to accept it.

SHRI TENNETI VISWANATHAM : You have summarised what he said. Our difficulty is, hereafter in the Food Corporation, there will be two sets of

conditions of service—one man drawing Rs. X plus Rs. 2 and another drawing only Rs. X, one man having some kind of benefits and another man having another kind of benefits. Does the minister think that this will lead to peace in the services?

Secondly, he has said that having opted out, they can be secure. But where is the provision in the Act which says that they will not be worse off. In the Statement of Objects and Reasons it is written, but why is it not written in the provisions of the Bill that their conditions in no way shall be less favourable than what they were before? So far as article 311 is concerned, it only applies to dismissals and appeal. There are other conditions of service and benefits which the employees would have been enjoying for years and years like continuity of service. Where is the obligation upon the corporation under this Bill to see that those conditions do not become less favourable? We have got an assurance all right. If assurances are law and if I am the Chief Justice of India, I will act upon them.

श्री देवेन्द्र सेन : उपाध्यक्ष महोदय, मन्त्री महोदय के जबाब देने से पहले मैं आपका ध्यान धारा 45 की ओर आकर्षित करता चाहता हूँ। इसमें कहा गया है कि एप्पोरेसेज का कोई महत्व नहीं होता है। ... (उपाध्यक्ष) ... आर धारा 45 (3) को देखने की कृपा करें जिसमें कहा गया है ... (उपाध्यक्ष) ...

MR. DEPUTY-SPEAKER : An assurance given to this House has equal validity. Has the minister anything to add?

SHRI ANNASHAHIB SHINDE : No, Sir.

Mr. DEPUTY-SPEAKER : I will now put Government amendments Nos. 3, 4, 5, and 6 to clause 2.

The question is :

Page 2,--

for lines 9 to 11, substitute—

"Provided that no order under this subsection shall be made in relation to any

officer or employee in such Department or office who has, in respect of the proposal of the Central Government to transfer such officer or employee to the Corporation, intimated within such time as may be specified in this behalf by that Government, his intention of not becoming an employee of the Corporation." (3)

Page 2, line 35,—

for "the retirement or" substitute—

"The leave, provident fund, retirement or" (4)

Page 2, line 38,—

for "The provident fund or" substitute—

"The leave, provident fund or" (5)

Page 3, lines 31 and 32,—

for "as may be prescribed" substitute—

"As may be specified in the regulations made by the Corporation under this Act." (6)

The motion was adopted.

MR. DEPUTY-SPEAKER : I will now put all the other amendments to vote.

Amendments Nos. 7, 9 to 14, 19, 21, 22, 27 to 30, 32 to 35, 44, 47, 48, 61, 62 and 64 to 67, were put and negatived.

MR. DEPUTY-SPEAKER The question is :

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 was added to the Bill.

Clause 1 (Short Title)

Amendment made :

Page 1, line 4, for '1967'

substitute '1968'. (2)

(SHRI ANNASHAHIB SHINDE)

MR. DEPUTY SPEAKER : The question is :

[Mr. Deputy-Speaker]

"That clause 1, as amended, stand part of the Bill".

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made :

Page 1, line 1, for 'Eighteenth' substitute 'Nineteenth'. (1)

(SHRI ANNASAHIB SHINDE)

MR. DEPUTY SPEAKER : The question is :

"That Enacting Formula, as amended, stand part of the Bill".

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI ANNASAHIB SHINDE : I beg to move:

"That the Bill, as amended, be passed".

MR. DEPUTY SPEAKER The question is :

"That the Bill, as amended be passed".

The motion was adopted.

15.12 hrs.

STATUTORY RESOLUTION RE :
DISAPPROVAL OF ESSENTIAL
SERVICES (MAINTENANCE)
ORDINANCE

SHRI S. M. BANERJEE (Kanpur) : On a point of order.

MR. DEPUTY SPEAKER : But there is no business before the House. Let Shri S. S. Kothari move his resolution. Then, I shall give him an opportunity to raise his point of order.

SHRI S. M. BANERJEE : My point of order is that this motion cannot be discussed.

MR. DEPUTY SPEAKER : If that is the point, I shall consider. First, let Shri S. S. Kothari move his motion; let him get up and say that he moves it. Then, he can raise the point of order.

SHRI S. S. KOTHARI (Mandsaur) : I beg to move :

"This House disapproves of the Essential Services Maintenance Ordinance, 1968 (Ordinance No. 9 of 1968) promulgated by the President on the 13th September, 1968".

SHRI S. M. BANERJEE : I am sure that this resolution has been moved under article 123 of the Constitution. It has been admitted by you or by the Speaker under rule 184. Article 123 reads thus :

"(1) If at any time, except when both Houses of Parliament are in session, the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require".

Then, there is a provision to the effect that every such Ordinance shall be laid before both Houses of Parliament and shall cease to operate at the expiration of six weeks from the reassembly of Parliament and so on.

This ordinance was passed by the back-door and it has now been brought before this House and laid on the Table. I have no objection to that. Shri S. S. Kothari, Shri George Fernandes, Shri Joytirmoy Basu and myself in our wisdom have tabled a resolution seeking to disapprove of the ordinance. That resolution can only be admitted under rule 184 which reads thus :

"Save in so far as is otherwise provided in the Constitution or in these rules, no discussion on a matter of general public interest shall take place except on a motion made with the consent of the Speaker".

You have given your consent. That is why this has been admitted. Then it was decided to allot time for this in the Business Advisory Committee. Ultimately it has come up here. Now, Government are

seeking to convert the Ordinance into a Bill. Shri S. S. Kothari and others have moved a resolution seeking disapproval of the ordinance.

This resolution has been admitted under rule 184. There are certain conditions under which such resolution could be admitted. The first condition is that it shall raise substantially one definite issue; and the definite issue is one of banning strikes. Secondly, it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements, and thirdly it shall not refer to the conduct or character of persons except in their public capacity. We are not discussing the conduct of the Home Minister. We could have discussed it, but we are not discussing it now.

Then, "It shall be restricted to a matter of recent occurrence". This is a recent occurrence, on the 19th September. Then, "shall not raise a question of privilege". It is not raising a question of privilege. Then, "it shall not revive discussion of a matter which has been discussed in the same session;". We have not discussed it in the same session, though we had a no confidence motion on the same subject. Then, "it shall not anticipate discussion of a matter which is likely to be discussed in the same session. 'Tomorrow, or even today, it is going to be discussed because the Bill is coming up.

Now I come to my main point, which is under rule 188, which reads :

"No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter shall ordinarily be permitted to be moved :"

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : Read the proviso also; read the full thing.

SHRI S. M. BANERJEE : I am reading it.

"Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry."

Sir, you are the supreme commander of the army of democrats. Now, I will quote to you some rulings of the Speaker. The same point of order was raised on the 7th April, 1965 when there was brutal firing in Bastar, killing even the Maharaja of Bastar, and all the sections of this House wanted that to be discussed. Then Shri G. N. Dixit, who is no more in this House contended that it cannot be discussed here by raising a point of order. Shri H. C. Mathur then said that so far as the commission appointed by the State Government is concerned, it cannot be discussed in this House. He said that the issue is "no more with us."

MR. DEPUTY-SPEAKER : It was over-ruled.

SHRI S. M. BANERJEE : I know. I am coming to that. I will refer to those things which have been upheld. Ultimately, it was decided by the hon. Speaker that anybody who was responsible for that, that also cannot be discussed. He said "you cannot discuss the merit or demerit of the case; you can only quote certain incidents, what happened there." Naturally, that was allowed.

Then, on 9th May, 1968, a question was raised by Shri Madhu Limaye :

"That this House disapproves of the statements made by Shri Ranganathan, Under Secretary, Ministry of External Affairs on behalf of the Government of India in his affidavit in opposition on the 21st April, 1968, before the Delhi High Court which are contrary to the statements made by the Minister of Home Affairs in the House on the 28th February, 1968 in regard to implementation of Kutch Award."

Shri Madhu Limaye wanted to move a motion disapproving the conduct of a

[SHRI S. M. BANERJEE].

particular officer and he explained why it should be done. Now, the Speaker took time to consider it. He did not give a ruling immediately. He patiently waited and referred the matter to the Law Minister. I am now reading only the ruling of the Speaker from page 36735 of the uncorrected proceedings—now corrected, perhaps—dated 9th May, 1968.

“On my enquiry from the Law Minister whether the affidavit was a privileged or secret document, the Law Minister stated as follows :—

“I did not say that it is a privileged document; I said that it is a document which is now being considered by a court.”

So, the Law Minister contended that a discussion cannot take place because the case is pending before a particular High Court. The Speaker ultimately gave a ruling, after weighing the rights of this House and the judiciary. I am quoting it :

“As regards the third question, the rule whether a motion which relates to a matter which is under adjudication by a court of law should be admitted or discussed in the House has to be interpreted strictly. While on the one hand the Chair has to ensure that no discussion in the House should prejudice the course of justice, the Chair has also to see that the House is not debarred from discussing an urgent matter of public importance on the ground that a similar, allied or linked matter is before a court of law. The test of *sub-judice* in my opinion should be that the matter sought to be raised in the House is substantially identical with the one on which a court of law has to adjudicate. Further, in case the Chair holds that a matter is *sub-judice*, the effect of this ruling is that the discussion on the matter is postponed till judgment of the court is delivered.

The bar of *sub-judice* will not apply thereafter, unless the matter becomes *sub-judice* again on an appeal to a higher court.”

Lastly, his ruling was, after this was pointed out to him by my hon. friends,

Shri Bhandare and others—I think, Shri Bhandare was there—

“Hence I consider”—

This is very important.

“Hence I consider that discussion on the notice of motion should be postponed until the court has delivered its judgement. I am, however, clear that the matter is of public importance which should be discussed in the House and its importance will not be lost if the House waits until the court has adjudicated in the matter.”

My submission is that the Ordinance, which we are going to discuss now, has been challenged—I have verified it—in the Supreme Court and in three High Courts, namely, the Delhi High Court, the Rajasthan High Court and the Andhra High Court. It may be said on behalf of the Home Minister that the Supreme Court has rejected it. I know that but it has not rejected it on merit; it was simply not admitted.

SHRI R. D. BHANDARE (Bombay Central) : It is a strange proposition.

SHRI S. M. BANERJEE : If you can show any judgement by which it has been rejected on merits, I am prepared to accept that.

This particular view was upheld even by the learned Speaker on the 9th May 1968. The case is not pending only in the Delhi High Court, but in Rajasthan and Andhra High Courts also it is pending. What we are going to discuss is an Ordinance which has been challenged in the High Courts, the highest judiciary in the States. It is pending there. What is coming next ? It is that the Ordinance should become law. Which Ordinance ? The Ordinance which is under challenge.

So, I say on the basis of past rulings, specially the latest ruling on 9th May, 1968, that this discussion should not be allowed and this should be kept pending the finalisation of the cases by the three High Courts.

SHRI K. LAKKAPPA (Tumkur) : What about human rights ?

MR. DEPUTY-SPEAKER : So far as the first point is concerned, he mentioned article 123 of the Constitution. Will he kindly look at clause (2) of the same article, wherein it has been stated :—

"shall be laid before both Houses of Parliament and shall cease to operate at the expiration of six weeks from the re-assembly of Parliament, or, if before the expiration of that period resolutions disapproving it are passed by both Houses" ?

SHRI S. M. BANERJEE : I know it.

MR. DEPUTY-SPEAKER : Under the Constitution, a right is given to this House to disapprove it. It is not simply allowed to lapse; the House has the right to approve or disapprove it.

SHRI S. M. BANERJEE : My point is not that.

MR. DEPUTY-SPEAKER : So far as the first objection under rule 184 is concerned, that does not apply here and I do not allow it.

SHRI S. M. BANERJEE : Under what rule have you admitted this motion ?

SHRI S. S. KOTHARI : Under direction 9A and article 123 of the Constitution.

MR. DEPUTY-SPEAKER : In the Constitution it is obligatory. How can we deny this House the right to disapprove an action ? No rules can prevent this House from acting because we have a right under the Constitution. That is not possible.

SHRI S. M. BANERJEE : You have not followed me correctly. I have the Constitution with me and I have quoted article 123. I can quote article 123 (2) also which you have quoted and quoted very ably than I could. I table a motion before this House under the Rules. My Bible is the Rules of Procedure.

Either it is 193 or 184. What is the rule under which this motion has been admitted ?

MR. DEPUTY-SPEAKER : It is under the Constitution. The heading goes as the Statutory Resolution. You have been in the House for more than 12 years now. You ought to know what procedure we follow. When there is a constitutional obligation there is no question of anything.

Now, coming to the second point, I would like to hear the Law Minister as to whether there are any cases pending or the same matter is being discussed

THE MINISTER OF LAW (SHRI GOVINDA MENON) : Sir, I do not know about it. What I submit is this... (Interruptions)

SHRI UMANATH (Pudukkottai) : He does not know !

SHRI N. SREEKANTAN NAIR (Quilon) : He is ignorant. (Interruptions)

MR. DEPUTY-SPEAKER : He will find out.

श्री एस० एस० जोशी (पूना) : उपायम सहोदय, अगर ला मिनिस्टर को पता नहीं है तो पता करके कल आये और तब तक के लिए इसको मुस्तबी रखा जाए ।

SHRI K. LAKKAPPA : He cannot say, "I do not know". He should come prepared. (Interruptions)

MR. DEPUTY-SPEAKER : Let us proceed quietly. The contention is that the matter is *sub-juris*. Now, I would say, those who are contending that should produce evidence to that effect. Otherwise, what will happen....

