

Third Series, Vol. II, No. 18

Wednesday, August 29, 1962
Bhadra 7, 1884 (Saka)

LOK SABHA DEBATES

Third Series

Volume VII, 1962/1884 (Saka)

[August 20 to 31, 1962/Sravana 29 to Bhadra 9, 1884 (Saka)]



SECOND SESSION, 1962/1884 (Saka)

(Vol. VII contains Nos. 11 to 20)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Wednesday, August 29, 1962/Bhadra
7, 1884 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Committee for Anti-Corruption Drive

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- *667. { Shri Harish Chandra Mathur:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri P. R. Chakraverti:
Shri Rameshwar Tantia:
Shri P. C. Borooah:
Shri M. K. Kumaran:
Shri Hem Barua:
Shri Kajrolkar:

Will the Minister of Home Affairs be pleased to state:

(a) whether the proposed committee for anti-corruption drive has been constituted; and

(b) if so, what are the personnel and functions of the committee?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) The appointment of the Committee and its personnel will be announced soon.

Shri Harish Chandra Mathur: May I know if the hon. Minister is aware that a considerable amount of corruption and demoralisation among the services is due to political interference and pressure, whether the hon. Minister has given thought to that matter and whether this Committee would be fully equipped to deal with that matter?

1661(Ai)LSD—1.

The Minister of Home Affairs (Shri Lal Bahadur Shastri): It is a very general statement that the hon. Member has made. I do not want to say that there might not be anything like what he has made a mention of. However, he will realise that it is a very difficult matter also to tackle with. Still, that aspect will also have to be borne in mind. To give it in specific terms to the Committee to look into will not be so easy; yet, I am giving thought to that matter.

Shri Harish Chandra Mathur: May I know if the hon. Minister wants this Committee to restrict itself only to the Central Government employees or whether he is treating this question as a question of nationwide importance and has discussed it with the Chief Ministers and the Home Ministers of the States so that this Committee will cover the activities and tackle cases of corruption all over?

Shri Lal Bahadur Shastri: For the time being it would confine itself to the Central Government employee, but if certain decisions are arrived at, it will not be so difficult to have further discussion with the State Governments.

श्री म० ला० द्विवेदी : समाज में फैली दुर्व्यवस्था तथा असुरक्षा को दूर करने के लिये और सामाजिक न्याय के हित में यह आवश्यक है कि इस प्रश्न पर बहुत जल्दी और ध्यान से गौर करें, किन्तु मन्त्रालय इस सम्बन्ध में विलम्ब कर रहा है। मैं यह जानना चाहता हूँ कि इस विलम्ब के क्या कारण हैं, यह कमेटी कब तक तैयार होगी और इस सम्बन्ध में और क्या कदम मन्त्री जी के विचाराधीन हैं।

श्री लाल बहादुर शास्त्री: अब तो कोई देर होने की सम्भावना नहीं है। सम्भव है कि

ग्राज ही, या कल दो तीन दिन में—उस कमेटी का ऐलान हो जायगा।

Shri Rameshwar Tantia: Who will be the personnel of this Committee and will the Committee have powers to examine the ministries of the Central and State Governments?

Mr. Speaker: That has been answered.

Shri A. P. Jain: The basic causes underlying corruption being the same whether it relates to an employee of the Central Government or of the State Government, would it not be advantageous that the hon. Minister may consult the State Governments and extend the Committee's terms of reference so that they are applicable to the employees of both the Central and State Governments?

Mr. Speaker: It is a suggestion.

Shri Tyagi: Is the hon. Minister conscious of the fact that corruption has increased hundred times today than what it used to be during the British days? If he is conscious of that fact, I want to know what concrete steps he has taken, departmental or administrative, to stop corruption.

Mr. Speaker: This is the step that is being taken now. Anyway, an answer might be given by the hon. Minister.

Shri S. M. Banerjee: Has it increased hundred times or not?

Shri Lal Bahadur Shastri: I am sorry, I would not like to endorse what Shri Tyagi has said.

Shri Tyagi: It is unpalatable.

Shri Hari Vishun Kamath: The number of times?

Shri Lal Bahadur Shastri: I do not think so. It may be a different matter that corruption is on the increase or might have increased; but to say and give the proportion I am not such a big mathematician as Shri Tyagi is.

Therefore I cannot really endorse what he has said.

Shri Tyagi: Is it on the increase?

Shri Lal Bahadur Shastri: I am surprised that Shri Tyagi should ask that question when he knows my views in the matter.

Shri Harish Chandra Mathur: To what extent does he agree?

Shri Lal Bahadur Shastri: I have expressed them not privately to him but in a committee meeting. However, we are taking this step only to try to remove or eradicate it or at least to reduce it.

Shri Tyagi: My definite question was as to what departmental or administrative steps he has already taken in this matter apart from the proposed committee.

Mr. Speaker: I would appeal to Shri Tyagi to consider whether it would be possible to relate all the measures that have been taken departmentally or administratively or otherwise during the Question Hour.

Shri Tyagi: I submit, I wanted to know the action taken by him to stop this corruption. He could narrate one or two actions that he had taken: not in a particular case, but as a general policy, administrative action taken to stop this menace.

Mr. Speaker: That would be a long list. In the question hour, it would be difficult to say.

Shri Hari Vishnu Kamath: Where there are allegations of corruption against some higher-ups in the administration including, unfortunately, a Minister here or there, what is the machinery or *modus operandi* for an enquiry to ascertain if there is a *prima facie* case and if a *prima facie* case is established, what is the procedure for further proceedings?

Shri Lal Bahadur Shastri: The hon. Member has further widened the scope of this question.

Shri Hari Vishnu Kamath: Where is the machinery?

Shri Lal Bahadur Shastri: He has mentioned about Ministers....

Shri Hari Vishnu Kamath: Unfortunately, I said.

Shri Lal Bahadur Shastri:....and perhaps Members of Parliament also on this side and that side both. For the present moment, we are confining ourselves to government servants.

Mr. Speaker: Shri Hem Barua.

Shri Hari Vishnu Kamath: On a Point of Order, Sir, have you ruled my question out of order, as inadmissible. Because, he said, they are dealing with government servants only. To my supplementary question,—you admitted it—there is no answer.

Mr. Speaker: Because we are dealing with the committee, the question also should be in relation to that committee. Therefore, the Minister has said that so far as the committee is concerned, it will deal with government servants only and not with Ministers and Members of Parliament.

Shri Hari Vishnu Kamath: My supplementary question does not arise?

Mr. Speaker: That he has said. The supplementary question can be in relation to the question concerned.

Shri Hari Vishnu Kamath: You did not rule it out of order. That is what I said.

Mr. Speaker: I did not. Therefore the answer has been given. If I had ruled it out of order, no answer would have been given.

Shri Hari Vishnu Kamath: My question was not answered.

Shri Hem Barua: In view of the fact that some State Governments have anti-corruption squads, how do the Government propose to co-ordinate the work of this committee with the work of the State Governments?

Shri Lal Bahadur Shastri: We shall consider that at a later stage. In fact, my feeling is that we should

restrict ourselves in these enquiries. When we set up a big commission, we get a theoretical report, no doubt. My purpose is to ask this committee to give me specific suggestions, to give me interim reports, to send me proposals even weekly if they so like and advise the Government of India or the Home Ministry as to how to proceed in this matter.

Shri Hem Barua: My question has not been answered.

Shri Lal Bahadur Shastri: I have answered that. I have said that once we have taken certain decisions, it would not be difficult to take up these matters with the State Governments and co-ordinate the action.

Some Hon. Members rose—

Mr. Speaker: Next question. We have already spent nine minutes on this.

Coal Dumping

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*668. { **Shri B. K. Das:**
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri M. L. Dwivedi:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether the coal dumping system has begun working;

(b) what is generally the capacity of a 'dump' wherefrom the consumers are to draw their coal;

(c) what improvement has been effected in the transport position by the introduction of the dumping system; and

(d) whether the consumers find any difficulty in getting on with the system?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) Coal dumps have already been set up in the States of Punjab; Uttar Pradesh; Kerala; Madras; West Bengal and Andhra Pradesh. The States of Gujarat; Orissa; Assam; Bihar; Rajasthan; Madhya Pradesh and Mysore have also agreed

to set up dumps.

(b) No specific capacity for a dump has been fixed. It, however, depends on the number of consumers to be fed from a particular dump.

(c) The dump scheme tends to rationalise the available rail transport and ensures quick turn-round of wagons. These factors bring about a general improvement in the transport position.

(d) There are difficulties due to such factors as double-handling, but, by and large, the scheme has been accepted in places where it has started operating.

Shri B. K. Das: May I know whether any assistance is given to the State Governments for filling these dumps?

Shri K. D. Malaviya: No. There is no particular assistance that has been given. But, some administrative arrangements have been made which helps the movement of coal under the dump scheme.

Shri B. K. Das: May I know whether the consumers are under any compulsion to draw their coal from these dumps?

Shri K. D. Malaviya: Yes, Sir. One this scheme comes into operation, the consumers that fall within the area for which the dump has been created, have to take their coal, under the rules that have been framed or under the orders of the State Governments. The State Governments authorise the nominees to operate the dumps and indicate the quotas of the consumers for whom the dumps have been created. Then, sanctions from accounts are issued against programmes submitted by the authorised nominees, and movement takes place by rail cum road?

Shri Subodh Hansda: May I know whether it is a fact that due to this dumping system, the transportation cost of coal has gone up, and the consumers have had to pay much more than what they used to pay before?

Shri K. D. Malaviya: Yes; this dump system has the implication of increase in transport costs and; some increase in the consumer prices. Of course, that is not a very happy thing, but there is no alternative to it, because he gets the coal for the purpose for which he wants.

श्री म० ल० द्विवेदी : अभी कुछ महीने पहले उत्तर प्रदेश में कोयले की कमी के कारण उद्योगों पर और वहां के जन जीवन पर बड़ा ही प्रतिकूल असर पड़ा था, बड़ी भारी कठिनाई उत्पन्न हो गई थी। डम्प सिस्टम या और किसी सिस्टम से वहां कोयले की कमी को दूर करने के लिये, मैं जानना चाहता हूं, मन्त्रालय क्या कर रहा है ?

श्री के० दे० मालवीय : जैसे और स्टेटों में हो रहा है, उत्तर प्रदेश में भी बड़ी कोशिश हो रही है कि कोयला ज्यादा से ज्यादा पहुंचाया जाए जो कि कंज्यूमर्स को पहुंच सके। यह डम्प स्कीम वहां भी चालू है।

Shrimati Savitri Nigam: Is the hon. Minister aware that because of this dump system a new type of corruption has started taking place, namely that while the permit is taken for soft coke and other types of coke, hard and other expensive types of coal are being brought and taken away from these dumps?

Mr. Speaker: As regards corruption, a committee is being set up under Question No. 667.

Shrimati Savitri Nigam: My question is whether the hon. Minister is aware of it, and if so, what action he is taking to stop this sort of corruption.

Shri K. D. Malaviya: I am not aware of this specific case.

Shri Tridib Kumar Choudhuri: What is the actual working scheme of Government? Will there be one dump in each State or will there be several dumps in each State, in view of the transport problem?

Shri K. D. Malaviya: This is based on the several-dumps-scheme. For instance, in U.P., the dump stations are Kanpur, Lucknow, Meerut City, Allahabad and Varanasi; and some more are proposed to be set up.

New Education Code for Delhi

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- *669. { **Shri Bishanchander Seth:**
 { **Shri Bhakt Darshan:**
 { **Shri D. C. Sharma:**

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 1285 on the 5th June, 1962 and state:

(a) whether a New Education Code for the Union Territory of Delhi has been prepared;

(b) if so, what are its main features;

(c) whether the model legislation based on the code for the consideration of the States has also been examined;

(d) if so, the result thereof; and

(e) how these new provisions differ from the old ones?

The Minister of Education (Dr. K. L. Shrivastava): (a) to (e). A statement is laid on the Table of the House.

STATEMENT

(a) The preliminary draft of the Code has since been prepared and is under examination before it can be finalised.

(b) As has been pointed out in reply to Starred Question No. 1285, answered on 5th June, 1962, the Code contains Chapters on Departmental Organization, Inspection of Schools, Rules for Recognition, Grant-in-aid Rules, Service conditions of Aided School teachers, including punishments and appeal rules, Fees and Funds, Rules for grant of scholarships, Rules relating to admissions, transfers, class-promotions, medical examination, etc. etc.

(c) The matter is under consideration

(d) and (e). Do not arise at this stage.

श्री बिशनचंद्र सेठ : मैं जानना चाहता हूँ कि राज्य सरकारों से जो आप को परामर्श मिले हैं, वे क्या क्या हैं ?

श्री फा० ला० श्रीमाली : अभी तो राज्य सरकारों से मशविरा लेने का प्रश्न नहीं उठा क्योंकि कोड तैयार हो रहा है। जहाँ तक कोड का सम्बन्ध है, यह केवल यूनिवर्सिटी-टरीज और दिल्ली के लिये है। इसलिये दूसरे राज्यों से बातचीत का प्रश्न नहीं उठा। जहाँ तक बिल का ताल्लुक है जिसके बारे में अभी आपसे प्रश्न किया है, उस बिल का मसविदा अब तैयार हो जायगा तब राज्य सरकारों से मशविरा उस पर किया जाएगा।

श्री बिशनचंद्र सेठ : इस चीज के हो जाने के बाद क्या प्रभाव शिक्षा के स्तर पर पड़ेगा, क्या आप बता सकते हैं ?

डा० फा० ला० श्रीमाली : प्रभाव अच्छा पड़ेगा। मैं आशा करता हूँ कि माननीय सदस्य को भी उससे सन्तोष होगा।

श्री भक्त दर्शन : श्रीमन् यह बताया गया है कि प्रारम्भिक ड्राफ्ट तैयार हो गया है। मैं जानना चाहता हूँ कि उस ड्राफ्ट को अन्तिम रूप देने के पहले जो प्राइवेट मेनेजमेंट कमेटी है वह अध्यापक समितियाँ हैं या और जो सम्बन्धित पक्ष हैं, क्या उनसे परामर्श लिया जाएगा और तब इसको अन्तिम रूप दिया जाएगा ?

डा० फा० ला० श्रीमाली : जो भी सम्बन्धित व्यक्ति हैं, उनसे परामर्श किया जा रहा है।

Shri D. C. Sharma: One of the items to be included in this model Code is service conditions of aided school teachers. May I know if the triple benefit scheme recommended by the Mudaliar Committee will also be included in these service conditions?

Dr. K. L. Shrimali: Government have been keen to implement this scheme, and we are in consultation with the Delhi Administration about this matter, and I am hoping that it will not be too long before this scheme is introduced for the Union Territories.

Shri S. M. Banerjee: Since the Code is being established for the Union Territories, may I know whether other State Governments have also been instructed to have a similar Code in their areas?

Dr. K. L. Shrimali: This Code will be for the Union Territories. If the other State Governments also choose to devise their Codes, they will be quite free to do so.

Shri C. K. Bhattacharyya: From the statement, I find that the code relates to the terms and conditions of service of school teachers. Is there any proposal to have a similar code for college teachers?

Dr. K. L. Shrimali: As far as colleges are concerned, universities have their own rules and regulations. They are governed by statutes and rules framed by the universities.

विश्वविद्यालयों के लिए आदर्श विधान

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{ श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :
*६७०. { श्री ब० कु० दास :
श्री सुबोध हंसदा :
श्री ईश्वर रेड्डी :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय विश्वविद्यालयों के वर्तमान कार्यों के अनुकूल एक आदर्श विधेयक की रूप रेखा तैयार करने के लिये जो समिति बनाई गई थी उसके अब तक के कार्य का क्या ब्यौरा है ; और

(ख) क्या इस समिति ने अपना अन्तरिम प्रतिवेदन प्रस्तुत कर दिया है और यदि हां, तो उसकी मोटी-मोटी सिफारिशें क्या हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली):

(क) समिति की अभी तक छः बैठकें हो चुकी हैं, इसका कार्य अब समाप्त होने पर है ।

(ख) जी नहीं । सम्भवतः समिति की रिपोर्ट वर्ष के अन्त तक प्राप्त हो जाएगी ।

श्री म० ला० द्विवेदी : मैं जानना चाहता हूँ कि इस कमेटी के विचाराधीन मोटे रूप से कौन कौन सी बातें हैं ?

Dr. K. L. Shrimali: The main problem is to have a model legislation. All the problems relating to the administration of universities are being looked into by this Committee.

श्री म० ला० द्विवेदी : विश्वविद्यालयों में पढ़ाई लिखाई के सम्बन्ध में भी क्या इस समिति में कोई विचार होगा क्योंकि १९६५ के बाद या किसी और अवधि के बाद जब यह बात तय हो जाएगी तो अंग्रेजी जो है, वह नहीं रहेगी । उस वक्त पढ़ाई लिखाई का माध्यम क्या होगा, क्या इस सम्बन्ध में भी यह समिति विचार करेगी ?

Dr. K. L. Shrimali: This subject does not come within the purview of this Committee.

श्री प्रकाशशोर शास्त्री : शिक्षा मंत्री जी ने पिछले अधिवेशन में घोषणा की थी कि अलीगढ़ और बनारस विश्वविद्यालयों के सम्बन्ध में वह कोई विधेयक लाना चाहते हैं और इस समिति के परामर्श के आधार पर उसको वह लाना चाहते हैं । मैं जानना चाहता हूँ कि कब तक इस चीज को कार्यान्वित किया जाएगा ?

श्री का० ला० श्रीमाली : बनारस विश्वविद्यालय के सम्बन्ध में एक बिल इंट्रोड्यूस किया था पिछली पार्लियामेंट में लेकिन वह पास नहीं हो सका । इस समिति की रिपोर्ट का माडल लैजिस्लेशन के बारे में इन्तजार किया

जा रहा है और जब वह आ जाएगी, उसके बाद हम बनारस और अलीगढ़ दोनों के लिये विधे-यक इस सदन के सामने लायेंगे ।

Shri D. C. Sharma: Will the universities be asked to revise their administration and other things in the light of this model Bill which will be circulated? Or will they continue to go on in their old way?

Dr. K. L. Shrimali: In fact, one of the State Governments had actually made a reference to us. It was on the basis of that reference that we appointed this Committee. After their Report has been submitted, we propose to send it to all the Governments so that they may also revise their legislation suitably.

Coal Targets during Third Plan

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*671. { **Shri P. R. Chakraverti:**
Shri Bhagwat Jha Azad:
Shri Bhakt Darshan:
Shri Ram Ratan Gupta:
Shri Yashpal Singh:
Shri Heda:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether the Coal Council of India urged Government to take steps to overcome the power shortage that happens to the biggest handicap in achieving the coal target of the Third Five Year Plan;

(b) if so, whether Government have taken steps to hold joint consultation with the Planning Commission and the Ministry of Irrigation and Power; and

(c) whether Government endorse the suggestion of the Coal Council that the Thermal Power Houses and washeries should be located at coal fields wherefrom supplies are to be obtained?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). Yes.

(c). Yes. Government are of the view, that, as far as possible, new

Thermal Power Stations and washeries should be located at the coalfields which are the sources of supply of coal.

Shri P. R. Chakraverti: To what extent will the shortage be covered by the steps which are now devised by joint consultation?

Shri K. D. Malaviya: We hope to meet the situation. According to the target provided in the Third Plan, the demand for power in coal fields will increase. We have asked Planning Commission to consider some scheme to step up production or generation of power near about coal fields by major coal producers.

Shri P. R. Chakraverti: How far has the private sector shown keenness to make investment on the lines devised?

Shri K. D. Malaviya: They are not very keen on investing money; they do not want to generate power unless they get adequate help from the Government. The State Governments are also to be consulted and their collaboration secured. So it requires consultation with State Governments so that the private sector could be persuaded to generate power.

Shri Bhagwat Jha Azad: According to the suggestion or apprehension expressed by the Coal Council of India, could we know what will be the shortage in power in respect of raising coal, and in the light of that, has the Planning Commission agreed to supply additional sources to meet the same?

Shri K. D. Malaviya: I am afraid I will not be able to give the details of the shortfall in power. But for the short-term solution of the problem, the Coal Council has made some proposals to the Government, and these proposals are under examination. If these are implemented, I presume that we will be able to get over the difficulties.

Dr. L. M. Singhvi: What would be the financial outlay of the proposed for locating washeries and thermal stations near coalfields? Has it been examined?

Shri K. D. Malaviya: That information is not readily available.

Shri Heda: On the occasion of this meeting, the hon. Minister was pleased to state that with a view to overcome this distance or transport difficulty, Government are taking up movement of coal by canals and rivers. May I know whether the Government have taken any active steps in this regard?

Shri K. D. Malaviya: Yes, Sir. The scheme has been considered very much and is ready now. We have made all preliminary arrangements and surveys also. Now, in the Ministry the question is under examination, and I suppose within the next two or three weeks decisions will be taken and if decisions are taken the way we would like, movement will start quite readily.

श्री यशपाल सिंह : क्या सरकार को पता है कि अगर रिहन्द डैम की बिजली को बिड़ला कंसर्न से हटा कर कोयले के काम में लगाया जाय तो ५४ जिलों के कोयले की समस्या हल हो सकती है और सरकार का लक्ष्य पूरा हो सकता है ?

श्री के० दे० मालवीय : जी हां, रिहन्द डैम की बिजली का इन्तगाम हो चुका है। बिहार में जो लाइनें रह गई थीं, वह भी गालिबन पांच या सात दिनों में पूरी हो जायेंगी और रिहन्द डैम की पावर का कोयले के उत्पादन में इस्तेमाल किया जायेगा।

Shrimati Yashoda Reddy: The hon. Minister was pleased to state that there was power shortage in the country. In view of this, in States like Andhra Pradesh, which are trying to keep up coal targets, as they are short of money, will the Central Government be willing to provide the money asked for by them?

Shri K. D. Malaviya: The Centre is already doing what it can, whether it is financial assistance or other aspects of the matter also. The whole question of collaboration between the State

Governments and the Central Government is under active consideration of Government.

Shri Hem Barua: Is it a fact that Government propose to ask the uneconomic coal mine owners to surrender their undertakings to Government?

Shri K. D. Malaviya: This supplementary does not arise out of this question.

Shri Daji: The hon. Minister was pleased to state on a former occasion that this was the view of the Ministry, but not of the Government. Now he says this is the view of the Government. Do I understand that a firm decision has been taken by the Government about this matter, that the thermal stations and washeries will be located only at the beds of the coal-fields, and if so, whether schemes not falling in line with this will be revisited?

Shri K. D. Malaviya: That is the recommendation of the Planning Commission as well as our Ministry and the Government. So far as the Government of India is concerned, with regard to implementation of such a scheme, the State Governments have also to be consulted. Already, there are some schemes which are not falling into this pattern. So, until they are consulted and they agree, a firm decision cannot be taken which can be implemented later on.

Shri Venkatasubbaiah: Is the hon. Minister aware of the fact that there is a shortfall in the production of coal in the Singareni Collieries to the extent of three lakh tons due to shortage of power; if so, what steps have Government taken to finance the State Government or to alleviate it?

Mr. Speaker: Individual cases will be taken up separately. It will be difficult to deal with all.

श्री भक्त दर्शन : माननीय मन्त्री जी ने बतलाया कि कोल कौंसिल ने कुछ सुझाव दिये हैं जिन पर विचार किया जा रहा है। मैं जानना

चाहता हूँ कि उन्होंने जो मुख्य मुख्य सुझाव दिये हैं क्या उन पर कुछ प्रकाश डाला जायेगा ?

श्री के० दे० मालवीय : कोल कौंसिल ने जो खास बात कही है वह यह है कि कोयले की खानों से पास ही पावर स्टेशन होने चाहिये ताकि रेलवे ट्रान्सपोर्ट पर ज्यादा बोझ न पड़े । इसलिये थर्मल पावर स्टेशन जहाँ तक हो सके कोल माइन्स के पास ही लगाये जायें ; यह कोल कौंसिल की स्पेसिफिक सिफारिश है ।

Delhi Primary Education Act, 1960

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*672. { Shri Surendra Pal Singh:
Shri Prabhat Kar:
Shri R. N. Reddy:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Delhi Primary Education Act of 1960 is not being enforced successfully and a large number of Delhi children of school going age are not being sent to schools by their parents or guardians; and

(b) if so, what steps Government propose to take to make the scheme a complete success?

The Minister of Education (Dr. K. L. Shrivastava): (a) No, Sir.

(b) Does not arise.

Shri Surendra Pal Singh: May I know how many children of the school-going age in Delhi and Old Delhi have already been registered under the Compulsory Primary Education scheme?

Shrimati Soundaram Ramachandran: Last year it was made out that there were less than 50,000 children—46,000 children; and, an enrolment drive was made and almost 95 per cent. of the children in the age group between 6 and 7 were admitted into the schools in 1961.

Shri Surendra Pal Singh: Was any legal action taken against those parents who failed to send their children to

the schools during the last academic year? If so, with what result?

Shrimati Soundaram Ramachandran: It was not necessary because 95 per cent. of the children in age group have already been admitted.

Shrimati Renuka Ray: Have they ascertained whether the number of children on the rolls actually attend the schools? What is the regularity?

Shrimati Soundaram Ramachandran: Enrolment is done. Whether there is wastage or stagnation, that would be taken up separately. But, every effort is made to keep them coming to school regularly by giving other incentives like milk and the supply of mid-day meals etc.

श्री शिव नारायण : क्या सरकार यह बतलाने की कृपा करेगी कि जो ५ परसेन्ट लड़के बाकी बच गये हैं उनके लिये उसने क्या प्रबन्ध सोचा है ?

Mr. Speaker: Ninety-five per cent. were admitted; but what about the rest 5 per cent?

Shrimati Soundaram Ramachandran: It is impossible to get 100 per cent. because there will be other reasons. So, 95 per cent. is really a very high rate of enrolment.

श्री तुलशीदास जाधव : जो लड़के नहीं पाते हैं, क्या सरकार ने उनके न भेजे जाने का कोई कारण सोचा है ?

Shrimati Soundaram Ramachandran: During the enrolment drive, as far as possible, almost all the normal children were persuaded to come to school. And, with the parents' cooperation only it was achieved.

Shri Prabhat Kar: The hon. Deputy Minister said that 95 per cent. have been enrolled. May I know what is the percentage attending school?

Shrimati Soundaram Ramachandran: That is not here with me.

Dr. P. S. Deshmukh: Before enforcing attendance cent. per cent. is the

Minister satisfied with the arrangements for their education in the schools at the present time?

Shrimati Soundaram Ramachandran: If we can be 100 per cent. satisfied, I think, we come to a standstill. That can never happen. We always try.

Shri Harish Chandra Mathur: Sir, the scheme is for children between the ages of 6 and 11—the scheme of compulsory education. The Deputy Minister gave figures only for children between the ages of 6 and 7. How do they explain the position?

Shrimati Soundaram Ramachandran: Yes. Last year the drive was made to enrol children between the ages of 6 and 7. This year the enrolment drive is for children between the ages of 6 and 7 and also 7 and 8. It is going on. We cannot bring in children of 10 years just now. So, when the drive starts, we start from the age group of 6 and 7 and every year we add one age group more.

Mr. Speaker: Question No. 673.

Shri Narendra Singh Mahida: Sir, may I request that along with this question, Question No. 693 be also taken?

Mr. Speaker: If the Minister is willing. (*Interruptions*).

Shri Tyagi: This may be answered first.

Oil Pipe-Lines

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- *673. { **Shri Subodh Hansda:**
Shri G. K. Singha:
Shri Basumatari:
Shri S. C. Samanta:
Shri Yajnik:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether the plan for laying the oil pipelines for carrying petroleum oils from one place to another has been finalised;

(b) if so, the total mileage of pipelines to be laid and the places where these will be laid;

(c) when this work will be taken up; and

(d) how long it will take to complete the work?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a) No, Sir.

(b) to (d). These details can be given only after the plan for laying oil pipelines is finalised.

Shri Subodh Hansda: The Minister has said that the details can be given only after the plan has been finalised. May I know how long it will take to finalise this plan?

Shri Thimmaiah: The Indian Refineries Ltd. hope to commence the work by the end of this year and complete it by the end of 1964.

Shri Basumatari: What is the estimated cost of these pipelines to reach the target?

Shri Thimmaiah: The Calcutta-Barauni-Delhi pipeline would be about Rs. 26 to Rs. 28 crores; the Gauhati-Siliguri pipelines would be approximately Rs. 6 crores; and the pipeline in Gujarat Kalol to Ahmedabad would be approximately Rs. 6 crores.

Shri Morarka: What are all the proposals which are before the Government and which are under consideration for laying pipelines in different parts of the country?

Shri K. D. Malaviya: The entire plan has been mentioned by my colleague.

Shri Morarka: He mentioned three projects.

Shri K. D. Malaviya: Product pipeline from Nunmati to Siliguri, product pipeline from Barauni to Delhi or Meeraboot and from Barauni to Calcutta and six pipe lines for gas products and crude oil in Gujarat—all these are under examination of the Government. General approval has been obtained but there are some differences between ourselves and the Finance Ministry with regard to foreign exchange expenditure and I suppose the position will clarify soon.

श्री विभूति मिश्र : यह जो बरोनी से पाइप लाइन दिल्ली आएगी तो क्या बीच में इलाहाबाद और कानपुर जैसे शहरों को भी इस पाइप लाइन से जोड़ा जाएगा ?

श्री के० दे० मालवीय : इरादा तो यही है कि जो वितरण के बड़े बड़े स्थान हैं उनमें वहीं बांट दिया जाए ताकि सस्ता हो सके ।

Shri Hem Barua: Is it not a fact that laying of pipelines is at present the responsibility of the Indian Refineries Ltd.? If so, do the Government propose to form a separate corporation for the construction and maintenance of pipelines network?

Shri K. D. Malaviya: To begin with we have entrusted this work to the Indian Refineries so that we may avoid delays which could be avoided. They have taken up this work and have done a lot of early work. Government are considering to set up separate arrangement for looking after the technical jobs involved in it.

Shri K. C. Pant: Is there any proposal ultimately to link the pipeline from Barauni to Delhi with the pipeline net work in west India?

Shri K. D. Malaviya: It depends upon the future and the expansion of oil industry. Naturally the objective should be to have one general pipeline for the whole country.

Shri Warrior: May I know whether the pipeline from Gauhati to Siliguri is not constructed because of the non finalisation of the project or is there any other objection raised by anybody?

Shri K. D. Malaviya: There is no objection.

Shri Hem Barua: There was from the Railways.

Shri K. D. Malaviya: When I referred to this objection previously, it was more or less on technical grounds. But whatever problems face us today

in the construction of Nunmati pipeline, they are under consideration technically and financially and I suppose we shall go ahead with the scheme.

Shri Ramanathan Chettiar: The hon. Minister in reply to a supplementary question put by an hon. Member two minutes ago said that there should be a pipeline all over the country. May I know whether he means that there will be a connecting system like the electric grid system for all parts of the country?

Shri K. D. Malaviya: I did presume that. I did not say there is a scheme like that. I said that it all depended upon the future. The objective should be to have a pipeline which will form a grid like that.

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूँ कि आर्थिक दृष्टि से यह लाभप्रद होगा कि नहीं ? रेलवे से जो आप भेजते हैं उसकी तुलना में पाइप लाइन से भेजने में खर्च में कितना अन्तर पड़ेगा ?

श्री के० दे० मालवीय : आर्थिक दृष्टि से बहुत लाभदायक होगा और रेलवे के भाड़े से इसमें भाड़ा कम होगा ।

Shri Narendra Singh Mahida: May I request the hon. Minister to reply question No. 693 also?

Mr. Speaker: That would be a different question altogether; he did not find it convenient to answer that question along with this question.

श्री का० ना० तिवारी : अभी माननीय मंत्री ने बतलाया कि फाइनेन्सल और टेक्निकल डिफिकल्टीज हैं । क्या यह भी डिफिकल्टी है कि प्रान्तीय सरकारें इसमें अड़चन डाल रही हैं ?

श्री के० दे० मालवीय : जी नहीं, प्रान्तीय सरकारें कोई अड़चन नहीं डाल रही हैं ।

Coal Washeries

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- *674. { Shri S. C. Samanta:
 { Shri Subodh Hansda:
 { Shri B. K. Das:
 { Shri M. L. Dwivedi: .

Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is a fact that a number of Coal Washeries will be set up during the Third Plan period in public and private sectors;

(b) if so, the number of such washeries;

(c) when such washeries will be set up; and

(d) whether these washeries will be set up without any foreign technical assistance?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a) Yes.

(b) and (c). So far as the public sector is concerned, two existing washeries of the Hindustan Steel Ltd. will be expanded during the Third Plan period, and the National Coal Development Corporation is planning to set up 6 new washeries for coking coal and 2 new washeries for non-coking coal. 3 of the National Coal Development Corporation's washeries, however, may come up only in the Fourth Plan.

In addition to the above, two coking coal washeries are being planned for in the private sector.

(d) Some of the public sector washeries are being linked with foreign credits and in their case foreign technical assistance will be available. The intention is that progressively washeries are set up not only with indigenous plant and equipment but without even foreign technical assistance.

Shri S. C. Samanta: May I know whether, over and above the opening of these washeries, there is any proposal to expand some of the existing coal washeries?

Shri Thimmaiah: Yes, Sir.

Shri S. C. Samanta: May I know the names?

Shri Thimmaiah: Two washeries under the Hindustan Steel, Ltd., are expected to be expanded, that is, Dugda and Bojudih.

Shri Subodh Hansda: The Minister said that for some of the washeries foreign aid will be available. May I know which are the foreign countries that will give technical aid to these washeries?

Shri Thimmaiah: I want notice.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूँ कि कोयले की घुलाई के कारखानों की स्थापना के सम्बन्ध में स्थान का निर्धारण कैसे किया जाता है ? क्या अधिकांश में ये कारखाने कोयले की खदानों के पास बनाए जाते हैं, और अगर अन्यत्र बनाए जाते हैं तो स्थान निर्धारण के सम्बन्ध में किन किन बातों का विचार किया जाता है ?

श्री के० दे० मालवीय : सब से बड़ी वजह तो यह होनी चाहिये कि ये कोयले की खानों के पास हों ताकि ट्रांसपोर्ट में सुविधा हो सके । इसके अलावा कोई दूसरा कारण तो तभी हो सकता है कि जब कोई स्थानिक बातें सामने आयें । लेकिन मुख्यतः इनको खानों के पास ही इसलिये स्थापित किया जाता है ताकि ट्रांसपोर्ट के बोझ को हल्का किया जा सके ।

Shri Bhagwat Jha Azad: In reference to part (d) of the question, could I know the target that has been assigned to the coal washeries that are likely to be set up in the private sector?

Shri Thimmaiah: In the third Plan, we have got to set up an additional washing capacity of 12.7 million tons, out of which 3.2 million tons will be set up by the Hindustan Steel, Ltd.

Shri Raghunath Singh: The question is about the private sector.