SHRI UMANATH : We are on oath here. We make statement on the floor of the House and from the Government side ...

MR. DEPUTY-SPEAKER : What he has said is his responsibility.

SHRI UMANATH : He says he does not know. We have made a statement here that the matter is *sub-judice*. From the Government side, they have not denied it. The Government does not say that it is not true. He only says he does not know. Let the Government verify it. Till then, this can be postponed.

MR. DEPUTY-SPEAKER : You must specify what exactly is the point.

SHRI S. M. BANERJEE : Kindly hear me. My point is this. The cases are before the Andhra High Court, the Rajasthan High Court and the Delhi High Court. In two cases, it is by employees and in the case of Delhi High Court, it is not an employee but a member of a particular Association has moved a writ petition praying that the effects of the Essential Services Maintenance Ordinance, 1968 should not be made operative. The legality of the Ordinance has been challenged in the High Courts.

MR. DEPUTY-SPEAKER : It has been challenged in the Delhi High Court.

SHRI S. M. BANERJEE : It has been challenged in the High Courts of Delhi, Rajasthan and Andhra Pradesh. The High Court of Andhra has even issued stay orders. I have checked it with the Home Minister. It is correct. These cases are pending. Mr. Shukla has himself said that there are three cases pending in these High Courts.

SHRI SHRI CHAND GOYAL (Chandigarh) : The writ petitions challenging the legality of this Ordinance are not only pending in various High Courts of the country but one High Court has even granted a stay order, that is, Andhra High Court.

Still, the Law Minister has pleaded ignorance. I think, being the Law Minister, he ought to have been apprised of the latest developments. But he pleads ignorance to the House. It has appeared in a section of the press, in leading newspapers, that these writ petitions have not only been admitted but stay orders have been granted by one High Court. Nobody

can challenge that this is not a *sub-judice* matter. They are pending. It is quite likely that the High Court may pronounce that this Ordinance is illegal.

SHRI GOVINDA MENON : I am surprised.....(Interruptions)

SOME HON MEMBERS *rose*.

MR. DEPUTY-SPEAKER : Let him clarify the position. I will give you an opportunity. Let him clarify the position.

SHRI S. M. KRISHNA (Mandyā) : Let us first pay our compliments to the Law Minister and then he can say whatever he wants to.

SHRI THIRUMALA RAO (Kakinada) : This is, more or less, being discussed here. There are persons on this side also who want to have their say. Before you call the Law Minister, you must give an opportunity to these persons also.

MR. DEPUTY-SPEAKER : I only want to ascertain the fact whether the Ordinance has been challenged in the Delhi High Court and other High Courts. This is what I have asked him to clarify... (Interruptions)

SHRI UMANATH : What is he going to clarify on the basis of his ignorance. (Interruptions)

MR. DEPUTY SPEAKER : I am trying to ascertain only this fact from the Law Minister. (Interruptions)

SHRI S. M. KRISHNA : On a point of order.

MR. DEPUTY-SPEAKER : Let him clarify the position. Until I get a clarification from this side, I will not hear any one...

SHRI S. KUNDU (Balasore) : On a point of order.

MR. DEPUTY-SPEAKER : Please resume your seat. I am trying to ascertain the fact...

SHRI S. KUNDU : On a point of order.

MR. DEPUTY-SPEAKER : I am asking the Law Minister to clarify this point. Please resume your seat.

SHRI GOVINDA MENON : There are about 13 or 14 High Courts in India, and if I have said that I do not know whether certain petitions are pending in certain High Courts, there is nothing to be surprised about...

SHRI S. KUNDU : Please listen to this side also.

SHRI GOVINDA MENON : Subsequently, the Home Minister has told me that, in the Supreme Court, a writ challenging the validity of the Ordinance was moved and it was not admitted; the Supreme Court rejected the writ...

SHRI K. LAKKAPPA : Let him bring the relevant records. He cannot confuse the House like this. (Interruptions)

MR. DEPUTY-SPEAKER : Order, order.

SHRI GOVINDA MENON : In the Supreme Court of India, a writ challenging the validity of this Ordinance was moved and that writ was dismissed. In the Delhi High Court, a writ challenging the validity of the Ordinance has been moved; it has not yet been heard. (Interruption)

SHRI NAMBIAR (Tiruchirapalli) : The cat is out of the bag now.

MR. DEPUTY-SPEAKER : The writ is admitted but not yet heard?

SHRI GOVINDA MENON : Yes.

MR. DEPUTY-SPEAKER : But notice has been issued to the Government?

SHRI GOVINDA MENON : May be; I must enquire. There is a writ which has been moved and it may be taken. (Interruptions) It may be taken that a writ challenging the validity of the Ordinance is pending. In Rajasthan and Lucknow also, a writ challenging the validity of

the Ordinance is pending. In Andhra, a writ against the termination of services under the Ordinance is pending. Now it is not possible for me to know all these details.

I submit, Sir, what is now moved before you is a motion under Article 123 (2) of the Constitution, disapproving of the ordinance issued by Government. That is the motion, that the House disapproves the Ordinance which was issued. Now, that is a constitutional motion. It is the supreme, sovereign right of this House to say whether the Ordinance which was issued by the President under Article 123 is approved by this House or not; and a vote either approving the ordinance or disapproving the ordinance will not, in any way, invoke the rule of *sub-judice* because we do not go into any validity of that matter. Therefore my submission is.. (Interruption) My submission is, the Motion before the House, disapproving the Ordinance should be considered and voted upon. (Interruption)

MR. DEPUTY SPEAKER : Order, order. Shri Bhandare.

SHRI S. M. BANERJEE : Sir, I wish to say something on this point. I will take only a few minutes. When the discussion of Kutch Award came up in this House, Shri Madhu Limaye raised this matter and pleaded for discussion; this House pleaded. But the Law Minister was adamant. What did he say then? This is what Mr. Speaker has said :

"On my enquiry from the Law Minister whether the affidavit was a privileged or secret document, the Law Minister stated as follows :—

"I did not say that it is a privileged document; I said that it is a document which is now being considered by the court and it is not open to a party in litigation in a court to publish that document. This is similar to a plaint and a written statement in a regular case. It is not usual for a party to a case to publish this..... It is so stated, for example, in the Commentary on the Evidence Act, that the class of documents which consists of

[Shri S. M. Banerjee]

plaints, written statements, affidavits and petitions filed in court cannot be said to form such acts or records of acts as are mentioned in this Section and are, therefore, not public documents. This is an affidavit which has been produced by one of the Under Secretaries to Government on behalf of Government. It has been produced in court and it is not correct to say that anybody will get a copy. A copy will be given only to the party and, after the case is decided, it may be available for others."

He further went on to say :

"The point is that, assuming but not conceding that the affidavit filed by the Under Secretary is in variance with the statement which the Home Minister may have made here, that is something which tells upon the strength and efficacy of that affidavit. And that is a matter which will be discussed in the court and which, as a matter of fact, was discussed in the court. As a matter of fact, now I can submit, on behalf of Government, that the question was raised in the court that this affidavit by the Under Secretary is slightly at variance with what the Home Minister has stated..... That is a matter which, probably, the judges are now considering, and, therefore, I cannot conceive of a matter which will be more directly and clearly in violation of the *sub-judice* rule which I pointed out."

SHRI R. D. BHANDARE : I wish to raise certain points before you for your consideration and for the consideration of the House. Sir, the first point is this. What is it that is pending in the high courts ? It is the legality of the Ordinance, not the merits of the Ordinance at all. That is the first point. Here, what is it that is before the House ?

The second point is : What is it that is before the House ? What is before the House is a Motion seeking to disapprove the Ordinance. The third point is that after this Motion is disposed of, what is it that has to be considered by the House ? Two Bills.

MR. DEPUTY-SPEAKER : That is not before the House now.

SHRI R. D. BHANDARE : I know we have not touched it because at the initial stage, it was objected to and it was upheld.

MR. DEPUTY-SPEAKER : First is the Resolution.

SHRI R. D. BHANDARE : When the legality is challenged, it is outside the scope of the Resolution.

AN HON. MEMBER : Why ?

SHRI R. D. BHANDARE : And the matter is not *sub-judice*.

SHRI S. M. BANERJEE : It is *sub-judice*.

SHRI R. D. BHANDARE : I hope this subtlety will be appreciated by you.

MR. DEPUTY-SPEAKER : When the legality is challenged, it is on the basis of the terms of the Ordinance. It is not in vacuum. Whether it was right or wrong is a different matter.

SHRI R. D. BHANDARE : Therefore, I did not preface my speech or put in any preface or preamble. I thought in the ordinary parlance the distinction between the terms 'legality of the Ordinance' and the Ordinance itself will be appreciated, specially by you.

MR. DEPUTY-SPEAKER : I am following his argument.

SHRI R. D. BHANDARE : If we are able to appreciate this distinction, we must conclude that the matter which we are going to discuss is not *sub-judice*.

SHRI K. NARAYANA RAO (Bobbili) : Briefly stated, the intention behind this point of order does not appear to be honest.....

SHRI S. M. JOSHI : I object to this. He must withdraw it.

SHRI M. L. SONDHI (New Delhi) : What is he saying about honesty or dishonesty ?

Why does he say it? (*Interruptions.*)

MR. DEPUTY-SPEAKER : I must ask the member not to attribute motives and import *mala fide* considerations into this.

SHRI K. NARAYANA RAO : The very fact that the Resolution by Shri Kothari and Shri Fernandes is being objected to by Shri Banerjee is suggestive proof of this.

Once you rule the objection out and hold that the discussion is in order, we take up the discussion. Coming to the merits of the discussion, this motion is something different from that contemplated in rule 184.

MR. DEPUTY-SPEAKER : This is under art. 123 (2).

SHRI K. NARAYANA RAO : I am coming to that.

Once you hold that this is not a motion under rule 184, naturally rule 180 would not apply.

May I refer you to article 118 (1) which says :

"Each House of Parliament may make rules for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business."

This motion has been brought under article 123. Therefore, this is a motion not contemplated under the rules. This House has every right, every member has every right, to bring any motion under this article. Such being the case, it is accidental if the matter is pending before a court. Even if it is litigated upon, it does not prevent this House from discussing it. Therefore, the rule of *sub-judice* will not apply.

SHRI TENNETI VISWANATHAM (Visakhapatnam) : When constitutional lawyers speak it is very difficult to know whether they support or oppose. Mr. Bhandare tried his best to convert a donkey into a horse. I admire his ingenuity, but with great respect to him I should say he was not successful.

As you have said, the legality of the ordinance is now pending and the Law Minister has also said that it is pending. You also added that the legality was questioned not upon the ground that it was not duly published or duly signed or anything like that but in relation to the contents of the ordinance which goes against the fundamental rights of certain citizens. Therefore, when a writ petition is pending, it cannot be said that it is not *sub-judice*. It is clearly *sub-judice*.

There is the other point raised that this House has got a constitutional right to approve or disapprove of the ordinance and therefore the rules cannot come in the way, but the rules are themselves part of the Constitution. The rules have been made under the Constitution, and thanks to Mr. Narayana Rao. I now know the number of the article also, namely article 180 (1) in order to see that the various constitutional obligations are discharged according to the Rules of Procedure. There are constitutional obligations but they are subject to the Rules of Procedure and under the Rules of Procedure we have taken it upon ourselves not to discuss matters which are *sub-judice* because once we start it there will be no end to it. When the matter is pending it cannot be said that we can discuss Mr. Kothari's resolution without any reference to the subject matter of the ordinance. The point raised by Mr. Banerjee is this, what will be the content of any speech on this resolution.

The speech will certainly go into the merits and the merits cannot be questioned because legality is based upon merits. Therefore, this is an extraordinary situation.

This point has not been mentioned by Mr. Bhandare, but it is open to the Government to bring the Bill by itself without reference to the ordinance. They can withdraw the Bill, change the Statement of Objects and Reasons and then bring it before the House and see the reaction of the public, instead of bringing an illegal thing and trying to argue that though the matter is pending before the Court, still we can discuss it.

[Shri T. Chetti V. Viswanatham]

It is somewhat strange. If you give me a chance to speak on this motion I will have to go into the merits from the beginning to the end. The rule does not over-ride the Constitution; it is true but here the rule is part of the Constitution.

MR. DEPUTY-SPEAKER : As the Law Minister observed just now, there is a constitutional provision, article 123 (2), in which this House is given certain rights. During the off-session when we are not sitting, the President has a right to meet a situation, to legislate by ordinance. But as soon as we meet and as early as possible, within a certain specific period this House has been given a right to approve or disapprove. Can this right be taken away (*Interruptions*) because something is pending before some judicial authority. That is the main point.

SHRI GOVINDA MENON : Not only that, Sir. If the point of order is upheld, what happens is that this motion is ruled out and the ordinance survives.

SHRI TENNETI VISWANATHAM : Let me answer this. I just touched upon that point.

MR. DEPUTY-SPEAKER : You clarify it.

SHRI TENNETI VISWANATHAM : Your remark simply that this rule is debarring us from discharging a constitutional obligation. The Rule itself says how to discharge the constitutional obligation in a regulated manner. That is why the Rule is there. Now that approval or disapproval could have come if there was no petition pending before the court. Now the same Constitution which says that you can disapprove of it, also says that you can make rules to regulate that disapproval. The same Constitution has mentioned the procedure relating to the approval or disapproval. The river of discussion will have to flow in between the banks. Otherwise it will be like Ghaggar and Kosi.

SHRI R. D. BHANDARE : Where there is a conflict between the Rules and the Constitution, the Constitution must prevail. It is a simple proposition.

SHRI H. N. MUKERJEE (Calcutta North East) : The Constitution is intended to subserve the achievement of the rights of the citizens in actual implementation. And that is why the Constitution has provided to Parliament the responsibility of approving or disapproving of ordinances issued during the recess. It is in order to safeguard the citizen's rights that Parliament has been empowered by the Constitution to approve or disapprove of ordinances issued when it was not sitting. Similarly in order to safeguard the rights of citizens, the Constitution has given to every citizen the right to go to a court and challenge certain actions of the Government. I take it and I am sure the Law Minister will be constrained to agree that our High Courts are very well aware of the provisions of the Constitution and our High Courts know very well also that if an ordinance is kept hanging for a certain period of time, it lapses altogether. With full awareness of that, our High Courts, some of them-Delhi, Rajasthan and Andhra Pradesh-thought it fit to keep the matter pending because it requires fuller consideration. They know fully well that after the efflux of a certain period of time, this ordinance would cease to be, and knowing that they have kept the matter pending. That it is pending is not disputed by the Law Minister though he tried to prevaricate and hedge about it in the beginning. (*Interruptions*)

SHRI GOVINDA MENON : No, no Sir.

SHRI H. N. MUKERJEE : Therefore the matter is pending before the High Court and it is *sub-judice*. That brings us to the point of or behaviour and the behaviour of the Chair in regard to discussion in this House. It has been very clearly established, particularly at the persistent advocacy of the present Law Minister, as Mr. Banerji pointed out with very apt quotation, and it has been repeatedly held by the Chair as on the occasion when the Law Minister figured, that if a matter is pending before a court, we postpone proceeding with that. Heavens would not fall as Mr. Viswanatham said. If they want to have this pernicious legislation, they can withdraw this kind of procedure which is so faulty because

they do not want it. The Law Minister of this country has the gumption to appear before Parliament and say that what happens in the Delhi High Court is not known to him. (*Interruptions*)

I wish the House to take very serious notice of an admission made by the Law Minister in a tone of voice which was not apologetic at all. On the contrary, it was something different, that he did not know, that he was not expected to know what was happening in the 13 or 14 high courts of this country. At least the Delhi High Court is right under his nose and one does know that we are functioning in Delhi. That is the sort of thing that has happened. And when this sort of thing happens, you have pointed out very correctly. You have been trying to tell the Government, and some over exuberant Government Members who do not have any argument but something else, you have told them that this matter is important. You have been upholding the dignity of the Chair, and because this matter is of a controversial nature.....(*Interruption*).....well, I am not trying to flatter you for supporting us. I know you stand by principles. Here is a matter ; either it is a pending matter or it is not a pending matter. If it is a pending matter, it is *sub-judice*. If it is *sub-judice*, can we discuss this proposition in the House ? If we cannot discuss this proposition, certain consequential things ensue. And there are constitutional provisions to quote that this House has the right to disapprove or approve certain measures. Therefore, it happens to be on this day, of all days, that this proposition has come up.

We need not go ahead with this. We can keep this matter pending provided the Government knows how to keep order and get on with the proceedings properly. Something ought to be done to stop this kind of laches on the part of the Law Minister. I hope the Law Minister understands what I mean by that legal expression. This kind of lapse, this kind of failing, must not be repeated in the manner that the Law Minister is doing. He is too busy going about the country and asking the people to take the law into their own hands.....(*Interruption*).

SOME HON. MEMBERS : *rose*—

SHRI S. M. BANERJEE : He should have been guillotined.

SHRI H. N. MUKERJEE : We do not want condign punishment for the Law Minister but something ought to be done in order to bring the Law Minister to book for all that he has done and exhibited here. (*Interruption*).

SOME HON. MEMBERS : *rose*—

SHRI S. KUNDU : Sir, it is a very important matter, and I would request you, implore you, demand of you, that we should not deal with this point in a cavalier manner. I would like to draw your attention to the provisions of sub-clause (3) of article 123. What does it say ? It says :

“If and so far as an Ordinance under this article makes any provision which Parliament would not under this Constitution be competent to enact, it shall be void.”

Now, whether it shall be void or not, the matter is under the direct jurisdiction of the high courts now. After this has been admitted, and the Law Minister, after a little bit of vacillation and prevarication—

SHRI GOVINDA MENON : No vacillation. (*Interruption*)

I do not know. There is no use in shouting.

SHRI S. KUNDU : After all he has made the statement; these matters have been admitted, and it is in the high court, and it means that there is a *prima facie* case, and we cannot proceed with it. When this question is directly under the purview of the high court, you will be violating sub-clause (3) of article 123 if we discuss this matter here.

SOME HON. MEMBERS : *rose*—

MR. DEPUTY-SPEAKER : Shri Bhandare.

SHRI S. KANDAPPAN (Mettur) : Sir, he is monopolising it. (*Interruption*)

MR. DEPUTY-SPEAKER : He wants to add something.

SHRI R. D. BHANDARE : There is a section in the Indian Penal Code, and that section is to be repealed. Now, certain cases are pending in the courts. What happens to those cases pending in the courts after the repeal of that section?

16 hrs.

Take another illustration. Certain offences have been committed and they are tried in the court. In the meanwhile the statute has been taken out of the statute-book. What happens to those matters which are before the court? Similarly, once an ordinance is promulgated, the Constitution gives the power to both Houses of Parliament other to approve of it or to disapprove of it and take it out of the statute-book. The question is whether or not the exercise of power by Parliament under article 123 of approving or disapproving of an ordinance is barred by the matter before the court. Once the ordinance is disapproved and taken out of the statute-book, all these petitions pending before the court would become infructuous. Therefore, I submit that Parliament is justified in exercising its power under the Constitution.

SHRI SEZHIYAN (Kumbakonam) : Sir, the illustrations that have been cited do not hold good here, because the very legality of the ordinance has been questioned in a High Court and certain operations have taken place. When we discuss this resolution, we have necessarily to go into the legality of the ordinance and the operations part of it and we will touch upon the very matters which are before the High Court. As an individual, the Law Minister is entitled to say, "I do not know", but he is here not as an individual, but as the Law Minister representing the Government of India. It means as if the Government of India does not know anything about it. He takes that responsibility.

Secondly, under the Constitution, it is not obligatory that a resolution approving or disapproving the ordinance should be brought before the House. The relevant article only says :

"every such ordinance—

(a) shall be laid before both Houses of Parliament and shall cease to operate

at the expiration of six weeks from the re-assembly of Parliament or, if before the expiration of that period, resolutions disapproving it are passed by both Houses, upon the passing of the second of these resolutions."

So, the obligation is only that it should be laid before Parliament, and that has been fulfilled. There is no obligation to pass a resolution approving or disapproving of it. Nowhere it has been said that Government should bring in such a resolution.

SHRI GOVINDA MENON : We have not brought the resolution.

SHRI SEZHIYAN : No harm will be done if the resolution is kept pending and a decision is taken upon it at a later stage.

Therefore, because there is no constitutional obligation, either on the part of government or Parliament that we should approve or disapprove of it and because it is a matter which is *sub-judice*. I think we should keep the matter pending. We are not competent to discuss this at this stage. So, it should be postponed.

SHRI SHRI CHAND GOYAL : As regards the point raised by Shri Bhandare that since some action has been taken and some cases are pending and, therefore, it has to be proceeded with, I was surprised to hear that argument because it can be raised only before a village panchayat court. Whether some action has been taken under that legislation, whether some cases are pending before law courts, that is entirely irrelevant for considering the question whether a certain piece of legislation is legal and valid. When a piece of legislation is declared void by courts, what happens? Either the action that has already been taken is saved or the cases are withdrawn. Not that because some cases are pending, therefore, there is any hitch or any difficulty in declaring a particular piece of legislation as void or illegal.

The Law Minister stated that a writ petition filed in the Supreme Court

was dismissed. But he subsequently admitted that there are three or four writ petitions pending before different High Courts and the point for decision in those writs is the legality or validity of this piece of legislation.

Now, our hon. friends opposite will not give us an undertaking that they will not insist on our approval of this motion. Of course, if they agree with us with regard to disapproval, then we might be in a position to take our objection back. But our hon. friends opposite will insist for the approval of this Resolution. My hon. friend, Shri S. KUNDU has raised a legal point under article 123 (3) and article 14 (2) that this House cannot pass a legislation which either abridges or takes away the fundamental rights.

MR. DEPUTY-SPEAKER : That point can be raised only at a later stage.

SHRI SHRI CHAND GOYAL : Then, there is another motion of which I have given notice that this Bill may be referred to a Joint Committee.

SHRI VIDYA CHARAN SHUKLA : But there is no Bill before the House.

MR. DEPUTY-SPEAKER : We are only on the Resolution.

SHRI SHRI CHAND GOYAL : I am suggesting a *via media*. Since this measure suffers from so many legal infirmities, I do not think it would be proper to consider this motion at this moment, especially when some legal points have been raised. So, if the House agrees, it can be referred to a Joint Committee.

श्री एवं श्री चंद गोयल (पूना) : उपाध्यक्ष महोदय, मैं कभी उदादा बोलता ही नहीं, बोलना भाता ही नहीं। मगर आज यो सवाल इस सदन के सामने आया है उसको हमें गम्भीरता से सोचना चाहिये। आप को उलझन में डाला गया, यह बताया गया कि कास्टोट्यूशनल कोई हमारा कर्ज है इसलिये वह अदा करना चाहिये इसलिये इस रिजोल्यूशन को साना चाहते हैं। ऐसा नहीं

है। अगर हम चाहें तो रिजोल्यूशन नहीं भी सा सकते हैं। अभी जैसा हमारे द्वात लायक दोस्त श्री सेलियान ने कहा उससे बात साफ हो जाती है कि अनुच्छेद 123 जो है उसमें क्या-क्या बताया गया है। अखिल उसका औबजेक्टिव क्या है? औबजेक्टिव यह है कि जब आर्डिनेन्स निकाला जाता है या तो उसको कन्फर्म करना चाहिये, या विदाहा करना चाहिये। अब विदाहा करने के लिये सब दिया है (ए) में। मेरी शिकायत यह है कि इसमें इसकी चर्चा ही नहीं हो सकती, जैसा कि मेरे लायक दोस्त कुन्ह साहब ने बताया है।

इसमें बताया है कि हाउस कुछ करे या न करे, हाउस एप्रूव करे या डिस-एप्रूव करे लेकिन असल बात यह है कि एक कामन मिटीजन का यह नियों हक रहता है कि वह कोर्ट में जाकर किसी भी कानून को लैसेन्ज करे और यह कहे कि यह अवैध है। कामन मिटीजन का वह राइट किस प्रकार से समाप्त हो सकता है? यह मेरा राइट यो है, वह पेन्डिंग है जैसा कि मैंने कहा वह कैसे हो सकता है और ऐसा किसी ने कहा भी नहीं कि एक कामन आदमी का जो अधिकार है उसको छीन लिया जाये। लेकिन यहाँ पर जैसा कि भंडारे माहब ने बताया कि अगर हमने उसको डिस-एप्रूव कर दिया, तो ठीक है लेकिन मैं कहना चाहता हूँ कि आप डिस-एप्रूव करने आ रहे हो? जब एप्रूव हो जायेगा तब कोर्ट में जुरिस हो जायेगा..... (अवधारणा).....

MR. DEPUTY-SPEAKER : I would like you to explain one point. We are a supreme legislative body and a certain legislation is brought forward anticipating that somebody goes to the court. Are we going to surrender our right as a supreme body to the judiciary? Let us apply our mind to it. I want an explanation from you on this.

श्री एवं श्री चंद गोयल : आपने जो कहा है वह तो कोई जो कानून बनाने जा

[श्री एस एम. जोशी]

रहे हैं उसके बारे में लेकिन हम जो बोल रहे हैं वह तो अध्यादेश के बारे में बोल रहे हैं। अध्यादेश पहले आ चुके हैं और उनके कारण हमारी सजायें भी दूर्ही हैं।.....(व्यवधान).....

MR. DEPUTY-SPEAKER : Under article 123 this shall have the same force and effect as an act. So what we are debating today is legislation. That must be admitted.

श्री एस० एम० जोशी : वह ठीक है, मैं आपको बता रहा हूँ।

जैसा कि गजेन्द्र गदकर माहव ने बताया है एक जगह पर कि जैसे हाईकोर्ट है, वह हमारा जुड़ीकेर का दर्जा है, लेकिन किस लिए ? दोनों का एक दर्जा होता है। अगर किसी एक कोर्ट में कोई केस है तो फिर दूसरी कोर्ट में उस पर कोई चर्चा करना मुनासिब नहीं होता है। अगर कोई रिट एसलीकेशन हाईकोर्ट में गई है तो वह मुश्त्रीम कोर्ट में भी जाये, यह बात तो नहीं हो सकती। इसलिए मैं कहता हूँ कि यह कहना ठीक नहीं होगा।.....(व्यवधान)

MR. DEPUTY-SPEAKER : I have put a specific question. Let us forget the Ordinance for the time being. We are a supreme legislative body and we take pride in this sovereign body. Either because in anticipation of a certain piece of legislation coming before the House somebody goes to a court or because a certain piece of legislation is challenged, are we to surrender to a judicial authority our sovereignty ? That is the point.

SHRI GOVINDA MENON : Then no legislation will be possible .. (Interruption)

SHRI S. KANDAPPAN : It is true that we are a sovereign body. We can amend the constitution; we can make laws. But is it the argument of Government.....

MR. DEPUTY-SPEAKER : I am not concerned with the Government.