Shri Thimmaiah: In addition to our plants, the private sector washeries will be increased from 0.3 million tons to 2.2 million tons in one and in another from 1.5 million tons to three million tons.

Shri Hem Barua: He said there would be an increase from 3 million to 2 million. How is it an increase?

Mr. Speaker: Is it from 3 to 2?

Shri Thimmaiah: From 0.3 million to 2.2 million.

Mr. Speaker: So, it is from 0.3 to 2.2. That is an increase. Next question.

Prices of Steel and Pig Iron

*675. **Shri Indrajit Gupta:** Will the Minister of Steel and Heavy Industries be pleased to refer to the reply given to Starred Question No. 309 on the 1st May, 1962 and state:

(a) whether the retention prices of steel and pig iron for 1960-61 and 1961-62 have now been finally fixed;

(b) whether the prices conform to the recommendations of the Tariff Commission; and

(c) whether any fresh representations in this regard have been received from the private sector producers?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) and (b). The Reports of the Tariff Commission on the retention prices payable for pig iron and steel have been received and are at present under examination.

(c) No, Sir.

Shri Indrajit Gupta: I would like to know whether any assessment has been made by the Tariff Commission about the cost of production per ton of steel in the private sector as well as in the public sector and, if so, what is its finding.

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): The report is under consideration. I

do not think I will be able to give those details now.

Shri Indrajit Gupta: May I know whether it is a fact that the private sector producers have been given any sort of assurance that in case the Steel Wage Board which has been appointed now recommends an upward revision in the workers' wages this question of the retention price will be reopened again?

Shri C. Subramaniam: This report is with regard to price for 1960-61 and 1961-62. Therefore, the questions which the hon. Member has put do not apply.

Shri Indrajit Gupta: I am not referring to the Tariff Commission's report. I want to know whether the Government has given any assurance?

Shri C. Subramaniam: I require notice.

Shri S. M. Banerjee: May I know whether the report submitted by the Tariff Commission is provisional or it is the final report?

Shri C. Subramaniam: It is the final report; there is no question of interim report.

Shri Morarka: May I know whether the prices would be fixed retrospectively as they have been fixed till now or whether there is any proposal to fix the price prospectively also?

Shri C. Subramaniam: The report is with reference to 1960 to 1962, and we will have to fix for the future also.

Shri Ramanathan Chettiar: The Minister said that the report has been received and it is under consideration. May I know how long it will take for the Government to arrive at a decision?

Shri C. Subramaniam: Very soon.

State Participation in Oil Refineries

- +
- *676. { Shri Warior:
 { Shri Vasudevan Nair:
 { Shri M. K. Kumaran:
 { Shri Yashpal Singh:
 { Shri P. C. Borooah:
 { Shri Yajnik:

Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether a final decision has been taken by Government in the matter of States' participation in the oil refineries; and

(b) if so, the nature of the decision?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) Yes, Sir, in so far as the Assam, Bihar and Gujarat States are concerned.

(b) The State Governments may participate upto 15 per cent of the equity capital investment in the refinery project located in each State.

Shri Warior: May I know whether only those State Governments where the refineries are being established are participating or other State Governments also have a change to participate in this?

Shri K. D. Malaviya: The decision is that all the States, where there are refineries, can join the Government of India in such partnership if it is convenient to them and if they so like.

Shri Daji: Has this arrangement fully satisfied the representations of the various State Governments or still there is some dispute on this point pending?

Shri K. D. Malaviya: I do not know whether they are satisfied. The agreement has been reached and we have informed them that this is the offer we will make to the State Governments to join in such partnership.

Shri Hem Barua: In view of the fact that 25 per cent of share participation is allowed to the Madhya Pradesh Government in the Korba

coalfields and West Bengal is almost getting an exclusive right to work her coal mines, may I know why in the case of oil, it is limited to only 15 per cent?

Shri K. D. Malaviya: There are many factors which were before us. The entire question was considered in all its details and the Government came to the conclusion that looking to the limitations that are with us and with the State Governments also, 15 per cent share would be quite fair for the State Governments to join in this partnership.

श्री यशपाल सिंह : क्या सरकार को यह पता है कि बर्मा शल और ऐस्सो के कोटे को कम किये बगर हमारे तेल शोधक कारखाने प्रोपरली वर्क नहीं कर सकेंगे ?

Mr. Speaker: It is a suggestion for action.

Shri Bhagwat Jha Azad: May I know whether Government is considering the request of the State Government to increase the participation in such refineries like Barauni?

Shri K. D. Malaviya: For the present, our decisions have been communicated to the State Governments.

श्री विभूति मिश्र : यह जो ड्रम बनाने का काम है इसको सेंट्रल गवर्नमेंट अपने हाथ में रखेगी या स्टेट गवर्नमेंट को इसको बनाने का अधिकार देगी ?

श्री के० दे० मालवीय : यह तो पार्टनरशिप का सवाल है ?

Hogenakkal Hydro-Electric Project

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- *677. { Shri Bhagwat Jha Azad:
 { Shri R. Umanath:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether in the recent meeting of the Power Sub-committee of the Southern Zonal Council at Bhadravathi any agreement was reached between the State of Mysore and Madras

for an investigation into Hogenakkal Hydro-electric project; and

(b) whether any decision was taken for the revision of 1924 agreement on the sharing of Cauvery water?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) and (b). The report of the Committee will be considered by the Southern Zonal Council at its next meeting. The proceedings embodying the decisions of the Council will be placed in the Parliament Library after they have been finalised.

Shri Bhagwat Jha Azad: May I know whether in this committee the 1924 agreement was also discussed or whether the discussion in the committee was apart from that?

Shrimati Chandrasekhar: All this will be put in the report, which as I said, will be placed in the Parliament Library.

Shri Bhagwat Jha Azad: May I know by what time we are likely to get the report placed either in the Parliament Library or on the Table of the House?

Shrimati Chandrasekhar: Soon after it is placed before the Southern Zonal Council.

Mr. Speaker: Can she give any idea of the time?

Shrimati Chandrasekhar: The Council is going to meet in October. Soon after that it will be placed in the Library.

विद्यार्थियों के लिये अनिवार्य सैनिक शिक्षा

*६७८. **श्री प्रकाशवीर शास्त्री :** क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या स्कूल और कालेजों के विद्यार्थियों को अनिवार्य सैनिक शिक्षा देने की योजना को अन्तिम रूप दे दिया गया है ; और

(ख) एन० सी० सी० प्रशिक्षण प्राप्त करने वाले प्रतिभाशाली छात्रों को क्या सेना में प्राथमिकता देने का कोई निर्णय किया गया है ?

प्रतिरक्षा मंत्रालय में रक्षा मंत्री (डा० दा० रा० चावन) : (क) स्कूलों और कालिजों के छात्रों को अनिवार्य सैनिक शिक्षा देने की कोई योजना नहीं है ।

(ख) माननीय सदस्य के मन में शायद राष्ट्रीय दल में प्रशिक्षण पाने वाले छात्रों को दी गई उस रियायत का खयाल है जो उन्हें सेना के कमिशन पदों में भर्ती के मामले में दी जाती है । भारतीय सैनिक अकादमी में कुछ प्रतिशत स्थान आफिसर ट्रेनिंग यूनिट कोर्स पास कर लेने वालों और राष्ट्रीय छात्र-दल का "सी" प्रमाण पत्र पाने वालों के लिये सुरक्षित रखे जाते हैं । सीनियर डिवीजन के छात्रों को, जो आवश्यक शर्तें पूरी करते हों, यूनिजन पब्लिक सर्विस कमिशन की परीक्षा से मुक्त कर दिया जाता है, और वह सीधे सेवाओं के चयन बोर्ड के सामने कमिशन आफसर चुने जाने के लिये पेश हो सकते हैं ।

श्री प्रकाशवीर शास्त्री : यदि मैं भूल नहीं करता हूं तो १२ दिसम्बर, १९६० को अनिवार्य सैनिक शिक्षा सम्बन्धी प्रस्ताव पर उत्तर देते हुए प्रतिरक्षा मंत्री महोदय ने सदन को यह आश्वासन दिया था कि आज से तीन वर्ष पश्चात् स्कूल और कालिज का कोई विद्यार्थी इस प्रकार का नहीं होगा जिसको कि एन० सी० सी० का शिक्षण प्राप्त न हो चुका हो, मैं जानना चाहता हूं कि उस दिशा में अब तक कितनी प्रगति हुई है ?

Mr. Speaker: The hon. Member says that an assurance had been given that within the next three years there would not be a single student left who would not get training in the NCC.

The Minister of Defence (Shri Krishna Menon): There are 7,00,000 students in our schools and colleges out of which 4,00,000 are in the NCC.

No assurance was given that everyone will be in it. How can I give that assurance when there is no compulsion? We have said that there will be no compulsion. We had expressed that hope. The short fall is largely due to our general economic and financial condition. The States are not able to provide the financial share that they have to provide for their quota of cadets. Secondly, there is a shortage of equipment, which cannot be pulled out of the regular services to the detriment of the latter. Thirdly, there is a very great shortage of officers. This is now being sought to be partly remedied by providing officers from the NCC itself. There is no proposal to introduce compulsion.

श्री प्रकाशवीर शास्त्री : जैसा कि श्री प्रतिरक्षा मंत्री जी ने अपने उत्तर में बतलाया कि राष्ट्रीय छात्र सेना दल के जो छात्र उत्तीर्ण होते हैं उनको यूनियन पब्लिक सर्विस कमिशन की परीक्षाओं से ऐगजम्प्ट कर दिया जाता है, मैं जानना चाहता हूँ कि इस प्रकार के छात्रों की संख्या क्या आप के पास है जो कि आप सदन को बतला सकते हैं ?

Shri Krishna Menon: We began with 17 officers in 1951 and last year it was 135.

Shri Indrajit Gupta: May I know what is the specific role assigned to the Sainik Schools in training boys to qualify later on for Commissions in the Armed Forces?

Shri Krishna Menon: Sainik Schools are intended for general education so that they will be more qualified when they enter the Defence Academy. We have found in the last few years difficulty in getting candidates with appropriate education and other qualities. There was a felt demand for the purpose. The scholars that are going to be trained are children. Really, it is too early to talk about their being soldiers. They have a certain military bias in training in addition to a good general education.

Shri Hari Vishnu Kamath: Is Government's comparative indifference,

or reluctance in this matter conditioned by the fact that the Government has espoused the principle of *ahimsa* in its foreign policy and, to a lesser extent, in its domestic policy?

Sir, what is your objection to the question? I want to know your objection, not of the Minister.

Mr. Speaker: My objection I need not express because the hon. Minister must have his own objection also.

Shri Hari Vishnu Kamath: I think, Sir, that you should treat members with a little more indulgence.

Mr. Speaker: Questions should be related to the issue that is before us. When it goes far beyond it and is not so closely related, a supplementary in this form cannot be allowed.

Shri Manaan: The hon. Minister was pleased to state just now that a large number of students do not come within the purview of the NCC training. Is it a fact that a large number of young students are debarred from NCC training on the ground of minor and not incurable physical handicaps such as knock knees or lower weights. If so, is it not a fact that with a little training and proper care these physical disabilities can be overcome?

Shri Krishna Menon: There is a proper procedure for medical inspection and unless they pass those medical tests it will not be possible for us to take them because under more stringent conditions they may succumb. As to the question whether better feeding or better care would make them fit or not, it is not possible for me to say. Anyway, the NCC could not undertake the nourishment of these people.

श्री यशपाल सिंह : क्या माननीय प्रतिरक्षा मंत्री की इन्टरनेशनल एक्टिविटीज को देखते हुए यह श्रेयस्कर न होगा कि अनिवार्य सैनिक शिक्षा का काम शिक्षा मंत्रालय को सौंप दिया जाय और वह इसको एक्स्पीडाइट करे ?

Mr. Speaker: It is a suggestion for action.

श्री बड़े : मैं यह जानना चाहता हूँ कि एन० सी० सी० के कडेट्स को किस परसेंटेज में कमिशनड आफिसर के रूप में लिया जाता है ।

Shri Krishna Menon: Commissioning is not done by the NCC. The Commissioning is done after they go to the military college, Dehra Dun, or corresponding establishments in the Navy or the Air Force. All that the training in the NCC will enable them is to get a certain remission of courses in the IMA.

Shri Sham Lal Saraf: May I know whether it is contemplated to extend further the number of trainees both in the NCC and ACC all over the country?

Shri Krishna Menon: I could not follow the question.

Mr. Speaker: Is there any proposal to increase the total number of trainees?

Shri Krishna Menon: The present strength of the NCC senior division, that is, NCC infantry and NCC rifles is 400,000. For school boys we have got a junior division whose strength is about 14 lakhs.

Sindri Fertilizer Factory

*679. **Shri Morarka:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether Sindri Fertilizers has again attained its normal targeted production; and

(b) if not, the reasons therefor?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) No, Sir; but there is steady improvement in the rate of production.

(b) Difficulties in getting the requisite quantities of the proper types of coal and deterioration in the quality of gypsum supplies.

Shri Morarka: What is the total loss of production due to the factory not

reaching the targeted capacity and what is the loss in terms of money?

Shri P. C. Sethi: In 1960-61 the production of ammonium sulphate was 3,05,218 tons and nitrogenous fertilizer 60,043 tons. In 1961-62 the production was 2,84,346 tons of ammonium sulphate and 56,865 tons of nitrogenous fertilizer.

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): The production capacity is estimated at 66,000 or 67,000 tons. The actual production in 1960-61 was 60,000 tons and in 1961-62 about 56,000. So, there has been a shortfall of roughly 11,000 tons in one year and 6,000 tons in another year. The hon. Member may calculate it in terms of money.

Shri Morarka: Previously it was stated that the loss in production was due to some defect in the plant. May I know whether those defects have since been removed and whether the plant is now working all right apart from the trouble of coal and gypsum?

Shri C. Subramaniam: To the extent possible of repairing an old plant it has been done.

श्री तुलसीदास जाधव : मैं यह जानना चाहता हूँ कि देश में फटलाइजर की कितनी जरूरत है और यहाँ पर वह कितना पैदा किया जाता है ।

Mr. Speaker: What percentage of the whole requirement of the country is being produced in this factory?

Shri C. Subramaniam: I do not have immediately the figures of the whole requirement with me.

Development of Petro-Chemical Industries

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*680. { **Shri Bibhuti Mishra:**
Shri Raghunath Singh:
Shri Ram Ratan Gupta:
Maharajkumar Vijaya
Ananda:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that a four member expert team from France

came in July, 1962 to advise the Government of India on the development of Petro-chemical Industries;

(b) if so, whether the team has submitted any report; and

(c) their main suggestions?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a). Yes, Sir. A French team consisting of three experts came to India in July, 1962.

(b) Not yet.

(c) Does not arise.

श्री विभूति मिश्र : मैं यह जानना चाहता हूँ कि यह जो टीम आई, उस ने यहां पर कौन सा काम किया है ।

श्री एन. ईश्वर मंत्री (श्री क० वे० मालवीय) : इस वक्त तो वे सब जगह घूम रहे हैं । हमारे जहां जहां तेल का उत्पादन होता है, जहां पेट्रो-केमिकल इंडस्ट्रीज बन सकती हैं, उन सब जगहों को देख कर और कन्सल्टेशन, ट्रांसपोर्ट (यातायात) और खर्चों का अनुमान करके वह टीम अपनी रिपोर्ट लिखेगी । उसमें काफी काम है ।

श्री विभूति मिश्र : क्या हमारी सरकार ने उस टीम को कुछ निर्देश दिया है कि हम फ्लां-फ्लां जगह पेट्रो-केमिकल इंडस्ट्रीज बनायेंगे ?

श्री क० वे० मालवीय : जी हाँ, इस मसले पर हमारे विशेषज्ञों ने उन लोगों से खूब बातचीत कर ली है । इस समय यह एक बड़ा आधुनिक ज्ञान हो गया है । इसलिए फ्रांस की जानकारी, हमारे यहां का अनुभव और दुनिया के और मुल्कों का अनुभव, यह सब मिलाकर एक ऐसी योजना बनाने का विचार है कि हम पेट्रो-केमिकल इंडस्ट्रीज सस्ते में बना सकें और अपने रा मेटिरियल का ज्यादा से ज्यादा इस्तेमाल कर सकें ।

Shri P. R. Patel: May I know whether the team visited Gujarat and

whether any suggestions have been given for the petro-chemical industries in Gujarat?

Shri K. D. Malaviya: How can this team function without visiting Gujarat?

Shri P. R. Patel: Have any suggestions been given? That is my question.

Shri K. D. Malaviya: We do not give any suggestions as to where they have to go. The fields are there and they have got to make their own choice.

Mr. Speaker: Next question. **Shri Daji.**

Shri Daji: 681.

Shri Narendra Singh Mahida: Sir, may I request that Q. 687 may be taken up along with this?

Shri K. D. Malaviya: Yes, they may be taken up together.

Mr. Speaker: He might answer Q. 681. first.

Royalty from Gujarat Oil Wells

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*681. { **Shri Daji:**
Shri M. K. Kumaran:
Shri Bade:
Shri Jashvant Mehta:
Shri Yashpal Singh:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that the Government of Gujarat have asked for an increase of royalty from Gujarat oil wells on the ground of the oil being of superior quality;

(b) if so, what increase has been demanded; and

(c) whether the Central Government have agreed to this demand?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) No, Sir.

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

Mr. Speaker: Is the sponsor of Q. 687, Shri Jashvant Mehta, present here? No, he is not. Then, it need not be answered. Shri Daji.

Shri Daji: Is it a fact that despite the agreement arrived at there was some disputed point which has been referred to the hon. Prime Minister for arbitration?

Shri K. D. Malaviya: With regard to the royalty in Assam?

Shri Daji: Both in regard to Assam and Gujarat.

Shri K. D. Malaviya: No, Sir. The Assam Government have referred some questions which have yet to be decided between the Ministry of Finance....

Mr. Speaker: The question only relates to the increase of royalty from Gujarat and not Assam.

Shri Daji: Sir, first he said, "No". But my point is that there is an agreement. But it is also true that the Gujarat Government is also following the Assam Government in raising some disputed point which has been referred to the hon. Prime Minister.

Shri K. D. Malaviya: No, Sir.

Shri Badi: Did some Minister from Gujarat come here today to discuss the royalty problem with the Central Government?

Shri K. D. Malaviya: No, Sir.

Shri Hem Barua: May I know if it is a fact that the Gujarat Government was not satisfied with the Fuel Ministry's dispensation and that is why the Chief Minister of Gujarat referred this matter to the Planning Commission? If so, what is the recommendation of the Planning Commission?

Shri K. D. Malaviya: There is no basis for such presumption or fears as the hon. Member has expressed. So far as royalty is concerned, I am not aware if the Chief Minister has referred any question like this to the hon. Prime Minister.

Shri P. B. Patel: Is it a fact.....

Mr. Speaker: The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

भारतीय एवरेस्ट अभियान दल

*६८२. श्री भक्त दर्शन : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री २१ जून, १९६२ के तारंकित प्रश्न संख्या १६१८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि एवरेस्ट पर दूसरा अभियान दल भेजने के प्रस्ताव के सम्बन्ध में इस बीच क्या निर्णय लिया गया है ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायून् कबीर) : १९६५ के वसंत में एवरेस्ट पर एक भारतीय दल भेजने का प्रस्ताव है ।

Targets for Steel Production during Fourth Plan Period

*683. Shri Yashpal Singh: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether an outline of the Steel expansion programme during the Fourth Five Year Plan period is going to be prepared by the middle of next year;

(b) whether it is a fact that a tentative target of 18 million tons has been fixed for steel production for the Fourth Plan period; and

(c) if so, the broad outlines of the projects which would yield the targets fixed for steel production?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) to (c). The Government have constituted a Steering Group to formulate programmes for development of iron and steel during the Fourth Five Year Plan period. The Steering Group would recommend about the

target for steel production as well as the projects which would have to be expanded/started to achieve the same and it is arranging for studies to be carried out for that purpose. For giving some definition to such studies the Steering Group has assumed a tentative figure of 18 million tons as the steel production required at the end of the Fourth Five Year Plan, but this figure is subject to confirmation or correction as a result of the studies which are being planned. The group is expected to submit its recommendations by about the third quarter of 1963.

Consumption of Petroleum Products in Rajasthan

*684. **Dr. L. M. Singhvi:** Will the Minister of Mines and Fuel be pleased to state:

(a) the total consumption of petroleum products in Rajasthan;

(b) to what extent the Indian Oil Company depots will be able to cater to the needs and requirements of common and industrial consumers in Rajasthan; and

(c) when depots will be started in Jodhpur and Bikaner?

Minister of Mines and Fuel (Shri K. D. Malaviya): (a) The estimated consumption of petroleum products in Rajasthan during the year 1962 may be placed at 1,90,000 tonnes approximately.

(b) Indian Oil Company has two depots functioning in Kotah and Jaipur. As more depots are commissioned, the IOC will try to meet the needs of Rajasthan to the maximum extent possible.

(c) Jodhpur depot is under construction and is expected to be commissioned by October 1962. Efforts are being made by IOC to acquire suitable land for Bikaner depot.

Mizo Hills

*685. { **Shri Hem Narua:**
Shri Hem Raj:
Shri P. C. Borooah:
Shri Subodh Hansda:
Dr. R. Banerjee:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that there has been of late a movement in Mizo Hills launched under the auspices of a political organisation called Mizo National Front towards an independent Mizo State outside the Indian Union; and

(b) if so, the details of this movement and the reaction of Government thereto?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): (a) and (b). An organisation called the Mizo National Front has been holding meetings and passing resolutions demanding the formation of an independent Mizo State. The Front is also reported to be trying to set up new units of the organisation to extend its activities. The State Government are keeping a watch on developments and will take such measures as may be necessary. The Central Government are also keeping themselves informed of the situation.

Manufacture of Automobile Leaf Spring

*686. { **Shri Bishwanath Roy:**
Shri A. S. Saigal:
Shri Kairolkar:
Shri Prakash Vir Shastri:
Shri Narendra Singh
Mahida:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether a licence or permission under the Industries Development and Regulation Act has been granted to the Maharashtra State Road Transport Corporation to manufacture automobile leaf springs;

(b) if so, when;

(c) whether it is a fact that the leaf spring industry was placed on the 'rejection list' for licensing purposes; and

(d) whether it is a fact that automobile leaf springs have been reserved for manufacture exclusively by ancillary industries as opposed to large scale industries?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):
(a). Yes, Sir.

(b) On the 28th July 1962.

(c) Yes, Sir.

(d) The automobile leaf spring industry which is an ancillary of the Automobile Industry, is operated both in the large scale and the small scale sectors.

Royalty on Oil

***687. Shri Jashvant Mehta:** Will the Minister of Mines and Fuel be pleased to state:

(a) the rate at which royalties are paid on oil extracted from oil wells in Gujarat and Assam by Government;

(b) whether it is a fact that there is no uniform policy in this regard;

(c) whether the Gujarat Government has asked for increase in royalty rates; and

(d) if so, whether Government have considered their request and decision taken thereon?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) The Oil & Natural Gas Commission is the only Government agency which is extracting oil. At present the Oil & Natural Gas Commission is extracting oil only in Gujarat. The Oil & Natural Gas Commission is paying royalty at the rate of 10 per cent of the gross value of the crude at the well-head.

(b) No. Sir.

(c). No, Sir.

(d). Does not arise.

Coal Gas Plant for Delhi

***688. { Shri P. C. Borooah:
Shri Himmatsinhji:
Shri Solanki:**

Will the Minister of Mines and Fuel be pleased to state:

(a) whether a decision for the implementation of Delhi's Rs. 3.5 crore coal gas plant scheme has not been taken so far;

(b) if so, the main reasons for the delay in arriving at a decision; and

(c) at what stage the issue stands at present?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a). No decision has yet been taken on the suggestion made in the Master Plan for Delhi regarding the supply of coal gas for domestic consumption.

(b) The proposal needs very careful and detailed examination from the technical and financial points of view. In fact, the Master Plan itself has suggested that the matter may be considered.

(c). As the Master Plan has now been sanctioned by the Government under the Delhi Development Act the suggestion is being passed on to the Delhi Municipal Corporation asking them to make a detailed examination from all points of view and send their recommendations to Government.

Closure of Stainless Steel Factories in Bombay

***689. Shri Kajrolkar:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that eight factories making stainless steel utensils have been closed down in Bombay;

(b) if so, the reasons therefor;

(c) whether Government are taking steps to supply them stainless steel sheets;

(d) whether it is a fact that import of stainless steel sheets by consumers is not allowed at present; and

(e) if so, the reasons therefor?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). It has been reported by the Industrial Commissioner, Bombay that 10 factories have closed down their stainless steel utensil manufacturing departments, for want of stainless steel sheets

(c). Quotas of stainless steel sheets for October 1961 March 1962 period allotted to the State of Maharashtra by the Iron and Steel Controller, has already been allocated to these units by the Director of Industries, Bombay. These units are expected to get actual deliveries of the quantity of stainless steel sheets allocated to them shortly from State Trading Corporation.

(d) and (e). Stainless Steel sheets are allowed to be imported by Actual Users other than Utensil manufacturers; whose requirements are met by barter imports.

Advisory Committee on Training and Recruitment

***690. Shri Harish Chandra Mathur:** Will the Minister of Home Affairs be pleased to state whether Government have come to any decision regarding the setting up of an Advisory Committee for Recruitment and Training Programme under Home Ministry?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): There is no proposal to set up any Advisory Committee for Recruitment and Training

Coal Corporation

***691.** { Shri S. C. Samanta;
Shri Subodh Hansda;
Shri Basumatari;
Shri B. K. Das:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that Government propose to set up Coal Corporations in each State;

(b) whether this proposal has been finalised;

(c) whether this will have any relation with N.C.D.C.; and

(d) if so, the nature thereof?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) to (d). No. There is no such proposal with the Government of India at present.

Technicians sent abroad by Hindustan Steel Ltd.

{ Shri Morarka;
***692.** { Shri Raghunath Singh;
Shri Kolla Venkaiah;

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the total number of Indian technicians who were sent abroad by Hindustan Steel Ltd.;

(b) whether all of them have returned to India;

(c) how many of them have been absorbed; and

(d) whether their performance is satisfactory?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) The Hindustan Steel Limited have so far sent 1511 engineers and 477 operatives to foreign countries.

(b) No, Sir. 44 engineers and 7 operatives are still under training in foreign countries.

(c) Only permanent employees of the Hindustan Steel Limited are sent for foreign training.

(d) Yes, Sir.

Pipelines in Gujarat

***693. Shri Yashpal Singh:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether any programme has been chalked out for net-work of pipelines in Gujarat; and

(b) if so, the amount sanctioned for the same?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) Yes, Sir.

(b) No final estimate of the cost of the project has yet been made.

अंग्रेजी साप्ताहिक "लिक" के भवन के लिये पेशगी

*६६४. श्री प्रकाशवीर शास्त्री : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में मथुरा रोड पर अंग्रेजी साप्ताहिक "लिक" के कार्यालय के निर्माण के लिए सरकारी क्षेत्र उद्योगों ने कुछ धनराशि पेशगी दी है;

(ख) यदि हां, तो किन उद्योगों ने धनराशि पेशगी दी है तथा कितनी कितनी;

(ग) क्या सरकारी क्षेत्र के उद्योगों में इतनी बड़ी मात्रा में पेशगी धन देने की कोई परम्परा रही है और क्या सरकार ने इस सम्बन्ध में कुछ नियम बताये हैं;

(घ) क्या उन सरकारी क्षेत्र के उद्योगों ने जिन्होंने "लिक" साप्ताहिक को पेशगी धन दिया है, इस पत्र के व्यवस्थापकों से कुछ शर्तें तय की हैं; और

(ङ) यदि हां, तो शर्तों का व्योरा क्या है ?

वित्त मंत्रालय में उपमंत्री (श्रीमती तारकेश्वरी सिन्हा) : (क) और (ख). इण्डियन रिफ़ाइनरीज लिमिटेड ने मेसर्स यनाइटेड इण्डिया पीरियाडिकल्स (प्राइवेट) लिमिटेड को, जो लिक बिल्डिंग की मालिक हैं, चार साल के पेशगी किराये के तौर पर ३,४४,१३१ रुपये २५ नये पैसे की रकम दी है ।

(ग) इस बारे में सरकार ने इस तरह की खास हिदायतें जारी नहीं की हैं ।

(घ) और (ङ). इण्डियन रिफ़ाइनरीज ने मेसर्स यनाइटेड इण्डिया पीरियाडिकल्स (प्राइवेट) लिमिटेड के साथ पट्टे का करार किया है जिसकी मुख्य शर्तें ये हैं :—

(१) किराये में १६ प्रतिशत की छूट दी गयी है;

(२) यदि कम्पनी चार वर्ष से पहले इमारत खाली कर दे, तो यनाइटेड इण्डिया पीरियाडिकल्स (प्राइवेट) या तो पेशगी की बाकी रकम वापस कर देगी या इण्डियन रिफ़ाइनरीज लिमिटेड को किराये पर उठाने का अधिकार होगा; और

(३) इमारत का पट्टा तीन महीने के नोटिस पर खतम किया जा सकता है और बाकी रकम इण्डियन रिफ़ाइनरीज लिमिटेड को वापस कर दी जायेगी ।

Education as Concurrent Subject

*695. Shri Harish Chandra Mathur: Will the Minister of Education be pleased to state to state:

(a) whether proposal made at the National Integration Conference to have education as a concurrent subject has been pursued by his Ministry and if it is so with what results;

(b) what are the main features of Central Government's performance in Centrally administered territories and Universities which may mobilise opinion in favour of education being made a concurrent subject; and

(c) what is the per capita expenditure in Centrally administered Universities and areas as compared to that in the States?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir— it is not proposed to make Education a concurrent subject.

(b) Does not arise.

(c) Statements are laid on the Table of the House. [See Appendix II. annexure No. 64].

Revision of Pay Scales of Employees of Delhi Administration

*696. Shri Yashpal Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Government asked the Delhi Adminis-

tration in the beginning of 1961 to furnish proposals for the final revision of the scales of pay of the employees on the basis of the recommendations of the Pay Commission;

(b) if so, whether the Delhi Administration have furnished the proposal so far;

(c) if not, the reasons for such inordinate delay; and

(d) what action Government propose to take to expedite the matter?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). In pursuance of the 2nd Pay Commission's recommendations pay scales of the bulk of the employees of Delhi Administration were fixed in November, 1960. Some isolated posts could not then be covered but orders regarding all these except only a few have subsequently been issued.

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

India's Economy

1897. Shri Sham Lal Saraf: Will the Minister of Finance be pleased to state:

(a) whether it has come to the notice of Government that one of the ex-Finance Ministers of India said in Madras in June, 1962, that since Government had not so far succeeded in raising loans from the member countries of 'Aid-India-Club' to the desired extent, there was danger of whole economy coming, so to speak, to a "grinding halt"; and

(b) whether the situation as it exists now is in any way near a "Grinding Halt"?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Presumably, the Hon'ble Member is referring to the reported statement of Shri C. D. Deshmukh. It is evident that the statement was made at a time when the prospects of additional aid from the members of the India Consortium

were somewhat uncertain. As a result of the Consortium meeting held on July 30, 1962, the total commitment of external assistance made by member countries/institutions nearly covers the requirements of foreign exchange for projects during the first two years of the Third Plan. In view of this, there is no question of the economy coming to standstill for want of external aid.

Field Firing in Kangra

1898. Shri Hem Raj: Will the Minister of Defence be pleased to state:

(a) the names of the villages where field firing is practised annually by the army in the Kangra District, tehsil wise;

(b) for how many months it is done and which are those months;

(c) whether any compensation is paid to those villages;

(d) if so, how much and to whom it is paid; and

(e) how much has been paid to each of such villages from 1956 to 1961, yearly?

The Minister of Defence (Shri Krishna Menon): (a) Kohala Khas, Khopa, Khas Kachhiar and Gurkhari villages, all in Kangra Tehsil of Kangra District.

(b) Field firing is practised for about four months in a year during the months July, August and December to March.

(c) to (e). Compensation as assessed by the local revenue authorities under the Manoeuvres Field Firing & Artillery Practices Act has been paid upto 1958-59 to Tehsildar Kangra for disbursement to the right holders of the Shamlat land (Common village land). Payments for subsequent years have not been made pending completion of certain formalities in respect of the previous payments. Action is being taken to complete the formalities and to make the remaining payments.

Classification of Anglo-Indians

1899. Dr. L. M. Singhvi: Will the Minister of Home Affairs be pleased to state:

(a) whether the progeny of European male and Khasi female is being classified as Anglo-Indians, in spite of the matrilineal character of Khasi society; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) and (b). Attention is invited to Art. 366(2) of the Constitution.

अनुसूचित जाति के विद्यार्थियों के लिये छात्रवृत्तियाँ**छात्रवृत्तियाँ**

१९००. श्री कृष्ण देव त्रिपाठी : क्या

शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले पांच वर्षों में प्रति वर्ष अलग-अलग अनुसूचित जाति के विद्यार्थियों को केन्द्र द्वारा कितनी धन राशि वजीफे में दी गई; और

(ख) इस अवधि में प्रति वर्ष अलग-अलग कितनी धनराशि सरकार द्वारा अनुसूचित जातियों के प्रत्येक विद्यार्थी को दी गई ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क)

वर्ष	स्वीकृत राशि (रुपयों में)
१९५७-५८	१,००,३७,८७६
१९५८-५९	१,२५,८६,१३०
१९५९-६०	१,४३,४०,१००
१९६०-६१	१,६१,४८,६००
१९६१-६२	२,००,२६,१००

(ख) इस अवधि में अनुसूचित जातियों के विद्यार्थियों को लगभग दो लाख छात्रवृत्तियाँ दी गईं। छात्र-वार सूचना संकलित करने में जितनी मेहनत लगेगी, उसके अनुपात से परिणाम. उतने आशाजनक नहीं होंगे।

फिर भी, छात्रों को २७ से ७५ रुपये मासिक तक छात्रवृत्तियाँ दी जाती हैं जो कि छात्रों द्वारा लिये जाने वाले पाठ्यक्रम, उनके द्वारा दी जाने वाली ट्यूशन तथा अन्य फीसों पर निर्भर है।

Murder cases in Manipur

1901. Shri Rishang Keishing: Will the Minister of Home Affairs be pleased to state:

(a) the number of murder cases and other types of crimes in Manipur, during the last three years;

(b) whether it is a fact that almost in all the murder cases in the Manipur Valley the accused have been acquitted by the law courts for want of proper police investigations; and

(c) if so, the number of murder cases in which the accused were acquitted during the said period?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (c). A statement is laid on the table of the House.