SHRI S. KANDAPPAN : ...or of yourself that we can interpret the Constitution ? The question involved here is about the interpretation of the Constitution because it is a question of fundamental rights. Those people, who have gone to the court and are questioning the validity of this Ordinance, are questioning it on the basis that it is a denial of the basic fundamental rights. The supreme authority to interpret the Constitution and to give a verdict whether it is in accordance with the Constitutional provisions or not is definitely not this Parliament but the courts.

MR. DEPUTY-SPEAKER : Forget the Ordinance for the time being. I have put a simple question.

SHRI S. KANDAPPAN : For a moment let us take it that it is a piece of legislation. The question involved here is whether it is a denial of the fundamental rights or not. On that it has gone to the court. The court has got the supreme authority to interpret the Constitution. Our sovereignty and authority is only to change the law and not to interpret.

MR. DEPUTY-SPEAKER : Shri Kandappan has raised another point. The interpretation of the Constitution is left to the Supreme Court.....(Interruption)

AN HON. MEMBER : The Law Minister is going away. (Interruptions)

श्री रवि राय (पुरी) : उपाध्यक्ष महोदय, मेरा एक व्यवधान का प्रश्न है कानून मन्त्री ने अभी यहाँ पर पहले जो कहा था उस पर बहस हो रही थी और उसका कोई जवाब देने के बजाए वे मदन में ही उठकर चले गए। यह कहाँ तक उचित है ? कानून मन्त्री की तकरीर पर ही तो यहाँ पर बहस चल रही है लेकिन वे उसको सुनने से पहले ही चले जा रहे हैं। आप उनको बुलावाइये।

MR. DEPUTY-SPEAKER : He will come at an appropriate time.

SHRI S. KANDAPPAN : What is the appropriate time ? This is the appropriate time. (*Interruptions*)

SHRI UMANATH : The Law Minister must come here. (*Interruptions*)

श्री रवि राय : यह आपकी डिसरिगांड है। यह इस सदन का असम्मान है और आपका भी असम्मान है। उनको बुलाना नहीं चाहिए। वे यहां से कैसे चले गए ?

SHRI VIDYA CHARAN SHUKLA : Sir, when you called upon Mr. S. S. Kohari to move his motion, Mr. S. M. Banerjee raised a point of order. I may submit to you that the motion and his point of order is before the House. The Law Minister has nothing to do. (*Interruptions*)

श्री रवि राय : वे जब तक यहां नहीं आते हैं तब तक मदन की कायंवाही नहीं चलेगी।

MR. DEPUTY—SPEAKER : When there is a procedural and constitutional matter before the House, I asked him to give the facts.

SHRI VIDYA CHARAN SHUKLA : He has given.

MR. DEPUTY—SPEAKER : On such matters, the law officer of the Government is expected to say something. He must take the permission of the Chair. Without the permission of Chair, if the law officer of the Government goes, it is not proper. (*Interruptions*) Let us proceed. He will come shortly.

श्री रवि राय : आप उनको हुक्म दीजिए कि वे यहां पर आयें। यहां पर आकर उनको माफी मांगनी चाहिए। जब आप खड़े थे उस समय वे कैसे चले गए ?

SHRI S. KANDAPPAN : Let him come to the House and apologise to the House. (*Interruptions*)

MR. DEPUTY—SPEAKER : Please resume your seats. An important point has been raised. I am giving my undivided

attention to it. I want to dispose of it. I want assistance from the hon. Members. I want certain clarifications. It is not a question of general debate. When the Law Minister left the House, it was pointed out to me whether his presence was required or not. (*Interruptions*) He must have gone for a short while.

SHRI M. L. SONDHI : He treats the House with contempt. He left in that manner... (*Interruptions*)

MR. DEPUTY-SPEAKER : He will come shortly.

SHRI M. L. SONDHI : He should apologise to the House.

DR. RAM SUBHAG SINGH *rose*— (*Interruptions*)

MR. DEPUTY SPEAKER : So far as his motion is concerned, I agree. What is the motion ? It is a Statutory Resolution. A certain objection was raised and, at an earlier stage, when it was raised, I sought some clarification from him regarding the facts and other things.

At that time he was not on the scene. I thought the Law Minister was engaged elsewhere. When an important issue is being raised, if he were to leave in the middle, it is not proper... (*Interruptions*)

SHRI UMANATH : Send the Marshal to bring him.

SHRI S. KANDAPPAN : Dr. Ram Subhag Singh may go and bring him... (*Interruptions*)

MR. DEPUTY—SPEAKER : I have expressed my views...

SHRI SRINIBAS MISRA (Cuttack) : On a point of order under rule 361... (*Interruptions*)

SHRI H. N. MUKERJEE (Calcutta North East) : You were pleased to say that it was not proper for a Minister of Government to do what the Law Minister did now. We wish you only to secure an open ascertainm-nt from Government in regard to their calling back the Law Minister, or

[SHRI H. N. MUKERJEE]

if he cannot be called for some specific reasons, they should apologise to you. You have expressed the displeasure of the House. When you speak, the House speaks. They do not say a word; they sit quiet. And you want us to keep our temper when they sit quiet in spite of the observations from the Chair which only come in very serious circumstances. Some people might feel that we try to flatter you. Nothing of that sort. When you make certain observations of that sort, it is because, as the occupant of the Chair, you believe that the House has been slighted. They say nothing. Dr. Ram Subhag Singh gets up and mumbles something. We want them to say that they are sorry for the Law Minister's absence; we want them to say that the Law Minister will come back as soon as the other job is over. That is due to you and to the whole House. (Interruptions) I have been in this House long enough... (Interruptions) I hope you will appreciate this.

MR. DEPUTY-SPEAKER : For the time being, nothing will be recorded. Nothing will be recorded unless there is some order in the House. I will individually call the members. Let there be some order, and then I will begin.

SHRI M. L. SONDHI :*

SHRI VASUDEVAN NAIR (Peer-made) :*

*Interruptions**

AN HON. MEMBER : Here comes back the Law Minister.

SOME HON. MEMBERS : Shame, shame.

SHRI GOVINDA MENON : Shame, shame.

MR. DEPUTY-SPEAKER : Shall we proceed now ? (Interruption) I have given patient hearing to every point, major or minor. Sometimes repetitions are there; even that, I am tolerating. There has been some latitude

given in a debate. But this is a matter where we must apply our minds objectively, not in a partisan spirit. (Interruption)

SHRI A. SREEDHARAN (Badagara) : He must apologise first.

श्री रवि रत्न : ला मिनिस्टर को आपसे व हाउस मे माफी मांगनी चाहिए ।

SHRI M. L. SONDHI : Are you going to encourage his conduct ? (Interruption)

SOME HON. MEMBERS--rose

MR. DEPUTY SPEAKER : Order, order. If you want to cooperate with the Chair, then, you must resume your seat. (Interruption)

SHRI H. N. MUKERJEE : We are both fairly senior members of this House. We have known this House sufficiently. When the Minister commits a lapse, whether intended or unintended, God alone knows, when the Chair is driven to comment on that lapse, that is to say, the House through the Chair expresses its displeasure of certain behaviour or certain discourtesy, intended or unintended by the Minister concerned, what is it that is expected from him when he comes back ?

When he comes back, naturally the expectation is a simple, graceful word of apology to the House from him. That is not forthcoming. We have to shout because they do not apologise for the fault which the Chair has censured. This goes against the grain of parliamentary functioning. How can Parliament function if Government, merely because it has got some votes on its side, can behave in this presumptuous manner ? That is why I would like you to insist on an apology from Government. If he is too shy, Dr. Ram Subhag Singh might do it. The Leader of the House might come. Why should the House function without the Leader of the House on these crucial occasions ? Why should nobody be there to deputise for the Leader of the House in her absence ?

We are not going into the merits of the ordinance. When I spoke, I never spoke on the merits of the Ordinance. We referred only to certain particular aspects on which you concentrated very rightly. when this kind of thing happens, how does the House appear to the world like? My hon. Friend, Shri Sondhi, asked, what is the example we are setting to our people?

I therefore want to put this simple proposition before you. You have by implication done it; but you have been too polite to ask for an apology. You naturally have censured them already. But we want that the insult to the Chair, which is implicit in not tendering an apology to the house, must be appropriately recompensed.

SHRI S. S. KOTHARI : Let him say something.

MR. DEPUTY-SPEAKER : As Prof. Mukerjee has observed, the responsibility for preserving the dignity of the House is a collective one. It is not an individual case or individual responsibility; it is the collective responsibility of the house. As I said, perhaps there might have been some urgent work awaiting him. But it was not proper to leave in the middle of the discussion. I was not looking to that side; it was when the Opposition side rose that I was taken aback and looked at the Treasury Benches.

SHRI GOVINDA MENON : I do not know whether I have been discourteous to you.

MR. DEPUTY SPEAKER : I never meant to say that.

SHRI GOVINDA MENON : But what I want to say is this. Here is a non-Official Resolution. I am not the Minister in charge. With respect to the legal point involved in it, you wanted me to speak, and I spoke. I had work elsewhere. After that, when I entered the house, I was accosted with 'Shame, shame'. There is no copyright in that word. I too can utter that word.

SHRI UMANATH : But Only after coming to his seat. (Interruptions)

SOME HON. MEMBERS : Shame.

SHRI GOVINDA MENON : If they shout 'Shame', I repeat 'Shame'. (Interruptions)

SHRI S. K. TAPURIAH (Pali) : He should be suspended.

SHRI GOVINDA MENON : They have no copy right in that word.

MR. DEPUTY SPEAKER : I fully realise it is far from the Law Minister's mind to show disrespect to the House or the Chair. I entirely agree there. But one point he will have to concede. When I asked him what he had to say about it, it is because he is supposed to be the law adviser to Government. (Interruptions). I wanted a clarification. If he says that he is not the law officer of Government, I have nothing to say. When I am engaged in considering a legal matter, I wanted his assistance. When the Chair wants such assistance, it has to look to him. Otherwise, I would have asked the Minister of state in charge.

SHRI VIDYA CHARAN SHUKLA : He had no business; he came accidentally.

SHRI GOVINDA MENON : There was no business in my name.

MR. DEPUTY SPEAKER : This is a specific question. Is not the Law Officer of the Government to be at the disposal of the House ?

SHRI GOVINDA MENON : Whatever I had to say on this matter I had said, and when I entered, they shout "shame, shame." Is it a matter over which they have copyright ?

MR. DEPUTY SPEAKER : Shri Shantilal Shah.

SHRI SHANTILAL SHAH (Bombay-North-West) : May I say a word about the functions of the Law Minister ? (Interruptions)

MR. DEPUTY SPEAKER : I put him a specific question. In between all this disturbance took place. (Interruptions)

SHRI SRINIBAS MISRA : Please refer to rule 361 (2). It reads :

"No member shall leave his seat while the speaker is addressing the House."

Our rules are made to maintain the dignity of the Chair. You were on your legs when he left the House.

MR. DEPUTY SPEAKER : I do not know, I was looking at this side. (Interruptions)

SHRI SRINIBAS MISRA : There is another point. This rule that no member shall leave his seat while the Speaker is addressing the House is a mandatory provision under our Rules which the Law Minister is supposed to know. He does not know the rules. He left the House when you were on your legs and addressing the House. It was a courtesy that has shown to the House. It is a violation of the rules. He cannot say that because we shouted "Shame, shame," he will not apologise. It is a violation of the rules for which he should apologise to the House.

MR. DEPUTY SPEAKER : That rule stands. I do not know what happened because I was looking at the other side and putting a specific question.

श्री रवि राय : आप लड़े थे उपाध्यक्ष महोदय, तब वह चले गये। आप बोल रहे थे तब वह चले गए। उस समय मैंने प्लाइट आफ आर्डर उठाया था। आप प्रोसीडिंग्ज को उठा कर देख लें।

MR. DEPUTY-SPEAKER : How can I say whether it is true or false.

SHRI UMANATH : It should be referred to the Privileges Committee.

SHRI VASUDEVAN NAIR : It is a question of elementary honesty. Let the Minister himself say whether you were not addressing the House when he left the House.

SHRI NAMBIAR : Let the whole matter go to the Privileges Committee. (Interruptions)

SHRI GOVINDA MENON : When I came, they were shouting 'Shame, Shame'. They have no copyright in that word. I repeated it. (Interruptions)

SHRI H. N. MUKERJEE : We knew what to think of people who have not got the grace and civilisation to say 'They are sorry'. (Interruptions)

SHRI M. L. SONDHI : Is it not a parody that on the Human Rights day the Law Minister raised his hand in the Nazi fashion.

SHRI S. K. TAPURIAH : You must have noticed the way in which he walked away. Rule 349 of our Rules of Procedure says that a member shall bow to the Chair while entering or leaving the House. You might have noticed that the Law Minister walked away in a cavalier and insolent manner.

MR. DEPUTY-SPEAKER : On behalf of the Government it is said that he meant no disrespect to the Chair and they were always respectful to the Chair.

श्री अटल बिहारी वाजपेयी (बलरामपुर) : उपाध्यक्ष महोदय, संसद्-कार्य मंत्री ने लेद प्रकट कर दिया, तो यह मामला यहां ममाज्ज हो जाना चाहिए। अच्छा होता कि कानून मंत्री स्वयं लेद प्रकट करते। लेकिन उहोंने नहीं किया, तो उनके वरिष्ठ सूत्योगी ने कर दिया। हम उसको मान लेते हैं।

SHRI DATTATRAYA KUNTE (Kolaba) : Just now we have heard an apology on behalf of the Government.

SOME HON. MEMBERS : No apology.