Statement showing Crimes in Manipur

Head of Crime	1959	1960	1961	1962 (Upto 31-7-62)
Dacoity	42	77	61	25
Robbery	5	23	14	4
Murder	14	31	25	11
Rioting	37	144	76	70
Burglary	123	187	138	93
Kidnapping or Abduction	77	92	117	80
Thefts including cattle lifting	418	502	412	227
Criminal breach of trust	21	41	40	34
Cheating	49	71	42	30
Other offences	924	1028	856	612
TOTAL :	1710	2196	1781	1186

Number of Murder Cases in Manipur
Valley in which the accused were acquitted.

Cases

1959	5
1960	7
1961	5
1962	..

(uptil 31-7-62)

(b) No.

Grant for Punjabi Dramas

1902. **Shri D. C. Sharma:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Sangeet Natak Akademy has given any grants for the promotion of Punjabi drama in Punjab during 1959-60, 1960-61, and 1961-62; and

(b) if so, the amount given for each year.

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). No, Sir, but the Sahitya Akademi has sponsored translations into Punjabi of plays from foreign and other Indian languages.

This Ministry has also given grants for the production of 4 new plays in Punjabi. The Competition for drama on India's Urge to Unity was extended to Punjabi as well.

Production Price of Iron Ore

1903. **Shri Surendranath Dwivedy:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the production price of iron ore of Barsua, Kiriburu and Bolani mines;

(b) the ex-delivery price of iron ore for Durgapur and Rourkela Steel Mills produced from Bolani; Barsua and Kiriburu mines; and

(c) whether there is any proposal to fix iron ore quota to private mine owners to supply Durgapur and Rourkela annually?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). The Kiriburu mine is not at present in production. The other information is already being

collected in connection with Question No. 3129 replied to on 13-6-1962. There has been some delay in doing so as the information furnished is not on a comparable basis.

(c) In order to meet the current short-fall from their captive mines, which is relatively small, Hindustan Steel Limited purchase iron ore from private mine owners through the State Trading Corporation for the Steel plants at Durgapur and Rourkela.

Payment to Indo-Commercial Bank Deposits

1904. **Shri M. P. Swamy:** Will the Minister of Finance be pleased to state:

(a) whether all depositors of Indo-Commercial Bank (now merged with Punjab National Bank), have since been paid;

(b) if not, total number of those who are still to be paid; and

(c) by what time depositors will be able to get back full payment of the amount still to be paid?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Besides the initial payment of Rs. 250/- or the balance at credit, whichever was less, the depositors have been paid or credited with amounts equal to 37½ per cent of the balance still remaining to be paid, and recently further payments at the rate of 12½ per cent of the residual deposits have also been made.

(c) Further payments will depend on the extent of the recoveries from the remaining assets of the Indo-Commercial Bank.

Welfare of S.C. and S.T. in Andhra Pradesh

1905. **Shri Ulaka:** Will the Minister of Home Affairs be pleased to state:

(a) whether any schemes have been formulated for the welfare of the Scheduled Castes and Scheduled Tribes of Andhra Pradesh during the Third Plan Period under the Central and State Sectors; and

(b) if so, the amount that is likely to be spent under each scheme?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Yes, Sir.

(b) A statement giving the required information is laid on the Table of the House. [See Appendix II, annexure No. 65].

Cultural Centres in Andhra Pradesh

1906. Shri Ulaka: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Andhra Pradesh Government have sent any proposals to the Union Government for the construction of cultural centres in Andhra Pradesh during the Third Plan period;

(b) if so, the location of Centres, district-wise;

(c) the amount allotted to each Centre;

(d) whether any financial assistance was given by the Union Government to Andhra Pradesh Government for construction of such Centres during the Second Plan Period; and

(e) if so, the amount granted to each of the Cultural Centres?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir.

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

(d) and (e). No financial assistance was given for Cultural Centres as such, but a grant of Rs. 17,250/- was sanctioned to the State Government for construction of 15 Open Air Theatres in rural areas at the rate of Rs. 1,150/- per theatre.

Coal for Andhra Pradesh

1907. Shri Ulaka: Will the Minister of Mines and Fuel be pleased to state:

(a) the annual demand of Andhra Pradesh for coal since 1957;

(b) the quota allotted by Union Government against those demands; and

(c) the quantity of coal actually supplied annually?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) to (c). Statistics about the demands made by the State Governments from time to time, but not accepted by the Coal Controller, are not maintained. The figures of the allotted quota and despatches of coal and coke for Andhra Pradesh since 1957 are given below:—

(Figures in Wagons)		
Year	Quota	Despatches
1957	19236	16714
1958	21636	18118
1959	22836	17901
1960	24048	18843
1961	24672	21597
1962	11171	8304

(upto June)

The above figures are exclusive of ad hoc quotas allotted from time to time and also quotas of Shale coal.

Residential Accommodation for Employees of Accountant General's Office, Andhra Pradesh

1908. Shri Ulaka: Will the Minister of Finance be pleased to state:

(a) the number of class III and Class IV employees of Andhra Pradesh Accountant General's office who have put up more than two years of service and not yet provided with individual residential accommodation; and

(b) the steps taken or proposed to be taken by Government to provide them with suitable residential accommodation?

The Minister of Finance (Shri Morarji Desai): (a) The requisite information is being collected and will be laid on the table of the House as soon as it becomes available.

(b) There is a proposal under consideration to acquire a plot of land measuring 30 acres for the construction of 400 quarters at Hyderabad for the staff of the office of the Accountant General Andhra Pradesh.

Higher Secondary Students

1909. Shri Manabendra Shah: Will the Minister of Education be pleased to state:

(a) whether it is a fact that failed students from Higher Secondary classes in Delhi are not usually readmitted even in those schools from where they appeared;

(b) whether such a policy is also usual with schools in other Union Territories and states;

(c) if so, what is the approximate number of such students in

(i) Delhi State;

(ii) Other Union Territories; and

(d) what action Government have taken to ameliorate the lot of such students?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

(b) to (d). The required information in so far as Union Territories, other than Delhi, and States are concerned, is being collected and will be laid on the Table of the Lok Sabha in due course.

मथिली भाषा

१९१०. श्री योगेन्द्र झा : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछली जनगणना में बिहार में कितने लोगों ने मथिली को अपनी मातृभाषा दर्ज करवाया है;

(ख) कितने विश्वविद्यालयों में मथिली एम० ए० की कक्षा तक पढ़ाई जाती है; और

(ग) क्या और कोई ऐसी भाषा है जिसकी पढ़ाई अनेक विश्वविद्यालयों में एम० ए० तक होने पर भी उसे संविधान में स्थान नहीं मिला हो और यदि हां, तो वे कौन-सी भाषाएँ हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बातार) : (क) अभी १९६१ की जनगणना के भाषा सम्बन्धी आंकड़े तयार नहीं हैं ।

(ख) पटना और कलकत्ता विश्वविद्यालयों में मथिली एम० ए० कक्षा में पढ़ाई जाती है ।

(ग) अरबी, फारसी तथा अर्धब्रह्मभाषी, पाली इत्यादि भाषाओं का संविधान में जिक्र नहीं है फिर भी कई विश्वविद्यालयों में इन भाषाओं को एम० ए० तक पढ़ाया जाता है ।

Dr. Gayen's Report on "Measurement of Achievements in Mathematics"

1911. Shri Daji: Will the Minister of Education be pleased to state:

(a) the main suggestions made by Dr. Gayen in his report on "Measurement of Achievements in Mathematics"; and

(b) what steps have been taken to re-orientate the education system in the light thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) A statement outlining the main suggestions in the report is laid on the Table of the House. [See Appendix II, annexure No. 66].

(b) The report is under examination.

Restoration of Pay Cut of Defence Employees

1912. Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the all India Defence Employees Federation has made an appeal to the Ministry of Defence for restoration of pay cut in respect of those 300 employees who suffered on account of taking part in the July 1960 strike;

(b) if so, whether the Ministry is considering the request of the Federation; and

(c) when a final decision is likely to be taken?

The Minister of State in the Ministry of Defence (Shri Raghuramaiah): (a) to (c). Yes, Sir. The matter is under examination and it is expected that an early decision will be taken.

Gang of Cattle Killers

1913. Shri Bishanchander Seth: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a gang of cattle killers is reported to be operating in Gandhi Nagar in Delhi and colonies near it;

(b) if so, what methods Government have adopted to suppress their activities; and

(c) whether any arrest has been made so far?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

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

Price of Grade II Coal

1914. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri B. K. Das:
Shri M. L. Dwivedi:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that the Joint Working Companies of Coal Industry in West Bengal are all against the fixation of price of grade II Coal;

(b) whether it is a fact that they have represented to the Ministry in this regard; and

(c) if so, the result of this representation?

The Minister of Mines and Fuel (Shri K. D. Kalaviya): (a) to (c). The prices of Grade II coal have been converted into ceiling prices with effect from 13-6-1962. The Coal Industry had represented to Government that the prices of this grade of coal should not be ceiling prices but continue to be fixed ones. Government have, however, decided that the present price structure, which was

introduced only a couple of months back, should continue.

Audit Staff Association, Shillong

1915. Shri S. M. Banerjee: Will the Minister of Finance be pleased to state:

(a) whether recognition has since been restored to the Audit Staff Association at Shillong;

(b) if not, the reasons for the same; and

(c) whether the association fulfilled all conditions imposed by the Accountant General?

The Minister of Finance (Shri Morarji Desai): (a) No, Sir.

(b) and (c). The Association has not yet complied with the requirements pointed out to it.

Garden Reach Workshop

1916. Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) whether Garden Reach Workshop at Calcutta is being expanded; and

(b) if so, what more work is likely to be taken up in this workshop?

The Minister of Defence (Shri Krishna Menon): (a) Certain proposals to expand the existing facilities are under consideration.

(b) Garden Reach Workshop will undertake the manufacture of Marine Diesel Engines at Ennore near Madras.

Crime Cases in Delhi

1917. Shri Rameshwar Tantia: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1256 on the 14th May, 1962 and state:

(a) what measures have been taken to trace the criminals as a large number of cases are left untraced in Delhi;

(b) whether any of the cases have been traced since 20th May, 1962; and

(c) if so, what is the present percentage of these untraced crimes?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Steps to improve crime detection such as intensified patrolling, combing operations at all possible escape-routes and hide-outs of criminals systematic and scientific interrogation of suspects setting-up of special squads to deal exclusively with crimes like car and tyre thefts etc. effective surveillance over the listed bad characters and effective supervision of the subordinate police by superior officers are being taken.

(b) Yes.

(c) Percentage of untraced cases to admitted cases:—

1959-60	40.96 per cent
1960-61	42.29 per cent
1961-62	44.44 per cent

Steel or Pig Iron Quota to States

1918. { Shri B. K. Das;
Shri Subodh Hansda;
Shri S. C. Samanta;
Shri M. L. Dwivedi:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether any steel or pig iron quota is given to the States for meeting their requirements for agricultural purposes; and

(b) if so, what quantities were given in 1961-62 and what quota has been fixed for 1962-63?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). Steel—During 1961-62 allotments were initially made only in respect of certain restricted categories viz., sheets and wire. In regard to other categories of steel, consumers were to get their requirements either through the stockists or Producers without any quota certificate or authorisation. A bulk quota was placed at the disposal of the Ministry of Food and Agriculture for allocation

to the various State Governments. Distribution control over wire was also lifted from 1-4-1962. —

No allotment of Galvanised Plain and Galvanised Corrugated sheets were made for the first half-year of 1962-63 (April-September 1962) in view of the fact that the Producers were carrying a large backlog of orders and it was considered necessary to reduce the backlog. The allotment for the first half of 1962-63 was, therefore, confined only to Black Plain sheets.

Details of the allotment of steel given to the Ministry of Food and Agriculture for distribution to the various States for agricultural purposes are given below:—

	In metric tons
1961-62	143,578*
First half-year 1962-63 (April-September '62)	6,001 @

Pig Iron: Quota system in pig iron was abolished from 1-7-1959. No consolidated demands are, therefore, now received and no allotments are made to the State Governments. Consumers can obtain their requirements without any authorisation either from the stockists or from the Producers.

संस्कृति

१९१६. श्री म० ला० द्विवेदी . क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) संस्कृति (हिन्दी क्रयमासिक) पत्रिका में १९६१-६२ में कितनी सामग्री अंग्रेजी से हिन्दी में अनुवाद कर प्रकाशित की गई;

(ख) कितनी मौलिक सामग्री इसी अवधि में प्रकाशित की गई,

(ग) अनुदित तथा मौलिक सामग्री पर पारिश्रमिक के रूप में कितना रुपया दिया गया;

*Restricted categories of sheets and wire.
@Cold rolled Black Plain sheets only.

(घ) क्या पारिश्रमिक देने में विलम्ब होता है;

(ङ) यदि हां, तो कितना; और

(च) अब तक इस अंक में प्रकाशित सामग्री का पारिश्रमिक नहीं दिया गया ?

वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री (श्री हुमायूँ कबिर) : (क) २७५ पृष्ठ ।

(ख) ७६ पृष्ठ ।

(ग) अनुदित सामग्री के लिये १५८३ रुपये और मौलिक सामग्री के लिये १०३८ रुपये ।

(घ) और (ङ). कुछ दृष्टान्तों को छोड़ कर, जहां कि लेखक कुछ औपचारिकताओं को समय से पूरा नहीं कर पाते, भुगतान तीन महीने के अन्दर कर दिया जाता है ।

(च) कोई नहीं ।

“कल्चरल फोरम”

१९२०. श्री म० ला० द्विवेदी . क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) “कल्चरल फोरम” नामक पत्रिक में प्रकाशित लेखों पर कितना पारिश्रमिक १९६१-६२ में दिया गया;

(ख) अधिकतम पारिश्रमिक की राशि कितनी थी; और

(ग) ‘संस्कृति’ त्रयमासिक पत्रिका की सामग्री पर अधिकतम पारिश्रमिक कितना दिया गया ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री (श्री हुमायूँ कबिर) :

(क) ४८०१ रुपये ।

(ख) १०० रुपये ।

(ग) १०० रुपये ।

मशीन निर्माण उद्योग

१९२१. श्री म० ला० द्विवेदी : क्या इस्पात और भारी उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले दस महीनों में देश में मशीन निर्माण उद्योग के लिये क्या विशेष प्रयत्न किये गये हैं;

(ख) क्या इन विशेष प्रयत्नों के लिये कोई विशेष कमचारी रखे गये हैं; और

(ग) यदि हां, तो इन में कितने भारतीय और कितने विदेशी हैं ?

इस्पात और भारी उद्योग मंत्री (श्री चि० मुबह्णयम) : (क) से (ग) सरकार मशीन निर्माण उद्योग के विकास कार्य को सदा बहुत महत्व देती रही है ।

प्रत्याशित मांग और वर्तमान क्षमता में अन्तर को समाप्त करने के उद्देश्य से चीनी के कारखानों के लिये मशीनों (हाई स्पीड शुगर सेन्ट्रीफ्यूगल्स को छोड़ कर) कागज बनाने के कारखानों, विलायक निस्सारण कारखानों और चाय उपक्रिया मशीनों के अलावा मशीन निर्माण उद्योग को फ्री लाइसेंसिंग सूची (अर्थात् वह उद्योग सूची जिसमें लाइसेंस समिति को निर्देश किये बिन भी क्षमता लाइसेंस कर दी जाती है) में गता गया है । उपरोक्त उद्योगों की पूर्ण क्षमता लाइसेंस की जा चुकी है । आवश्यक पूँजी के माल, कच्चा माल और पुर्जों के आयातीन मामले में विदेशी मुद्रा के आवंटन में मशीन निर्माण उद्योग को परम अग्रता दी गई है । सुप्रसिद्ध विदेशी मशीन निर्माताओं का सहयोग प्राप्त करने की खुली छूट दी गई है ताकि अच्छी किस्म की मशीनें बनाई जा सकें । भारतीय फर्मों को विदेशी प्रविधिज्ञ रखने की इजाजत दी जाती है । जिस से उत्पादन स्थापित किया जा सके और भारतीय व्यक्तियों को प्रशिक्षित किया जा सके ।

मशीन उद्योग के विकास के निर्देशन के लिये तथा इस की समस्याओं और कठिनाइयों का अध्ययन करने के लिये उद्योग अधिनियम के अधीन एक विकास परिषद् कायम की गई है। परिषद् में (१) औद्योगिक उपक्रमों के मालिकों, (२) औद्योगिक उपक्रमों के कर्मचारियों (३) तकनीकी और दूसरे मामलों में विशेष जानकारी रखने वाले व्यक्तियों और (४) इस उद्योग द्वारा उत्पादित अथवा निर्मित माल के उपभोक्ताओं के प्रतिनिधि सम्मिलित हैं।

इस उद्योग के विकास के लिये सरकार ने कोई विशेषज्ञ नियुक्त नहीं किया है। ताहम, केवल मशीनी औजार उद्योग के विकासार्थ, समय-समय पर कोलम्बो योजना के अधीन तकनीकी विशेषज्ञों की सेवाय प्राप्त की जाती हैं। विकास सक्न्ध में विशेषज्ञ हैं जिन से हर समय सलाह मशवरा किया जा सकता है। मशीनी औजार इकाइयों की पुनः स्थापना और विस्तार के लिये राष्ट्रीय उद्योग विकास निगम द्वारा ऋणों का प्रबन्ध भी किया जाता है।

विभिन्न प्रकार की मशीनों का निर्माण करने के लिये सरकारी क्षेत्र में दो कारपोरेशन नामशः हैवी इंजीनियरिंग कारपोरेशन और हैवी इलैक्ट्रिकल्स लिमिटेड लगाये गये हैं, जिन में तेजी से प्रगति हो रही है। इनके अलावा हिन्दुस्तान मशीनटूल्स और प्रागा टूल्स कारपोरेशन लिमिटेड की गतिविधियों का विस्तार और विशाखन किया जा रहा है।

बाल कला प्रदर्शनी

१९२२. श्री म० ला० द्विवेदी : क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि १९६१-६२ में कितनी बाल कला प्रदर्शनियां की गईं और इस के लिये कितना-कितना संस्थाओं को कितने रुपये की सहायता दी गई ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री (श्री हुमायूँ कविर) उप-

लब्ध सूचना के अनुसार १९६१-६२ में दो बाल कला प्रदर्शनियां “शंकर इंटरनेशनल चिल्ड्रन्स कंपीटीशन कमेटी”, नई दिल्ली ने कीं और एक “साधना वीकली” पूना ने। उन के लिये क्रमशः १,१०,००० रुपये और २,५०० रुपये के अनदानों की मंजूरी दी गई।

अम्बाला करनाल और रोहतक क्षेत्रों के लिये कोयला

१९२३. स्वामी रामेश्वरानन्द सरस्वती : क्या खान और ईंधन मंत्री यह बताने की कृपा करेंगे कि :

(क) पंजाब के पिछड़े एवं यमुना की बाढ़ से प्रभावित क्षेत्र अम्बाला-करनाल-रोहतक को क्या विशेष रूप से कोयला देने की योजना है ;

(ख) यदि हां, तो उस का विवरण क्या है ; और

(ग) यदि उपरोक्त भाग (क) का उत्तर नकारात्मक हो, तो उस का क्या कारण है जबकि वहां की जनता के कच्चे मकान बाढ़ से आये वर्ष गिर जाते हैं ?

खान तथा ईंधन मंत्री (श्री के० दे० मालवोय) : (क) नहीं।

(ख) प्रश्न ही नहीं उठता।

(ग) प्राप्त सूचना के अनुसार राज्य सरकार के पास सम्बन्धित जिलों द्वारा बाढ़ों के कारण कोयले की कोई अतिरिक्त मांग नहीं की गई है।

राष्ट्रीय महत्व की संस्थायें

१९२४. श्री प्रकाश बोर शास्त्री : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) गुरुकुल कांगड़ी और जामिया मिलिया, दिल्ली को राष्ट्रीय महत्व की संस्था घोषित करते समय क्या उक्त संस्थाओं के साथ कुछ शर्तें भी रखी गई थीं ;

(ख) इन दोनों संस्थाओं को क्या समान रूप से ही मान्यताएँ प्रदान की गई हैं अथवा इन में कुछ अन्तर है ;

(ग) उक्त दोनों संस्थाओं को आर्थिक सहायता देने के सम्बन्ध में भी क्या कोई नीति निर्धारित की गई है ; और

(घ) गुरुकुल कांगड़ी के साथ क्या अन्य गुरुकुलों को भी मान्यता देने के क्रम में सम्मिलित किया जायेगा अथवा केवल गुरुकुल कांगड़ी को ही यह महत्व रहेगा ?

शिक्ष मंत्री (डा० का० ला० श्री-भाली) : (क) विश्वविद्यालय अनुदान आयोग के अधिनियम १९५६ के अनुच्छेद ३ के अन्तर्गत निहित अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार ने आयोग की सलाह पर, १६ जून, १९६२ को अधिसूचना जारी की है। इन के अनुसार जामिया मिलिया इस्लामिया, नई दिल्ली, और गुरुकुल कांगड़ी विश्वविद्यालय, हरिद्वार, जो उच्च शिक्षा की संस्थाएँ हैं, को उक्त अधिनियम के प्रयोजन के लिये विश्वविद्यालय माना जायेगा। परन्तु इन संस्थाओं को राष्ट्रीय महत्व की संस्थाएँ घोषित नहीं किया गया है।

इन घोषणाओं के साथ संस्थाओं के प्राधिकारियों को भी सूचित कर दिया गया है कि ये घोषणाएँ आयोग की सलाह पर की गई हैं ; आरम्भ में यह तीन वर्ष तक लागू रहेंगी और फिलहाल जामिया के बी० ए० और बी० एड० उपाधियों के समकक्ष और गुरुकुल के बी० ए०, बी० एस० सी० और एम० ए० उपाधियों के समकक्ष पाठ्यक्रमों तक ही सीमित रहेंगी। संस्थाओं को यह भी सूचित कर दिया गया है कि तीन वर्ष की अवधि समाप्त होने से पहले, उन के द्वारा की गई प्रगति का पुनरीक्षण किया जायेगा और इस अवधि के बाद भी मान्यता को जारी रखने के प्रश्न पर विचार किया जायेगा। संबंधित अधिसूचनाएँ जारी करने से पहले, विश्वविद्यालय अनुदान आयोग ने, इन

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संस्थाओं से, अपने-अपने संवैधान आयोग की सिफारिशों के अनुसार संशोधित करने के आश्वासन भी प्राप्त कर लिये थे।

(ख) घोषणा जारी करने में, इन दो संस्थाओं में कोई भेदभाव नहीं बरता गया है।

(ग) विश्वविद्यालय अनुदान आयोग ने अपनी १ अगस्त, १९६२ की बैठक में यह विचार व्यक्त किया था कि विश्वविद्यालय अनुदान आयोग अधिनियम के अन्तर्गत किसी संस्था को विश्वविद्यालय मानने का यह अर्थ न लगाना चाहिये कि वह संस्था अपने आप केन्द्रीय सरकार या आयोग की सहायता की हकदार हो जाती है; यद्यपि वह संस्था, जैसा कि अधिनियम में इंगित है, ऐसे अनुदान पाने की हकदार है। फिर भी, आयोग निधियों के उपलब्ध होने पर संस्थाओं के वास्तविक विश्वविद्यालय भाग के लिये अनुरक्षण अनुदान देने की जिम्मेदारी ले सकता है।

(घ) केवल गुरुकुल कांगड़ी विश्वविद्यालय के पक्ष में ही यह अधिसूचना जारी की गई है। दूसरे गुरुकुलों को भी यह सुविधा देने का विचार नहीं है।

Elections to Works Committee of Gun and Shell Factory

1925. { Shri A. K. Gopalan:
Shri Umanath:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that elections to the Works Committee of the Gun and Shell Factory in Cossipore were to have been held in November 1961 as per the law;

(b) if so, whether the elections have been held;

(c) what is the result of the elections; and

(d) if not, why have the elections not been held till now?

The Minister of State in the Ministry of Defence (Shri Raghuramaiah):

(a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

(d) A new Works Committee was proposed to be formed with effect from November, 1961, on the expiry of the term of the previous Works Committee. There was some disagreement about delimitation of constituencies between the management and one of the two recognised Trade Unions functioning in the Factory. The other Trade Unions agreed with the management, in the matter. Both the Unions, however, brought the matter to the notice of the Conciliation Officer (Central), Calcutta and requested him to intervene. The decision of this officer was not acceptable to the Union which had disagreed with the management and the matter has been taken up by that Union with the Regional Labour Commissioner (Central), Calcutta whose decision is awaited.

Cost of Steel Plants

1926. Shri Morarka: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether final estimates have been made regarding the cost of the three steel plants;

(b) the amount already spent and likely to be spent;

(c) total amounts paid on township and ancillaries, separately; and

(d) the total effect of escalation clause?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) to (d). The final estimates of the three steel plants on a comparable basis are under preparation and are expected to be finalised very shortly. They will be placed on the Table of the House when ready.

Foreign Personnel in Steel Plants

1927. { Shri Morarka:
Shri Raghunath Singh:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the total number of foreign personnel employed at present in the three steel plants, separately;

(b) whether all these are technicians; and

(c) the monthly pay bill of these people?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) Total number of foreign personnel employed as on 31-7-1962 is as under:

Rourkela .	188
Durgapur .	81
Bhilai .	76

(b) Out of 188 foreign personnel employed in Rourkela, 187 are technicians and in Durgapur and Bhilai all are technicians.

(c)	
Rourkela	Rs. 382706 in DM Rs. 241710 in Rupees Rs. 262637 in Dollars
Durgapur	Rs. 1,16,100 in Sterling Rs. 1,51,900 in Rupees.
Bhilai	Rs. 1,52,150 in Rupees.

सरकारी कार्यालयों में हिन्दी का प्रयोग

१९२८. { श्री भक्त दर्शन :
श्री भगवत झा आजाद :

क्या गृह-कार्य मंत्री १४ मई, १९६२ के तारांकित प्रश्न-संख्या ७१६ के संबंध में यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार के काम-काज में अंग्रेजी के साथ-साथ हिन्दी के उत्तरोत्तर प्रयोग के कार्यक्रम की प्रगति का समय-समय पर पुनरावलोकन करने के लिये जिस विभागीय समिति की नियुक्ति की गई थी, उस के सदस्यों के क्या नाम हैं ; और

(ख) इस समिति ने अब तक क्या कार्य किया है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : (क) इस समिति के गृह-सचिव अध्यक्ष हैं तथा इस में मंत्रिमंडल द्वारा स्वीकृत कार्यक्रम का कार्यान्वयन करने से घनिष्ठ सम्बन्ध रखने वाले विभिन्न मंत्रालयों/विभागों के प्रतिनिधि शामिल हैं। निम्नलिखित मंत्रालयों के प्रतिनिधियों ने समिति की ८ अगस्त, १९६२ को हुई पहली बैठक में भाग लिया :—

१. सूचना और प्रसारण मंत्रालय
२. शिक्षा मंत्रालय
३. विधि मंत्रालय (विधायी विभाग)
४. निर्माण, आवास और संभरण मंत्रालय
५. वैज्ञानिक अनुसंधान तथा सांस्कृतिक-कार्य मंत्रालय
६. डाक और तार का महानिदेशालय
७. मंत्रिमंडल सचिवालय (प्रो० एण्ड एम० डिबीजन)
८. रेलवे मंत्रालय (रेलवे बोर्ड)
९. वित्त मंत्रालय (राजस्व विभाग)
१०. वित्त मंत्रालय (व्यय विभाग)
११. गृह मंत्रालय

आवश्यकतानुसार अन्य मंत्रालयों के प्रतिनिधि भी समय-समय पर बुलाये जा सकते हैं।

(ख) समिति ने अपनी पहली बैठक में विभिन्न विषयों के कार्यान्वयन में की गई प्रगति का पुनरावलोकन किया और भिन्न-भिन्न संस्थाओं द्वारा आगे कार्य करने के लिये कुछ सुझाव दिये।

D.Ps. from East Pakistan

1929. Shri Tridib Kumar Chaudhuri: Will the Minister of Home Affairs be pleased to state:

(a) whether the attention of Government has been drawn to a news-item prominently displayed in the "Jugantar" daily of Calcutta in its issue of 8th July, 1962 to the effect that about 30 refugees, men and

women, who had crossed the border at Petrapol in West Bengal on the 5th and 6th of July without proper travel documents, in order to escape from East Pakistan, were arrested and taken to court handcuffed and bound with ropes round their waists;

(b) what are the facts of the case; and

(c) what is the policy of the Government in regard to needy migrant refugees belonging to the minority community of East Pakistan escaping into India without obtaining valid travel documents?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) Twenty-nine Pakistani nationals, who had crossed the border without proper travel documents, were sent for prosecution under the Indian Passport Act, 1920.

(c) The cases of such persons for continued stay in India are considered sympathetically, on merits.

व्यायाम प्रशिक्षण और युवक कल्याण योजनायें

१९३०. श्री भक्त दर्शन :
(श्री दी० चं० शर्मा :

क्या शिक्षा मंत्री ४ मई, १९६२ के तारांकित प्रश्न-संख्या ४१८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) शारीरिक शिक्षा, मनोरंजन और युवक कल्याण की विभिन्न योजनाओं में समन्वय स्थापित करने के सुझाव देने के लिये जो समिति नियुक्त की गई थी क्या इस बीच उसने अपना कार्य समाप्त कर लिया है;

(ख) यदि हाँ, तो क्या उस समिति द्वारा की गई सिफारिशों के बारे में एक विवरण सभा-पटल पर रखा जायेगा; और

(ग) उस समिति की सिफारिशों को कार्यान्वित करने के लिये क्या कार्यवाही की जा रही है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) जी नहीं ।

(ख) और (ग). प्रश्न नहीं उठता ।

Assistance to Voluntary Hindi Prachar Organisations

1931. Shri G. Mahanty: Will the Minister of Education be pleased to state:

(a) whether financial assistance was granted to voluntary Hindi Prachar Organisations during 1961-62 and 1962-63 for publishing literature in non-Hindi National languages in Devanagari script; and

(b) the name of each such organisation and the books published by it?

The Minister of Education (Dr. B. L. Shrivall): (a) and (b). A sum of Rs. 9,000 was sanctioned to the Delhi University in 1960-61 for preparation of Sindhi books in Devanagari script. No grant was, however, given in 1961-62 to any organisation for publishing literature in non-Hindi languages in Devanagari script.

The following steps have been taken to encourage publication of literature in non-Hindi languages in Devanagari script:—

- (i) Diglot readers and primers are being got prepared through voluntary Hindi organisations at Government cost.
- (ii) A few pages in the quarterly magazine 'Bhasha', issued by the Ministry of Education, are devoted to the publication of diglot version of selected pieces from Indian literature.
- (iii) Provision has been made for grant of financial assistance to organisations for preparation of literature in other languages in Devanagari script.

No grant has been paid so far in 1962-63. Some schemes are under Government's consideration and it is expected that a decision will be taken shortly.

Termination Notice for Government Employees

1932. Shri Dasaratha Deb: Will the Minister of Home Affairs be pleased to state:

(a) to how many employees in Tripura the termination notices under Rule 5 of the Service Conduct Rules have been served in 1962 so far;

(b) the number of tribals whose services were terminated under this provision in Tripura; and

(c) the causes for the notices?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Ten.

(b) Two.

(c) Termination notices were given as services of the employees in question were no longer required by the Administration.

Multi-purpose Tractors

1933. { Shri Raghunath Singh;
Shri P. Venkatasubbaiah;
Shri D. C. Sharma;

Will the Minister of Steel and Heavy Industries be pleased to state.

(a) whether there is a proposal to produce in India a four to five horse power small multi-purpose tractor costing about Rs. 1,500; and

(b) the names of the six Indian firms which have been granted licences to manufacture such tractors?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). The following two firms hold licences under the Industries (Development and Regulation) Act, 1951, for the manufacture of power-tillers, which are also sometimes called small tractors, of below 10 H.P.:

(i) M/s. Engineering Developments Ltd., Calcutta.

(ii) M/s. The East Asiatic Co. (India) Private Ltd., Bombay.

They are not in production yet.

Physically Handicapped

1934. Shri Raghunath Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether Government have decided to relax medical rules applicable to the physically handicapped registered with the Employment Exchanges; and

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

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Under the existing orders such of the physically handicapped persons who are registered with the Special Employment Offices for the Handicapped and have been medically examined by the Medical Board attached to those offices and declared fit for appointment to particular posts, are not, on actual appointment to these posts, subjected to the usual medical examination on first appointment in Government service, but the question of their appointment is decided on the basis of the reports of the Medical Board attached to the Special Employment Offices. |

Similar arrangements have been made for the medical examination of those handicapped persons who are registered with ordinary Employment Exchanges i.e., those dealing with able-bodied persons, by Medical Boards constituted on the lines of the Medical Boards attached to the Special Employment Offices. According to nomination of these persons by the Employment Exchanges for appointment against posts under Government, they are not subjected to the usual medical examination on first appointment in Government service and the question of their appointment is decided on the basis of the report of the Medical Board referred to above.

Oil Refineries

1935. Shri Kolla Venkaiah: Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government have taken a policy decision on the question of

reserving the oil refining capacity to the public sector;

(b) if so, what is the decision;

(c) what will be the demand for oil by the end of Third Plan Period; and

(d) the schemes to meet the demand?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). At least 51 per cent. of the refining capacities should be in the public sector.

(c) About 15 million tonnes per annum, according to the estimates of the Oil Advisory Committee. The estimates are presently under review.

(d) These are under consideration.

Under-invoicing of Exports and Over-invoicing of Imports

**1936. { Shri Kolla Venkaiah:
Shri A. N. Vidyalkar:**

Will the Minister of Finance be pleased to state:

(a) the number of persons and firms detected by customs officers to have 'under'-invoiced of exports and 'over'-invoiced of imports in 1960-61;

(b) the amounts involved in each case in under or over invoicing; and

(c) the action taken against each firm detected to have been engaged in the malpractice?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) to (c). The information is being collected and will be placed on the Table of the Sabha.

Grant to Mysore Government

1937. Shri Ram Ratan Gupta: Will the Minister of Defence be pleased to state:

(a) whether his Ministry has decided to give grant to Mysore Government for water supply; and

(b) if so, under what conditions?

The Minister of Defence (Shri Krishna Menon): (a) No, Sir.

(b) Does not arise.

Delhi Education Department

1938. { **Shri P. C. Borooah:**
Shrimati Maimoona Sultan;
Shri Prakash Vir Shastri;
Shri Bagri:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Delhi Education Department has failed to fulfil its target of building improvised structures for primary schools; and

(b) if so, how many such schools are running in tents for want of such buildings?

The Minister of Education (Dr. K. L. Shrimali): (a) Primary Schools in Delhi are the responsibility of Local Bodies. The Education Department of the Delhi Administration had no programme for construction of improvised buildings for such schools.

(b) Does not arise.

Excavations near Ahar

1939. **Shri Raghunath Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether a site near Ahar in Udaipur (Rajasthan State) has been excavated where remains of 4,000 years old were found; and

(b) if so, details of the find?

The Deputy Minister in the Ministry of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) The finds consist of terracottas, beads, spindle whorls, shells and shell objects, animal bones, copper slag, celts, bangles and pottery.