SHRI DATTATRAYA KUNTE : I thought the hon. Minister of Parliamentary Affairs was explaining to the House that the Ministers are always respectful to the House.

AN HON. MEMBER : That is true.

SHRI DATTATRAYA KUNTE : I am glad that once in a way it has been said. I

am glad. The real point is even a Minister has to remember that he is a Member of the House and, therefore, if the conduct of a person who happens to be a Minister and a Member of this House is being questioned—well, the Chair can say that he is satisfied—but when a point of order is raised—Mr. Tapuriah raised a point of order—(Interruptions)

SHRI K. N. TIWARY (Bettiah): Nobody on that side is prepared to show any respect to the Chair.

SHRI DATTATRAYA KUNTE : A member while going out and coming in the House should bow. It is an indication that he seeks the permission of the Chair and while going out, he seeks the permission of the Chair to go out. That is what is meant thereby.

If that has not happened, and if it is being brought to your notice, well, we have also to remember that in this House we are not the only people who are present here and are functioning in this House. We allow people to sit in our galleries, young boys and girls, and old people as well, and what is the impression that we are creating? (Interruptions) It is a matter where the hon. House is concerned, and my friends will concede that I am not one of those who indulge in anything of this sort. Therefore, as a Member of the House who follows the rules and who is law-abiding, let me say this : (Interruption) Well, my friend gets annoyed, but I have no objection. He has a right to get annoyed. But I want to make this point. That is with regard to the decorum and order in this House. I appeal to you that the decorum and order ought to be restored by each and every Member. Due to certain circumstances, however, some hon. Members were saying "shame, shame", and therefore, he seems to have raised his hand in Hitler fashion. That is all. (Interruption)

श्री अटल बिहारी वाजपेयी : उपर्युक्त महोदय, मेरा कहना यह है कि विषि मंत्री ने जो आचरण किया, अब वह न करते, तो अच्छा होता। अब उस पर वापर्ति की गई थी, तो वह उस पर लेद प्रकट कर

सकते थे। लेकिन अगर वह अपना मामला सत्यम नहीं करता चाहते, तो संसद-कार्य मंत्री ने लेद प्रकट कर दिया। (अवचाल)

श्री विष्णुचरण शुक्ल : नहीं किया। (अवचाल)

श्री अटल बिहारी वाजपेयी : मैं आप से कहूँगा कि आप सब सदस्यों को फिर से यह बात कहें कि सदन में किस तरह से आचरण करता चाहिए, उन्हें उसका ध्यान रखना चाहिए। और फिर आगे की कार्य-वाही चलाई जाये। अब इस बात को ज्यादा तूल देने की आवश्यकता नहीं है।

SHRI S. M. BANERJEE : Sir, let me speak for just one minute, because a particular rule has been referred to. I am not going to aggravate matters. After hearing Dr. Ram Subhag Singh, I do not want to pursue this matter. I only want to say this : since you have been so good to the Law Minister to defy the Chair almost—(Interruption) well, let us forget and forgive. But I only wish to say that had he entered the House in all dignity and decorum, it would have been good, but he entered the House as an elephant from Kerala does in a circus.

SOME HON. MEMBERS rose.—

MR. DEPUTY SPEAKER : Order, order. Just now as Shri Vajpayee has said, no Member in this House should look at this problem from a personal point of view. It is not a question of personal dignity or dishonour. The question, and that was rightly posed by Shri Kunte, is this. If I were to abide by this rule, I can say that there are several occasions on this side also, as there were on the other side, when there were lapses. It is on both sides. What I suggest is, every Member is expected—I again repeat—and every Member should show due regard to the Chair and the House both. That is the first point.

Secondly, I want to make it very clear; if there is a lapse and if it is pointed out, certainly the Chair should take note of it to that extent. But the matter should not be pursued in the way it was pursued now.

SHRI SHANTILAL SHAH : May I say a word on the duties and functions of a Law Minister in a bicameral legislature ? (*Interruption*) I only want to put it to the Chair. If he says yes, I will proceed. Otherwise not.

SHRI SURENDRANATH DWIVEDY (Kendrapara) : Is this the proposition in the House, namely, a discussion on the functions of the Law Minister ?

SHRI SHANTILAL SHAH : If the Chair says yes, I will proceed. But who is a Member to intervene between me and the Chair ? The point of order raised was that since the matter of the ordinance was *sub-judice*, the motion could not be taken up. But the motion is under articles 123 (2) (a). This is a constitutional motion. Other motions and resolutions are under the rules. Rules lay down the procedure. Here is a substantive right given to this House to disapprove of an ordinance. It is common sense that if there is difference between a substantive right and procedural right, the substantive right should prevail. During all these years of my experience, never have I seen the discussion of a constitutional or statutory motion being ruled out on the ground of *sub-judice*. The examples cited here were of ordinary motions, not constitutional motions. Simply because somebody has filed a writ, if this House is to be completely deprived of its right of approving or disapproving an ordinance, the consequences would be that parliamentary rights could be nullified by somebody filing a writ. That cannot be the intention.

Sub-judice does not mean that anything which is raised before a court can never be discussed in Parliament. It only means that the discussion in the House should not be such as would tend to prejudice any proceedings in the court. Now, an ordinance can end in three manners. One is, it may be withdrawn by the President at any time, even before Parliament meets. Secondly after the House has met, the House can disapprove it. Thirdly, the House may not approve or disapprove, but after six weeks have expired, the ordinance will lapse. Now here is one way. This resolution proposes that a certain legislative

action taken by the President ought to be terminated by passing this resolution. The suggestion is that this House has no right even to terminate this ordinance, even if it desire to do so because a writ is pending. That is an absurdity.

Article 123 (3) says :

"If and so far as an Ordinance under this article makes any provision which Parliament would not under this Constitution be competent to enact, it shall be void."

An Act may be void on the ground that it is not within the jurisdiction of Parliament e.g. when the subject-matter relates to the State list. It may be void on the ground that it infringes on the fundamental rights or on certain other constitutional provisions. That is a point of law and normally the Speaker does not go into the legality or constitutionality of the legislation except on points of procedure. Therefore, sub-article (3) and the points which have been raised in the writs are points of constitutional validity, legality, jurisdiction or want of jurisdiction, *ultra vires* or *intra vires*, matters which this House is not going to discuss.

SHRI S. KANDAPPAN : What prevents us from discussing them ?

SHRI SHANTILAL SHAH : I do not want my hon. friends to agree with my arguments; but I expect them to listen to my arguments.

An Ordinance may be disapproved for three reasons. One is that the Ordinance deals with a State subject and, therefore, it is disapproved. One can also say that the Ordinance relates to a subject which Parliament can deal with, but when the President says that circumstances exist which require immediate action, in the opinion of the House those circumstances do not exist and, therefore, the House may disapprove of the Ordinance. The House may also say : the ordinance is in our legislative competence, certain circumstances also exist but we do not

like the manner or method of it; so, we do not approve of it. These are the three grounds on which an Ordinance can be disapproved.

On the ground of constitutionality which is pending before the court, that may or may not be discussed here. Nothing has been placed before the House except stating that a writ is pending and the point to be discussed here is also the same point to be discussed there and, therefore, further discussion here will prejudice the decision of the court. I hope at least Shri Kunte will bear me out when I am referring to this, because when he was the Speaker of the Maharashtra Assembly he has allowed discussion on matters pending before the court on points of fact in a manner which will not prejudice the issue before the court. That is the correct rule.

श्री एस० एम० जोशी (पूना) : उपाध्यक्ष महोदय, आप ने मुझ से प्रश्न किया था और उसका जवाब मैं दे रहा था। मैंने पहले भी वह बात बताई जिसको दोबारा हमारे मित्र शांति लाल शाह ने दोहराया। सवाल यह है कि जो सब-जुडिस का कानून है या प्रधा है कि हम यहा डिस्क्स नहीं करेंगे आखिर वह क्यों है इसकी बुनियाद में जाना चाहिए। एक तो आप के लिए दिक्कत यह थी कि जब यह कांस्टीट्यूशनल रेजोल्यूशन है तो हम उसके ऊपर आर्डिनरी रूल के से लगाएंगे? यह कोई सामान्य प्रस्ताव नहीं है। यह संविधान के मातहत प्रस्ताव है। इसलिए वह जो रूल है वह यहां लागू नहीं होगा। पहले तो मुझे इसमें यह कहना है कि मैं ऐसी करता हूं अपने मित्र श्री शेरियन साहब से कि यह कोई आबलिगेटरी नहीं है। अगर ऐसा होता कि हर बत्त जब हम अध्यादेश निकालेंगे तब इस हाउस को या तो उसको अदूव करना चाहिए या डिसेप्रूव करना चाहिए तो बात और यो लेकिन ऐसा कोई हमारे ऊपर लाभियो नहीं है और मुझे संतोष है कि जाति लाल शाह ने बताया कि आर्डिनेस के क्या क्या नीतियों हो सकते हैं?

एक तो बिद्धा कर सकते हैं, दूसरे अप्रूव या डिसेप्रूव कर सकते हैं या सैम्प्रत हो सकता है और जैसे 1960 में लैप्स हो गया वैसे ही यह भी लैप्स हो सकता है। सबाल जो है वह 123 के मातहत जो हमारे मित्र कुनूद साहब ने उठाया वही है। मैंने पहले भी कहा और उस रोज भी मैंने यही कहा था कि जो एक सामान्य नागरिक है उस सामान्य नागरिक को कोट में जाकर यह पूछने का हक है और यह फैसला करवाने का हक है कि जो अध्यादेश जारी हुआ और जिससे मुझे नुकसान हुआ, वह अध्यादेश सही मानों में.....(ध्वन्याम).....

17 hrs.

[SHRI VASUDEVAN NAIR in the Chair]

सभापति जी, मैं यह इस लिये बता रहा हूं कि उपाध्यक्ष जी ने यह कहा था कि एक कोट तो वह है, लेकिन यह भी तो एक कोट है। यह कोट कहा है और यदि यह अदालत है भी तो प्रिवलेज को लेकर अदालत है, दूसरे मामलों को लेकर अदालत नहीं है। अगर प्रिवलेज का मामला आयेगा, तब यह सदन अदालत हो जाता है, लेकिन यदि यह दूसरे मामलों में अदालत होती तो उपाध्यक्ष महोदय बारंट निकाल सकते थे, उनको यहां के आ सकते थे, लेकिन उनको यह अधिकार नहीं है। इसलिये यह कहना कि यहां पर एक अदालत है और यहां पर दूसरी अदालत है, इसका फैसला हम करेंगे—यह बिलकुल बेबुनियाद चीज है।

जब हम इस पर यहां चर्चा कर रहे हैं तो यह अदालत नहीं है, यहां हम विधि का कार्य कर रहे हैं, एक तरह से यह ला-मैकिंग लेबिलेबर है। ऐसी स्थिति में जो हम हमारे यहां हैं कि सब-जुडिस मैटर पर हम यहां चर्चा नहीं करेंगे, वह पूरी तरह से लागू होता है। सब-जुडिस इस लिये है कि मैं एक

[श्री एम. एम. जोशी]

सामान्य नागरिक के नाते कोट्ट में गया है, मुझे जो सजा मिली है आडिनेन्स के मातहत, वह सजा गलत है और मुझे बरी करना चाहिये। जब मैं कोट्ट में यह प्लोड कर रहा हूँ कि अनुच्छेद 123 के क्लाऊ 3 के मातहत इसे बायड करना चाहिये, तब यहां पर इस तरह का प्रस्ताव आये और उस पर चर्चा हो, उल्टी-सीधी बातें कही जायं, उससे कोट्ट प्रेजुडिस हो सकती है। इस लिये यह बिलकुल सबजुडिस बात है। यह कोई सिविल मामला भी नहीं है, यह तो एक क्रिमिनल केस है। हम लोगों को जेल में भेजा जा रहा है, नोकरियां छीनी जा रही हैं—इस आडिनेन्स की बजह से इस स्थिति में मुझे इस से बचना है और यही कारण है कि मैं 123 (3) के मातहत कोट्ट में गया हूँ—ऐसी स्थिति में इस सदन में ऐसी चर्चा नहीं करनी चाहिये, जिसके कारण हाइकोट्ट में मेरा केस प्रेजुडिस्ट हो जाय।

इसलिये इस पर यहां बहस नहीं होनी चाहिये क्योंकि यह बिलकुल सबजुडिस मामला है। जैसा मेरे लायक दोस्त बनर्जी ने बताया—पहले भी एक केस में ला मिनिस्टर ने ऐसी ही सलाह दी थी, लेकिन उसके बाद चेवर की तरफ से रूलिंग आया, उसी तरह का मामला यह है, बल्कि उससे भी ज्यादा सब-जुडिस है क्योंकि यह हमारे जीवन का सवाल है। इसलिये मेरा अनुरोध है कि इसको नहीं लेना चाहिये।

SHRI UMANATH : I would like to submit that Shri Shantilal Shah was trying to frighten this House and was trying to play up his innocence in certain matters.

SHRI S. M. BANERJEE : In his ignorance.

SHRI UMANATH : I accept your amendment. On the basis of his ignorance he created a big horrible picture saying that if this point is upheld this House will be rendered absolutely without any power to legislate.

SHRI S. M. BANERJEE : And he will have no job.

SHRI UMANATH : He will be helpless.

The contention he made was that this House cannot proceed with legislation if this particular point is upheld. Many of my hon. friends on the other side got frightened. But is that a fact? If this particular point of order is upheld, will the result be that this House will not be able to legislate anything at all if somebody goes to the High Court on that particular thing?