Population Map

1940. **Shri Raghunath Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state whether India's village-wise population map is ready for publication?

The Deputy Minister in the Ministry of Scientific Research and Cultural

Affairs (Dr. M. M. Das): The population map of India published by the National Atlas Organisation will be covered by a series of 14 maps depicting village-wise population by dots as also the location of all important villages. Ten of these maps have so far been published.

Sanskrit

1941. { **Shri Gulshan:**
Shri Buta Singh:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Central Government are spending large amount for the progress of Sanskrit in the country;

(b) if so, the amount spent in 1961-62 and amount sanctioned for the year 1962-63;

(c) whether it is also a fact that Government are giving financial help for the progress of regional languages; and

(d) if so, the names of such languages and the amount spent thereon, State-wise, in the year 1961-62?

The Minister of Education (Dr. K. L. Shrimali): (a) to (d). A statement is laid on the Table of the House.

STATEMENT

(a) A sum of Rs. 4 lakhs was spent on the progress of Sanskrit in the country during the Second Five Year Plan. A provision of Rs. 75 lakhs has been made for the purpose during the Third Five Year Plan.

(b) A sum of Rs. 9.00 lakhs has been spent during 1961-62, and there is a budget provision of Rs. 13.18 lakhs for 1962-63.

(c) Yes, Sir.

(d) Assamese, Bengali, Gujarati, Kannada, Malayalam, Marathi, Oriya, Punjabi, Tamil, Telugu and Urdu.

The amount spent on these languages, State-wise during 1961-62 is given below:—

State	Amount
	Rs.
Andhra Pradesh.	20,876
Assam.	16,700
Gujarat.	16,912
Kerala.	36,126
Madhya Pradesh.	2,000
Madras.	2,84,325
Maharashtra.	36,465
Mysore.	15,360
Orissa.	1,125
Punjab.	40,332
Uttar Pradesh.	6,500
West Bengal.	90,808
Delhi.	10,873

The Government of India are also engaged in the work of propagation and development of Hindi in accordance with the provisions of the Constitution of India. Information about the activities in this regard is given in the report of Ministry of Education for 1961-62, copies of which are available in the Parliament Library.

India-China Border

1942. { Shri D. N. Tiwary:
Shri P. K. Deo:

Will the Minister of Defence be pleased to state:

(a) the number of clashes between Indian and Chinese forces on India-China border since May, 1962; and

(b) the number of military posts erected by Chinese on Indian soil during the same period?

The Minister of Defence (Shri Krishna Menon): (a) There were two incidents in which the Chinese fired at our troops and our troops had to fire in return in self-defence. One of these incidents took place on 21st July 1962 when the Chinese opened fire on our patrol in the Daulat Beg Oldi area. Our patrol did not return fire at first but later as the Chinese firing continued they fired in self-defence. The second incident was on 14th August 1962, when the Chinese fired

at our Yula Post in Pangong lake area. Our post returned the fire in self-defence.

(b) The Chinese have probably established 30 posts.

Production of Armour Plates in Steel Plants

1943. Shri Mohammad Elias: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the production of armour plates to meet Defence requirements is held up by Hindustan Steel Ltd.;

(b) if so, the reasons therefor?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) No, Sir.

(b) Does not arise.

विदेशी कलाकार

१९४४. श्री प्रकाश वीर शास्त्री : क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विदेशों से भारत में आकर अपने प्रदर्शन करने के लिए कलाकारों को अनुमति पत्र दिये जाते हैं और यदि हां, तो किस आधार पर;

(ख) इन विदेशी कलाकारों के प्रदर्शन से जो आय होती है उसका कितना भाग भारत में रह जाता है और कितना वे विदेशों में ले जाते हैं;

(ग) विदेशी कलाकारों के जो अर्थनयन अवस्था के प्रदर्शन होते हैं वह भारतीय परम्पराओं से कहां तक मेल खाते हैं तथा क्या इस सम्बन्ध में भी कुछ ध्यान रखा जाता है; और

(घ) क्या इस सम्बन्ध में सरकार को कुछ विरोधपत्र भी मिले हैं ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री (श्री हुमायूँ कबिर) : (क) जी हां,

विदेशों के साथ सांस्कृतिक संबंधों को बढ़ावा देने और विदेशी पर्यटकों को पाश्चात्य शैली का मनोरंजन उपलब्ध करा के पर्यटन का प्रोत्साहन देने के लिए ।

(ख) कलाकारों को आय का कोई भी हिस्सा देश के बाहर ले जाने की अनुमति नहीं दी जाती ।

(ग) विदेशी कलाकारों के ये प्रदर्शन उनके अपने-अपने देशों की संस्कृति का चित्रण करते हैं और वे मुख्यतः विदेशों से आने वाले पर्यटकों के लिए होते हैं और कोई उन्हें भारतीय परंपराओं के दृष्टिकोण से नहीं परखता ।

(घ) वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्रालय में नहीं ।

Breakdown of Rourkela's Blast Furnace No. 3

1945. { Shri Indrajit Gupta:
Shri S. M. Banerjee:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that blast furnace No. 3 of Rourkela Steel Works suffered a breakdown on the 14th July, 1962;

(b) if so, the causes therefor;

(c) for how long production had to be stopped;

(d) the loss of output entailed;

(e) the number of breakdowns in the three blast furnaces at Rourkela during the last three years; and

(f) Government's reaction thereto?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) Yes, Sir.

(b) During tapping, hot metal coming out between the furnace shell and the iron trough damaged the cooling water pipe. The hot metal and slag coming in contact with water resulted in a small explosion damaging the tap hole.

(c) For about 2 days.

(d) About 2,250 tonnes of hot metal.

(e) 20.

(f) Most of these breakdowns were of a minor character and were not unusual.

Indian Investment Centre

1946. { Shri Yashpal Singh:
Shri Ram Ratan Gupta:

Will the Minister of Finance be pleased to state:

(a) whether the Indian Investment Centre has been successful in finding suitable industrial partners for Indian Companies for joint ventures in India; and

(b) if so, the number of Indian and foreign companies and their partners for the last two years?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The Indian Investment Centre started its operations in June 1961. Its branch office in New York was opened in October 1961.

In 17 cases, Indian and foreign parties, having come together, approached the Centre for advice and assistance. In 27 other cases, the Centre has assisted in bringing Indian and foreign parties together. Out of these 44, in seven proposals the negotiations have been completed and Government's approval has been granted.

Of 25 enquiries from foreign firms, the assistance of the Indian Investment Centre has been sought in the choice of Indian partners. These proposals are in various stages of negotiation.

तम्बाकू पर उत्पादन शुल्क सम्बन्धी
न्यायाधिकरण

१९४७. श्री रघुनाथ सिंह : क्या वित्त
मंत्री यह बताने की कृपा करेंगे कि :

ने अपने प्रतिवेदन में सरकार को सुझाव दिया था कि तम्बाकू तथा उत्पादन शुल्क की अन्य वस्तुओं की अपील की सुनवाई के लिये एक अलग ट्रिब्यूनल बनाया जाय; और

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

वित्त मंत्री (श्री मोरारजी देसाई) :

(क) जहां तक केवल पुनरीक्षण (रिवीजन) आवेदन-पत्रों का सम्बन्ध है, इस प्रश्न के भाग (क) का उत्तर 'हां' है।

(ख) सरकार ने अभी तक उन सिफारिशों को लागू करना ठीक नहीं समझा है। फिर भी, इस मामले पर केन्द्रीय उत्पादन-शुल्क पुनर्गठन समिति फिर से विचार करेगी जिसके पास यह मामला खासतौर से भेजा गया है। समिति की सिफारिश की प्रतीक्षा की जा रही है।

Sea Survey of Andaman Islands

1948. **Shri Raghunath Singh:** Will the Minister of Defence be pleased to state whether Indian Navy is undertaking non-defence sea survey of Goa, Daman, Diu, Ratnagiri and Teressa Island in Andamans?

The Minister of Defence (Shri Krishna Menon): Yes, Sir. The general Navigation Sea Survey of Goa and Ratnagiri has been included in the survey programme for 1962-63 to be undertaken by the Indian Navy.

The inclusion of Daman, Diu and Teressa island in the Andamans in the survey programme of subsequent seasons will be considered by the Hydrographic Survey Committee of the National Harbour Board which decides the priorities for non-Defence Surveys.

Drilling in Darang Salt Mines

1949. **Shri Hem Raj:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether the Indian Bureau of Mines has started its operation for

structural and detailed drilling in the Darang Salt Mines (H.P.); and

(b) if so, the results thereof?

The Deputy Minister of Mines and Fuel (Shri R. M. Hajarnavis): (a) The Indian Bureau of Mines are at present engaged in geological work in the area. Actual drilling has not, however, commenced as yet.

(b) Does not arise.

Agreement between Oil and Natural Gas Commission and Mazdoor Sabha

1950. **Shri Jashvant Mehta:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that an agreement was reached between the Mazdoor Sabha, Ankleshwar, and the Oil and Natural Gas Commission on 11th April, 1962;

(b) if so, whether Government have implemented the said agreement; and

(c) if not, the reasons therefor?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). An agreement has been reached between the Oil and Natural Gas Commission and the Workers' Organisation in respect of all the Projects. The implementation of the agreement is in progress.

(c) Does not arise.

Houses for Scheduled Caste and Scheduled Tribe Families

1951. { **Shri Kolla Venkaiah;**
 Shri Vishwanath Pandey:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Government have under contemplation a plan for providing house sites during the Third Plan period to every Scheduled Caste and Scheduled Tribe family which has got no house site;

(b) if so, the total cost of the plan; and

(c) whether it includes the subsidy to the destitutes for purchasing material for the construction of their houses?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Government do not at present have under consideration any scheme of providing house sites during the Third Five Year Plan period to every Scheduled Caste/Scheduled Tribe family which has no house-site. Keeping in view the amount of funds available, the scheme in the Central sector for provision of houses has been restricted only to sweepers and scavengers; and that of provision of house-sites, to those sections who are engaged in unclean occupations or are landless labourers. Apart from these, there are schemes, in the State sector, of provision of houses and house-sites to persons belonging to Scheduled Castes/Scheduled Tribes.

(b) and (c). In the programme for the welfare of Scheduled Castes and Scheduled Tribes, a combined provision has been made as follows for schemes of provision of houses or house-sites:

(Rs. in lakhs)

Category	Provision
1. Scheduled Castes . . .	715.09
2. Scheduled Tribes . . .	102.28
TOTAL . . .	817.37

This provision is for giving house sites and for grant of subsidy for the construction of houses, including purchase of material.

Macherla Cement Factory

1952. Shri Kolla Venkaiah: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether any proposal has been considered by Government for the

reservation of the output of the Macherla Cement Factory (Guntur District) for Nagarjunasagar Project during the period of construction work;

(b) what is the distance from the Macherla Cement Factory to the Nagarjunasagar Project;

(c) which are the cement factories that are supplying cement to Nagarjunasagar Project; and

(d) what is the quantity of output of Macherla Cement Factory used for N.S. Project?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) No Sir.

(b) About 16 miles.

(c) Macherla, Kistna and Vijayawada cement factories.

(d) From April, 1958 to June, 1962, a quantity of 2,88,670 tonnes of cement has been despatched to the Nagarjunasagar Dam Project.

Stipends for Tribal Students

1953. Shri Dasaratha Deb: Will the Minister of Education be pleased to state:

(a) how many tribal students have so far received stipends from Government under the pre-Matric scholarships scheme of State Government in the Union Territory of Tripura in the year 1961-62;

(b) the number of recipients, class-wise; and

(c) the number of tribal students, community-wise?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). The requisite information is being collected from the Tripura Administration and will be laid on the Table of the Lok Sabha in due course.

Scheduled Areas and Scheduled Tribes Commission's Report

1954. Shri M. K. Kumaran: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the recommendations of the Dhebar Commission on the Scheduled Areas and Scheduled Tribes have been considered by Government; and

(b) whether any steps have been taken to implement them?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Most of the recommendations have been considered and others are still under consideration.

(b) Recommendations concerning matters falling within the sphere of the States, were discussed with the State Ministers concerned at a Conference held in Delhi on July 26 and 27 and the State Governments would be taking action in accordance with the conclusions reached.

Primary Education Body

1955. Shri Yashpal Singh: Will the Minister of **Education** be pleased to state:

(a) whether the Standing Committee of the Central Advisory Board of Education for Primary Education held their first meeting in July, 1962; and

(b) if so, the decisions taken therein?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) The Committee noted certain material that was placed before it, prepared a list of problems to be studied, took decisions on certain procedural matters, appointed four sub-committees and decided to issue a questionnaire.

Geological Survey of India

1956. Dr. K. L. Rao: Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is proposed to associate geologists along with the Survey of India in preparation of topographical maps to make details of geology up-to-date;

(b) whether specialisation in geological fields such as engineering geology, underground water surveys, geophysical investigations, economic geology etc. have been provided for in the Geological Survey of India; and

(c) if so, what is the set-up?

The Deputy Minister of Mines and Fuel (Shri R. M. Hajarnavis): (a) No, Sir.

(b) Yes, Sir.

(c) Regional geological mapping and economic geology investigations are being carried out by field staff of the circle offices of the Geological Survey of India in the various States. Engineering Geology, Groundwater and Geophysical Divisions are located at the Regional Headquarters at Hyderabad, Lucknow and Calcutta for catering to the requirements of the respective regions.

Players for International Meets

1957. Shri Rameshwar Tantia: Will the Minister of **Education** be pleased to state:

(a) whether Government are aware of the fact that some of our players participating in international meets are partnering with some of the South African players;

(b) if so, how far such a teaming up is compatible with our policy of abandoned diplomatic and other relations with South Africa; and

(c) if such a policy is incompatible, whether Government intend to take any action against those players?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

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

Physical Fitness for Recruitment in Armed Forces

1958. Shri Yashpal Singh: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that for assessment of physical fitness for recruitment in the Indian Armed Forces for the so-called martial races such as Sikhs, Rajputs, Jats and Gujars etc. the height is 5 feet and 6 inches and chest 32 inches to 34 inches whereas for other castes the height is 5 feet 4 inches and chest 31 inches to 33 inches; and

(b) if so, the reasons for the variations?

The Minister of Defence (Shri Krishna Menon): (a) The terms 'martial' and 'non-martial' races are no longer in vogue in the Armed Forces. The Hon'ble Member is apparently referring to the physical standards prescribed for recruits belonging to different categories (either specified like Sikhs, Rajputs, Jats and Gujars, or territorial classes like Bengalis, Biharis, Garhwalis and Assamese) in the Army where such composition by categories is in existence. It is a fact that there are variations in these physical standards.

(b) The average physical standards of people belonging to various parts of the country differ considerably from each other. In order to give equal opportunity for recruitment in the Army to people from all parts of the country, it has become necessary to prescribe different minimum physical standards based on the average height, weight and chest measurements of able-bodied men of the specified or territorial class to which the recruit belongs. The physical standards are reviewed from time to time keeping in view the requirements of the Service and the health conditions in the country.

Welfare of Troops

1959. Shri Surendra Pal Singh: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that there was an organization by the name of A.F.W.W.O. for the welfare of the troops, and that the same was disbanded sometime back;

(b) if so, why it was disbanded; and

(c) whether there is any proposal to have another welfare scheme in its place?

The Minister of Defence (Shri Krishna Menon): (a) and (b). This Organisation, which was set up in 1948 as a combined welfare organisation run by the wives of the service officers of the three Services, has not been disbanded, remains dormant at present. Its functions, since January 1961, are being carried out under separate arrangements of the three Services, e.g., for the Army by the Army Wives Welfare Organisation, etc.

(c) Does not arise.

Curb on Travelling to East Pakistan

1960. Shrimati Renu Chakravartty: Will the Minister of Finance be pleased to state:

(a) whether travellers to Dacca/Chittagong in East Pakistan have also to get clearance by Reserve Bank;

(b) whether this is leading to great hardship; and

(c) whether the rules cannot be relaxed in case of people going to East Pakistan?

The Minister of Finance (Shri Morarji Desai): (a) The travellers to Dacca/Chittagong do not have to obtain prior permission of the Reserve Bank if they travel as deck passengers. In all other cases, i.e. travel by air or berthed passage by steamer, prior permission of the Reserve Bank is necessary as the existing regulations apply to all countries outside India (including Pakistan).

(b) No specific complaint has been received about any hardship being caused to persons travelling to East Pakistan.

(c) It is not possible to make any relaxations.

Libraries Managed by Central Government

1961. Shri Hem Raj: Will the Minister of Education be pleased to state:

(a) the number of libraries maintained and managed by the Central Government with the names of places of their situation as they obtain at the end of July, 1962;

(b) what is the number of books added to each one of them during the last year; and

(c) the arrangements made to house them and the books therein?

The Minister of Education (Dr. K. L. Shirmali): (a) to (c). Information is being collected and will be laid on the Table of the House.

Pay of Section Officers

1962. Shri Yashpal Singh: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 3137 on the 13th June, 1962 and state:

(a) whether any decision has since been taken to provide a substantial increase in pay to Section Officers in the 7th Year in revised scale of pay prescribed for them;

(b) if so, the details thereof; and

(c) if not, by what time the decision is likely to be taken?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). No decision has yet been arrived at in the matter.

(c) The proposal involves financial and other implications and has, therefore, to be considered carefully in all its aspects. It is not therefore possible to specify any definite time-limit within which a decision can be taken.

Township at Dhaleswar

1963. Shri Biren Dutta: Will the Minister of Home Affairs be pleased to state:

(a) whether Government have any scheme to set up a township at Dhaleswar for providing quarters for Government employees of Tripura; and

(b) if so, what steps have been taken in this matter?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) Does not arise.

Quarters Constructed at Narsingharh

1964. Shri Biren Dutta: Will the Minister of Home Affairs be pleased to state:

(a) the total number of quarters constructed at Government cost at Narsingharh township at Tripura;

(b) what is the total number of quarters allotted upto now; and

(c) if adequate number of quarters have not been allotted, the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) 20 Quarters.

(b) and (c). Out of 20 Quarters, 15 have been allotted to the officers and staff under Polytechnic Institute and N.C.C.

Second Pay Commission Recommendations

1965. Shri S. M. Banerjee: Will the Minister of Finance be pleased to state in how many cases Government have deviated from the recommendations of the Second Pay Commission in regard to the scales of pay of various categories of Central Government employees?

The Minister of Finance (Shri Morarji Desai): In the case of ten categories of Central Government employees Government have slightly

modified the scales of pay recommended by the Second Pay Commission.

Himachal Pradesh Secretariat at Simla

1966. Shri Virbhadra Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether there is any proposal to rebuild the Himachal Pradesh Secretariat at Simla which was destroyed by a fire some years back; and

(b) if so, when the work is likely to be taken in hand?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The question whether or not a new building should be constructed for Himachal Pradesh Secretariat, is being examined.

Pension to Territorial Army Officers

1967. Shri Birendra Bahadur Singh: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Territorial Army Officers are entitled to pension benefits; and

(b) if not, whether Government propose to give pension benefits to such Territorial Army personnel who have put in more than 20 years of full paid service?

The Minister of Defence (Shri Krishna Menon): (a) and (b). Territorial Army is not intended to provide a full time career. It is primarily for those who are already in employment and can devote their spare time for Military training with the object of serving the country in an emergency. Entitlement of pensionary benefits for Territorial Army Officers has, therefore, not been worked out.

Tribal Blocks

1968. Shri H. C. Soy: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that it has been emphasised by the various study

groups and the Dhebar Commission, that as far as possible, maximum number of tribal blocks must be manned either by tribal officers and staff or by non-tribals specially trained for working in such blocks;

(b) if so, which of the States have made any significant and definite progress in the matter; and

(c) in how many tribal blocks the Block Development Officers are tribal officers and how many are officered by non-tribal officers?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) The Study Team on Social Welfare and Welfare of Backward Classes of the Committee on Plan Projects and the Committee on Special Multipurpose Tribal Blocks (Elwin Committee) have recommended that, as far as possible, tribals should be appointed on the staff of the Tribal Development Blocks. The Scheduled Areas and Scheduled Tribes Commission have also referred to the desirability of ensuring that tribals are appointed on the T.D. Block Staff. The Elwin Committee further recommended that suitable orientation training should be given to the staff working in Tribal Development Blocks.

(b) and (c). A Tribal Orientation and Study Centre has been set up at Ranchi to impart training in tribal life and culture to the Block Development Officers, Extension Officers (Agriculture), Social Education Organisers and Mukhya Sevikas working in the Tribal Development Blocks in various States/Union Territories. Arrangements are being made for the training of other categories of personnel. Grants are also given to the Tata Institute of Social Sciences for imparting similar training to Tribal Welfare Officers and Block Development Officers, who are sent there by the State Governments/Union Territory Administrations. Precise information regarding the progress made in appointing the tribals on Tribal Development Block staff and the number of tribals and non-tribals

among the Block Development Officers in the various Tribal Development Blocks has been called for from the State Governments/Union Territory Administrations. A statement will be laid on the Table of the House when the information is received.

Janata Colleges in Delhi

1969. Dr. Mahadeva Prasad: Will the Minister of Education be pleased to state:

(a) whether he is aware of the fact that recently there has been much criticism against the working of the Janata Colleges in Delhi;

(b) whether any representations in this connection have been made to his Ministry;

(c) whether the National Fundamental Education Centre of his Ministry has evaluated the progress of the said two colleges; and

(d) if so, with what result?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

(b) No, Sir.

(c) The National Fundamental Education Centre has recently undertaken evaluation of the two Janata Colleges in Delhi. The work is in progress.

(d) Does not arise.

C.H.S. Scheme Facilities for Defence Employees

1970. Shri S. M. Banerjee: Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 847 on the 18th May, 1962 in connection with the extension of Contributory Health Service Scheme facilities to the Defence employees working and residing in Delhi Cantonment and to state:

(a) whether any decision has so far been taken; and

(b) what present facilities are provided to the families of the affected employees?

The Minister of State in the Ministry of Defence (Shri Raghuramaiah): (a) The matter is still under consideration.

(b) The families of non-industrial employees are entitled to free out-patient/in-patient treatment in civil hospital under the Central Services (Medical Attendance) Rules, and expenditure incurred by them is reimbursable as provided under the rules.

The families of industrial employees who were employed before 1st August, 1949 as extra temporary employees, residing in Military lines, are entitled to medical attention as out-patients from military sources.

The families of industrial employees recruited as industrial employees after 1st August, 1949 are, however, not entitled to any special facilities at present.

Industrial and Non-industrial Employees of Defence Installations

1971: Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the Shanker Committee has recommended for the removal of discrimination between the industrial and non-industrial working in the Defence installations in the matter of suspension from service and payment of full wages on re-instatement;

(b) whether it is also a fact that the Pay Commission has not touched this aspect of the problem; and

(c) if so, what steps Government propose to take to implement this recommendation of the Shanker Committee and issue necessary orders?

The Minister of State in the Ministry of Defence (Shri Raghuramaiah): (a) Yes, Sir.

(b) Yes, Sir.

(c) The matter is under consideration.

Extension of Punjab Backward Classes (Grant of Loan) Act to Manipur

1972. Shri Rishang Keishing: Will the Minister of Home Affairs be pleased to state:

(a) whether the Punjab Backward Classes (Grant of Loan) Act, 1957 has been extended to the Union Territory of Manipur;

(b) the total amount of loan provided or to be provided on this account during the Third Five Year Plan; and

(c) the number and amount of loans granted under the Act, if any, in Manipur?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Yes.

(b) and (c). The information is being collected from the Manipur Administration. A statement will be laid on the Table of the House as soon as it is received.

Pay Scale of Manipur Administration Employees

1973. Shri Rishang Keishing: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 2059 on the 28th May, 1962 and state:

(a) whether the pattern of Assam pay scales said to have been adopted by the Manipur Administration for Grade IV, III and II employees is the present and existing scales or something other than it;

(b) if not, the present and existing pay scales of Assam, and the reason why it has not been adopted; and

(c) how far the Manipur Administration can claim to have implemented the recommendations of the Second Pay Commission?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The existing scales of pay of the various posts under Government of Assam were sanctioned in

1956. The present pay scales of the Manipur employees were sanctioned broadly following this pattern after equating the posts with those under Government of Assam carrying equivalent duties and responsibilities. In case of a few posts the pay scales of which did not follow this pattern, orders revising the same will issue shortly.

(c) Position in this respect has been explained in the statement attached with the reply to Unstarred Question No. 2790, dated June 8, 1962.

Jet Trainers

1974. Shri J. B. S. Bist: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the Hindustan Aircraft is presently engaged in the design and development of an indigenous jet trainer;

(b) if so, whether this will be powered by a foreign engine or an indigenous engine whose manufacture would be undertaken in the country; and

(c) the time by which the new trainer aircraft is to be manufactured?

The Minister of Defence (Shri Krishna Menon): (a) The factory has been engaged on a development project of a jet trainer type.

(b) and (c). It is too early to answer this with any precision.

Bharat Electronics Ltd.

1975. Shri J. B. S. Bist: Will the Minister of Defence be pleased to state:

(a) whether Bharat Electronics Ltd. has made a profit of Rs. 20 lakhs during 1961-62;

(b) if so, what is the percentage return on the capital invested; and

(c) how does this return compare with the return from other public undertakings particularly the Hindustan Machine Tools?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir. Bharat Electronics Ltd., made a net profit of Rs. 20.33 lakhs in 1961-62.

(b) About 3.9 per cent.

(c) It will not be appropriate to compare the net profits of an Electronic Industry with that of other public Undertakings. Returns from Public Undertakings vary from Industry to Industry depending on the nature of Industry, Type of Equipment produced, Capital invested, length of time over which the Undertakings have been in active production, the field of consumers which is being catered for, cost structure of the equipment produced, etc.

“त्रिपिटक” का हिन्दी अनुवाद

१९७६. श्री भक्त दर्शन : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बौद्ध ग्रन्थ “त्रिपिटक” का हिन्दी में अनुवाद करने का प्रस्ताव भारत सरकार ने मंजूर कर लिया है ;

(ख) यदि हाँ, तो उस कार्य को सम्पादित करने के लिये क्या व्यवस्था की गई है ; और

(ग) इस कार्य पर कितना धन व्यय होने का अनुमान है और कब तक यह कार्य पूरा हो जायेगा ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) से (ग). विषय अभी विचारार्थन है।

Research Laboratory, Jorhat

1977. Shri J. N. Hazarika: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) when the construction of the Regional Research Laboratory at Jorhat will be completed;

(b) how far the research work has progressed;

(c) what are the difficulties in getting the construction completed as scheduled; and

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(d) what is total estimated cost for the entire project?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Construction of the laboratory is expected to be completed by the end of 1963.

(b) Research on the natural resources of the region has begun by scientific staff of the laboratory temporarily located in other National Laboratories.

(c) Shortages of building materials and difficulties of transport.

(d) About Rs. 90.00 lakhs upto the end of Third Plan.

Purchase of Property from the Princes in Himachal Pradesh

1978. { Shri Mohammad Elias:
Shri S. M. Banerjee:
Shrimati Vimla Devi:
Shri M. K. Kumaran:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Himachal Pradesh Administration has acquired or purchased any property from the princes getting Privy purses or from their family members during the period from 1957-58, to 1961-62; and

(b) the amount paid and the area of land or building acquired or purchased?

The Minister of State in the Ministry of Home Affairs (Shri Datar):

(a) and (b). Information is being collected and will be placed on the Table of the House.

Corruption Cases in Himachal Pradesh

1979. { Shri Mohammad Elias:
Shri S. M. Banerjee:
Shrimati Vimla Devi:
Shri M. K. Kumaran:

Will the Minister of Home Affairs be pleased to state:

(a) the number of cases of corruption investigated by Police in Himachal Pradesh during the period from 1957 to 1961;

(b) the number of cases in which prosecution was launched; and

(c) the number of persons punished in these cases?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The information is being collected and will be laid on the Table of the House.

विश्वविद्यालयों के छात्रों के लिये पुस्तकें

१९८०. श्री विश्वनाथ पाण्डे : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) जिन विश्वविद्यालयों ने क्षेत्रीय भाषाओं को शिक्षा का माध्यम कर दिया है क्या वहाँ विद्यार्थियों के लिये क्षेत्रीय भाषा की पुस्तकें पर्याप्त संख्या में उपलब्ध हैं ; और

(ख) यदि नहीं, तो सरकार इस सम्बन्ध में क्या विचार कर रही है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) और (ख). वे विश्वविद्यालय, जिन्होंने प्रादेशिक भाषा के माध्यम से शिक्षा देनी आरम्भ कर दी है, विद्यार्थियों के प्रयोग के लिये, अपनी सम्बन्धित प्रादेशिक भाषा में, बहुत सी पुस्तकें प्रकाशित कर रहे हैं। परन्तु ऐसी पुस्तकें पर्याप्त नहीं हैं। बहुत से विश्व-विद्यालयों ने, मूल पुस्तकों को तैयार करने और हिन्दी तथा प्रादेशिक भाषाओं में प्रामाणित पुस्तकों के अनुवाद और उनके अनुरूप पुस्तकें बनाने की केन्द्रीय सरकार को योजना भी स्वीकार कर ली है। योजना पर राज्य सरकारों और विश्वविद्यालयों के सहयोग से क्रमिक कार्यक्रम के अनुसार अमल किया जा रहा है।

Cement for Andhra Pradesh

1981. { Shri M. N. Swamy:
Shri Ulaka:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the demand for cement from the Government of Andhra Pradesh

for the second and third quarters of this year;

(b) what is the allocation for the above terms; and

(c) the percentage left over for collectors' permits?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). The following figures indicate demand and allotment of cement to Andhra Pradesh under the State Quota:

Quarters	Demand	Allotment
II/62	1,50,000	69,000 *6,000 Ad hoc
III 62	2,00,000	69,000

(c) The Government of India make bulk allocation of cement every quarter and the detailed break-up as among State Projects, Local Municipal authorities and public (through permits by Collectors or otherwise) is decided by the State Government every quarter.

Financial Powers of Oil and Natural Gas Commission

1982. { Shri P. K. Deo:
Shri Narendra Singh
Mahida:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government are planning to increase the financial powers of the Oil and Natural Gas Commission;

(b) if so, to what extent; and

(c) by what date a Bill is likely to be introduced in Parliament to this effect?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) Yes, Sir.

(b) Under the present Act, the Commission is required to obtain the previous approval of the Central

Government for creating any post, the salary or honorarium of which would be Rs. 2,000/- per month or more, or would be on a scale, the maximum of which is Rs. 2,000/- a month or more, and the appointment of any person to any such post. It is now proposed to enhance the salary limit from Rs. 2000/- to Rs. 2250/- per month.

Under the existing Act, the Commission has to obtain the approval of the Central Government to implement any scheme or proposal which would involve a capital expenditure exceeding Rs. 3 lakhs. It is proposed to enhance this to Rs. 50 lakhs. Also at present, the Commission is required to obtain the previous approval of the Central Government to re-appropriate funds if such re-appropriation has the effect of augmenting the budget provision by more than 20 per cent or by Rs. 7½ lakhs whichever is less. It is now proposed to remove the restriction of Rs. 7½ lakhs.

(c) The Bill is proposed to be introduced very shortly during the current session.

Second Language Convention

1983. **Shri P. Kunhan:** Will the Minister of Home Affairs be pleased to state:

(a) whether any recommendations have been made by the All India Language Convention held in Delhi;

(b) whether the All India Language Convention has demanded the appointment of a Second Language Commission; and

(c) if so, what is the reaction of Government?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Certain reports appearing in Newspapers have come to the notice of Government. There is no mention in these reports of any demand for the appointment of a Second Official Language Commission.

(c) Does not arise.

Blasting of Rocks in Laccadives

1984. **Shri Nallakoya:** Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 2269 on the 23rd March, 1959 and state:

(a) whether any progress has since been made to blast the rocks in Laccadives;

(b) if not, what are the reasons for the delay in implementing the proposals already approved; and

(c) by what time Government propose to implement the scheme?

The Minister of State in the Ministry of Home Affairs (Shri Datar):

(a) to (c). A technical expert was deputed to the islands. His scheme involves a good deal of scarce foreign exchange and is being examined.

Copper Deposits in Alwar

1985. **Shri K. R. Gupta:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that in areas near villages Partapgarh, Jodhavas and other surrounding villages of Tehsil Thana-Gazi, District Alwar (Rajasthan), New Copper Deposits have been found and exploring and drilling work is going on in that area;

(b) if so, since when this exploration and drilling work is going on and what ore the up-to-date results of the same;

(c) how much time will be taken to complete this work and get full results of the same; and

(d) in view of the findings of these deposits whether Government contemplate to take up detailed survey exploration and drilling for copper ore in the Alwar Districts as a whole, with particular attention to Thana-Gazi Rajgarh, Alwar Mundawar and Behror Tehsils of the District?

The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajar-navis): (a) Zones of copper mineralisation occur near Partapgarh and Jodhavas (Rajasthan) and exploratory and drilling work is going on there.

(b) Drilling at Partapgarh was commenced in March, 1960, and at Jodhavas in April, 1961. The results are still inconclusive.

(c) As per the present time-schedule for investigation of copper deposits of Rajasthan, the Geological Survey of India will complete the programme in Jodhavas area by December, 1963, and the Indian Bureau of Mines by December, 1964. In the Partapgarh area, the Geological Survey of India will complete the drilling work by December, 1963 and if the results obtained are favourable the Indian Bureau of Mines will take up the work of detailed investigation and complete their assignment by December, 1967.

(d) Investigation of all the other reported occurrences of copper in Alwar and Jaipur Districts has already been taken up and will be continued throughout the 3rd Plan period. Depending upon the results obtained, detailed exploration by drilling, etc. would be carried out.

Coaching Centre for Scheduled Castes and Scheduled Tribes at Allahabad

1986. Shri Basumatari: Will the Minister of Home Affairs be pleased to state the number of students admitted in the University of Allahabad pre-examination coaching training centre from 1958 to 1961 from among the Scheduled Castes and Scheduled Tribes for recruitment to I.A.S./I.P.S. State-wise showing separate figure for Scheduled Castes and Scheduled Tribes.

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): The information is being collected. A statement will be laid on the Table of the House when the information becomes available.

Rayon Factory

1987. Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) whether it is proposed to start a Rayon Factory in the Defence Sector; and

(b) if so, where it would be located?

The Minister of Defence (Shri Krishna Menon): (a) No, Sir.

(b) Does not arise.

Overtime allowance for armed forces Headquarters Employees

1988. Shri S. M. Banerjee: Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 2568 on the 5th June, 1962 and state:

(a) whether it is a fact that overtime allowance has since been paid to the remaining employees of Armed Forces Headquarters, New Delhi;

(b) if not, the reasons for the delay; and

(c) when these employees are likely to get their allowance?

The Minister of State in the Ministry of Defence (Shri Raghuramaiah): (a) Payments have since been made to a large number of persons who performed overtime work. The claims of the remaining employees are in various stages of scrutiny by the administrative/audit authorities.

(b) and (c). Delay in payment of overtime allowance is mainly due to the fact that claims on account of pay and allowances in respect of Defence Civilians are subject to pre-audit which takes some time. Every effort is however, being made to expedite the payment of the allowance to the persons concerned?

Armed Forces Headquarters Employees

1989. **Shri S. M. Bnerjee:** Will the Minister of Defence be pleased to state:

(a) what is the present ratio of Assistants, Upper Division Clerks and Lower Division Clerks in Armed Forces Headquarters, New Delhi;

(b) whether there is a proposal to increase the ratio of Assistants and Upper Division Clerks;

(c) if so, what is the proposed revised ratio; and

(d) whether the revised ratio is likely to be implemented?

The Minister of State in the Ministry of Defence (Shri Raghuramaiah):

(a) The existing proportion of Assistants, Upper Division Clerks and Lower Division Clerks in Armed Forces Headquarters is as under:—

Assistants	15%
Upper Division Clerks	35%
Lower Division Clerks	50%

(b) to (d). The question whether the existing proportion of Assistants and Upper Division Clerks should be increased and, if so, to what extent is under the consideration of Government.

Gas and Oil in Punjab

1990. { **Shri Narendra Singh**
Mahida:
Shri P. K. Deo:
Shri Solanki:

Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that there is no likelihood of finding gas or oil in commercial quantities in the two drilling rigs in Punjab;

(b) if so, why these rigs have not been abandoned so far; and

(c) how much money Government have spent so far on these rigs?

The Minister of Mines and Fuel

(**Shri K. D. Malaviya**): (a) and (b). As oil occurs in wells drilled with the help of drilling rigs, not in drilling rigs, the question presumably refers to the two wells recently drilled in Punjab—one at Adampur and the other at Janauri.

There is no likelihood of finding oil or gas in the well at Adampur. The well has been abandoned, and the rig is being removed.

The well at Januari is still under test. However, the chances of finding oil or gas in that well are not much.

(c) The expenditure incurred on drilling these two wells has not been separately worked out yet.

Praga Tools Corporation, Andhra Pradesh

1991. **Shri Laxmi Dass:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the Praga Tools Corporation, Andhra Pradesh has registered slow progress;

(b) if so, the reasons therefor;

(c) when the first phase will be completed;

(d) how much production capacity will be increased till the end of the first phase; and

(e) the steps being taken by Government for the expansion of second phase of the above Corporation and details thereof?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) to (e). I presume the Hon'ble Member refers to the expansion programme of the Praga Tools Corporation. The expansion of the Company was planned in 1959 in two phases. Soon after, however, it was decided to merge the first and the second phases and undertake a composite programme of expansion. The revised programme was approved towards

the end of 1960. For the successful implementation of the expansion programme the Corporation has, with the approval of the Government of India, concluded technical collaboration agreements with three U.K. firms for the manufacture of lathe chucks, drill chucks and tool and cutter grinders. The construction of buildings is progressing. A part of the capital equipment required for the manufacture of drill chucks has already arrived and the balance is expected before the end of 1962. The manufacture of drill chucks is expected to commence by the middle of 1963. Orders for machinery required for the manufacture of lathe chucks and tool and cutter grinders are being placed. Assembly operations for tool and cutter grinders have already started. The project will be completed in June 1964. Full production capacity is expected to be utilised by June 1965. The annual turnover after full implementation of the expansion programme is expected to be of the order of Rs. 100 lakhs.

Welfare of Scheduled Castes and Scheduled Tribes in Mysore

1993. **Shri S. B. Patil:** Will the Minister of Home Affairs be pleased to state:

(a) whether any scheme for the welfare of Scheduled Castes and Scheduled Tribes has been formulated in Mysore State during Third Five Year Plan under the Centre and State sectors; and

(b) if so, the details thereof and the amount to be spent?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Yes Sir.

(b) A statement is laid on the Table of the House. [See Appendix II, annexure No. 67].

Prices of Cement

1994. **Shri S. B. Patil:** Will the Minister of Steel and Heavy Industries be pleased to state the production cost and selling price of cement per

ton produced in Bagalkot, Shahabad and Bhadravati (in Mysore State) factories and the reasons for the difference in costs?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): According to estimates made by the Tariff Commission the cost of production of cement in the factories at Bagalkot, Shahabad and Bhadravati (in Mysore State) is as follows:—

	Rs. per tonne
(1) Bagalkot	59.52
(2) Shahabad	56.58*
(3) Bhadravati	61.86]

*The figure mentioned against Shahabad factory is the estimated cost of production of Messrs. Associated Cement Companies Ltd. comprising of 14 factories including that of Shahabad.

The cost of production of cement is dependent on various factors like cost of raw materials, cost of power and fuel, labour and establishment charges, depreciation, overhead expenses etc. which vary from factory to factory.

The ex-works retention price payable in respect of cement produced at these factories has been fixed by the Government at a uniform rate of Rs. 69.50 per tonne of naked cement (after providing for return on capital employed, allowance for rehabilitation, research etc.).

Geophysicists for Third Plan

1995. **Shri R. Barua:** Will the Minister of Education be pleased to state:

(a) whether Government have made any assessment of the requirements of geophysicists in the Third Five Year Plan;

(b) what are the institutions or Universities having facilities for studies in geophysics upto M.Sc. standard;

(c) what is the expected outturn of B.Sc. (Hons.) and M.Sc., in Geophysics from each institution;

(d) whether Government (University Grants Commission) have taken steps to induce Universities other than those which are having geophysics to introduce this subject for B.Sc., and M.Sc., course; and

(e) if so, the details thereof?

The Minister of Education (Dr. K. L. Shirmali): (a) Yes, Sir.

(b) Universities of Andhra and Banaras.

(c) M.Sc.

Andhra. 22 per annum.

Banaras. 12 per annum.

There is no B.Sc. (Hons.) in Geophysics.

(d) and (e). The various Visiting Committees appointed by the University Grants Commission to assess the development proposals of the universities keep in view the recommendations made by the various expert committees particularly with reference to development facilities in applied geology and geophysics. Wherever such centres are required to be started, the Commission considers grant of necessary assistance.

Foreign Exchange Facilities for Students

1996. Shri P. C. Borooah: Will the Minister of Finance be pleased to state:

(a) whether the Reserve Bank has recently decided to allow some relaxation of foreign exchange facilities for educational purposes; and

(b) if so, what relaxations have been allowed and to what category of students these facilities are to be allowed?

The Minister of Finance (Shri Morarji Desai): (a) No, Sir.

(b) The question does not arise.

Steel Plant in South

1997. Shri P. C. Borooah: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether the team of Indian steel experts which recently went to West Germany to study matters for the purposes of establishing a steel plant in the South has since returned to India;

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

(c) what are the main recommendations and observations made by the team in their report?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) to (c). Two members of the team of observers who were deputed abroad to observe smelting and sintering tests in East Germany, Norway and West Germany, have returned to India. The third member is expected to be back soon. They are expected to submit their report shortly.

Coal Movement

1998. Shri P. C. Borooah: Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that the National Coal Development Corporation is holding back output of coal because of transport shortage;

(b) if so, how far the production has been held back; and

(c) what steps are being taken to improve the transport arrangements?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) to (c). The National Coal Development Corporation Limited achieved a rate of production of 13.7 million tons (13.9 million tonnes) in the last quarter of the Second Plan against their target of production of 13.5 million tons (13.7 million tonnes) per year. Subsequently however, production had to be deliberately curtailed. This was principally owing to the unusual rise in

pit-head stocks which increased to 1·67 million tons by 31st March, 1961. During 1961-62, the Corporation produced 7·53 million tons. The Corporation have, however, the capacity to increase production from their Second Plan collieries to the level of their Second Plan target as soon as the pithead stocks position eases.

2. The following steps are being taken to improve the general transport position:—

- (i) The Railways are improving the section capacity and providing additional rolling stock for increased movement of coal.
- (ii) Increased movements are being affected by the sea route to Madras, Kerala and Western India.
- (iii) Increased short distance movement of coal by road.
- (iv) Possibility of moving increased quantities of coal by river/canal is being explored.
- (v) All collieries are being induced to do full loading on Sundays and Holidays.
- (vi) State Governments are being persuaded to set up coal dumps.
- (vii) Increased production of coal in outlying coalfields which are more conveniently situated from the rail transport point.

Reorganisation of Oil and Natural Gas Commission

1993. { Shri P. C. Borooah;
Shri Kajrolkar;
Shri Bhakt Darshan;

Will the Minister of Mines and Fuel be pleased to state:

(a) whether there is a proposal to reorganise the Oil and Natural Gas Commission so as to step up production of oil; and

(b) if so, what main changes are proposed to be introduced in the present set up?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) No, Sir.

(b) Does not arise.

Ankleshwar Oil

2000. Shri P. C. Borooah: Will the Minister of Mines and Fuel be pleased to state:

(a) whether there is a scheme to step up output at Ankleshwar; and

(b) if so, what are the details of the scheme?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) Yes, Sir.

(b) It is proposed to step up the output of crude oil from Ankleshwar from the present rate of 1200 tons per day to 1500 tons per day. Arrangements are being made to provide additional collection, storage and transportation facilities.

Steel for Small Scale Industries of Assam

2001 Shri P. C. Borooah: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the Small Scale Industries of Assam have not been getting steel against quota certificates issued to them for the last three years and are on the verge of collapse;

(b) if so, what steps are being taken to see that the minimum requirements of these industries are met so as to enable them at least to keep going; and

(c) what steps are envisaged to see that their full quota is made available to them in due course?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) to (c). Industries in Assam are getting regular supplies of steel like other States, although it is generally true that supplies of certain restricted categories of steel much short of the demand. The following figures of despatches to Assam would show that

supplies are regularly moving to Assam, to the industries as well as to the Controlled Stockists through whom small scale industries often cash their quota certificates:

(In M. tons)

	Government Indentors	Indus-tries	Controlled stockists	Registered stockists	Total
1961	15700	3928	1574	9354	30,556
Jan-June 1962	8178	759	162	4648	13,74

Supplies of restricted categories fall short of the quotas allotted to the small scale industries, not only in the case of Assam but in the case of other States also. The shortage is generally in sheets and wire, for which categories the Producers are carrying large outstanding orders.

The question of expediting steel supplies to Assam for small scale industries has been recently discussed by the Iron and Steel Controller with the State authorities who have decided to appoint a Liaison Officer at Calcutta to ensure further improvement in the supply of material against outstanding orders.

National Book Trust

2002. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) whether it is proposed to re-organise the National Book Trust; and

(b) if so, the details of the proposal?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) The Memorandum of Association and the Rules of the National Book Trust are being amended with a view to enabling the Trust to function more effectively. The major changes relate to:

- (i) Defining the types of books to be published by the Trust in accordance with its objectives;

- (ii) setting up of an Executive Committee to administer, direct and control the affairs of the Trust;

- (iii) making a provision for review of the work and progress of the Trust by Government; and

- (iv) increasing the number of members from 16 to 19 and limiting the duration of membership to 3 years.

दिल्ली भूमि सुधार अधिनियम

२००४. श्रीमती सावित्री निगम : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि क्या यह सच है कि दिल्ली भूमि सुधार अधिनियम के अनुसार जिन किसानों को भूमिधारी के प्रमाण-पत्र दिये गये थे वे अभी न्यायालय ने इस आधार पर रद्द कर दिये हैं कि माल अफसर को प्रमाण-पत्र देने का कोई हक नहीं था तथा यह प्रमाण-पत्र डिन्टी कमिशनर द्वारा दिये जाने चाहिये थे ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री वातार) : सम्भवतः भूमिधारी प्रमाण पत्रों की ओर निर्देश है। यदि ऐसा है, तो स्थिति इस प्रकार है—सिविल न्यायालयों में अवशिष्ट एक मुकदमे तथा दो अपीलों में ऐसा माना गया था कि सम्बन्धित व्यक्तियों को जारी किये गए प्रमाण-पत्र मान्य नहीं थे, क्योंकि उनको जारी करने वाला अधिकारी केवल रेवेन्यू असिस्टेंट के अधिकार रखता था, तथा दिल्ली भूमि सुधार अधिनियम की धारा ३ के अधीन डिन्टी कमिशनर के रूप में कार्य करने को अधिकृत नहीं था। सिविल न्यायालयों के इन निर्णयों के विरुद्ध अपीलें दायर कर दी गई हैं, तथा उन पर अभी कार्यवाही होनी है।

दिल्ली भूमि सुधार अधिनियम

२००५. श्रीमती सावित्री निगम : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जिन किसानों की जमीन ली गई है उन्हें मुआवजा इसलिये

नहीं दिया गया कि जमींदारों ने अदालती कार्यवाही द्वारा मुआवजे की रकमों की अदा-यगी इस आधार पर रुकवा दी है कि उन्होंने १९५७-५८ में अपनी जमीनों को बेचने का बयाना एक्ट पास होने के पहले दे दिया था ; और

(ख) क्या दिल्ली भूमि सुधार अधि-नियम में सशोधन करने के लिये सरकार कोई कार्यवाही कर रही है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बातर) : (क) किसी विशेष मामले का निर्देश दिये बिना कोई निश्चित उत्तर देना सम्भव नहीं है ।

(ख) प्रश्न ही नहीं उठता ।

Academy of Indian Dance and Music

2006. **Shri P. C. Borooah**: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether an academy of Indian dance and music is proposed to be opened in London;

(b) if so, the cost of its establishment and the recurring expenditure to be incurred on the scheme; and

(c) what courses will be conducted at the academy?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Government have no information.

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

Equipment for Rourkela Steel Plant

2007. **Shri P. C. Borooah**: Will the Minister of **Steel and Heavy Industries** be pleased to state:

(a) whether a three member delegation of Hindustan Steel has left for West Germany recently for placing orders of spares and equipment for the Rourkela Steel Plant;

(b) if so, whether the delegation would also discuss the Rourkela extension scheme; and

(c) when the delegation is expected to return?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) Yes, Sir.

(b) The delegation will examine some questions relating to the Rourkela extension scheme.

(c) Second week of September, 1962.

Amalgamation of New Citizen Bank of India

2008. **Shri Jashvant Mehta**: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the Reserve Bank of India's moratorium order was executed in the case of the New Citizen Bank of India;

(b) whether it is also a fact that the Reserve Bank of India forced a scheme of amalgamation on the said Bank with the Bank of Baroda;

(c) whether it is also a fact that the Bank of Baroda has failed to pay the depositors their deposits as per amalgamation;

(d) if so, the number of depositors who have been fully paid;

(e) the number of depositors who are yet to be paid; and

(f) the reasons for this inordinate delay?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The Central Government issued the order of moratorium in respect of the New Citizen Bank of India on an application made by the Reserve Bank under Section 45 of the Banking Companies Act, 1949, and subsequently sanctioned a scheme for the amalgamation of the said bank with the Bank of Baroda.

(c), (d) and (e). Out of a total of 32,325 depositors 23,541 with claims for amounts not exceeding Rs. 250 have been paid in full. The remaining 8,784 have received the initial payment of Rs. 250 plus the equivalent of 66 per cent. of the balance.

(f) The realisation of the value of the assets of the New Citizen Bank of India and the other amounts due to it has not been very easy and is expected to take some more time.

Cultivation of Tobacco

2009. **Shri Karjee:** Will the Minister of Finance be pleased to state:

(a) the amount of tobacco duty collected from each State during 1960-61; and

(b) the amount of tobacco duty collected from each district of West Bengal during above period?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Statements showing the available information are laid on the Table of the House. [See Appendix II, annexure No. 68].

Koyna Hydro-Electric Project

2010. { **Shri D. C. Sharma:**
 Shri Rameshwar Tantia:
 Shri Bagri:

Will the Minister of Finance be pleased to state:

(a) whether the International Development Association has given a loan for the second stage of the Koyna Hydro-Electric Project in Maharashtra;

(b) if so, the amount of loan and details of the second stage of its development programme; and

(c) the terms of the loan and how it is proposed to be utilised and repaid?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The credit is for \$17.5 million (Rs. 8.33 crores). The second stage of this Project provides for increasing the height of the dam, addition of 340 MW of generating capacity in two power stations, and the extension of transmission system. Full details are given in the credit agreement copies of which will be placed in the Parliament Library as soon as they are received from Washington.

(c) The credit is for a period of 50 years, including a grace period of 10 years. No interest is payable on the credit but a service charge of $\frac{3}{4}$ per cent. per annum is payable to International Development Association for its administrative expenses. The credit will be drawn and repaid by the Government of India, who will separately give necessary financial assistance to Maharashtra Government on the usual terms of Central assistance to State Governments.

12 hrs.

OBITUARY REFERENCE

Mr. Speaker: I have to inform the House of the sad demise of Dr. Bakshi Tek Chand who passed away on the 28th August, 1962 at New Delhi at the age of 79.

Dr. Bakshi Tek Chand was a Member of the Constituent Assembly of India and of the Provisional Parliament during the years 1947 to 1952.

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

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

The Members then stood in silence for a short while.

12.01 hrs.

RE: OMISSION OF ITEM FROM ORDER PAPER

Dr. L. M. Singhvi (Jodhpur): Sir, I rise to a point of order and a point of clarification regarding the omission of Shri K. C. Reddy's motion on Public undertakings. An assurance was given....

Mr. Speaker: Order, order. When we come to some business, then he may raise it. First Calling Attention Shri Bagri.

10.02 hrs.

CALLING ATTENTION TO MAT-
TERS OF URGENT PUBLIC IM-
PORTANCE(i) REPORTED FIRING BY NEPALI SOL-
DIERS AT MIRIS (DARJEELING)

श्री बागड़ी (हिसार) : अध्यक्ष महोदय, मैं नियम १६७ के अन्तर्गत प्रधान मन्त्री का ध्यान निम्न अविलम्बनीय लोक महत्व के विषय की ओर आकृष्ट करता हूँ और चाहता हूँ कि वह इस सम्बन्ध में अपना वक्तव्य दें :—

“नेपाली सैनिकों द्वारा भारतीय क्षेत्र में दार्जिलिंग जिले के मिरिस थाने के अन्तर्गत एक झोंपड़े पर गोलियाँ चलाना और फलस्वरूप दो भारतीयों की मृत्यु”

प्रधान मन्त्री तथा वंदेशिक कार्य मंत्री तथा अणु शक्ति मन्त्री (श्री जवाहरलाल नेहरू) : इस मामले में हमारे पास कोई अधिक इतिला नहीं आई है। हमने तार देकर पूछा है और वहाँ तहकीकात इसकी शुरू की गई है। जैसे ही कुछ मालूम हो जाएगा हम यहाँ रख देंगे।

श्री बागड़ी : अध्यक्ष महोदय....

अध्यक्ष महोदय : अभी इतिला नहीं आई है। इसको मंगवा कर हाउस के सामने रख दिया जाएगा।

श्री जवाहरलाल नेहरू : ज्यादा इतिला नहीं आई है। कुछ आई है। ज्यादा तहकीकात हम कर रहे हैं।

अध्यक्ष महोदय : क्या यह सही है कि दो की मृत्यु हुई ?

श्री जवाहरलाल नेहरू : जो नहीं। जहाँ तक मुझे मालूम है.....

Shri Hem Barua (Gauhati) : My information is....

श्री जवाहरलाल नेहरू : एक जख्मी हुआ और एक मारा गया।

श्री बागड़ी : तीन दिन हुए जबकि खबरों में इस के बारे में संक्षिप्त सी खबर आ गई थी। खबरों के तो सरकार के मुकाबले में कम जानकारी के साधन हैं जबकि केन्द्र के पास राज्य सरकारें भी हैं तथा दूसरे और भी साधन हैं, इन चीजों का मालूम करने के। अगर अब तक खबर नहीं आई है तो कितने दिनों में खबर पहुंच जाएगी।

श्री जवाहरलाल नेहरू : इसकी सूचना हमें बंगाल गवर्नमेंट के द्वारा ही मिल सकती है। उनसे हम ने इसको फौरन मांगा है। उनका जवाब अभी तक नहीं आया है। वे तहकीकात कर रहे हैं। इसके अलावा हमने इंटेलीजेंस ब्यूरो को भी कहा है कि वे तहकीकात करें और वे भी कर रहे हैं। हमारे पास ज्यादा इतिला नहीं आई है। उनका जवाब अभी नहीं आया है।

Shri Hem Barua : May I submit, Sir, this incident took place on the 24th of August. Now, it is the 29th. My information is this. Out of these two men hit by the bullets of the Nepalese forces, one was heavily injured and he was taken to the hospital and he died there. May I request the Prime Minister to ascertain whether that man died or not so as to make a fuller statement.

Mr. Speaker : The Bengal Government have been addressed. Some information has been sent. The rest is being awaited.

Shri Hem Barua : Whether that man died.

Mr. Speaker : The Prime Minister said that one was injured. He wants to find out what happened to the injured man.

Shri Hem Barua : At the same time, may I submit, this was on the 24th. West Bengal is not far away from New Delhi. Why should it take such a long time to have this information?

Shri Jawaharlal Nehru: The Darjeeling Nepal border is fairly far away. Distance does not make much difference.

Shri Hem Barua: There is a police station in Miri where this happened. Information can be obtained from there. I think the Government of West Bengal has sufficient source of information from this district of Darjeeling.

Mr. Speaker: Government would get that information as soon as it is possible.

Shri Rameshwar Tantia (Sikar): May I know whether it has anything to do with the anti-Indian propaganda in the Nepalese press, and if so, whether Government have protested against it?

Mr. Speaker: This refers to a particular incident.

श्री रघुनथ सिंह (वाराणसी) : मैं जानना चाहता हूँ कि ये जो लोग हताहत हुए हैं ये भारतीय हैं या नेपाली हैं ?

श्री जवाहरलाल नेहरू : गालिबन भारतीय होंगे । लेकिन इसका जवाब पूरी तहकीकात के बाद ही दिया जा सकता है ।

(ii) REPORTED MISSING OF ROYAL NEPALESE AIRLINES AIRCRAFT

Shri S. M. Banerjee (Kanpur): Sir, under rule 197, I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:

"The reported missing of an aircraft of the Nepal Royal Airlines with Indian Inspector of Accidents, First Secretary of the Indian Embassy, Nepal and four others on board."

Shri Jawaharlal Nehru: The news of the missing aircraft was first telephoned by our Ambassador in Nepal on the morning of Monday, the 27th August. Immediately, the Air Force

and the Department of Civil Aviation were requested to join in the search. Continuing bad weather since Sunday has hampered the search operations.

The following details about the missing plane have been received from the Director-General of Civil Aviation. The plane, a Pilatus Porter, belonging to the Government of Nepal was on a flight from Pokhara to Dhorpatan where a Royal Nepalese Airlines Dakota crashed on August 1st, 1962. The plane was under the command of Captain Ravi Randhawa, an experienced Indian pilot. It took off from Pokhara at 3 P.M. on Sunday, August, 26th, but failed to land at the air-strip in the Dhorpatan valley.

The six-man team on board was on its way to the site of the wreckage of the RNA Dakota for on-the-spot investigations into the cause of the crash. Among the passengers were Shri A. M. N. Shastri and Shri B. D. Sharma, First Secretary in our Embassy in Nepal. The services of Shri Shastri had been lent by the Government of India to the Government of Nepal for helping in conducting the enquiry into the cause of the Dakota crash. He is an officer of the Directorate of Civil Aviation. The names of the Nepalese officers on board have not so far been released by the Government of Nepal.

Indian Air Force planes are ready to join in the search as soon as the weather clears up. Since both the take-off and the expected landing points are in Nepal territory, IAF planes have positioned themselves to take part in the search operations at the request of the Government of Nepal.

Shri S. M. Banerjee: May I know whether any IAF plane had already flown in search of this plane?

Shri Jawaharlal Nehru: Several times they have tried to go there, but the weather has been so bad that neither the Nepalese planes nor our planes have actually been able to go round about that particular area.

[Shri Jawaharlal Nehru]

meanwhile, the police and others have been asked to make ground searches.

श्री बागड़ी : जो बात प्रधान मन्त्री जी ने कही है, उनको मैं समझा नहीं हूँ और प्रार्थन करता हूँ कि थोड़ा सा हिन्दुस्तानी में भी बताने की कृपा कर दी जाए।

अध्यक्ष महोदय : हमारा एक आदमी भी था उनमें जब वह जहाज चला था। वह जहाज लापता है। मौसम इतना खराब है कि हमारे और जहाज नहीं जा सके हैं। वे इन्तजार कर रहे हैं कि जैसे ही मौसम अच्छा हो उसकी तलाश की जाए। वह इलाका सारा नेपाल सरकार का है। इस वास्ते उनकी सहायता से ही यह सब काम होगा।

श्री बागड़ी : नेपाल सरकार का वह इलाका है। वहाँ पर छानबीन करने के लिये नेपाल सरकार की तरफ से क्या कोई रुकावट है ?

श्री जवाहरलाल नेहरू : कोई रुकावट नहीं है। इस मामले में रुकावट क्या हो सकती है। वे हमारी मदद चाहते हैं कि और हम बखुशी देने के लिये तैयार हैं। लेकिन आप देखें कि करीब करीब एक ही जगह पर दो ऐसे खतरनाक वाकत हो चुके हैं, दो क्रेशिय शायद हो चुके हैं और अब हम तीसरे को उसी जगह भेजें बगैर जरा हालात के बेहतर हुए, वह अच्छा नहीं होगा।

Shrimati Vimla Devi (Eluru): Mr. Speaker, Sir, will you please translate it into English, because I have not been able to understand it?

Mr. Speaker: Two accidents have already taken place, and it would not be safe to risk another and send our plane there unless the weather clears up and the conditions are more favourable.

Shri Hem Barua: The planes are already there.

Shri Rameshwar Tantia: This is the second accident which has occurred within such a short time. May I know

whether Government are taking any special precautions or any special steps to prevent the recurrence of such accidents?

Shri Jawaharlal Nehru: That question should be addressed to the Government of Nepal. It is Nepalese territory, and it is their plane which is missing.

श्री भक्त दशन (गढ़वाल) : श्रीमान्, चूँकि नेपाल में एक ही क्षेत्र में दो दुर्घटनाएँ एक के बाद दूसरी हो चुकी हैं, इसलिये क्या नेपाल गवर्नमेंट को सुझाव दिया जा रहा है कि वह अच्छी तरह से अपने वायुयानों की जांच पड़ताल कर लिया करे, और क्या भारत सरकार इसमें उसे सहायता देगी ?

श्री जवाहरलाल नेहरू : कैसी बात आप फरमाते हैं ? नेपाल गवर्नमेंट खुद ही परेशान होगी और इन्तजाम करेगी। हमारे कोई सुझाव देने की जरूरत नहीं है। अगर हम इस तरह से सुझाव भेजें तो उनको कुछ नागवार गुजरेगा।

12-11 hrs.

PAPER LAID ON THE TABLE
NOTIFICATION UNDER TRIPURA LAND REVENUE AND LAND REFORMS ACT

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table a copy of Notification No. F. 70(37)Rev./59-Vol. II, published in Tripura Gazette dated the 10th April, 1962, containing the Tripura Land Revenue and Land Reforms (Allotment of Land) Rules, 1962, under section 198 of the Tripura Land Revenue and Land Reforms Act, 1960. [Placed in Library. See No. LT-383/62].

12-11½ hrs.

RE: OMISSION OF ITEM FROM
ORDER PAPER

Shri S. M. Banerjee (Kanpur): I have to make a submission about the Order Paper today. In the Order

Paper of 28th August, there was an item concerning Motions to be moved by the hon. Minister of Commerce and Industry....

Mr. Speaker: That was raised here. I will just find out. Let the papers listed in the Order Paper be first laid on the Table

12.12 hrs.

RE: MOTION FOR ADJOURNMENT

Shrimati Renu Chakraverty (Barrackpore): May I ask what has happened to the adjournment motion we had tabled about the modification in the Government's Industrial Policy Resolution? We have not received any information about it—I am sorry. I have just been informed that a communication has been received by us.

12.12½ hrs.

PAPERS LAID ON THE TABLE—
contd

RULES UNDER INCOME TAX ACT

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): I beg to lay on the Table a copy each of the following Rules under section 296 of the Income-tax Act, 1961:

- (i) The Income-tax (Amendment) Rules, 1962, published in Notification No. S.O. 2029 dated the 30th June, 1962.
- (ii) The Income-tax (Second Amendment) Rules, 1962, published in Notification No. S.O. 2565, dated the 10th August 1962. [Placed in Library. See No. LT-384/62].

12.13 hrs.

COMMITTEE ON PRIVATE
MEMBERS' BILLS AND RESO-
LUTIONS

SEVENTH REPORT

Shri Krishnamoorthy Rao (Shimoga): I beg to present the Seventh Report of the Committee on Private Members' Bills and Resolutions.

12.13½ hrs.

STATEMENT RE: DISTRIBUTION
OF G. C. SHEETS

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): During the half-an-hour discussion on the distribution of G. C. Sheets in the House on the 21st June, 1962, it was mentioned by some Hon'ble Members that the despatches to States were not on an equitable basis and some States were unduly favoured by despatch of disproportionately large quantities of sheets. In this connection some criticism was also made against the Iron and Steel Controller personally.

2. I have looked into this matter carefully. The main reason why the despatches to certain States were comparatively higher than to other States was that these States were carrying a much larger back logs of outstanding orders for supply of G. C. Sheets and of much longer duration. Naturally, the despatches had to be arranged by the Iron and Steel Controller in proportion to the outstanding. My enquiry has revealed that there was nothing improper behind these large despatches and there is nothing which would cast a reflection on the integrity of the Iron and Steel Controller.

12.14 hrs.

RE: OMISSION OF ITEM FROM
ORDER PAPER—contd.

Mr. Speaker: Dr. L. M. Singhvi and Shri S. M. Banerjee had raised a point that there has been omission of an item in today's Order Paper.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Perhaps you are aware that there was some reference made to this motion in the other House the other day. Subsequently, a large number of Members of both Houses met informally and they approached me and suggested that this matter should be

[Shri Satya Narayan Sinha]

postponed till the differences between the two Houses with regard to certain powers of the Members of the other House are resolved.

Shri Hari Vishnu Kamath (Hoshangabad): There are no differences yet. It has not been discussed at all in the House.

Shri Hem Barua (Gauhati): They cannot settle the differences. It is for you, the hon. Speaker, to decide.

Mr. Speaker: Let the Minister be allowed to proceed.

Shri Hari Vishnu Kamath: Let him continue.

Mr. Speaker: The hon. Law Minister wishes to say something.

Shri Satya Narayan Sinha: In deference to their wishes, I got this item removed from the agenda for the time being.

Shri Frank Anthony (Nominated—Anglo-Indians): Whose wishes?

Shri Satya Narayan Sinha: Wishes of a large number of Members of both Houses.

Shri Hari Vishnu Kamath: Both Houses? On a point of clarification.

Mr. Speaker: Order, order. The hon. Law Minister.

Shri Hari Vishnu Kamath: Let him further explain.

The Minister of Law (Shri A. K. Sen): May I submit that in fact it is not right to ignore the very strong feeling which was expressed in the Rajya Sabha? The Chairman himself sent for me and I had a long discussion with him yesterday. I submit that it would have been most unseemly not only here but in the world outside if the two Houses came to a conflict on this issue with which Parliament itself is very vitally concerned. Therefore, for a very good reason we have taken it out, to find an area of agreement between the two Houses.

Shri Hari Vishnu Kamath: On a point of clarification, Sir, may I ask the Law Minister to throw some light on this particular aspect of the matter, as to what exactly the point at issue, the point of conflict, in the other place is.

Shri A. K. Sen: The hon. Member was not here when the last Parliament was discussing this. You will recall, Sir, that the original proposal was for the setting up of a joint committee consisting of Members drawn from both Houses. Objection was raised by many Members here on the ground that the functions of the Estimates Committee were peculiar to Members of this House, and it would be wrong to associate Members of the Rajya Sabha with that function; and thereupon, we again had consultations with that House, with the Chairman, our present President.

Mr. Speaker: I do not think the hon. Minister of Law should go into those details at this moment. The hon. Members here in this House feel perturbed, but this is not the occasion that we should take up anything. Let any proposal come. I will only make enquiries whether that proposal is intended to be brought here in the near future or not. When the proposal comes, then this House can look into it, whether any Members...

Several Hon. Members *rose*—

Shrimati Renu Chakravarty (Barrackpore): May I make a submission? After all, even in the last session this resolution came up, but for various reasons it had to be shifted on to this session. Now we are almost at the end of the session. Does it mean that this whole question of the public undertakings is not going to be discussed even in this session, and will it be postponed further, while we find from the papers that an attempt is being made by the Government to modify the Industrial Policy Resolution?

Mr. Speaker: That was the question I put, whether it was intended to bring it here shortly or not.

Shrimati Renu Chakravartty: That must be clearly stated here, because things are being done without letting us know.

Shri Daji (Indore): May I make a statement?

Mr. Speaker: First let the answer come.

Shri Daji: The whole thing may be replied to jointly. Our submission is...

Shri Indrajit Gupta (Calcutta-South West): On a point of clarification, Sir.

Mr. Speaker: Both of them cannot stand simultaneously. One must sit down.

Shri Indrajit Gupta: You decide.

Mr. Speaker: Shri Indrajit Gupta.

Shri Indrajit Gupta: Those of us who had the good fortune to be in the last Parliament recall, as the hon. Law Minister said, that a similar motion—not exactly this motion—was brought forward, and after an inconclusive debate, it was withdrawn, and we were not informed what the future course would be. Again, for the last three days it has appeared on the Order Paper, and suddenly again it is being withdrawn. I only want to know this: when an important motion of this type is intended to be brought forward by the Government, would it not be better for them to decide whether they wish to pursue a certain motion or not, instead of continually bringing it forward on the Order Paper and then taking it out again. How many times is it going to be done?

Shri Daji: My submission is this. You were pleased to rule that this is not the proper occasion to raise it and it should be discussed only when a motion is brought but my difficulty is this, and I think I am echoing the

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opinion of many Members of the House, that when once a motion is tabled and the Order Paper is read out for the entire week and is approved if a particular item is to be withdrawn, at least courtesy requires that the whole House should be informed. It is just withdrawn and we are just left guessing. That is why we had to raise it. We were not informed whether it would come up or not.

Shri Satya Narayan Sinha: Yesterday, after the decision was taken, I had informed you, Sir, informally. There was no time time; otherwise, I would have informed the House.

Shri Hari Vishnu Kamath: The matter is before the House, and it cannot be withdrawn without the consent of the House.

Mr. Speaker: There is no question of getting permission from the House to withdraw only because one item appears on the agenda. Certainly by this change, some inconvenience is caused. That is all right, but if something is brought that causes surprise, the hon. Members can have objection that they were not prepared to take it up, or they did not prepare themselves for that discussion, but simply because one item is dropped at the end, I do not think, unless the House is seized of the matter, any permission is required. Of course, it would be advisable that when once an agenda is prepared, normally it should be followed, because the hon. Members...