The normal procedure of legislation in this House is not by Ordinances and their approval. Ordinances and their approval come once in a way.

SHRI S. KANDAPPAN : Under extraordinary circumstances.

SHRI UMANATH : The normal procedure is for the Government to introduce a Bill and for the House to discuss and adopt the Bill. That is the normal procedure. Almost 90 per cent of the legislation is by this procedure of Bills being brought forward.

He will be right if it is possible in this country that when legislation is at the stage of a Bill any citizen can go to a court and get a stay of that Bill admitted. That is absolutely not possible because the court, whether it is the High Court or the Supreme Court, will simply say that it is not yet a legislative act affecting you; it is not law; it is only a Bill; so, we cannot admit this particular writ or anything of the kind. So a writ cannot lie at the stage of a Bill. Therefore the absolute power of this House to legislate according to the normal procedure—about 98 or 95 per cent of it being subject to this procedure—will be absolutely untouched if this point is upheld. He is wrong on that point.

Secondly, in this connection, I would like to deal with the point raised by the Deputy-Speaker. He made a specific point

to many of us saying that when this House is supreme, the sovereign body, when we have got absolute, supreme, statutory, powers to enact legislation for this Ordinance itself, can that be infringed upon? That was the specific point raised again and again by the Deputy-Speaker.

17.05 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Now, Sir, I would like to repeat the point for your convenience.

MR. DEPUTY-SPEAKER. You need not repeat. I have followed what you have been saying. We must dispose it of.

SHRI UMANATH: I am coming to the second point. The second point that you raised again and again was that when this House is supreme, when it has got absolute powers to legislate, can any rules or anything be quoted and can that be infringed upon? Apart from the point that Mr. Sezhiyan explained very well, I proceed on your own point. You said that this Ordinance, so far as the Constitution goes, has got the force of an Act. On the general point of procedure, I would like to say that the Constitution has given us powers to legislate. But this very Constitution, in another article, says that the power to legislate must be exercised in accordance with certain rules. The rules are not independent of the Constitution. That point is already met. We have got absolute powers to legislate. We have been given certain powers under the Constitution. But that very Constitution has specifically laid down that whatever powers this House has been given to legislate must be exercised in accordance with certain procedure which must be laid down by the House.

SHRI GOVINDA MENON: Subject to the Constitution.

SHRI UMANATH: Quite right; subject to the Constitution. Now, these Rules have not been challenged by any Member from the other side. This House has laid down certain rules and these rules which are in existence today are subject to the provisions of the Constitution. I agree with the Law Minister when he says that the rules are subject to the Constitution. I

say that the present rules of procedure which have not been challenged so far *vis-a-vis* the Constitution are subject to the Constitution.

SHRI GOVINDA MENON: The should be applied subject to the Constitution.

SHRI UMANATH: Not applied and all those things. These rules are subject to the Constitution. Now, in one of these rules which are subject to the Constitution, it has been specifically laid down, on the question of *sub-judice*, that any discussion that takes place in the House with regard to any legislation or any resolution or anything...

MR. DEPUTY-SPEAKER: You kindly read it again and then argue. You are on a slippery ground. *

SHRI UMANATH: I am not on a slippery ground. One of the rules is that any discussion here should not be on a matter which is *sub-judice*. Already, many of my hon. friends have made it clear that the content, the body or the form of the entire Ordinance which we consider to have the force of law is pending before a court of law. It is going to decide all the aspects of legality, constitutionality and merits or otherwise of the entire thing. When that is there, no discussion should take place in the House touching upon them. As Mr. Viswanath clearly said, when we discuss this particular point, what else are we going to discuss? When the Resolution is going to be discussed, we are not going to discuss how the President signed, whether he held the pen on this hand or that hand; nothing is going to be discussed excepting the legality.....

SHRI R. D. BHANDARE: You are on a slippery ground.

SHRI UMANATH: Like a drowning man catching the straw, you are holding on to this...

MR. DEPUTY-SPEAKER: I will tell you where the slippery ground is. Does it mention specifically legislation? Read the rule again.

SHRI UMANATH : Here we are not on the legislation. Earlier also you made the point : we have got the right to legislate; can that conflict with the procedure ? Here we are discussing whether the Resolution can be admitted or not. The discussion is around a particular Resolution and not around any legislation. I would like to remind you of your own ruling. I am not on a slippery ground. Now that you have pointed it out, my ground has been further strengthened with concrete. I should thank you for that. So, we are not on any legislation. The whole discussion will be around the Resolution and not around any legislation. Whether it is *sub-judice* or not is based on facts. Whether one likes it or not, whether Mr. Govinda Menon likes it or not, it is based on points of facts. The facts have been admitted. That is *sub-judice*. On that point, this is my reply.

SHRI S. M. BANERJEE : You put a question, Sir, whether this House is supreme or not. I only invite your kind attention to two other rulings given in this House. One was when the question of privilege motion in connection with Shri Madhu Limaye's arrest and detention in a particular place and the statement made by the Home Minister thereon, was raised in this House; my hon. friend, Shri Fernandes, pointed out that it was a clear case involving privilege, but the Speaker in his wisdom, as usual, said that the matter was before the Supreme Court. Even after Mr. Limaye was set free by the Supreme Court and he came running to this House and raised the question on one afternoon, he was asked to wait for the decision of the Supreme Court. Even after the decision of the Supreme Court was given, the Home Minister said, "We are getting a copy of the judgment; we have only read in the newspaper; we do not know."

Then, you may remember the case of Shri R. K. Karanjia. The entire House decided that he should be reprimanded, and when he was going to be reprimanded, he went to the Supreme Court. He was to be reprimanded on a particular day, but the moment he went to the Supreme Court, it could not be done. Though the Supreme Court did not pass any judgment later on,

he was reprimanded only after the court pronounced its judgment. These are two other cases in addition to the Speaker's ruling already given in the case of Shri Limaye's motion on Kutch. Therefore, I would beg of you, I would appeal to your sense of impartiality, to take into consideration all these things.

MR. DEPUTY-SPEAKER : I want to seek a clarification from the Law Minister.....

श्री मधु लिमये (मुंगेर) : कानून मंत्री हमारी बात सुनने के बाद बोले ।

MR. DEPUTY-SPEAKER : I am just seeking a clarification from him.

So far as the legislation part is concerned, as I said, this body is supreme, and if anything that is raised in the Supreme Court or anywhere were to stall the proceedings of this House, this House being a sovereign body cannot function. That is a different matter. Now a new point has been raised by Mr. Sezhiyan, and since then I am considering this, whether this Resolution that we are debating is not a legislation. In that sense, it is not a legislation. In such a situation, though it is approval or disapproval, how would you approach this matter if that certain thing is contained in the Resolution; it is not a legislation; the second motion is different. This particular motion is a Statutory motion under the Constitution. Is it a legislation ? No. It is a motion. Certain matter which is referred in the motion is before the court. What is your view on this ? This point was raised by Shri Sezhiyan. So I want to know as to what is your view on this specific point. Is it permissible that without this Resolution we can proceed with a legislation ?

SHRI GOVINDA MENON : I am very glad that you put this question. I have not been able to speak because I myself also contributed to the noise in this House. The Government is not particular whether this Resolution should be moved or not. The Resolution has been moved by a member. If the non-

official Member who has moved this Resolution does not want that Resolution and if the Opposition in the House does not want that Resolution Government is not affected.

MR. DEPUTY-SPEAKER : I am not asking that, I want a specific reply from you whether this Resolution is necessary at all, because the matter of *sub-judice* has been raised, and there has been a challenge given in the court of law, and so I want that.

SHRI GOVINDA MENON : In order to discuss the two motions, hon. Speaker has said that they may be discussed together.

MR. DEPUTY-SPEAKER : That is for convenience.

SHRI GOVINDA MENON : In discussing the motion or in considering the Bill, Government by itself are not concerned whether this Resolution is moved or not...

MR. DEPUTY-SPEAKER : I want your opinion on that specific point.

SHRI GOVINDA MENON : First of all, those who should be concerned with the Resolution are the mover and the Members of the Opposition. Indications are that they do not want it. Regarding the constitutionality the question was whether the rule of *sub-judice* would be affected if this Resolution is discussed. My humble submission is this. This Resolution has been one under the Constitution. Mr. Shantilal Shah said whether there have been conditions which existed which would have justified the promulgation of an Ordinance. That is the only question. And, if the Bill can be moved, the Resolution can be moved.

MR. DEPUTY-SPEAKER : As I have already made it clear, Shri Shantilal Shah has said about it.....

श्री मधु लिम्बे : मेरी प्रार्थना है कि सब की बातें सुनने के पश्चात् मंत्री जी बोले तो ठीक रहेगा क्योंकि दूसरे मुद्दों पर भी हम उन्हें सुनना चाहेंगे।

MR. DEPUTY-SPEAKER : I put a specific question, whether it is a matter of *sub-judice* so far as the legislative sovereignty is concerned, and Shri Shantilal Shah conceded, so far as the Resolution is concerned, with reference to certain Act of Government; and that Act has been challenged in the court of law. It is not a question now that the Act has been challenged. Various references have been made to your plea that you made in this House before, in a similar situation. Therefore I want to seek from your opinion whether this Resolution will come under that. That is all.

श्री मधु लिम्बे : उपाध्यक्ष महोदय, मुझे बहुत धोर आपत्ति है। यहाँ सदस्यों द्वारा तरह तरह की बातें उठायी जा रही हैं, उसके बाद ही मंत्री जी कहें। आपकी राय में एक ही चीज का महत्व हो सकता है, जब कि पचासों चीजों का हमारे लिये महत्व है।

MR. DEPUTY-SPEAKER : I want to come to the conclusion. We have debated this subject for two hours and twenty minutes.

श्री मधु लिम्बे : मैं बहुत कम समय लूँगा। लेकिन हमको सुनने के पश्चात् यह जवाब दें। उपाध्यक्ष महोदय, मैं आज बड़ा नहीं होता लेकिन तू कि मेरे एक प्रस्ताव को यह कह कर कि अदालत में मामला है—इस बिना पर बजट सभा में मुल्तवी रखा गया था। और उस समय यही साहब जो आज समर्थन में बोल रहे हैं, विरोध करने के लिए लड़े हो गए थे। इस समय तो यहाँ पर कानून मंत्री का भाषण नहीं है लेकिन आप उस समय की रिपोर्ट मंगवाइये...। (व्यवहाराल)...

तो मैं यह मानता हूँ कि यह संकल्प है, रेजोल्यूशन है, कोई प्रस्ताव नहीं है। लेकिन रेजोल्यूशन के बारे में श्री स्पॉटर 13, नियम 173 (5) में दिया हुआ है :

[श्री मधु लिमये]

In order that a resolution may be admissible, it shall satisfy the following conditions :—

(v) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

174 में यह अधिकार आपको दिया गया है कि आप निर्णय दें कि यह प्रस्ताव या संकल्प चर्चा के लिए आ सकता है या नहीं आ सकता है। लेकिन मेरा मुद्दा बिलकुल अलग है। मैं कहा दिका अपनी राय व्यक्त कर चुका हूँ कि हम समूचे राष्ट्र के प्रतिनिधि हैं हमें चर्चा करने का अधिकार होना चाहिये—मैं यहाँ पर सार्वभौम या सुप्रीमेसी की चर्चा नहीं करना चाहता—लेकिन हमें संविधान के दायरे में रहना है, न कोई सार्वभौम है, न कोई सर्वोच्च है, सभी संविधान के दायरे में है। लेकिन सवाल यह है कि अगर मेरे प्रस्ताव पर, चूँकि अदालत के सामने यह मामला है, इस बिना पर चर्चा नहीं हो सकी तो इस प्रस्ताव पर या संकल्प पर चर्चा कैसे हो पायेगी, जबकि नियम वही हैं। अब इसमें मेरे अधिकार का सवाल आता है इसलिए इसके सामने शांति लाल शाह या किसी का आक्षेप चलने नहीं पायेगा। अब मैं संविधान की धारा 14 पर आ रहा हूँ :

The State shall not deny to any person equality before the law or equal protection of the laws within the territory of India.

इसके साथ ही 118 परिये :

Each House of Parliament may make rules [for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business.

हमने नियम बनाये हैं लेकिन उन नियमों को भी संविधान के अन्तर्गत ही रहना है। संविधान में और नियमों में कोई टकराव नहीं है लेकिन अगर सभापति कोई ऐसा निर्णय देते हैं जो नियमों के भी विपरीत है, संविधान के भी विपरीत है और

आर्टिकल 14 के भी खिलाफ है तो फिर वह निर्णय चलने वाला नहीं है। आर्टिकल 14 में दो शब्द हैं : स्टेट ऐन्ड ला। उसके बाद आपको आर्टिकल 13 पर आना पड़ेगा। और आर्टिकल 12 में कहा गया है : State includes Government, Parliament of India. तो स्टेट में पार्लियामेन्ट आ गई और ला में यूसेज भी आ गया है। जब साधारण यूसेज है तो ला आफ पालमेन्ट नहीं है, यह कोई नहीं कह सकता। अब मेरा निवेदन यह है कि जब हमारे संविधान में मुझको यह मौलिक अधिकार दिया गया है और पालमेन्ट के मेम्बर के नाते भी यह अधिकार है तो आप अपने निर्णय के अनुसार दो सदस्यों के बीच फर्क कैसे करने वाले हैं? कोठारी साहब का प्रस्ताव आयेगा और मधु लिमये का नहीं आयेगा, ऐसा क्यों? जब इकल प्रोटेक्शन आफ लाज है तो फिर यह कैसे हो सकता है? या तो यह नियम बनाइये कि चूँकि हम राष्ट्र की पंचायत हैं, सभी प्रश्नों पर बहस करने का मौका मिलना चाहिए। मेरे मामले में भी एक हलफनामा किया गया था हाईकोर्ट में, अगर उस पर चर्चा होती तो शायद सरकार अपना गलत हलफनामा वापिस लेती। लेकिन वह नहीं हुआ। इसलिए मेरा कहना यह है कि समानता का व्यवहार हो या फिर यह निर्णय दीजिए कि मेरे प्रस्ताव पर यहाँ कल ही बहस शुरू हो जाये, सुप्रिम कोर्ट में भी बहस चले और यहाँ भी चले। और अगर आप अपने पुराने निर्णय पर कायम हैं तो फिर सभी के साथ न्याय किया जाए। बस इतना ही मुझे कहना है। ... (व्यवधान)...

SHRI NAMBIAR : You may give your ruling tomorrow. You need not be in a hurry.

MR. DEPUTY-SPEAKER : Not in a hurry, but after three hours.

SHRI KUNTE : I want particularly some light on the resolution.

SHRI DATTATRAYA KUNTE: We are discussing whether the discussion on the admission of the motion moved by Shri Kothari is barred by our Rules of Procedure. The hon. Member who preceded me quoted from the rules. He has referred to rule 173 (5) and later on to rule 175 which also supports him. So, so far as the rules are concerned, there are no two opinions.

Now we have really to see what the motion is. The motion is that this House disapproves of the ordinance. Is the approval or disapproval of the ordinance a matter before any court? According to me, and I hope every hon. Member of this House will agree, the approval or disapproval of the ordinance is not before any court.

SHRI TENNETI VISWANATHAM: What about legality?

SHRI DATTATRAYA KUNTE: My hon. friend Shri Vishvanatham is in a hurry to know about legality. I am thankful to him for reminding me.

What is the matter before the High Court? The point raised there is whether the ordinance is *ultra-vires* of the Constitution, *ultra-vires* of the powers delegated to the President or anything like that. So, the court is not debating what is contained in our Bill. The word contained in the Bill or ordinance will be used in order to find out whether under the Constitution such an ordinance could be passed or not. Therefore, the legality of the ordinance is not being discussed. That is the only point. The ordinance is not being discussed before the High Court. The legality of the ordinance is before the High Court and only the legality is *sub-judice*. The ordinance is not *sub-judice*.

SHRI NAMBIAR: Suppose we approve it. Will it not prejudice the court?

SHRI DATTATRAYA KUNTE: I am thankful to him for putting the question. Whether we approve or disapprove of it here, it is an expression of opinion not on the legality or otherwise of the ordinance. Secondly, it is laid down in the Constitution that whatever resolutions we pass,

whatever legislation we pass, the legality or otherwise of it can always be challenged in a court of law and whatever the ruling of the court may be we have humbly to bow before it. That is the reason for Mr. Nath Pai's Bill. Therefore, confusion has arisen as to what exactly is *sub-judice* the matter *sub-judice* as I pointed out is merely whether the ordinance is legal or illegal. Therefore, at this stage when the admissibility of the motion has been challenged, since the motion does not contain anything regarding the legality or otherwise of the ordinance, it is quite in order.

SHRI K. NARAYANA RAO: I shall be brief. (*Interruptions*) There are some new things which have been focussed.

First of all this rule is not mandatory as it appears to be. Lot of discretion is open to you. For that I would invite you to Rule 188 of the Rules of Procedure. It says 'shall ordinarily be permitted'. There is an important proviso under which it can be permitted even if it is a matter pending in the court also. The permissibility is within your discretion. It says:

".....the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of inquiry."

MR. DEPUTY SPEAKER: Your views should be on this one point only and not on the motion.

SHRI K. NARAYANA RAO: I invite your attention to Rule 175. This is very relevant here. It says:

"No resolution which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter shall ordinarily be permitted to be moved".

I am emphasizing the word 'ordinarily'. That means that any matter pending before any court or tribunal shall not be permitted to be discussed. Now I invite your attention to the proviso which says:

[Shri Narayana Rao]

"Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry".

Here our guiding factor thrown by the proviso is whether your discretion is likely to prejudice the outcome in the Court of law. (*Interruptions*) If it is a question of facts or certain things like guilty or not guilty and if it is a question of legality, the ultimate decision making process lies in the Supreme Court or for that matter with the High Court. Any amount of discussion, variation or disagreement and even the criticism of these judgments is not likely to prejudice the opinion of the Court. Whatever we decide, that is not going to prejudice or in any way influence the legal opinion of the Supreme Court. Therefore, even if it is a matter to which this Rule applies, this is a fit case for you to apply your discretion and see that this can be permitted for discussion.

MR. DEPUTY SPEAKER : You have referred to Speaker's discretion. The matter before the court, whatever its nature be, is very grave because the ordinance deprives certain sections of our citizens their rights. In such a situation I am not going to exercise my discretion. I can exercise it provided judicially I can apply my mind to that effect. Beyond that you cannot appeal to my discretion on this point.

SHRI SURENDRANATH DWIVEDY : The only remedy seems to be that we should adjourn this and we will have your ruling tomorrow.

MR. DEPUTY SPEAKER : At 6 O'clock we will adjourn. We will conclude the debate.

SHRI SAMAR GUHA (Contd) : On a point of order, Sir. We are creating an extra ordinary precedent in this House today that the same set of speaker's speak over and over again. I do not know what you aim at and what is your objective ? The same arguments are being repeated.

You can adjourn this discussion and you can give the ruling next day and the other item can be taken up. I do not understand why the time of the House is wasted in this way. You are allowing the same set of members over and over again in the cyclic order, to speak on the same subject and the same argument.

SHRI TENNETI VISWANATHAM : I am not making a speech. My hon. friend Shri Kunte said that the legality is not under question here, but it is only a question of disapproval or approval. It is a very nice distinction the man is not questioned but his body is questioned. I do not disagree with Shri Kunte but I disagree with the 'body'. That is the kind of difference he wants to make. If you want to disapprove, you have to disapprove of it on certain grounds and those grounds are the very grounds which are stated in the writ petition. That is a very simple and clear point. Even the Law Minister was speaking against his own conviction : I could see it.

SOME HON. MEMBERS : rose

MR. DEPUTY SPEAKER : Shri George Fernandes. I want to conclude this.

श्री जार्ज फरनेंडीज (बम्बई दक्षिण) : उपाध्यक्ष महोदय, हम लोगों के सामने यह दो किताबें हैं जिनको कि इस सदन में हम लोग हमेशा इस्तेमाल किया करते हैं। एक तो बेज पालियामेंटरी प्रेक्टिस है और दूसरी हमारे इस सदन के सेक्रेटरी श्री शक्धर की किली हुई पुस्तक प्रोसेजर इन पालियामेंट है। इन दोनों को ही मैं पेश करना चाहूँगा। पहली वाली अर्थात् बेज पालियामेंटरी प्रेक्टिस की 17 वीं एडिशन में से पेज 396 में यह लिखा हुआ है :

"Matters pending judicial decisions : A matter awaiting or under adjudication by a court of law should not be brought before the House by a motion or otherwise."

वाई ए बोशन और अबर बाइज, किसी भी प्रकार से यह मामला यहां पर आ नहीं

सकता है और इस के लिए इस सदन में सबसे बड़ी जो माने जाने वाली किताब है नियमों की उस को आपके सामने पेश करना चाहता है।

अब अगर आज के प्रस्तावों को ओर देखेंगे तो पायेंगे कि जो प्रस्ताव मैंने खुद दिया था। मुझे खेद है कि उस प्रस्ताव पर ही मुझको इस प्रकार से विरोध में बोलना पड़ रहा है। लेकिन जब मैंने प्रेसीडेंट द्वारा लागू किये गये आर्डिनेंस को डिसएप्रूव करने के बास्त अपना प्रस्ताव उस अध्यादेश के जारी होने के बाद तत्काल दिया था उस वक्त तक किसी भी हाई कोर्ट में जहां तक मेरी मालूमत है कोई भी उस बारे में रिट पेटिशन नहीं हुई थी। लेकिन जबकि वह रिट पेटिशन पेश हो गयी है तो उसके बाद परिस्थिति तत्काल बदल गयी है और इस वक्त मुझको उस प्रस्ताव को लेकर जोकि मैंने उस समय पेश किया था आपके सामने मेज पालियामेंटरी प्रेक्टिस और सदन के नियमों और प्रोसीज़ियर आदि इन तमाम चीजों को पेश करना पड़ रहा है।

उपाध्यक्ष महोदय, अब अगर आज का आंडर पेपर देखेंगे तो पायेंगे कि एक स्टूट्टरी रेजोक्यूशन है जिसे कि श्री एस० एस० कोठारी, श्री जाज़ फर्नैडोज, श्री स. मो. बनर्जी और ज्योतिर्मय बसु पेश करेंगे और दूसरा श्री वाई० बी० चब्हाण द्वारा।

"that the Bill to provide for the maintenance of certain essential services and the normal life of the community, be taken into consideration."

और नीचे उसी आंडर पेपर पर यह लिखा हुआ है :

मेरी बी डिस्कस्ड दुग्नेवर इसके पहले जब रेलवे वाला मामला आया था तब भी यही बात हुई थी। हम लोगों में से कई लोगों ने उस बारे में अवस्था के प्रक्षेत्र उपस्थिति किये

ये और दोनों को एक साथ लेने का काम हुआ था। आज भी दो प्रस्ताव सदन के सामने हैं। एक प्रस्ताव तो हम लोगों ने पेश किया है और दूसरा मंत्री महोदय ने वह अपना विवेयक पेश किया है।

मेज पालिमेंटरी प्रेक्टिस के अनुसार ये दोनों प्रस्ताव नियम के बाहर हैं। वहां पर लिखा हुआ है :

"a matter awaiting or under adjudication"

हमारे मित्र कुंटे साहब चले गए हैं। आखिर अदालत के सामने क्या मामला है। अदालत सिर्फ लीगेलिटी पर विचार करे, यह प्रश्न नहीं है। लिगेलिटी अथवा इलीगेलिटी यहां तक अदालत के सामने चीज़ नहीं है।

The entire matter is before the court.

पूरा यह मामला, पूरा अध्यादेश का मामला उसके सामने पेश है।

The matter is the ordinance issued by the President, not the legality of the ordinance.

इस वक्त अदालत के सामने यह सारा अध्यादेश पड़ा हुआ है। अगर नियम को, मेज पालिमेंटरी प्रेक्टिस को मैं ए मैटर की जगह, एन आर्डिनेस करके पढ़ूँ तो यह इस तरह से पढ़ा जायगा :

"An ordinance awaiting or under adjudication by a court of law should not be brought before the House by a motion or otherwise."

अदरवाइज़ का मतलब है कि न बिल आ सकता है, न अध्यादेश पर यहां बहस हो सकती है, वह बहस के लिए आ सकता है और न बहस के लिए प्रस्ताव आ सकता है क्योंकि ये दोनों चीज़े नियम के विपरीत हैं।

अब मैं शक्ति साहब की जो किताब है, उसको आपके सामने पेश करना। इसका

है। उसमें से केवल एक वाक्य पढ़ कर मैं सुनाऊंगा। यह बिल्कुल साफ़ कहता है :

"Scrutiny of resolution and conditions of admissibility : In order that a resolution might be admissible, it should not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India."

यह बिल्कुल साफ़ है प्रताव के बारे में मोशन के बारे में भी आप देखें कि गृह मंत्री ने विवेयक लाया है और उस विवेयक के पीछे उनका प्रस्ताव है। पहला रहा पेज 505 रेजोल्यूशन को लेकर, जो आर्डर पेपर का पहला हिस्सा है। अब दूसरा हिस्सा मोशन को लेकर हम चलें। यह 530 पेज पर है।

"In order that a motion for discussion on a matter of general interest, etc. may be admissible, it should not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India."

जहाँ तक मोशन का प्रश्न है और जहाँ तक रेजोल्यूशन का प्रश्न है इन दोनों चीजों के बारे में दो व्यक्तियों ने इस चीज का अभ्यास किया है और जिनमें से एक का नाम लेकर हम लोगों ने अपने संविधान में लिखा है कि इविलस्तान के हाउस आफ कामंज में जो नियम चलेंगे, वही नियम इस सदन में भी चलेंगे, तो इन का मामला बिल्कुल साफ़ है। वे दोनों हमें बताते हैं कि इस पर यहाँ बहस नहीं चल सकती है।

एक बात और मैं पेश करना चाहता हूँ। आर्टिकल 226 को आप पढ़िये। इस बक्त जो रिट पेटीशंज है, वे बहुत महत्वपूर्ण हैं। इस सदन को यह अधिकार नहीं है कि संविधान में किसी भी व्यक्ति को दिये हुए अधिकार को यह सदन इस बक्त यहाँ पर छींठ कर छीन से। अगर कल को एक विवेयक विवेयक यहाँ पर आ जाए आर्टिकल 226 को एमेंड करने वाला या दूसरे किसी भी आण्गरिक के अधिकार को लेकर या उह पढ़

कोई भी तरमीम पेश करने वाला तो वह मामला अलग है। लेकिन अगर इस विवेयक पर यहाँ पर हम बहस चलायें, अगर इस प्रस्ताव पर बहस चलायें तो मैं कहूँगा कि यह आर्टिकल 226 का भंग होगा और आगे एक कदम बढ़ कर मैं यह भी कहना चाहूँगा कि आर्टिकल 121 का भंग होगा। आप आर्टिकल 226 को पढ़ें.....