Shri S. M. Banerjee rose—

Mr. Speaker: Order, order. I do not think there is anything that has to be discussed just at this moment. That is my difficulty.

Shri Daji: We wanted a clarification.

Mr. Speaker: That question I put, and the hon. Members did not allow the answer to be given.

I have put that question myself whether the Government propose to

[Mr. Speaker]

bring that shortly in this House or whether there is any proposal to postpone it to the next Session or some indefinite period.

Dr. L. M. Singhvi: Before the hon. Minister replies I want to raise a point of order.

Shri P. K. Deo: May I know from the Minister of Parliamentary Affairs if it has been put before the Business Advisory Committee?

Mr. Speaker: That is not the business of the Business Advisory Committee.

Dr. L. M. Singhvi: Sir, on a point of order. Rule 25 of the Rules of Procedure says:

"Provided that such order of business shall not be varied on the day that business is set down for disposal unless the Speaker is satisfied that there is sufficient ground for such variation."

This matter was shown on yesterday's list and the variation was made yesterday to the best of my information. Therefore, if this variation has been made, we are entitled to know whether, in the first place, the Speaker has been fully satisfied that such variation was called for. It is only after that that we can make further comment.

Mr. Speaker: I do not think this proviso means what the hon. Member tries to make out.

"Provided that such order of business shall not be varied on the day....".

If it is entered here and if it is intended to vary that, it would be a different thing. At that time, certainly, the House would be consulted and some explanation would be given for the variation to be made in the agenda if it has to be done that day. This was put yesterday....

Dr. L. M. Singhvi: And varied yesterday.

Mr. Speaker: Might have been varied. I got that information. That was also informal, but at the last moment. I thought that the Government had no intention to put it here on the next day's agenda. Advance information is given. So far as the business of the day is concerned, there is no variation that has been made. (Interruptions). I think the only question is that the Members want to know whether the matter is coming at all for discussion or not. And much is made of that. That is all I wanted to know.

Shri P. K. Deo rose:

श्री सत्य नारायण सिंह : आप भी कह लीजिए ।

Shri P. K. Deo (Kalahandi): I just wanted to find out....

अध्यक्ष महोदय : आप उनके कहने से खड़े हो गये मेने तो इजाजत नहीं दी ।

Shri Satya Narayan Sinha: I have explained the circumstances in which this postponement is made; and I am afraid it will not be possible to bring the motion in this Session at least.

Shri P. K. Deo: I just wanted to find out if this withdrawal from the List of Business has been done *suo motu* by the Minister of Parliamentary Affairs or according to the decision of the Business Advisory Committee.

Mr. Speaker: The Business Advisory Committee has nothing to do with the Order of Business or the priorities that are to be given to any particular item. The Business Advisory Committee only allots time to the items that are brought by the Government before it. The agenda is put before the Committee by the Government and the Committee's job is only to allot time and not to arrange priorities or to prepare the Order Paper.

Shri Hem Barua: May I seek a clarification from you, Sir? Is it because of the fact that objection has been raised in the other House that there has been the postponement of this item? And, now, the Minister declares that it may not come at all during this Session. May I know from you whether the relationship of this House with the other House in certain matters, financial and things like that, has later on been defined? As far as I remember, it was defined during the late Speaker Mavalankar's time and it was well defined (*Interruptions*). I raise this because the Law Minister has objected to my saying like that. We are not here because of the precedents before us. We are not here to bow down to the objections the other House might have.

Mr. Speaker: Order, order. The hon. Member may kindly resume his seat. As I said earlier, it is premature just at this moment to criticise anything or to discuss anything or to raise any controversy. When the actual thing comes in, certainly we shall say what we have to say. I know hon. Members are very zealous of guarding their own rights. If they want to take any exception they can take it when something concrete comes before them. The only objection they can now take, as was taken by Shrimati Renu Chakravartty, is this. It was put in the last session; then it was put for this session. Now it is being postponed once again. That is the only objection.... (*Interruptions*).

Shrimati Renu Chakravartty: It is a very important matter regarding the public sector but I feel that this matter is being pushed out and this House is not permitted to consider it. The hon. Minister of Parliamentary Affairs knew it; we had a lot of discussion as to when this should be brought forward. He had discussions with me also about the difficulties; he mentioned those points also. Now just seven days before the session ends, we are told that it will

not be possible. Will not the country surmise that the Government is not serious about the question of the public sector and its proper functioning?... (*Interruptions*).

Shri Satya Narayan Sinha: I may say that the whole trouble has arisen because of the Leader of the hon. Members in the other House; otherwise this question would not have arisen.

Shrimati Renu Chakravartty: As if you always listen to everything that the Leader of the Opposition in the Other House says? Why not you settle it with him?... (*Interruptions*).

Dr. L. M. Singhvi: The proposal has been before us for a long time. Now some sort of a pill has been administered and there is an abortion. I want to know how this could be done without taking the House into confidence? The opinion of the other House has counted so much with the Government.... (*Interruptions*).

Mr. Speaker: Order, order. That is not the question at all. I do not think any further discussion is required at this moment. The only objection in which I could find some substance is that the Government has been giving the assurance that the Committee was being constituted. But so far the work is being done by the Estimates Committee and that is going on. There is a sub-committee of fifteen Members to look into the public undertakings only.... (*Interruptions*). Order, order. I do not think there is anything to be discussed. It is not relevant here to say that the Government has been swayed by the other House or something else.... (*Interruptions*).

Shri Hari Vishnu Kamath: There is something pertaining to your own exalted self and I would make a brief submission. This morning, papers carried the news that the Chairman of the Council has told that House,

[Shri Hari Vishnu Kamath]

that is the Council, that he will consult you in this matter. Have you been consulted so far by the Chairman?

Mr. Speaker: If I have any consultations with the Chairman, I do not think the Members should require me to disclose all that.... (*Interruptions*).

Shri Hari Vishnu Kamath: No, not the content of the talk, but only whether you have been consulted or not.

Mr. Speaker: If he wants to know only the fact whether I had any meeting with him on this, I may say that he has not consulted me.

Shrimati Renu Chakravartty: I may submit that it is not a question of a quarrel between this House and the upper House.

Mr. Speaker: It is a quarrel among ourselves.

Shrimati Renu Chakravartty: No, Sir. There has been a sort of an insinuation by certain Members that the Lok Sabha Members are against giving equal rights to the Rajya Sabha Members. That is not the point. Our point is that the Government can arrange a meeting between some or a large number of Lok Sabha Members and Rajya Sabha Members and thrash out these points even within 24 hours so that we can have this discussion by the end of this session. Surely that spirit of co-operation can be assured.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Sir, I do not know if the hon. Member really intended to say that the Government was trying to postpone this discussion. Government has been trying to get it through; it is Government's proposition and it is Government's proposal. But the fact of the matter is that a resolution, or whatever it was, was carefully drafted, but it did not meet with the approval of the other House. I am not going into that question now. The

only question, therefore, is that it is desirable for us to find some form of words which is agreeable to this House and agreeable to the other House. Yesterday, an attempt was made for sometime. It did not succeed, and if it can succeed today or tomorrow, well and good, and we shall have those discussions. But if it did not succeed yesterday, it is doubtful whether it will succeed within 24 hours' time. That is our difficulty. If it succeeds, it is good.

Some Hon. Members rose--

Mr. Speaker: Order, order. There should be some end to this. With all respect, I have to make a submission to this House and I would like the Government also to consider it. The Government ought to have taken this into account beforehand. It ought to have been considered earlier before the matter was brought before this House. When a matter has been brought before this House, then—I am not raising any controversy—we are seized of the matter. But it should not be for the second House—be it there or here—that they should anticipate what would happen and then raise objection. This matter could have gone there and they must have discussed it there when the opportunity arose. Before that could be done, objections were taken, and then, at once, some observations were made, and the Government took some attitude. If the was before this House, of course, it would have been allowed to go on, and then, when the opportunity was there, certainly they could have discussed it or taken any objection to that. If the Government had any fears they should have discussed that earlier and come to a decision where all Members should have agreed. I do not say that there are any differences between the two Houses or that any controversy should be raised. There ought not to exist any superiority of one House over the other. Both are

equal wings of the same Parliament and we have to carry on harmoniously and set down certain conventions.

Shri Frank Anthony (Nominated—Anglo-Indian): I doubt that.

Shri Hari Vishnu Kamath: Not quite equal.

Shri Hem Barua: Their powers are not the same.

Mr. Speaker: The Constitution itself has laid down the spheres, and certain powers, and they would be respected always. That is there. But now that the matter has come to that stage, as has been suggested by Shrimati Renu Chakravartty, the Government might take early steps just to have these matters settled as soon as possible.

Shri Hari Vishnu Kamath: Can they not do it within a week?

Mr. Speaker: I do not know. I cannot insist anything like that.

Shri Hari Vishnu Kamath: If they have the will, they can. They have no will in the matter.

Mr. Speaker: Order, order. We now take up clause-by-clause consideration of the State of Nagaland Bill.

12.33 hrs.

STATE OF NAGALAND BILL—contd.

Mr. Speaker: We now take up clause 2.

Shri Hari Vishnu Kamath (Hoshangabad): I have amendment No. 6. I beg to move:

Page 1, line 7 and wherever it occurs—

for “Central” substitute
“Union”(6).

Under the Constitution, there is no such entity as the “Central” Government. We have only the “Union”

Government in the Constitution and therefore I would ask the Law Minister to accept this simple amendment to bring the Statute into conformity with the Constitution.

The Minister of Law (Shri A. K. Sen): In the General Clauses Act which is the dictionary for the interpretation of our statutes the word is “Central” Government, and therefore, all our statutes use the word “Central” Government, and we should not break that long tradition and amend the General Clauses Act for that purpose.

Mr. Speaker: So, the hon. Member does not press it, I believe.

Shri Hari Vishnu Kamath: I do not press my amendment.

*The amendment was, by leave,
withdrawn.*

Mr. Speaker: The question is:

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Speaker: Then, I shall put clauses 3 to 6 together.

Shri Hari Vishnu Kamath: I request you to take each clause separately.

Mr. Speaker: There are no amendments.

Shri Hari Vishnu Kamath: Under Rule 88 they may be put separately. I would make an earnest appeal to you. I would like to speak on them, though there may not be any amendment.

Mr. Speaker If it is the desire that any clause should be taken up separately, certainly I shall do so. If the hon. Member wants any clause to be taken up separately and speak on it, I shall take that clause separately. Does he want to speak on clauses 3 to 6?

Shri Hari Vishnu Kamath: I would like to speak on clause 6.

Mr. Speaker: Then, I shall put clauses 3 to 5 together.

The question is:

"That clauses 3 to 5 stand part of the Bill".

The motion was adopted.

Clauses 3 to 5 were added to the Bill.

Clause 6.- (Representation in Council of States)

Shri Hari Vishnu Kamath: I have got an amendment....

Mr. Speaker: There is no amendment from him to clause 6.

Shri Hari Vishnu Kamath: I am sorry; it is to clause 7.

Mr. Speaker: The question is:

"That clause 6 stand part of the Bill".

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7.— (Bye-election to fill vacancy)

Shri Hari Vishnu Kamath: I beg to move:

- (i) Page 3, lines 9 and 10, for "a bye-election" substitute "an election" (7).
- (ii) Page 3, line 10, omit "the vacancy in" (8).

The second amendment is a consequential amendment to the first. If the amendments are accepted, the clause would read as follows:

"As soon as may be after the appointed day, there shall be held an election to fill the seat allotted to the State of Nagaland in the Council of States."

May I invite your attention and the

attention of the House to clause 10 of the Bill, where the language used is similar to the language I have proposed in my amendments? Clause 10 reads as follows:

"The sitting member of the House of the People representing immediately before the appointed day, the Naga Hills-Tuensang Area shall, as from that day, represent the State of Nagaland in that House and shall continue to do so until a person is elected in accordance with law to fill the seat allotted to the parliamentary constituency of Nagaland".

I do not know whether there is a seat at present allotted to that region in the Council of States, so that as a consequence of this law being passed, it falls vacant. But if that is not the position, it is, to use a very mild word, laughable that there is a bye-election. When there is no seat at all, how can there be a vacancy? When a seat has been filled once there can be a vacancy caused by resignation, by death or otherwise. But when a seat is being allotted to that State, that is required to be filled by an election and not a bye-election. Therefore, I hope the Minister will accept my amendments.

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): I am told that in drafting matters, the word "vacancy" was perhaps a correct word, but looking from the point of view of English, I think the hon. Member's amendments are desirable. Therefore, I am prepared to accept the amendments. That is, the clause will read:

"...there shall be held an election to fill the seat allotted to the State of Nagaland...."

Shri Hari Vishnu Kamath: Thank you.

Mr. Speaker: Amendments Nos. 7 and 8 have been accepted by the Government. I shall now put them to the vote of the House.

The question is:

Page 3, lines 9 and 10, for "a bye-election" substitute "an election" (7).

The motion was adopted.

Mr. Speaker: The question is:

Page 3, line 10, omit "the vacancy in" (8).

The motion was adopted.

Mr. Speaker: The question is:

"That clause 7, as amended, stand part of the Bill".

The motion was adopted.

Clause 7, as amended, was added to the Bill.

Clauses 8 to 10 were added to the Bill.

Clause 11.—(Strength of Legislative Assembly)

Mr. Speaker: Is any amendment going to be moved? No.

The question is:

"That clause 11 stand part of the Bill".

The motion was adopted.

Clause 11 was added to the Bill.

Clause 12—(Rules of Procedure)

Mr. Speaker: Is amendment No. 19 for the insertion of new clause 11A going to be moved? No.

The question is:

"That clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Shri Hari Vishnu Kamath: I would request you to go a little more slowly.

Clause 13.—(Common High Court for Assam and Nagaland).

Shri Hari Vishnu Kamath: I want to speak on that clause.

Mr. Speaker: First let me find out whether amendments Nos. 20 and 21 are going to be moved. No.

Shri Hari Vishnu Kamath: A deep study of clause 13 will yield certain desirable results. I feel it is not quite invulnerable on grounds of the Constitution. I will invite, at the outset, your attention and the attention of the House to article 214 of the Constitution. Article 214 of the Constitution is regarding the High Courts in the States. I suppose that this clause pertains to High Courts in the States. Article 214 reads as follows:

"There shall be a High Court for each State".

Mark the word, Sir, the word used is "Shall". Now, it is quite unexceptionable for the Government to constitute a High Court for the State of Nagaland. I do not dispute that point. But the point at issue is whether by adopting or passing this clause of the Bill you will not violate article 214 of the Constitution as it has been applied to Assam, because Assam will be deprived of a High Court for itself. According to this article, there shall be a High Court in each State. "A High Court" means a separate High Court for each State. Here you are creating a common High Court. I welcome the principle. I suggested in 1956 during the debate on the States Reorganisation Bill, that there should be common High Courts for zones in India. I suggested then, but it was not accepted, common High Courts and common Governors for five zones in India. I wish it had been accepted; but it was rejected. But today they are up against this hurdle of the Constitution which says: "There shall be a High Court for each State". According to the interpretation of the debates in the Constituent Assembly, at that time, if I remember a right, the trend and the conclusion of the debates was that every State in India shall have a separate High Court.

Mr. Speaker: Where does he read the word "separate"?

Shri Hari Vishnu Kamath: That is my interpretation of the article which says: "There shall be a High Court....."

Mr. Speaker: He may read article 231 also.

Shri Hari Vishnu Kamath: Article 231 says:

"Notwithstanding anything contained in the preceding provisions of this Chapter, Parliament may by law establish a common High Court for two or more States or for two or more States and a Union territory."

Dr. M. S. Aney (Nagpur): That was on your suggestion.

An Hon. Member: Withdraw.

Shri Tyagi (Dehra Dun): Don't bother now.

Shri Hari Vishnu Kamath: Anyway, Sir, I will speak on other aspects of the matter.

Dr. M. S. Aney: Do you remember that this article was inserted at your request in the Constituent Assembly?

Shri Hari Vishnu Kamath: I proposed that in the States Reorganisation Bill. It may be that my hon. friend, the elder statesman, has better memory than myself. I yield on that point.

May I ask, Sir, for more light to be thrown on certain other aspects of this matter: In the first place, it is said here in clause 13:

"(2) Expenditure in respect of the salaries and allowances of the Judges of the common High Court shall be allocated between the State of Assam and the State of Nagaland in such proportion as the President may by order determine".

I would like,—of course, I have not given an amendment in this matter—

as I said yesterday, to assert the supremacy of Parliament, a very healthy principle which has been upheld in the Constitution in respect of various articles, to request the Government to provide for the orders of the President to be laid before Parliament.

Secondly, I would like to know from the Government where exactly this High Court will function; that is to say, whether it will have two functions from one seat or whether there will be two separate seats, one in Shillong and the other at Kohima or somewhere else in Nagaland. I want to know whether there will be a Bench in Kohima or whether the High Court will be permanently at Shillong. To satisfy the demand that will be created owing to the creation of a separate State of Nagaland, to satisfy the wishes and desires of the people there, we should go a step further and also provide for a efficient Bench, a numerically strong Bench of the High Court at Kohima or some other place in Nagaland. I would ask Government to go into this matter.

Shri A. K. Sen: So far as the allocation of expenditure between the Assam Government and the Nagaland Government is concerned, that must be left to the President. We cannot give the details now. As to the question of placing it before Parliament it is such a minor matter, that I do not think anybody will be interested in it. Nobody will read it. The expenditure on the High Court is charged to the Consolidated Fund. We have to carry on the High Court.

With regard to having a Bench at Kohima, it cannot be dictated from here. It is for the High Court to determine where it will sit. If it is feasible and if other conditions warrant having a Bench in Kohima, I have no doubt that the High Court will listen to a demand in this behalf, but we should not dictate to the High Court where they should sit or where they should not sit.

Mr. Speaker: Anyhow, there is no amendment. Now the question is:

"That clause 13 stand part of the Bill".

The motion was adopted.

Clause 13 was added to the Bill.

Clauses 14 to 18 were added to the Bill.

Clause 19 was added to the Bill.

Clause 20 to 22 were added to the Bill.

Clause 23.—(Distribution of revenues)

Shri Jawaharlal Nehru: I beg to move:

(i) Page 8, line 34,—omit "(1)".
(2).

(ii) Page 9,—omit lines 5 to 8.
(3).

In clause 23 the second paragraph seems to be redundant. It is obviously correct but it is redundant. So, I submit that sub-clause (2) of clause 23 should be deleted and the figure "(1)" before sub-clause (1) should be removed.

Shri Hari Vishnu Kamath: How is it redundant?

Shri A. K. Sen: It is not necessary.

Mr. Speaker: The question is:

(i) Page 8, line 34,—omit "(1)".
(2).

(ii) Page 9,—Omit lines 5 to 8".
(3).

The motion was adopted.

Mr. Speaker: The question is:

"That clause 23, as amended, stand part of the Bill".

The motion was adopted.

Clause 23, as amended, was added to the Bill.

Clauses 24 to 27 were added to the Bill.

Clause 28—(Provisions as to continuance of courts and of officers etc.).

Shri Hari Vishnu Kamath: I beg to move:

Page 10, line 21,—

after "inconsistent with" insert
"or repugnant to" (23).

If the amendment is accepted, it will read as follows:—

"All courts and tribunals and all authorities discharging lawful functions throughout the Naga Hills-Tuensang Area or any part thereof immediately before the appointed day shall, unless their continuance is inconsistent with or repugnant to the provisions of this Act or until other provision is made by a competent Legislature.....".

I want to make it, if I may use the word, absolutely foolproof from the legal point of view and I should think that it will be acceptable to the hon. Law Minister and the Prime Minister.

Shri Jawaharlal Nehru: The words 'inconsistent with' are much wider. They cover repugnant too. Therefore it is just a redundancy and adding a few more words. I submit that we should not add words unnecessarily.

Shri Hari Vishnu Kamath: May I submit that it has a different connotation? I do not seek to replace or substitute some words but add the words 'or repugnant to'.

Mr. Speaker: The Government's position is that what is inconsistent must be repugnant also. So, I need not put it. He may withdraw it.

Shri Hari Vishnu Kamath: That is all right. I withdraw it.

The amendment was, by leave, withdrawn.

Mr. Speaker: The question is:

"That clause 28 stand part of the Bill."

The motion was adopted.

Clause 23 was added to the Bill.

Clauses 29 and 30 were added to the Bill.

Clause 31— (Power to remove difficulties)

Shri Hari Vishnu Kamath: Sir, by your leave I beg to move:—

Page 11,—

after line 6, insert—

“Provided that every order made under this section shall be laid before Parliament.” (25)

That is amendment No. 25, the last amendment in this List. I submit that this clause confers very extensive powers. I do not dispute the necessity or the desirability of such conferral, but I would only like to submit once again—I did it yesterday; I did it just a few minutes ago and I am reiterating my position—that in such matters the supremacy of Parliament must be upheld and accepted by the Government as well as by everybody else in this House. Here it provides—will you please read the language of this clause—

“If any difficulty arises in giving effect to the provisions of this Act.....”.

There are too many ‘anys’ in this clause; too often the word ‘any’ comes in. It says:

“If any difficulty arises in giving effect to the provisions of this Act, the President may, by order, do anything.....”.

This is very sweeping. I do not suggest that there will be misuse by the President of these powers, but it says that the President may do anything. Of course, there is a provision saying:—

“not inconsistent with such provisions which appears to him.....”.

to him, Sir, not to the House or the Parliament—

“to be necessary or expedient for the purpose of removing the difficulty.”

I have no doubt in my mind that we will have a succession of very able and wise Presidents in this land, but you cannot guarantee that. God alone knows what is in store for our country. So, this amendment will do good, I hope, in the future, in the coming years and centuries. To confer such a power and not to safeguard that power by Parliamentary supervision over that is inconsistent with the principles of parliamentary democracy that we have espoused and enshrined in our Constitution. Parliament is supreme and any order made by the President should be brought before the Parliament, specially an order made under a provision like this. With all due respect to the Treasury Benches and my hon. colleagues on the other side as well as on this side of the House, I would say before I close that any colleague of mine in this House will only stultify himself by not accepting the principle of the sovereignty of Parliament which I have sought to embody in this amendment. With this I commend this amendment to the acceptance of the House.

Shri Tyagi: What is the amendment?

Mr. Speaker: The amendment is that every order made should be placed before the House.

Shri Hari Vishnu Kamath: It reads:

“Provided that every order made under this section shall be laid before Parliament.”

The clause provides that you can do anything.

Shri Tyagi: Sir, I have to say something. I beg to support this amendment. I think enough damage has been done to the prestige of Parliament yesterday by providing that if the Governor issued some order or took some action which was contrary to the law, even contrary to the law enacted by Parliament, he was free to do so and that was not to be

brought either to the notice of Parliament or for the assent of the President. In the Schedule to the Constitution to which reference was made by the hon. Law Minister there is a provision already that no such law shall be brought into effect unless it has obtained the assent of the President, that is, at least of some elected representative of the people. Now, the Governor is not an elected representative. Therefore a non-elected representative should not have the freedom to override the decisions taken by the sovereign Parliament. The House has agreed to it and I do not want to criticise that. But in this case it would be but fair that any such order made by the President, although the President's order means the order of the Government of India—it is not the order of a single individual as is the case with the Governor; the President means the Government of India—is placed before this House. This section must be there because situations might arise where the Government has to act and cannot leave things to themselves. If the provisions of this Act are not really brought into effect, it is the responsibility of the Government to do the needful. But then it would be but fair that the orders which are in contravention of this are placed before this House.

Mr. Speaker: I would draw the attention of the hon. Prime Minister and the hon. Law Minister to article 392 of the Constitution in the Part relating to temporary and transitional provisions. Even under article 392 which says:—

“The President may, for the purpose of removing any difficulties, particularly in relation to the transition from the provisions of the Government of India Act, 1935.....”

it was provided, namely:—

“Every order made under clause (1) shall be laid before Parliament.”

Is there any difficulty in providing that here?

Shri Jawaharlal Nehru: There is no particular difficulty. I would not argue this matter. There are some consideration because of which perhaps it would have been better; but I am prepared to accept it, that is, the order to be laid before both the Houses.

Shri Hari Vishnu Kamath: Parliament means both Houses.

Shri A. K. Sen: The language that we apply in all the statutes is “laid before both Houses of Parliament”.

Shri Hari Vishnu Kamath: Article 392 says:—

“shall be laid before Parliament”.

Shri A. K. Sen: We have been using that language in all the statutes.

Shri Hari Vishnu Kamath: I accept his amendment to my amendment.

Mr. Speaker: I will put the amendment of Shri Kamath (No. 25) with the modification now suggested.

Shri A. K. Sen: May I also suggest a slight alteration? Clause 32 does not speak of an order but of rules made by notification. So, in place of the words “every order” the words “every such notification” will be better.

Shri Hari Vishnu Kamath: I am sorry, Sir, I have to interrupt my hon. friend, the hon. Law Minister. We are on clause 31 and not on clause 32.

Shri A. K. Sen: Then it is all right.

Mr. Speaker: The question is:

Page 11,—

after line 6, insert—

“(2) Every order made under this section shall be laid before each House of Parliament.” (25 as modified.).

The motion was adopted.

Mr. Speaker: The question is:

"That clause 31, as amended, stand part of the Bill."

The motion was adopted.

Clause 31, as amended, was added to the Bill.

Clauses 32 and 33 and the Schedule were added to the Bill.

13 hrs.

Clause 1—(Short Title)

Shri Hari Vishnu Kamath: I have given notice of an amendment to my amendments this morning. I think it is with you, Sir. Under the rules, I believe that it requires not one day's notice, but it can be given notice of..

Mr. Speaker: The hon. Member might move it. I shall allow him.

Shri Tyagi: Is it permissible? I just want a clarification.

Shri Hari Vishnu Kamath: I shall enlighten my hon. friend on that point.

Shri Tyagi: Can an hon. Member amend his own amendment?

Mr. Speaker: While moving it, he can amend it.

Shri Hari Vishnu Kamath: I think that under rule 80, it is permissible.

I beg to move:

(i) Page 1, line 5 and wherever it occurs—for 'Nagaland' substitute 'that is, Naga Lima' (4).

(ii) Page 1, line 5 and wherever it occurs,—for 'Nagaland' substitute 'that is, Naga Pradesh'. (5).

I move, therefore, that clause 1 be amended as follows. If the amendments suggested by me are accepted, clause 1 will read as follows:

"This Act may be called the State of Nagaland, that is, Naga Lima, Act, 1962".

—that is as in the Constitution—

Or, failing that, it will read thus:

"This Act may be called the State of Nagaland, that is, Naga Pradesh, Act, 1962."

May I invite your attention and the attention of the Prime Minister and my other colleagues in this House to what happened in the Constituent Assembly on the 18th September, 1949? I have got here the proceedings of the Constituent Assembly, of that date, from the Library this morning.

The original draft of article 1 in the Constitution, as my colleagues, that is, former colleagues in the Assembly, will remember, was to the effect that:

"India shall be a Union of States."

There was a very elaborate, very fine and very extensive discussion on that article to the effect that 'India shall be a Union of States'. Sir, you will also recall that debate in the Constituent Assembly.

There was so much pressure, and rightly so, exercised by Members, cutting across party lines, to the effect that it should read:

"India, that is, Bharat, shall be a Union of States."

Ultimately, in the final draft of the Constitution Bill, Dr. Ambedkar himself moved this amendment, which, therefore, I suppose, was acceptable to the Prime Minister and his colleagues in the Constituent Assembly. And the final draft which was moved in the Constituent Assembly and ultimately accepted by the Assembly unanimously was to this effect, namely:

"India, that is, Bharat, shall be a Union of States."

Yesterday, this point was argued and pressed here that in order to promote and to encourage the sense of oneness and to dispel the sense of separatism and estrangement between Nagaland and India, which might arise in either the rest of India or elsewhere in the country or even outside the country, this amendment should be accepted. I would again appeal to the Prime Minister that it is not too late for him to make up his mind as he did, and very wisely too, on

article 1 of the Constitution Bill. He was, I suppose, first not in favour of it, but ultimately he had to bow to the will of the Constituent Assembly, and I would appeal to him once again to accept this amendment.

If this is accepted, then Government can bring forward one-line amending Bill to the Constitution (Thirteenth Amendment) Bill which we passed yesterday, and make the consequential amendment accordingly therein as well.

Shri Tyagi: On a point of order. This is irrelevant because we have already adopted clause 3 of the Bill which reads thus:

"As from the appointed day, there shall be formed a new State to be known as the State of Nagaland comprising the territories....."

So, the State has already been named by us as Nagaland. So, to bring about some change in the title of the Bill alone would not, in my opinion, be proper.

Shri Hari Vishnu Kamath: I am afraid that my hon. friend has not got the list of amendments before him. It is unfortunate that he has not seen the list of amendments. My amendment says 'wherever it occurs in the Bill'. And clause 1 is taken up only at the end.

Mr. Speaker: But we cannot amend the Constitution (Thirteenth Amendment) Bill by taking vote on this amendment now.

Shri Hari Vishnu Kamath: What I said was this. If this is accepted by the House, an amending Bill can be brought forward to that Bill which we passed yesterday.

Shri Tyagi: I want your ruling, Sir, on the point which I had raised.

Mr. Speaker: I shall give that ruling. Let me hear the hon. Law Minister also

Shri A. K. Sen: I must say that Shri Tyagi is right. Rule 80(2) of our Rules of Procedure and Conduct of Business in Lok Sabha says:

"An amendment shall not be inconsistent with any previous decision of the House on the same question."

The previous decision of the House, unfortunately for Shri Hari Vishnu Kamath, is embodied in the Constitution (Thirteenth Amendment) Bill now.

Shri Hari Vishnu Kamath: That is unfortunate for me; but it is also true, unfortunately for me, that my amendments Nos. 4 and 5 read as follows:

"Page 1, line 5 and wherever it occurs."

Unfortunately for me, clause 1 was put only at the end. If clause 1 had come up at the beginning, then it would have applied to the whole Bill. But it is usually the practice that clause 1 is taken up only at the end of the Bill for voting. That is unfortunate for me.

Mr. Speaker: That is how the rules provide and that is how we have proceeded. I did not do anything extraordinary.

Shri Hari Vishnu Kamath: I am not blaming you, Sir, at all; far from it.

Does it mean that henceforward, whenever we table amendments to a particular word or words occurring several times in the Bill, we shall have to repeat that amendment in respect of every clause? That has never been done so far. I have been in this House for nearly eight years, and it has never been done; the same amendment has never been moved to every clause in respect of this kind of thing.

Mr. Speaker: There is the difficulty pointed out by the hon. Law Minister also that an amendment shall not be

[Shri Hari Vishnu Kamath]

inconsistent with any previous decision of the House on the same question.

I think that that is so far as a Bill is concerned, so far as the clauses or the Schedule to a Bill is concerned. Now, we are on the second Bill...

Shri Tyagi: But we have already adopted clause 3.

Mr. Speaker: ...We took that decision yesterday in regard to another Bill.

Shri Tyagi: But I submit that we have already adopted clause 3 of the present Bill, and the voting has already been done.

Mr. Speaker: I agree; then, that would bar these amendments certainly.

Shri Hari Vishnu Kamath: For future guidance, I must know it. Does it mean that if a word or term which we propose to amend occurs several times in a Bill, henceforth, we should depart from the usual practice that has prevailed in this House that the Member may propose an amendment to clause 1 if it occurs for the first time, and then say 'wherever it occurs in the Bill'? That has been the practice always. I have never seen anything different before, and we have done this before, and, therefore, there should be no objection to this. Here, I have got an amendment only to clause 1. When clause 3 where also the term 'Nagaland' occurs was taken up, if I had said that I had an amendment in respect of that also, then, perhaps it would have been taken up at that stage, but I could not, because clause 1 comes only at the end for voting.

Mr. Speaker: The hon. Member knew the procedure that would be adopted. When clause 3 was taken up, he ought to have been cautious and brought this to the notice of the House at that time that this amendment was also there, because that was the first opportunity that arose. If he had moved this amendment at that time and then said that wherever the term occurred, this

amendment should be made, that would have been all right. But, now, we have taken a decision already; and the hon. Member did not object to it at that time. My difficulty is that the decision of the House is there on a particular subject, and on the same question, I cannot put it to the House again to take a different view.

Shri Hari Vishnu Kamath: Is it not open to the House to review or revise its decision?

Shri Tyagi: There is also another point. Clause 1 cannot be operative in character. It only deals with naming the Bill. Therefore, any amendment to this clause which affects other clauses which are of an operative character is not possible.

Mr. Speaker: I have already said that it would be out of order now.

Shri Hari Vishnu Kamath: May I say this, again, on a point of order? Is it not open to the House to review or revise its own decision on a motion made by a Member?

Mr. Speaker: There is a regular procedure for it. It cannot be done as we proceed, and it cannot be said that one clause might be dealt with in a particular manner and another in quite a different manner. That is not done.

Shri Hari Vishnu Kamath: It is only on a technical ground that you have ruled it out.

Mr. Speaker: The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill

The Enacting Formula and the Long Title were added to the Bill.

Shri Jawaharlal Nehru: I beg to move:

"That the Bill, as amended, be passed."

Mr. Speaker: Motion moved:

"That the Bill, as amended, be passed."

Two hon. Members, namely, Shri Bishanchander Seth and Shri Buta Singh had written to me that they might be allowed to speak in the third reading stage. But I find that both of them are not here. So, I shall put the motion to vote.

The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

13.10 hrs.

LAND ACQUISITION (AMENDMENT) BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri S. K. Patil on the 21st August, 1962, namely:

"That the Bill further to amend the Land Acquisition Act, 1894, and to validate certain acquisitions under that Act, be taken into consideration."

together with amendments moved thereon.

Shrimati Sarojini Mahishi was in possession of the House.

The Minister of Food and Agriculture (Shri S. K. Patil): Before the discussion starts, may I just refresh memory by a brief statement? You had originally given 4 hours to this Bill. Later on at the request of Members, you made it 6 hours. The discussion went on and amendments were moved. Then I made an appeal to you that if the discussion was postponed to a later date, I might possibly meet the point of view of some of the Members who had moved amendments so that I could be as near as possible to them without infringing the basic principles embodied in the Bill. You very kindly consented to that and there the matter ended.

After that, I had an opportunity of meeting some of the Members. I think quite a change has been made in some of the amendments; some amendments have been dropped and new ones have been added in order to accommodate the views of hon. Members as far as possible. There the matter stands.

Shri S. M. Banerjee (Kanpur): You very kindly increased the time allotted to six hours. We have spent four hours already.

Mr. Speaker: 4 hours and 35 minutes; 1 hour and 25 minutes remain.

Shri S. M. Banerjee: It is true that the hon. Minister met some of the Members of the Opposition as also of the ruling Party. But there are 54 amendments. Therefore, I submit that the time should be extended. This is a very controversial Bill. I do not think there is any Bill which has come up in this House which has become so controversial. We have gone through the latest amendments tabled by the hon. Minister and Dr. Ram Subhag Singh. We want that every word should be discussed.