MR. DEPUTY SPEAKER : So far as the resolution is concerned, I shall hear you. But is the scheme of our Constitution such that if anywhere in India, a matter has been raised in a High Court or in the Supreme Court, we should stop functioning ?

श्री अटल बिहारी बाजपेयी : रेजोल्यूशन के साथ बिल जुड़ा हुआ है। दोनों का सबजैक्ट मैटर एक है।

श्री जार्ज फर्नेन्डोज़ : आपने आर्डर पेपर पर दोनों चीजों को एक साथ जोड़ा है। दूसरी बात यह है कि रेलवे का आर्टिकल स यहाँ पर आया था, रेलवे का विवेयक आया था तब एक साथ उसको आपने ले लिया था, एक साथ उस पर मतदान किया था, एक साथ बहस की थी।

MR. DEPUTY-SPEAKER : Though they are to be simultaneously debated, as it is mentioned in the Order Paper, when the first resolution was moved I was pleading that the other motion may also be moved but, before that, objection was taken. So, at the present moment what is before the House is only the Resolution. They did not allow the second motion to be moved.

श्री जार्ज फर्नेन्डोज़ : जब में आर्टिकल 226 पर बोल रहा हूँ तब मैं विवेयक वाली बात को आपके सामने उपस्थित नहीं कर रहा हूँ। मैं नागरिकों के जो अधिकार हैं उन पर ही बोल रहा हूँ। रिट पेटीशंज आर्टिकल 226 के आधार पर फाइल हुई है। 226 में लिखा हुआ है।

"226. (1) Not with standing anything in article 32, every High Court shall have

[श्री जाजं फरनेन्डीज]

power, throughout the territories in relation to which it exercises jurisdiction, to issue to any person or authority, including in appropriate cases any Government, within those territories directions, orders or writs, including writs in the nature of *habeas corpus*, *man-lamus*, prohibition, *quo warranto* and *certiorari*, or any of them, for the enforcement of any of the rights conferred by Part III and for any other purpose."

आपने 123 में अध्यादेश जारी किया। कानून जितना अधिकार रखता है इस सदन में पास किया हुआ जो कायदा है, इतना ही उस अध्यादेश का भी कायदा है। इसलिए जब कोई भी नागरिक पांच तीन में उसको दिये हुए अधिकारों का भंग होगा, इस आधार पर अदालत में जाता है तब.....

MR. DEPUTY SPEAKER : I have followed his argument. Now he should conclude.

श्री जाजं फरनेन्डीज : मैं बहुत महत्व-पूर्ण बात रख रहा हूँ। आपने इस पर अभी चार घंटे बहस चलाई है, क्या आप मुझे चार मिनट भी नहीं दे सकते हैं। मैं एक नया विषय पेश कर रहा हूँ। सदस्य कोई परेशानी व्यक्त करें तो मैं समझ सकता हूँ। लेकिन आपकी परेशानी से मैं ज्यादा परेशान होता हूँ।

जब कोई भी नागरिक 226 में अदालत में जाए तो वह नागरिक इस सदन द्वारा बनाये गये कानून को लेकर और उसके विरोध में नहीं जाता है। वह यह नहीं कहने जा रहा है कि इस सदन को कोई कानून बनाने का अधिकार है या नहीं है। इस सदन को कानून बनाने का जो अधिकार है वह सार्वभौम है, वह सर्व अधिक है, उसके विरोध में कोई अदालत में नहीं यथा है। अदालत में जो यथा है वह अध्यादेश को लेकर यथा है जो कि 123 के अन्तर्गत जारी किया यथा है। अध्यादेश ने जो अधिकार को छीन लिया है, उसको लेकर एक नागरिक 226 में

इस बक्त अदालत के सामने है। अगर आप यहां पर इस बक्त प्रस्ताव के द्वारा और आगे आने वाले उसके साथ-साथ जुड़े हुए बिल के द्वारा अध्यादेश को भंग करते हैं, अध्यादेश को आप कहते हैं कि आप हटा रहे हैं और उसकी जगह पर आप विवेयक ला रहे हैं तब तत्काल जो नागरिक अदालत के सामने इस बक्त खड़ा है, आप उसको अदालत से बाहर फँकने का काम करते हैं, उसको आप कहते हैं कि नये विवेयक के अन्तर्गत तुम वहां पर जाओ। मैं चाहता हूँ कि अगर इसके बारे में मतभेद हो तो माननीय सदस्य अपनी राय व्यक्त करें। मेरे मन में जो बात आई वह मैंने पेश कर दी है।

अब आप 121 को देखें। जब किसी नागरिक ने इस बक्त बिली, औध प्रदेश, लखनऊ और राजस्थान में अधिकार किसी कर्मचारी ने रिट अध्यादेश के लिलाफ दालिल की है, अपनी कैफियत को दालिल किया है और अदालत ने सरकार को यह कहा है कि तुम्हें इस पर जो कुछ कहना है तत्काल अदालत में आकर कहो, फिर उपाध्यक्ष महोदय, इस प्रश्न पर इस सदन में बहस करना किसी भी रूप में और अध्यादेश के स्थान पर प्रस्ताव लाना या विवेयक लाना मैं समझता हूँ कि 121 को भंग करना होगा। आप देखें कि 121 क्या कहता है :

"Restriction on discussion in Parliament.

No discussion shall take place in Parliament with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties."

MR. DEPUTY SPEAKER : We are not concerned with the conduct of the judiciary.

श्री जाजं फरनेन्डीज : हमारा उस से सम्बन्ध है। मैं आप को बताता हूँ कि कैसे।

चड़ छिसी बदाहठ मे बरकार ..को

नोटिस दिया है और कहा है कि इस अध्यादेश के बारे में अपनी राय दो...

MR. DEPUTY SPEAKER : I have followed you. I have given you 15 minutes. I have to conclude this debate at 6 o'clock. As Shri Dwivedy has suggested, I will give my ruling tomorrow. Let the debate be concluded today.

श्री जार्ज फरनेन्डोज़ : मैं खत्म कर रहा हूँ।

जब इस सदन में इस अध्यादेश या विवेयक पर बहस होती है, तो वह बहस जहर आटिकल 121 को भंग करेगी और इस लिए आप इस बहस को स्थगित कर दीजिए।

SHRI NAMBIAR : rose—

MR. DEPUTY SPEAKER : Every group has been represented. I have given more than reasonable opportunity for debate. Please resume your seat.

श्री प्रेमचन्द्र बर्मा (हमीरपुर) : उपाध्यक्ष महोदय, मेरा पायंट आफ आड़ंर है। आप जानते हैं कि इस डिस्केशन पर चार घंटे लग गये हैं। आप को याद होगा कि 1964-65 के हिसाब से पार्सिलियामेंट पर अठारह हजार रुपया की घंटा खर्च होता है। (व्यवधान) इस बहस को लगातार चार घंटे तक जारी रखने का कोई मतलब नहीं है। यह मुनासिब नहीं है कि जनता के पैसे को इस तरह जाया किया जाये। इन चार घंटों में 72,000 रुपये जाया करके बिरोधी दल इस देश के गरीबों के साथ खिलाड़ कर रहे हैं। (व्यवधान)

श्री जार्ज फरनेन्डोज़ : कान्तिलाल देसाई को कहो। (व्यवधान)

SHRI K. LAKKAPPA : The hon. Member has said that we have wasted public money. It is a reflection on you and on the House... (Interruption)

श्री अटल बिहारी बाजपेयी (बलरामपुर) : उपाध्यक्ष महोदय, इस चर्चा में से कुछ मुद्दे निकले हैं, जिन पर आपको विचार करना होगा और अपना निर्णय देना होगा।

जब संसद का सत्र नहीं होता है, तब राष्ट्रपति अध्यादेश जारी कर सकते हैं। वह अध्यादेश कानून की तरह से प्रभावी है। संविधान के अनुसार उस अध्यादेश को संसद के सामने पेश करना पड़ता है। इस सम्बन्ध में तीन स्थितियाँ हैं: संसद उसे स्वीकार कर सकती है, उसे ठुकरा सकती है या वह अध्यादेश अपने आप प्रभावहीन हो सकता है। मैं यह समझने में असमर्थ हूँ कि अगर किसी हाई कोर्ट या सुप्रीम कोर्ट में कोई रिट पेटीशन कर दिया जाये, तो क्या वह इस संसद के, इस सदन के, अधिकार को बांधती है? क्या वह हमें उस मामले पर विचार करने से रोकती है?

कठिनाई इसलिए बढ़ गई है कि श्री मधु लिमये के मामले में एक निर्णय दिया जा चुका है। मैं चाहता था कि वह निर्णय न दिया जाता, लेकिन वह निर्णय आज उन्हीं विधि मंत्री के खिलाफ प्रयोग में लाया जा रहा है, जिन्होंने उस निर्णय की वकालत की थी। चूंकि कच्छ का मामला सुप्रीम कोर्ट में पेश है, इसलिए उस पर सदन में चर्चा नहीं हो सकती है, तो आज विधि मंत्री किसी मुंह से कह सकते हैं कि इस अध्यादेश के बारे में किसी कोर्ट में रिट पेटीशन होने पर भी इसके बारे में यहाँ बहस हो सकती है? मुझे लगता है कि श्री मधु लिमये के मामले पर भी बहस होनी चाहिए थी। वहाँ भी सदन ने अपने अधिकारों को सीमित किया, यह अच्छा नहीं किया और इस मामले में भी हम बहस करने के अपने अधिकार को नहीं छोड़ सकते।

यह कहा जा रहा है कि अगर श्री कोठारी के संकल्प पर चर्चा होती, तो

[श्री अटल विहारी वाजपेयी]

वही मामले उठेंगे, जो अदालत के विचाराधीन हैं। मगर जब गृह मंत्री, श्री चब्हाण, के विदेयक पर चर्चा होगी, तब क्या वे मामले नहीं उठेंगे, जो अदालत के विचाराधीन हैं? अगर संकल्प पर चर्चा नहीं हो सकती है, तो फिर विदेयक पर भी चर्चा नहीं हो सकती है। यह अन्तर करना ठीक नहीं होगा कि संकल्प पर तो चर्चा नहीं हो सकती है, लेकिन विदेयक पर चर्चा हो सकती है, क्योंकि दोनों का विषय एक ही है। अगर वह विषय अदालत के विचाराधीन है, तो संकल्प और विदेयक दोनों को छोड़ना पड़ेगा।

रिट पेटीशन में अदालत के सामने क्या विचाराधीन है? कुछ नागरिकों ने रिट पेटीशन किये। उनका कहना यह है कि जो अध्यादेश जारी किया गया है, वह संविधान के प्रतिकूल है और संविधान ने हमें जो अधिकार दिये हैं, उससे उन अधिकारों पर कुठाराघात होता है। अगर सदन श्री कोठारी का संकल्प स्वीकार कर ले, तो जिन्होंने रिट पेटीशन पेश किये हैं, उनको किसी तरह से तुकसान नहीं होता है। अगर सदन श्री कोठारी के संकल्प को तुकरा दे, तब भी अदालत को यह अधिकार है कि वह कमंचारियों के पक्ष में निर्णय दे सकती है, वह ऐसा निर्णय दे सकती है, जो सरकार के अध्यादेश को अवैध घोषित कर दे। इसलिए मैं नहीं समझता कि अगर सदन इस बारे में चर्चा करता है तो जिन्होंने रिट पेटीशन पेश किये हैं, वे किसी तरह से प्रभावित नहीं होते हैं। लेकिन एक बार श्री मधु लिमये के मामले में ऐसा निर्णय दिया जा चुका है, जो आज बाधा बन कर लड़ा है। मैं चाहूंगा कि आप इन सारी बातों का विचार करके निर्णय दीजिए और अगर आप इस संकल्प पर चर्चा करने की छूट देते हैं, तो श्री मधु लिमये के संकल्प पर चर्चा का मोका मिलना चाहिए।

MR. DEPUTY SPEAKER : The Law Minister.

SHRI GOVINDA MENON : Mr. Deputy-Speaker, Sir, I will go step by

step. It is the constitutional right of the President to promulgate an Ordinance. It is the constitutional right of a Member of this House to move a resolution under article 123 (2). It is the constitutional right of the Home Minister to move a Bill to replace the Ordinance under article 107. These are all motions. The one is a motion under article 123 (2) and the other is a motion, that is, the Bill, under article 107.

Now, the matter has been covered by a previous ruling given by your distinguished predecessor. In 1967, the President issued the Metal Corporation Ordinance and the Metal Corporation Ordinance was being questioned in the High Court of Punjab in its Delhi Branch. When that writ was pending, the bill was brought before the House and Mr. S. M. Banerjee himself raised an objection that since the writ was pending, the Bill could not be considered. On the 22nd November, 1965, at p. 3125 of the Debates, there is the ruling given by the Speaker that, in spite of the writ against the Ordinance being pending, it was open to this House to consider the motion to replace the Ordinance.

SHRI NAMBIAR : That was the Bill. You are misleading the House.

SHRI GOVINDA MENON : That is all right. Now the Bill which stands in the name of the Home Minister to replace the Ordinance is a motion under article 107. This resolution is a motion under article 123 (2). The two stand on the same footing.

SHRI NAMBIAR : No, No.

SHRI GOVINDA MENON : Therefore, I submit, these objections are without any merit. I would request you to read the previous ruling given by the Speaker.

MR. DEPUTY SPEAKER : I will give the ruling tomorrow. The House stands adjourned to meet again tomorrow at 11 A. M.

18 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, December 11, 1968 Agrahayana 20, 1890 (Saka).