Mr. Speaker: We can spend more time on clauses.

Shri S. M. Banerjee: The whole day should be allotted for this.

Shri Hari Vishnu Kamath (Hoshangabad): You may first be pleased to extend the time, because the Minister has put a new complexion to the Bill by meeting the viewpoints of some Members and bringing forward new amendments. It is almost a new Bill.

The Minister of Law (Shri A. K. Sen): It was only at the stage of clause by clause discussion that the question of considering amendments and the attitude of Government to the various amendments came up and then the hon. Minister in charge took time...

Shri Daji (Indore): That is not correct.

Mr. Speaker: Hon. Members desire that the time for clause by clause consideration should be extended.

Shri A. K. Sen: That is entirely for you to decide. I thought they wanted more time for the first consideration stage.

Shri Hari Vishnu Kamath: The Minister cannot stand in your way.

Shri Tyagi (Dehra Dun): According to the amendments tabled by Government themselves, I think the whole Bill has been overhauled, one way or the other, and Members have a lot to say on it. From the way in which people are approaching us with telegrams and representations, I feel that the Bill has agitated the whole rural area of India. It is an important matter. I would suggest that you give more time.

Shrimati Renuka Ray (Malda): I would like to support what Shri Tyagi has said.

Mr. Speaker: I am prepared to extend the time. It is for the House to decide. We have 1 hour and 25 minutes. After Shrimati Sarojini Mahishi concludes, the hon. Minister will answer all the objections as well as refer to the amendments that he proposes. After the conclusion of the first reading, we will spend as much time as the House desires on the clauses very thoroughly, because I agree there are new clauses.

Shri Hari Vishnu Kamath: That is all right. Thank you.

Shri R. S. Pandey (Guna): I had also given my name to speak on this Bill at this stage.

Shri S. S. More (Poona): Does that mean that the hon. lady Member will be the last speaker during the first consideration stage?

Mr. Speaker: I thought so. Does the hon. Member want to speak?

Shri S. S. More: No.

Mr. Speaker: Thereafter I will call upon the hon. Minister who will reply

to the arguments made as well as refer to the new amendments he is bringing in.

✓ **Shrimati Sarojini Mahishi (Dharwar North):** Last time, I was referring to the particular clause that was going to be inserted in section 40 of the Land Acquisition Act and saying that the remedy should not be worse than the disease.

Article 19 of the Constitution confers upon the citizen the right to acquire property, the right to enjoy property and the right to dispose of property. Article 31(1) at the same time says that no person shall be deprived of his property save by authority of law. Article 31(2) says that no person can be deprived of his property save for a public purpose. There cannot be any acquisition of property except for a public purpose. At the same time, we also find that article 31 has been amended; 31A says that any law existing cannot be considered void only on account of the fact that it is inconsistent with the provisions of article 31. Here in the existing law, the Land Acquisition Act, that is not inconsistent. Therefore that stands as valid. But will not any insertion or amendment which goes to change the whole spirit of the existing section of the Land Acquisition Act be against the provisions of article 31? Will it be within our power to amend this particular section?

We find that there is another clause that is going to be substituted between (a) and (b). Section 40(1)(a) runs thus:

"that the purpose of the acquisition is to obtain land for the erection of dwelling houses for workmen employed by the Company or for the provision of amenities directly connected therewith."

Therefore, this is for acquiring site for construction of dwelling houses for the workmen employed by the company or for the provision of amenities or for giving better facilities to

the workmen who are employed in a company. This is for a public purpose and it has been recognised accordingly. The preamble to the Land Acquisition Act says that the property will be acquired or requisitioned for a public purpose or for a company. Here the word 'company' does not indicate whether it is for a public purpose, but it has been explained further that the words 'acquired for a company' must be for a public utility.

Clauses (a) and (b) were put into the Land Acquisition Act by the 16th amending Act of 1933. It was inserted on the recommendation of the Royal Commission on Labour that suggested that it should be done in view of the encouragement that was to be given to Indian industry and specially in view of the fact that section 38A said that any industrial concern wherein not less than 100 people were employed or any association which employed more than 100 people might for the purpose of the Land Acquisition Act be treated as a company. On account of 38A, these clauses (a) and (b) of section 40 were also made essential, because if the property was adjacent to a particular industrial concern or company and if it was essential for erecting dwelling houses for the workers of the concern, it was a matter of public concern.

Therefore, it was essential because the land was held at ransom by some of the landowners and it was sold at exorbitant prices also. As a result, the workers in the company could not be provided with proper accommodation. Hence clauses (a) and (b) were also to be inserted in section 40 on account of the insertion of 38A in the particular Act.

I wish to draw the attention of the House to the remarks made by the hon. Mr. Blith at the time of introducing this particular Bill. He said that the provisions of this Act could not be put into operation for the purposes of acquiring any land for any particular company in which the public is having a mere indirect interest. Therefore, the site or any particular land belong-

ing to any private person cannot be acquired only for purposes of a particular company or a spinning mill or a weaving mill, or an iron foundry, because it is very difficult to predicate of them the terms in which the public shall be entitled to make use of the particular land. Therefore, this being the reason, the interests of the public and the use which can be made of it by the public being the main concern, I think if the land is to be acquired, the main consideration is to what extent the public can make use of the same.

Sections 6 to 37 of the Land Acquisition Act cannot be put into operation unless, of course, the pre-requisites as mentioned in sections 40 and 41 are carried out. They say that the concerned or appropriate Government must give permission, and the second thing is the terms of the agreement must be entered into by the Government with the company. That is, sections 41 and 40 must be read together. Section 40 does not convey any meaning, or rather much meaning, unless it is read with section 41, because section 41 says under what circumstances, within what time and according to what terms the erection of the dwelling house or any facility or amenity that is going to be given to the workers of the particular industrial concern are going to be constructed, and if so, whether within a particular period they are going to be constructed. Therefore, without reference to the details of the agreement as mentioned in section 41, section 40 does not carry much meaning.

Of course, as has been mentioned here, we find there is an insertion by way of (aa) in between clause (a) and clause (b). Clause (a) of section 40 states that there can be an erection of a dwelling house for the workers in the company. Clause (b) says such acquisition is needed for the construction of some kind of amenity and that such work is likely to prove useful to the public. What is meant by "likely to be useful to the public" has not been clearly defined, as is the case

[Shrimati Sarojini Mahishi]

with "public purpose" which has also not been clearly defined, but then there are the words that such acquisition is needed for the construction of some work. There is a reference to the expression "some work" in clause 5 of section 41, where the wording is that the acquisition is for the construction of any other work not mentioned in clause (a) or (b) of section 40. Then the time within which and the conditions on which the work is to be executed and maintained and the terms on which the public shall be entitled to use the work—this is most important, the time within which the public shall be entitled to make use of the work. The provisions of this particular section cannot be made us of for giving any undue advantage to any particular company.

Secondly, he pointed out that the public also must know that the sections of this particular Act should not be used for the furtherance of any private speculations, that is most important.

And I can see here that clause (aa) which has been inserted in between mentions this. Formerly it was:

"an industry which is essential to the life of the community or is likely to promote the economic development of the country."

For the same, now another clause has been substituted:

"any activity which is essential to the life of the community or is likely to promote the economic development of the country or is otherwise in the interests of the general public."

Therefore, I am sorry to see that clause (aa) has been sandwiched in between clause (a) and clause (b), and I do not know how far that will be giving us a very wider scope which was never thought of by the original makers of the Land Acquisition Act, and whether it is going to defeat the purpose as mentioned in clause (a) and

clause (b). Any activity can be brought under this term. The second thing is: can there be any activity which will not prove to be of some utility to the public? We shall have to come to a wider decision and say let it be the work of any iron foundry or spinning mill or weaving mill. If it is a private concern or a concern run on a proprietary basis or anything of the kind, in the ultimate run that is also going to serve the purpose, not directly but indirectly but can the land be acquired for it?

Shri S. K. Patil: May I point, out, without interrupting the hon lady Member,....

Mr. Speaker: How can he point out without interrupting her?

Shri S. K. Patil:that this is all changed. She has not read the latest amendments, and therefore she is speaking on something which is not before the House.

Mr. Speaker: It would e better I think if the hon. lady Member now concludes and waits for the reply of the Minister. Afterwards, I can give her another chance when the clause by clause consideration is taken up.

Shrimati Sarojini Mahishi: I hope my suggestion that the Bill be referred to a Select Committee will be accepted. I shall wait for the reply of the Minister and then avail of an opportunity to speak.

Shri S. K. Patil: So far as the two original amendments are concerned, namely reference of this Bill to a Select Committee and publishing it for eliciting public opinion, I think I would not accept them, and for that reason I gave four or five days, so that we could come together, at any rate try to come together, and bridge the differences if there were any.

As I reported to you, Sir, a little while ago, we did meet and try to go as near as possible and remove those fears which were in the minds of the hon. Members about the likely or possible misuse of this legislation.

Before coming to some of the changes, I shall mention the amendments which the Government is moving, because there are many. First I had given notice of some amendments, and later on, my colleague, Dr. Ram Subhag Singh, has given another list of amendments. After all these discussions, we think the Government would move these amendments. The other amendments will not be moved.

Shrimati Renu Chakravartty (Barackpore) The amendments are on which page?

Shri S. K. Patil: List No. 2. The first amendments were Amendment Nos. 3 to 7 which stood in my name in the original list.

So far as amendment No. 3 is concerned, seeking to insert the words:

"or any other law relating to co-operative societies for the time being in force in any State,"

this was sought merely because every State has a different law for the co-operatives, they have got their own laws, while we had only restricted it to some laws, and in order to remove that lacuna that amendment was there. We shall stick to that amendment.

Amendment No 4, seeking to substitute "principal Act" for "Land Acquisition Act, 1894 (hereinafter referred to as the principal Act)", is a consequential amendment, on which there was no controversy.

So far as amendments 5, 6 and 7 are concerned, they are changed, and they are substituted and some additions have been made. Those amendments stand in the name of my colleague Dr. Ram Subhag Singh. Those are amendments 42, 43 and 44 in List No. 11. I shall read them:

Page 1,—

for lines 8 to 12, substitute—

"(aa) that such acquisition is needed for the construction of some building or work for a Company which is engaged or is taking steps

for engaging itself in any industry or work which is in the interests of the general public; or." (42).

Page 2,—

for lines 4 to 10, substitute—

"(4A) where the acquisition is for the construction of any building or work for a Company which is engaged or is taking steps for engaging itself in any industry or work which is in the interests of the general public, the time within which, and the conditions on which, the building or work, shall be constructed or executed; and" (43)

Page 2,—

after line 10, insert—

Insertion of new sections 44A and 44B.

"3A. In Part VII of the principal Act, after section 44, the following sections shall be inserted, namely:—

Restriction on transfer, etc.

"44A. No Company for which any land is acquired under this Part shall be entitled to transfer the said land or any part thereof by sale, mortgage, gift, lease or otherwise except with the previous sanction of the appropriate Government.

Land not to be acquired under this Part for Private companies other than Government companies.

44B. Notwithstanding anything contained in this act, no land shall be acquired under this Part for a private company which is not a Government company.

Explanation.—"Private company" and "Government company" shall have the meanings respectively assigned to them in the Companies Act, 1956." (1 of 1956).

Amendment of section 55

3B. In section 55 of the principal Act, in sub-section (1), for the words "The appropriate Government shall have power to make rules consistent with this Act for the guidance of officers," the words

[Shri S. K. Patil]

"The Central Government shall have power to make rules consistent with this Act for the guidance of the State Governments and the officers of the Central Government and State Governments" shall be substituted." (44)

These are the amendments which Government want to move.

Shrimati Renu Chakravartty: You are not moving amendments 4, 5 and 6?

Shri S. K. Patil: No. 4, I think is merely consequential.

Amendments 5, 6 and 7 are being substituted by these amendments.

The main thing really is this. What I have read is amendment No. 43. In the Bill that was before the House what was sought to be introduced was this. On page 1, it is said:

"In sub-section (1) of section 40 of the Land Acquisition Act, 1894 (hereinafter referred to as the principal Act), after clause (a), the following clause shall be inserted, namely:—

(aa) that such acquisition is needed for the construction of some building or work for a Company engaged or to be engaged in an industry which is essential to the life of the community or is likely to promote the economic development of the country;"

To that also some words were added

"or is otherwise in the interests of the general public."

A lot of apprehension was expressed in this House by many hon. Members who spoke that possibly those words might give, perhaps, larger power and wider scope and there may, perhaps, be some likelihood of misuse. Whether they would do or not, I do not know because it was subjected to very close scrutiny both here and outside. It was decided on legal opinion. But, we thought that we could meet the hon. Members as far as possible so far as this particular amendment was concerned. Therefore, we were in search of phraseology. Legal opinion was

taken and the Attorney-General was consulted on that phraseology. We, ultimately, came to this that we may use some kind of phraseology which is known to law, so that, when the matter of interpretation comes, it would not be very difficult to interpret it. The guidance that we took was from the Constitution of India, article 19. It is only for the phraseology that we have taken that and there is no other analogy. That article deals with the protection of certain rights regarding freedom of speech etc. After giving that protection, there are certain limitations which are enumerated in article 19 of the Constitution, clause (5). There, the phraseology used is—

"shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, reasonable restrictions on the exercise of any of the rights conferred by the said sub-clauses either in the interests of the general public or for...."

We are not concerned with the other part of it. This phraseology, 'in the interests of the general public' is a phraseology which has been fully discussed. There was a lot of discussion in the Constituent Assembly when this article 19 was approved. It was also in my amendment but it was with many other things. We have removed all those things now and, it reads, as it stands at present as follows:—

"that such acquisition is needed for the construction of some building or work for a Company"....

Up to that, it is common.

"Which is engaged or is likely to be engaged,"

We have made this more precise and said—

"or is taking steps for engaging itself."

It is not merely that it would do it in the distant future, but it must be reasonably established that it is on the way of doing that or taking steps for

engaging itself in an industry or work which is in the interests of the general public. What we have said is a corollary to that. Then, we come to new section 44A.

"No company for which any land is acquired under this Part shall be entitled to transfer" etc.

Several Members expressed that it is possible that a company might acquire land and then sell it or do anything with it and so on. Therefore, we must have sufficient safeguards. These safeguards have been taken in this 44A.

Then, it was said that this should not be done for a private company. In fact, experience has shown that land has not been acquired for any private company under this Part. But, even then, Members wanted that we should really incorporate it in the Act itself; and that is why it is now said:—

"Notwithstanding anything contained in this Act, no land shall be acquired under this Part for a private company which is not a Government company."

Now, these words, 'private company' and 'government company' come in. Therefore, the explanation comes in.

"'Private company' and 'Government company' shall have the meanings respectively assigned to them in the Companies Act, 1956."

It will be a matter of interpretation and when the matter of interpretation goes to a court of law, we will have to be precise. So, we have said that the meanings shall be those in the Companies Act of 1956.

Shrimati Renu Chakravartty: It must be clearly defined as private company and not public (Limited) company of the private sector because many of the Congress Members are confused on this issue. The hon. Minister should make it clear. All that the Explanation means is that it is only in the case of private (limited) company that this bar is there but, in the case of the public (limited) company,

there is no bar on the part of Government to acquire the land and give over.

Shri S. K. Patil: We shall deal with it when we come to the clauses. Otherwise, we shall be discussing this endlessly.

Shri Tyagi: Could you also give us the definition of a 'private company' and a 'Government company'?

Shri S. K. Patil: They shall have the meanings given in the Companies Act, 1956.

Shri Daji: What is the definition under the Companies Act?

Shri S. K. Patil: I shall give you that.

The rule-making powers were then considered. The rule-making power now exists in the appropriate Government, the appropriate Government being, when the land is acquired by the State, the State Government, and when the land is being acquired by the Central Government, the Union Government. Therefore, the power of making the rules really vested in the State and Central Governments, as the case may be. There was feeling that there should be uniformity about these things and, as far as possible, it should be the Central Government that should have these powers.

श्री रामे वरानन्द (करनाल) : अध्यक्ष महोदय, विषयान्तर । न तो इस सम्बन्ध में हिन्दी में बोला जाता है और न ही कुछ लिख कर दिया जाता है, ताकि हम इसके समझ सकें और कुछ कह सकें ।

Shri S. K. Patil: So, we have said:

"In section 55 of the principal Act, in sub-section (1), for the words 'The appropriate Government shall have power to make rules consistent with this Act for the guidance of officers', the words 'The Central Government shall have power to make rules consistent with this Act for the guidance of the State Governments and the officers of the Central Government and State Governments' shall be substituted."

[Shri S. K. Patil]

The present Bill, as the Bill itself says, is a very limited legislation. What is sought to be done is not to overhaul the whole Land Acquisition Act of 1894, because that will come later on when several of the sections of the Act will also be touched. Here there is a limited purpose. Certain sections were attacked by the Supreme Court in its judgment. So, this Bill is brought only to clarify the situation. Therefore, so far as the other amendments which have really concern with other sections which are not sought to be modified by this Bill, are concerned, nothing can be done here.

Coming to the speeches and observations made here, I should say that I have already explained that my amendments 5 and 6 have been substituted. I said amendments Nos. 5 to 7; but really they are only amendments 5 and 6 that have been substituted.

I would like to reply to one or two points. I do not propose to reply to those hon. Members who had some reasonable doubts because we have now come to some arrangement. It is no use going about them now. That would again open controversies which it is my humble attempt to set at rest. So, I will only reply to those observations which raised some sort of suspicion.

13.39 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Hon. Members, Shri Krishna Pal Singh, Shri Kashi Ram Gupta and Shrimati Renuka Ray raised objections on the ground that good agricultural lands are likely to be taken. I can assure the House that my connection with this Bill is a very direct and vital connection and it is only with reference to the land which is good agricultural land. I am vitally concerned about land being acquired for industry and commerce and other things, whether good agricultural land can be acquired for those purposes. I can assure the House that nothing

would be done by Government to acquire good agricultural land under this. Every precaution was taken and will be taken. Rules also will be made to see that agricultural lands which are capable of high agricultural production will not be taken unless it is absolutely necessary and it has got to be proved and demonstrated. These occasions, I hope, will be rare. (Interruptions.) I would not be interrupted. Members would have enough time when the clauses are taken up. I have patiently listened to every one of them when they were making their observations. As far back as March 1958 we had enjoined this upon the State Governments. In some cases there may be no alternative land suitable for the specific purpose for which the agricultural land is being acquired. However there may be other cases where such a thing could be avoided; alternative land which is not so valuable from the agricultural point of view could be acquired. We have said that .. will be highly appreciated if the State Government intimated whether any precautions are taken to minimise the acquisition of good agricultural land for urban purposes. It was also suggested that a representative of the State Agricultural Department might be associated with the selection of site for non-agricultural purposes so that agricultural needs may be kept in view and wherever possible acquisition of good agricultural lands and their conversion for non-agricultural uses was avoided. We have been following it. The State representative of the Agricultural department is generally associated when the land is selected. Such occasions have been few and far between. If anything is to be done in order to strengthen this particular provision, we shall make adequate rules to see that agricultural land is not used for non-agricultural purposes because it will seriously affect agricultural production. There were cases where lands were acquired several years ago and were still lying unused. For this the other amendment was there. Rules will be made so that it would not be possible.

Several Members said that compensation given was not adequate and therefore something should be done about that. Many Members have not seen the whole Act. This Act has several parts and acquisition of land is done under two parts under part II and part VII. Under part II the State Government can acquire land whenever they want and in that case the compensation provision is not even justiciable. In a recent case, after one case was very much discussed here, that is the judgment of the Supreme Court, the State Government of Punjab acquired a land for air conditioning unit or something of that description under part II. When the appeal went to the Supreme Court, the Court held it *intra vires* and held that there was nothing wrong about it because it was done under part II. That is a different matter. Part VII of this Act has been specifically introduced in the law so that there should be some restrictions so far as acquisition of land for companies is concerned. So many things have got to be done; so many terms have got to be fulfilled. We have now added many more things so that ultimately it will become as foolproof as it possibly could be.

The compensation that is going to be given is market value plus fifteen per cent as solatium. If the party is not satisfied that this price is not all right he can go to the court of law and until the court judgment comes the collector could not fix the price. Therefore, sufficient safeguards have been given. Market value of the land is a commonly understood expression. In big cities many people like that Government should acquire the land. I remember when I used to be the Mayor of a big city where lands used to be acquired and people will come to me and tell me; for God's sake, when our lands are to be acquired, let Government acquire it instead of our selling them because there is a possibility of our getting fifteen per cent more than the market value..... (Interruption.) There are any number of cases. The hon. lady Member may nod her head as she likes but

that is a fact because market values in the city are a demonstrable thing. It is not a village or a rural area.... (Interruptions). There is agricultural land in Bombay in 42 villages. The hon. Member should pay a visit to Bombay to know that there are agricultural lands in the city of Bombay and they used to be sold. Therefore, market value is a known expression that is, the value at which adjoining lands or any lands are sold. Even if there is a party going to buy the land for a higher price, the market value shall be determined by the offer. That is the reason for the 'plus fifteen per cent'.

Shri Tyagi: It is rarely done.

Shri S. K. Patil: It is always done under chapter VII. If it should be further tightened and if there is anything more which the hon. Members want me to do, I do not mind. Sometimes it so happens that the poor agriculturist is brought in for discussion for nothing because the poor agriculturist has nothing to do with that land that is re-sold because long time back some other man has got it and perhaps the sponsors of the amendments equally dislike such people. Whether it is A or B it is the same thing. It will be a different matter if the actual owner of the land is a real agriculturist himself. There may be some cases in which that can happen and therefore this provision has been made.

Having said that, I want to say one thing. There are certain other real difficulties in the original Act. In my first speech I said that Government intend to revise some of these and if there are any amendments—there seem to be quite a few amendments—which are not pertinent or irrelevant to this particular Bill, we shall consider them when the bigger legislation is taken and I intend to do that not in a distant future.

I think the hon. lady Member had asked the definition or it is perhaps Shri Daji. It is given in the Companies Act 1956. A private company

[Shri S. K. Patil]

means a company which by its articles restricts the right to transfer its shares It is a long definition and I can refer them to this Act. So also a public company means a company which is not a private company. Here we have made 'Government Company' and therefore that word 'public company' has been omitted.

Shri Narendra Singh Mahida (Anand): Sir, I would like to have one clarification. That is in respect of refinery near Baroda and in respect of the acquisition by the Government, land which has been yielding an annual excise revenue to the extent of a crore of rupees. The land revenue is to the extent of Rs. 25 lakhs per annum. It involves nine villages.

Mr. Deputy-Speaker: What is your question?

Shri Narendra Singh Mahida: My question is: what is the policy of the Government. The Minister has stated that it is not the policy of the Government to acquire lands, normally, from cultivators. These are among the best lands in Gujarat and we are losing a land revenue of Rs. 1,25,000 per annum. The full compensation that will have to be paid would come to Rs. 25 crores to Rs. 30 crores.

Shri S. K. Patil: Who is going to acquire it?

Mr. Deputy-Speaker: It does not deal with the general question; it deals with individuals.

Shri P. R. Patel (Patan): I want to have one clarification from the hon. Minister. I would like to know from the hon. Minister one point regarding one acquisition that is being done in Udyognagar by the Gujarat Government.

Mr. Deputy-Speaker: That has nothing to do with the Bill. We are dealing with general principles and not with individual cases. He may table a separate question if he wants.

Shri C. K. Bhattacharyya (Raiganj): I want to put one question to the hon. Minister.

Mr. Deputy-Speaker: This cannot be converted into a Question Hour. When we come to the clauses, you may have your doubt cleared.

Shri C. K. Bhattacharyya: My question does not relate to clauses, but to the Statement of Objects and Reasons. It is said in the Statement of Objects and Reasons that some State Governments have expressed their apprehension at the judgment of the Supreme Court. I am interested in knowing what these State Governments are which have expressed apprehension at the judgment.

Shri S. K. Patil: It would be repetition if I mention them. All of them have expressed it. I had given the names when I spoke last.

Shri Hari Vishnu Kamath: Sir, before the House proceeds to take up the voting, I wish to raise a point of order. I want to know whether amendment Nos. 3, 44 and 45—

Mr. Deputy-Speaker: When we come to the clauses and the amendments thereto, the hon. Member may raise his point. (Interruptions). Now, I shall put amendment No. 20 of Shri R. Barua to the vote. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th November, 1962." (20)

The motion was negatived.

Mr. Deputy-Speaker: Amendment No. 20 is the same as amendment No. 1. That is disposed of. Now, I shall put amendment No. 32 to the vote. The question is:

"That the Bill be referred to a Select Committee consisting of Dr. M. S. Aney, Shri Ramachandra Vithal Bade, Shri S. M. Banerjee, Shri Shree Narayan Das, Shri Surendranath Dwivedy, Shri Ajit Prasad Jain, Shrimati Subhadra Joshi, Shri T. T. Krishnanachari, Shri Inder J. Malhotra, Shri Harish

Chandra Mathur, Shri R. R. Morarka. Shrimati Sharda Mukerjee, Shri S. K. Patil, Shri Indulal Kanaiyalal Yajnik and Shri Homi F. Daji with instructions to report by the first day of the next session." (32)

Those who are in favour of the motion will please say "Aye".

Some Hon. Members: Aye.

Mr. Deputy-Speaker: Those who are against the motion will please say "No."

Some Hon. Members: No.

Mr. Deputy-Speaker: The Noes have it.

Shrimati Renu Chakravartty: The Ayes have it.

Shri Tyagi: I want to have one clarification. Are those amendments taken to have been moved? The hon. Members have not formally moved them.

Shri Daji: I had already moved my amendment and I had spoken the other day.

Mr. Deputy-Speaker: Those who are against the motion will please stand in their seats.

Shri Hari Vishnu Kamath: The first stage is, you will have to see that the lobbies are cleared. At the next stage, you may ask the Members to stand in their seats. Rule 367 is very clear on this point. It is only at the second stage that you may ask the Members to stand in their seats.

Shri S. M. Banerjee: It is now 1.50. The vote may be taken at 2.30.

Mr. Deputy-Speaker: Then we will have to adjourn the House till 2.30, because we cannot take the motion for consideration to the voting stage before this amendment is disposed of.

Shri S. M. Banerjee: We are helpless in the matter.

Mr. Deputy-Speaker: Is it the pleasure of the House that we should adjourn now?

Shri Hari Vishnu Kamath: Yes; till 2.30. You have established a convention yourself.

Mr. Deputy-Speaker: The convention is that only when there is no quorum we adjourn.

Shrimati Renu Chakravartty: We have been here since the past 12 years and we have followed this convention, namely, between 1 and 2.30 there will be no voting.

Shri S. K. Patil: While I am not disputing the right of Members, I would like to make one point clear. When I said the other day that we should consider the Bill after three or four days, I had made it abundantly clear that I was not going to accept the motion for eliciting public opinion and the motion for reference to the Select Committee. I said I would wait for three or four days. It was understood, I think, that these amendments were not to be moved.

Shrimati Renu Chakravartty: No, no. They have been moved.

Shri S. K. Patil: If they have been moved, surely, no division should be claimed. No division should be sought on the operative part of it.

Shri Hari Vishnu Kamath: The Minister cannot stand in our way. From what he said, that may be a private understanding or arrangement.

Mr. Deputy-Speaker: So, the convention is not to take the vote between 1 and 2.30?

Some Hon. Members: Yes, yes.

Mr. Deputy-Speaker: The House shall stand adjourned till 2.30.

13.55 hrs.

The Lok Sabha then adjourned till Half Past Two of the Clock.

The Lok Sabha reassembled at Half Past Two of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: The question is:

"That the Bill be referred to a Select Committee consisting of Dr. M. S. Aney, Shri Ramchandra Vithal Bade, Shri S. M. Banerjee, Shri Shree Narayan Das, Shri Surendranath Dwivedy, Shri Ajit Prasad Jain, Shrimati Subhadra Joshi, Shri T. T. Krishnamachari, Shri Inder J. Malhotra, Shri Harish Chandra Mathur, Shri R. R. Morarka, Shrimati Sharda Mukerjee, Shri S. K. Patil, Shri Indulal Kanaiyalal Yajnik, and Shri Homi F. Daji with instructions to report by the first day of the next session." (32)

Those who are in favour may please say 'Aye'.

Some Hon. Members: Aye.

Mr. Deputy-Speaker: Those who are against may please say 'No'.

Some Hon. Members: No.

Mr. Deputy-Speaker: The 'Noes' have it.

Some Hon. Members: The 'Ayes' have it.

Mr. Deputy-Speaker: Those in favour of the amendment will please stand in their seats.

Shri Daji: Let there be division.

Shrimati Renu Chakravartty: Division.

Mr. Deputy-Speaker: All right, Division. Let the lobbies be cleared.

Shri Indrajit Gupta (Calcutta South West): Sir, in the Central Hall the bell is not being heard.

Mr. Deputy-Speaker: Members are coming in.

Shri Mohammad Elias (Howrah): The bell is not ringing.

Mr. Deputy-Speaker: I am told the bell is not ringing. Hon. Members can bring their friends.

Shri Hari Vishnu Kamath: It will take some time.

Mr. Deputy-Speaker: I will put the question again to the House. The question is:

"That the Bill be referred to a Select Committee consisting of Dr. M. S. Aney, Shri Ramchandra Vithal Bade, Shri S. M. Banerjee, Shri Shree Narayan Das, Shri Surendranath Dwivedy, Shri Ajit Prasad Jain, Shrimati Subhadra Joshi, Shri T. T. Krishnamachari, Shri Inder J. Malhotra, Shri Harish Chandra Mathur, Shri R. R. Morarka, Shrimati Sharda Mukerjee, Shri S. K. Patil, Shri Indulal Kanaiyalal Yajnik, and Shri Homi F. Daji with instructions to report by the first day of the next session." (32)

The Lok Sabha divided.

An Hon. Member: Many Members were not ready.

श्री गुलशन (भटिंडा) : मैंने दबाया तो था लेकिन घाया नहीं।

Mr. Deputy-Speaker: What is your division number?

Shri Gulshan: 508.

Mr. Deputy-Speaker: You are for 'Ayes'? All right.

Shri Brj Raj Singh (Bareilly): Division No. 443. I am for 'Ayes'.

Shri Biren Dutta (Tripura West): Division No. 525. I am for 'Ayes'.

Shri Sarkar Murmu (Balurghat): Division No. 513. I am for 'Ayes'.

Shri V. B. Gandhi (Bombay Central South): Division No. 283. I am for 'Noes'.

Shri M. Ismail (Manjeri): Division No. 386. I am for 'Ayes'.

Shri Gauri Shanker Kakkar (Fatehpur): Division No. 399. I am for 'Ayes'.

Shri Muzaffar Husain (Moradabad): Division No. 387. I am for 'Ayes'.

Shrimati Kamala Chaudhuri (Hapur): Division No. 210. I am for 'Noes'.

Shri Tulshidas Jadhav (Nanded): Division No. 232. 'Noes'.

Mr. Deputy-Speaker: What have you done?

श्री तुलसी दास जाधव : मैं नोज के लिये वोट करना चाहता था लेकिन गलती से आईज के लिये कर गया ।

Mr. Deputy-Speaker: I see, you have voted wrongly. You are for 'Noes', all right.

Dr. Galtonde (Nominated—Goa, Daman and Diu): Division No. 72. I am for 'Noes'.

Shri Hanmanth Rao (Medak): Division No. 87. I am for 'Noes'.

Mr. Deputy-Speaker: Mr. Sarkar Murmu, you are for 'Ayes', is it not?

Shri Sarkar Murmu: Yes, Sir.

Mr. Deputy-Speaker: It has been properly recorded, I am told.

Shri Sarkar Murmu: The light is here but it is not recorded, Sir.

Mr. Deputy-Speaker: Yes, it is recorded.

Division No. 7]

[14.37 hrs.

AYES

Banerjee, Shri S.M.
Berwa, (Kotah) Shri
Bhattacharya, Shri Dinen
Biren Dutta, Shri
Brij Raj Singh, Shri
Buta Singh, Shri
Chakravarty, Shrimati Renu
Chaudhuri, Shri Tridib Kumar
Dajl, Shri
Dasarath Deb, Shri
Dwivedy, Shri Surendranath
Elias, Shri Mohammad
Gauri Shanker, Shri

Gulshan, Shri
Gupta, Shri Indrajit
Ismail, Shri M.
Jha, Shri M.
Kamath, Shri Hari Vishnu
Karjee, Shri
Kunhan, Shri P.
Mahato, Shri Bhajahari
Mahida, Shri Narendra Singh
Marandi, Shri
Murmu, Shri Sarkar
Muzaffar Hussain, Shri
Nair, Shri N. Sreekantan
Pattnayak, Shri Kisan

Pillai, Shri Nataraja
Rameshwaranand, Shri
Reddy, Shri Eswara
Shastri, Shri Prakash Vir
Singh, Shri B. J.
Soy, Shri H. C.
Tan Singh, Shri
Utiya, Shri
Vimala Devi, Shrimati
Vishram Prasad, Shri
Warrior, Shri
Yadav, Shri Ram Sewak
Yajnik, Shri

NOES

Abdul Wahid, Shri
Alva, Shri A. S.
Aney, Dr. M. S.
Azad, Shri Bhagwat Jha
Basapa, Shri
Basumatari, Shri
Baswant, Shri
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhawani, Shri Lakshmau
Bist, Shri J. B. S.
Brij Raj Singh (Kotah), Shri
Chandrasekhar, Shrimati
Chatter Singh Shri
Chaudhuri, Shrimati Kamala

Chettiar, Shri Ramanathan
Dafle, Shri
Daljit Singh, Shri
Das, Shri B. K.
Das, Shri S. B.
Dasappa, Shri
Datar, Shri
Desai, Shri Morarji
Deshmukh, Dr. P. S.
Deshmukh, Shri B. D.
Deshpande, Shri
Dhuleshwar Meena, Shri
Dighe, Shri
Dube, Shri Mulchand
Dwivedi Shri M. L.

Galtonde, Dr.
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ghosh, Shri N. R.
Gupta, Shri Ram Ratan
Hansda, Shri Subodh
Haq, Shri M. M.
Jadhav, Shri M. L.
Jadhav, Shri Tulshidas
Jamunadevi, Shrimati
Jehde, Shri
Joishi, Shrimati Subhadra
Kamble, Shri
Karuthiruman, Shri
Kedaris, Shri C. M.
Kindar Lal, Shri

Kisan Veer, Shri
 Kripa Shankar, S
 Kureel, Shri B. N.
 Lakshminanthamma, Shrimati
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Laxmi Das, Shri
 Mahtab, Shri
 Milaviya, Shri K.D.
 Mulhotra, Shri Inder J.
 Mandal, Dr.
 Mandal, Shri Yamuna Prasad
 Mantri, Shri
 Maruthiah, Shri
 Masuriya Din, Shri
 Mathur, Shri Harish Chandra
 Mehrotra, Shri B. B
 Mishra, Shri Bibhuti
 Mohanty, Shri G.
 Mohsin, Shri
 Moraka, Shri
 More, Shri K. L.
 More, Shri S. S.
 Mukherjee, Shrimati Sharda
 Munzni, Shri David
 Muthia, Shri
 Naidu, Shri V. G.
 Naik, Shri D. J.
 Naik, Shri Maheswar
 Nesamony, Shri
 Pandey, Shri R. S.
 Pandey, Shri Vishwa Nath
 Pant, Shri K. C.
 Patel, Shri N. N.
 Patel, Shri P. R.

Patil, Shri J. S.
 Patil, Shri S. K.
 Paratap Singh, Shri
 Raghunath Singh, Shri
 Raa, Shri C. R.
 Ram Sewak, Shri
 Ram Subhag Singh, Dr
 Ram Swarup, Shri
 Ramaswamy, Shri V. K.
 Rananjai Singh, Shri
 Rane, Shri
 Ranga Rao, Shri
 Rao, Shri K. L.
 Rao, Shri Hanmath
 Rao, Shri Jagnatha
 Rao, Shri E. Madhusudan
 Rao, Shri Muthyal
 Rao, Shri Rameshwar
 Rattan Lal, Shri
 Ray, Shrimati Renuka
 Reddiar, Shri
 Reddy, Shri K. C.
 Roy, Shri Bishwanath
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Sahu, Shri Rameshwar
 Samanta, Shri S. C.
 Saraf, Shri Sham Lal
 Sarma, Shri A. T.
 Satyabhama Devi, Shrimati
 gatyanaarayana, Shri
 Sen, Shri A. K.
 Sen, P. G.
 Shah, Shri Manabendra
 Sahastrri, Shri Lal Bhadur

Sheo Narain, Shri
 Shinde, Shri
 Shree Narayan Das, Shri
 Shukla, Shri Vidya Charan
 Siddiah, Shri
 Sidheshwar Prasad, Shri
 Singh, Shri R.P.
 Singh Shri S. T.
 Sinha, Shri Satya Narayan
 Sinha, Shrimati Ramdulari
 Sonavane, Shri
 Subramanyam, Shri T.
 Sumat Prasad, Shri
 Surya Prasad, Shri
 Swamy, Shri M. P.
 Swaran Singh, Shri
 Tahir, Shri Mohammad
 Thimmaiah, Shri
 Tiwary, Shri K. N
 Tiwary, Shri R.
 Tyagi, Shri
 Uikey, Shri
 Valvi, Shri
 Varma Shri M. L
 Varma Shri Ravindra]
 Veerappa, Shri
 Venkatasubbajah, Shri
 Verma, Shri K. K.
 Vidyalkar, Shri A. N.
 Vayas, Shri Radhelal
 Wadiwa, Shri
 Wasnik, Shri Balkrishna
 Yadav, Shri Ram Horak
 Yadava, Shri B. P.

Mr. Deputy-Speaker: The result of the division is:

Ayes 40; Noes 150.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Land Acquisition Act, 1894 and to validate certain acquisitions under that Act, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up the clause-by-clause consideration of the Bill.

Clause 2.—(Amendment of section 40).

Shri S. K. Patil: I am moving amendments Nos. 4 and 42.

Mr. Deputy-Speaker: What about amendment No. 5?

Shri S. K. Patil: I am not moving that.

Shri S. M. Banerjee: I am moving amendment No. 47.

Shri Hari Vishnu Kamath: I am moving amendments Nos. 24, 25, 26, 36 and 37.

Shrimati Renu Chakravartty: I am moving amendment No. 46.

Shri H. C. Soy (Singbhum): I move amendment No. 35.

Shri Daji: I am moving amendment No. 46.

Shri K. L. More (Hatakanangle): I am moving amendments Nos. 23 and 27.

Mr. Deputy-Speaker: Amendment No. 27 is not for clause 2.

Shri Tyagi: I am moving amendment No. 41.

Shri Tridib Kumar Chauhuri (Bhampur): I am moving amendment No. 31.

Mr. Deputy-Speaker: That is not for clause 2.

Shri Jedhe (Baramati): I am moving amendment No. 9.

Shri S. K. Patil: I beg to move:

(i) Page 1, lines 5 and 6,—

for "Land Acquisition Act, 1894 (hereinafter referred to as the principal Act)", substitute "principal Act" (4)

(ii) Page 1,—

for lines 8 to 12, substitute—

"(aa) that such acquisition is needed for the construction of some building or work for a Company which is engaged or is taking steps for engaging itself in any industry or work which is in the interests of the general public; or". (42)

Shri Tyagi: I beg to move:

(i) Page 1,—

for lines 8 to 12, substitute—

"(aa) that such acquisition is needed for the construction of some building or work for a Company or a corporation, wholly or partially owned or controlled by the State, or a Co-operative Society registered under the Co-operative Societies Act, 1912, or under any other law corresponding to that Act for the time being in force in any part of India, or a duly registered charitable society or trust, engaged or to be engaged in an industry or work which is in the interests of the general public; or". (41)

Page 1, line 9,—

Shri Jedhe: I beg to move:

after 'for' insert—

"a society registered under the Societies Registration Act,

1860 and a registered society within the meaning of the Co-operative Societies Act, 1912 or for" (9)

Shri Hari Vishnu Kamath: I beg to move:

(i) Page 1, lines 10 and 11,—

for "an industry which is essential to the life of the community or is likely to promote the economic development of the country" substitute—

"any activity which is essential to the life of the community and is directly useful and beneficial to the general public, or is designed to promote the economic development of the country in accordance with the socialist pattern" (24)

(ii) That in the amendment proposed by Shri S. K. Patil, printed as No. 5 in List No. 2 of Amendments,—

for "is otherwise in the interests of the general public" substitute—

"is directly useful and beneficial to the general public" (26)

Shri H. C. Soy: I beg to move:

Page 1, lines 10 and 11—

for "an industry which is essential to the life of the community or is likely to promote the economic development of the country" substitute—

"any activity which is essential to the life of the community and is useful and beneficial to the general public and not directly detrimental to the well-being of the local public directly affected by such land acquisition, or is designed to promote the economic development of the country in accordance with socialistic pattern" (35)

Shrimati Renu Chakravartty: I beg to move:

Page 1, line 11,—

after "country" insert—

"and the Company is owned by the Central or State Government or is a Public Corporation" (46)

Shrimati Renuka Ray: I beg to move:

Page 1, line 12,—

for "or" substitute—

"provided a majority of shares of such a Company are owned by the State or it is in the Co-operative Sector or" (33)

Shri Hari Vishnu Kamath: I beg to move:

- (i) That in the amendment proposed by Shri S. K. Patil, printed as No. 5 in List No. 2 of Amendments,—

after "development of the country" insert—

"in accordance with the socialist pattern" (25)

- (ii) That in the amendment proposed by Shri S. K. Patil, printed as No. 5 in List No. 2 of Amendments—

after "development of the country" insert "in consonance with the socialist pattern" (36)

- (iii) That in the amendment proposed by Shri S. K. Patil, printed as No. 5 in List No. 2 of Amendments,—

for "is otherwise in the interests of the general public" substitute—

"is for a specific public purpose" (37).

Shri K. L. More: I beg to move:

Page 1, lines 10 and 11,—

for "an industry which is essential to the life of the com-

munity or is likely to promote the economic development of the country" substitute—

"any activity which is essential to the life of the community or is likely to promote the economic development of the country or is otherwise in the interest of the members of a co-operative housing society registered under any law relating to co-operative societies for the time being in force in any State or in the interest of the general public". (23)

Shri S. M. Banerjee: I beg to move:

Page 1,—

after line 12, insert—

"Provided that the land shall not be acquired under this clause unless the Government owns more than fifty per cent. of the shares in the Company and adequate compensation equal to market price plus twenty-five per cent thereon has been given to the land." (47)

Sir, I am speaking on amendment No. 47, which I have moved. I must mention here that I am not basically opposed to land being acquired, but the question is under what conditions it should be acquired. I have very carefully gone through the various amendments moved by my hon. friend Shri S. K. Patil. I am not still satisfied that the amendments are to the satisfaction of this House. I am not mentioning that these amendments do not satisfy me, but I submit that I am sure all Members either on this side or that side of the House will not be satisfied, because amendment No. 42 moved by the hon. Minister says:

"(aa) that such acquisition is needed for the construction of some building or work for a Company which is engaged or is taking steps for engaging itself in any industry

or work which is in the interests of the general public."

The hon. Minister read out the definition of 'company'—private company or public company—according to the definition given in the company law. I submit that where any person is having more than 100 shares, it can be termed as a public limited company or a company which comes under the definition of the particular amending Bill.

In my opinion, the old Act of 1894 should have been amended long ago. While amending this Act, I submit that we should show proper respect to two Supreme Court judgments, one delivered on 15th December, 1961 in the case State of U.P. versus a particular gentleman and in another case where the Punjab Government wanted to acquire land. These two judgments, in my opinion—I express my inability in regard to legal matters—are not conflicting or contradictory. In the first place, I feel that this legislation was not at all necessary. But if it was necessary, certain safeguards should have been given.

The Minister said that when land is acquired, they would be given adequate compensation i.e. market value plus 15 per cent or something like that. What is the market price? So far as Kanpur is concerned, I am not opposed to the proprietor of that particular firm which has been referred to in the Supreme Court judgment. I have got a telegram from the villagers of Nauraiyakhera, in Kanpur District. Nauraiyakhera actually comes within the jurisdiction of the Kanpur Corporation. There are also certain areas which may not be within the Corporation limits, but they come under the definition of areas contiguous to the Corporation area. The telegram reads thus:

"Nagarmahapalika acquiring agricultural land. Kindly withhold orders if unable payment of land be given at market value."

We have been told in this House that every man has been paid the market value. Unfortunately, the market value has not been paid at all. This particular piece of land in Nauraiyakhera, where this factory has been constructed—I am not opposed to this, but many other industrialists are acquiring land; even Singh Engineering Works have acquired land—this land of the small villagers, widows etc., which is lying vacant, is being acquired in various ways by the Nagar Mahapalika with the help of the U.P. Government. Unfortunately, this land has become a sort of Somnath Temple where all Mohammed Ghaznis are coming and acquiring land with the help of the U.P. Government and giving a very scanty compensation. What I feel is, unless the Government has a share in the particular concern it should not acquire land for it. Further, I wish to say that the Supreme Court has correctly pointed out that this Government cannot become the chief agent of acquiring land for industrialists. If the industrialists want land, let them negotiate. If they do not negotiate and have a settlement, the Government should not go to their rescue.

Sir, I will conclude in another two or three minutes.

Mr. Deputy-Speaker: You have spoken at length during the consideration stage. I think any further remarks will not be necessary.

Shri S. M. Banerjee: With your permission, Sir, I will have only two minutes.

Mr. Deputy-Speaker: You have already taken five minutes.

Shri Daji: We have got the whole day, Sir, for this Bill.

Shrimati Renu Chakravartty: The Speaker said so.

Shri Hari Vishnu Kamath: You were not here at that time, I think.

Shri Daji: The time has been extended.

Shri Hari Vishnu Kamath: If you refer to the proceedings, Sir, it will be clear.

Shri Tyagi: It is a matter where on each clause we have to give full thought.

Shri Hari Vishnu Kamath: Each phrase of every clause.

Shri Daji: Each word.

Shri Hari Vishnu Kamath: We will fight every inch and every millimetre. (*Interruption*).

Mr. Deputy-Speaker: You should try to conclude as early as possible.

Shrimati Renuka Ray: We do not fight but we want to improve it.

Shrimati Renu Chakravartty: You cannot improve it without fighting.

Shri S. M. Banerjee: Sir, there is another case. I am sure copies of this have been circulated to some Members of Parliament. Land was acquired from one Bishan Lal, son of Pt. Chandu Lal. This is a typical case. The land was acquired by the Delhi Corporation or the D.D.A. or, I may say, the Government or even a statutory corporation for a particular work concerning the Government. They said that the Small Industries Services Institute, New Delhi was to be established here. But what happened? About 2000 square yards of land was acquired by Government, and ultimately this was sought to be given to a private concern. This land was sought to be given to a private concern company known as Messrs. Ranbaxy Laboratories (Private) Limited.

Shri Tyagi: This was in Delhi?

Shri S. M. Banerjee: This was in Delhi. An injunction order is going on. There will be a third judgment by the Supreme Court and a Bill will again be necessary.

Sir, my submission is only this, that these things should be looked into. Let us not rush with the whole thing. When we could patiently wait, even after the Supreme Court judgment

which was passed in December 1961. for the "lame duck" session, when we could patiently wait for another 92 days. . . .

Mr. Deputy-Speaker: You have said all this during the consideration stage.

Shri S. M. Banerjee: Sir, my amendment says that adequate compensation should be given (*Interruption*). If the hon. Minister feels that this is a two-fold one—one is that the Government should have shares and the other is about compensation—and this is not acceptable to him, I hope the amendment moved by my respected sister Shrimati Renuka Ray and my hon. friend Shri Sinhasan Singh should be accepted. This is a harmless one. If Government want to pay adequate compensation to those people, I do not know why it should be denied.

Then there is this question of validating. I am opposed to this. Supposing a land has been acquired for a specific purpose, Government should find other ways to see that that particular industry is not disturbed. To validate right from the beginning, with retrospective effect is something unimaginable. Sir, I could have quoted many things. I could have quoted from the Property Act and other things—I have full facts with me. Unfortunately, the time at my disposal is less.

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): That concerns the next clause.

Shri S. M. Banerjee: I will come to that clause also. Sir, my amendment is harmless. It does not stand in the way of our industrial expansion. I do not want any subversion of our industrial policy resolution. But we want that Government should not act as an agent. That is all my submission and I hope the hon. Minister will accept my amendment.

Shri Hari Vishnu Kamath: Sir, I have moved amendments Nos. 24, 25, 26, 36 and 37.

Mr. Deputy-Speaker: You have moved them. Let us have your remarks on them.

Shri Hari Vishnu Kamath: You will have them in plenty, Sir. I did not take part in the consideration stage, and so I shall crave your indulgence if I take a little more time than you would like me to.

Mr. Deputy-Speaker: Not more time

Shri Hari Vishnu Kamath: There is no time fixed for moving amendments.

Mr. Deputy-Speaker: Total time is fixed.

Shri Hari Vishnu Kamath: This will be contrary to practice, Sir, if even at the stage of moving amendments you block us. That way we will become functionless, defunct, here *(Interruptions)*.

Shrimati Renu Chakravartty: This is one of the most obnoxious Bills that we have.

Shri Hari Vishnu Kamath: The Minister of State has today moved an amendment, Amendment No. 42. I suppose that is a substitute amendment for the amendment of his senior colleague of an earlier date.

Dr. M. S. Aney (Nagpur): You must read out the amendment. Unless you read it, how are we to know?

Shri Hari Vishnu Kamath: I thought you had the list before you.

Mr. Deputy Speaker: Before you read the amendment, I would like to tell you that your amendments Nos. 25, 26, 36 and 37 are amendments to Government amendment No. 5 which the Government has not moved. Therefore, those amendments are out of order.

Shri Hari Vishnu Kamath: I am surprised. They have given notice of it. Which of them survive now, Sir?

Mr. Deputy-Speaker: Amendments Nos. 25, 26, 36 and 37 are out of order.

Shri Hari Vishnu Kamath: So, at least two have survived the onslaught of the Treasury Benches.

Shrimati Renu Chakravartty: What about 28?

Shri Hari Vishnu Kamath: Yes, I would like to move, Sir, amendment No. 28 also. So I have amendments Nos. 24 and 28 *(Interruption)*. It is the Minister who is responsible for all this. He introduced the Bill, more or less withdrew it and again brought it back. They have created all this mess, which we have got to clear for them.

Now, the Minister of State has sought to introduce a new amendment as a substitute to the original amendment of his senior colleague, which says:

"that such acquisition is needed for the construction of some building or work for a company which is engaged or is taking steps for engaging itself. . . ."

Mark the words, Sir. The words are: "is engaged or is taking steps for engaging itself". It is so very indefinite and vague. It further says:

"..... or is taking steps for engaging itself in any industry or work which is in the interests of the general public; or".

The other day, when I raised a constitutional objection at the consideration stage I suggested that the words used in article 31 of the Constitution are "public purpose". Clause 2 of article 31 reads as follows:

"No property shall be compulsorily acquired or requisitioned save for a public purpose and save by authority of a law which provides. . . ."

Now, Sir, this "public purpose" is to my mind neither synonymous nor coterminous with "public interest". There what is sought to be introduced in the parent Act is that it satisfies the criterion of public interest so

[Shri Hari Vishnu Kamath]

that it will be valid and will be constitutional. I have got very grave doubts on this point and I hope the Law Minister—I am sure since he became the Law Minister he has not forgotten the law—will throw adequate light on this subject.

15 hrs.

Shri A. K. Sen: When I stand before the hon. Member I forget a everything.

Shri Hari Vishnu Kamath: But now you are sitting; not standing. You are being seated now.

My amendments which have finally survived are Nos. 24, 28 and 37. I will read out my amendment No. 24 because my hon. friend, the elder statesman, Dr. Aney, requested me to read it. It reads:

for "an industry which is essential to the life of the community or is likely to promote the economic development of the country" substitute—

"any activity which is essential to the life of the community and is directly useful and beneficial to the general public, or is designed to promote the economic development of the country in accordance with the socialist pattern".

The Supreme Court judgment, which has been referred to in the Statement of Objects and Reasons, has been referred to in the House on the previous occasion; so, I will not read it out again. Here, therefore, I would like to suggest to the Minister that the amendment suggested by Dr. Ram Subhag Singh, who, till some time ago, was a very active member of this side of the House, rather near this side of the House, seeks practically to modify the Constitution, to amend the Constitution. So, my first objection is on the ground that this cannot be done unless the Constitution itself is amended for which they have to bring a Bill to amend article 31 of the Constitution. Without that this amendment should be held to be out of order.

I will briefly refer to one of the aspects of the matter and then close. In this judgment under reference, the Supreme Court judgment, the wise judges, the eminent judges of the court, held that a land which is acquired by a company. . . .

Shri A. K. Sen: Five judges held it.

Shri Hari Vishnu Kamath: I said "wise and eminent judges". I did not say 5, 6 or 7. I did not mention the number. I am sorry, you have misheard me. It is not my fault.

The Supreme Court held that under the Land Acquisition Act, as it stands, land can be acquired for a company for a 'public purpose' or for a purpose akin to such purpose. It was held by the Supreme Court in this case that the purpose must be something like a hospital, reading room, library or an educational institution open to the public. It must be for a specific public purpose as mentioned in the Statement of Objects and Reasons.

I submit that the amendment moved by my hon. friend, Dr. Ram Subhag Singh, does not comply with the provisions of the Constitution and the meaning, the specific meaning, the import, the significance of the phrase "public purpose" as embodied in article 31. "public interest" is something very much vaguer or obscurer than what is meant by "public purpose". I would suggest, therefore, that the amendment might be further amended, as follows:

for "in the interests of the general public" substitute "for a specific public purpose"

so as to incorporate my amendment No. 27 which, unfortunately, because of the tactics, wholly uncalled for, of the senior Minister, could not be moved today.

One word more and I have done.

Mr. M. S. Aney: If you say "a specific purpose", suppose there are more than one public purpose?

Shri Hari Vishnu Kamath: So long as at least one is there it does not matter whether there are two or three. It is pure arithmetic. When there are two, three or four one is there.

The amendment moved by my hon. friend, the Minister of State, reads as follows:

"...which is engaged or is taking steps for engaging itself in any industry or work...."

I do not know why the legal advisers of the Food and Agriculture Ministry have advised them to word it in this manner. It is extremely vague.

Shrimati Renu Chakravartty: That is why it has been so put.

Shri Hari Vishnu Kamath: That should be their purpose; no doubt, that should be the purpose of the treasury benches. As has been stated by my hon. friend, Shrimati Renu Chakravartty, just now, it has been deliberately done. I hope that the Law Minister, if he does participate in the discussion at this stage, will at least try to exonerate himself, his Ministry, from this charge that it was not at his instance, and for Shri Patil's convenience, that this has been embodied in the amendment moved by my hon. friend, Dr. Ram Subhag Singh.

Shrimati Renu Chakravartty: Mr. Deputy-Speaker, Sir, I find no words really to oppose this Bill. It is the most shocking, shameless and most obnoxious Bill that we have ever discussed in this House. I would not at all have minded it if we have gone into the entire Land Acquisition Act of 1894 and had tried to make some changes in it for the better, that is in order to see that the poorer sections of the people, the less wealthy sections of the people really get a fair deal in cases where Government-controlled companies or public corporations try to get hold of land in order to build factories and other industries. As a matter of fact, when we have seen the way in which this law has really functioned in the rural areas, and even in areas round about

cities, we have found that it is really in the computation of the compensation, which my hon. friend, Shri Banerjee has just now raised, that needed amendment. Actually, this computation is done in various ways, sometimes on the crop yield, sometimes on the land revenue etc. with the result that the amount of money that is paid for an acre of land does not buy another acre of land of equal quality. That is what is happening.

If we go into this deeply, we are going to pay compensation to the richer section, those who own more than two or three acres of land, not to the poor people, and that is where I join issue with the Minister of Food and Agriculture. He says he wants to protect only those people who have got very rich lands. A person in Krishna district of Andhra Pradesh owning three acres of land is really a rich man. For him, the Minister is prepared to see that lands is not acquired. But in the case of an Adivasi who is living in Singhbhum, who is hardly scraping some subsistence from his land, it can be acquired because it is for a public good, because the land is required by Tatas, Birlas or somebody else. So, we are not able to understand what is meant by a "public good". Therefore, my view is that if he really wanted to amend the Land Acquisition Act, he should have gone into all these things. But, instead of doing that, we are now being told that this is being brought forward for a public good, for the planned development, for the industrialisation of the country, in order to prevent land speculation and so on. One friend was trying to tell me "We want to stop land speculation; you have no idea how some people buy land cheap, at very low prices and then sell it at very high rates, that is what we want to stop". If that had been the real intention, we could have brought forward a Bill for preventing speculation on land in which case, we would have all welcomed and supported it. Why this machinery of acquisition for that? As a matter of fact, if some amendment

[Shrimati Renu Chakravartty.] had been brought forward to Part II in order to see that no Government acquires land under Part II without paying proper compensation—under Part II they can acquire land without paying compensation, as the hon. Minister has stated—we would have supported it. But now there is nothing to prevent the State from acquiring a land even for a private individual under Part II. I will give you one or two examples to show how it has been done.

The hon. Minister said in his speech that for 68 years we have had no difficulty and this law has actually functioned so well. Actually, it has functioned but who has heard the voice of that poor Adivasi whose land has been taken away by the riches in the land?

As regards this question of interests of the general public in the amendment which has been moved by my hon. friend, Dr. Ram Subhag Singh, it is a tragedy that I see the name of Dr. Ram Subhag Singh being mixed up with this amendment.

Dr. Ram Subhag Singh: Why? There should not be any surprise.

Shrimati Renu Chakravartty: He is the person whom in the past we saw talking so often about the poor peasant! I can understand Shri Patil doing it because he is one who always backs the capitalists. We know it. But this comes in the name of Dr. Ram Subhag Singh who always spoke for the poor peasantry and who used to jibe at us because we lived in the urban area. Now Dr. Ram Subhag Singh has brought forward this amendment saying that if the words 'in the interest of the general public' are included everything will be covered.

What is happening actually in the interests of the general public—I want to ask the hon. Minister—in the case of an iron and steel company, like the Indian Iron and Steel Company, which is owned by Martin Burns and the richest in the land, like, Sir Biren Mukerjee? They go and take over

the land of the poor Adivasi, an iron ore mine worker, who does not even have a minimum wage, in an area called Gua which is in the same State as my hon. friend, Dr. Ram Subhag Singh, comes from. That poor Adivasi has very little arable land and he takes it over. For what purpose? Because the *burra sahibs* want to have a land in ground. For three years I tried. I went to the Commissioner for Scheduled Castes and Scheduled Tribes. I wrote to the late Pandit Pant. I did everything possible. The Commissioner for Scheduled Castes and Scheduled Tribes saw with his own eyes how the bulldozers actually razed that village to the ground.

Now, is it not in the interests of the general public if it is argued that here is this company which is producing iron ore which is going to go to the steel companies which are going to produce steel which is the basis for our heavy industries and for the economic development of our country? Of course, it can be argued in that manner.

Why is it that you are bringing forward this thing? It is because just by saying 'in the interest of the general public' which is vague you are going to allow loopholes for the biggest in the land to go from the lowest court right upto the Supreme Court to fight this out and because you know that the poor Adivasi will not, in any case, be able to do that. He has not been able to do that with the result that today he has no land. That is why we are totally opposed to amendment No. 42 being brought forward.

I know that Shri S. K. Patil is a very determined person and he has been able to win over a large section of friends who very rightly opposed this and felt that there was something very wrong being done. He told me yesterday with great bravado, "You have come too late; everyone else has succumbed." I say they may have succumbed but the people outside have voted into power Shri Ranga to this very House defeating the powers

that be today and, if you are going to allow the capitalists with these concessions that is what is going to happen again tomorrow. That is why with the strongest words which I can utilise and with very great feeling I say that by bringing in this Bill you are not improving what we should have improved. We are not really going to stop land speculation at all. If there was any attempt at stopping land speculation, I would be one with you. I would even go to that extent though. I do not like that. But in the case of the private sector we should not permit it. In the case of the public sector let us allow it because in the case of the public sector we do not put forward the philosophy which Shri S. K. Patil has of free profit.

Shri Narendra Singh Mahida: You helped them against Shri Ranga's election.

Shrimati Renu Chakravarty: Because we say that you are worse. We do not want you to come here in greater number. That is why we are supporting their policy. We are asking them to wake up before it is too late and before they are submerged in the philosophy of Swatantra Party. That is why we supported them against you.

But I only say that actually there is much which should have been done by bringing forward a new amendment to the original Act. Actually, what is the Government doing? In my State, do you now, what actually has happened? You have now actually said that the land of co-operative societies may not be taken over. But I can give you the example—here it is the case of the public sector—of the Bandal thermal power station where we have acquired 155 acres of land belonging to the Triveni Trifasali Co-operative Society which won the Dr. B. C. Roy Shield for the best produce. The price computed for that land was Rs. 1,000 per acre. This is the amount of compensation, but the District Magistrate told them once in private that actually it should have

been Rs. 3,000 per bigha because it is three-crop land. It produces three crops. Therefore when we are prepared to allow the Government to acquire land for those who do not put forward the philosophy of free enterprise, that is, the public sector. In the new amendment are told that only private companies will be exempted but public limited companies will come within the purview of this Act. Shri Ram Rattan Gupta is correct. I do not know whether he is big or the biggest, but the biggest industrialists and the biggest monopolists will escape because they are not "private limited companies". So, I say, let there be some logic. If the private sector wants that there should be free enterprise, let it be free enterprise all the way, for the small landowner as well as for those whose profits the Government is not permitted to control and to know their cost of production. If that is done, that would be fair. Therefore I completely oppose this amendment, that is, amendment No. 42. As a matter of fact, I totally oppose this whole Bill.

Shrimati Renuka Ray: Mr. Deputy-Speaker, Sir, I have moved an amendment to this clause which says that companies in which the State has majority of shares as also cooperative societies should be included in it. I did this because I felt that it would be the quickest and the best way of getting over the fact that Government might, on some occasion, be acting as a land agent for a private company as suggested by the judgment of the Supreme Court.

I realise that we have a mixed economy and it may be necessary on some rare occasions to help companies selected by the Government in getting land. But there must be some very adequate checks also. The amendment moved by hon. friend, Dr. Ram Subhag Singh is certainly some improvement over the original amending clause in the Bill. Nevertheless, there is one point to which I would like to draw the attention of the hon. Minister.

[Shrimati Renuka Ray]

I must say here that the hon. Minister has shown that he does take into consideration, to some extent, the feelings in this House. He did discuss this matter with all parties and to some extent some improvements have been made. It is because he has been accommodating that I will still request him, at this late hour, to bring in the words 'public purpose' in place of 'in the interests of the general public'. Shri Patil has quite rightly said that in clause 19 (f) the words 'interests of the general public' are included—that is the clause allowing private property. But in clause 31 which is quite a different clause—it is the clause through which compensation is paid and for certain purposes you can acquire land also—the words 'public purpose' are used and not the words 'interest of the general public'. Therefore I would request him even now to use the words 'public purpose' in place of the words 'interests of the general public'. If that is done, that in itself will be somewhat of a safeguard.

We must realise that while on some occasions it may be necessary for the Government, when it is not able to do something in the public sector which is essential, to ask some private firm to do that work for them. Surely that cannot be so in the case of textile machinery and things like that. It could only be in regard to major and key industries where Government are unable to expand rapidly in the public sector. While we may leave it to the private sector freely to put up factories for textile machinery and the like, surely, it is not for Government to go to their help to acquire the land. Why can they not acquire the land in the usual manner and buy it in the open market without any help or any particular assistance from Government?

As it is, in the case of public sector companies or public sector projects—and some of them are very vital projects—such as the Farrakka barrage or other big irrigation pro-

jects, we do have to take over the lands belonging to some agriculturists, who may be very poor persons. When we take over those lands, do we have adequate safeguards that compensation will be paid in proper time? I know from personal experience what has been done in my own constituency, when the railway line was built there. The compensation in some cases, is still pending in that connection. This took place about two or three years ago. Again, where the Farrakka barrage is being constructed, the people are naturally very worried and anxious, because it is just across the river. They also want to know if compensation will be paid in time. I have brought up this point merely to show even where acquisition is made for public sector companies or some very essential public sector projects, we must be very careful and very vigilant, and when we take the land, we must see to it that the persons whose lands are taken away from them are not made refugees. It is our duty to see to it, and it is Government's duty to see to it that they are not made refugees.

Even where land is acquired for private companies, that should be very rarely done, and it should be done only for some very definite public purpose.

I have decided not to move my amendment to this clause not only because there is improvement on the present clause, but I hope my further suggestion will be accepted. I hope that the rules that will be framed by the Central Government will be laid on the Table of the House, and we shall be in a position to suggest amendments to the rules when they are so laid. So, if the Bill, along with Dr. Ram Subhag Singh's amendment is accepted, then it will be possible to have adequate safeguards, and therefore, it is not necessary to use as Shrimati Renu Chakravarty has done, invectives and adjectives such as "obnoxious". I was rather surprised to hear her say that she

supported the election of Shri Ranga, but, of course, she qualified it later by saying that she was opposed to the policy of his party.

Shrimati Renu Chakravartty: The mad woman is thinking that we supported Shri Ranga!

Shrimati Renuka Ray: There is one other point also. I do not know whether it is the creed of the communists not only to say that compensation should be paid but to say that larger amounts of compensation should be paid when land is acquired by Government; and she also said that even where land is acquired by Government, not for the private sector, not only the compensation that is now given should be paid but even more should be paid.

Shrimati Renu Chakravartty: Our policy is that the smaller man or the smaller peasant should be given much more. For my hon. friend's education, I may inform her of our party's policy.

Shrimati Renuka Ray: I do not know. I am always subject to correction by the hon. Member. But I cannot understand whether, if this is the policy, it is in line with the communist creed, because we have been told all along that private property should be taken over by the State without compensation.

Mr. Deputy-Speaker: Now, Shri Tyagi.

Shri A. K. Sen: I wanted to ask one thing. I thought that the hon. Member Shrimati Renu Chakravartty said 'mad woman'. May I ask her whether she said so?

Shrimati Renu Chakravartty: Shall I say 'insane'?

Shrimati Renuka Ray: I do not know whether that is parliamentary. Is that not unparliamentary?

Shrimati Renu Chakravartty: In that case, I withdraw that expression, and say 'Do not be insane'.

Mr. Deputy-Speaker: Order, order. Now, Shri Tyagi.

Shri Tyagi: The subject actually circles round the two words used in the Constitution, namely 'public purpose'. It is quite clear that the whole controversy from beginning to end has gone round the interpretation of these two words. Let us, therefore, be quite clear about what we are going to enact today. My fears are, that the Bill if it is passed along with the amendments proposed today may again perhaps have a bad fate when it goes to the Supreme Court. Therefore, the idea has not been well conceived or duly considered from that angle.

But I talk with a sense of inferiority and diffidence because I do not know law and I am dabbling in matters which are highly legal. The Constitution had enacted, and that has been repeated very often, that "no property shall be compulsorily acquired or requisitioned save for a public purpose, and save by authority of a law which provides for compensation for the properties so acquired etc."

So, there are only two saving provisions. One is that the property is essentially to be acquired for a public purpose. There is no dispute about it. The other is that it should be done by authority of a law. And what is that law? It is not a law for acquisition of land, or the principles of Acquisition, but a law which provides for due compensation. That law cannot be the present legislation which we are enacting. The term 'law' here means a law which provides for compensation for the property so acquired. This is the requirement of the Constitution.

Then again, according to the terms of the Constitution, the Land Acquisition Act of 1894 were also *ultra vires*, had we provided further in the same article of the Constitution in Clause 5, that:

"Nothing in clause (2) shall affect—

(a) the provisions of any existing law other than a law to which

[Shri Tyagi]

the provisions of clause (6) apply.....".

The Land Acquisition Act of 1894 was already existing. Therefore, that is the only one law which could override the interpretation of Article 31(2) of the Constitution. After emphasising the words 'for a public purpose', it is mentioned in clause 5 that this Article can only be read in the light of the old or existing acquisition Acts. And this Land Acquisition Act of 1894 was the only one which was existing then. Therefore, if we amend that Act now, we shall lose the balance again, I am afraid, because this law is the only security before Government; the Constitution had permitted only the independence of the existing Act and no other Act. So, if we amend the old Act in any manner, that amendment shall not be within the meaning of the term 'existing law'. Therefore, we shall again take the risk of facing an interpretation from the Supreme Court or the other courts. Exemption was given only for this existing Act.

Moreover, the preamble of the Act which we are amending also says:

"Whereas it is expedient to amend the law for the acquisition of land needed for public purposes and for companies and for determining the amount of compensation to be made on account of such compensation, it is hereby enacted:....".

So, according to the preamble of the Act also, the objective was to acquire land only for 'public purposes'. We cannot therefore get over the term 'public purposes'. That term is there in the Constitution. That term is there also in the Act. So, even if you say 'public interest' or 'public utility' etc., all those safeguards will not give you any safety valve. Again, all those phrases will be tested on the touchstone of the term 'public purposes'. That is what I would like to submit.

The Law Commission also has reported on this matter. I am afraid of

Shri A. K. Sen when I am referring to this, because he is an eminent lawyer and knows law very well, and I am only a layman. So, when I have to talk to him, I have tried to find authorities of some other eminent lawyers. For instance, there is the report of the Law Commission of India, where Mr. Setalvad has signed it. At page 9, it has been mentioned that:

"The determination that a purpose is a public purpose is no longer a matter for the subjective satisfaction of the appropriate Government....The existence of a purpose is a necessary condition to the acquisition or requisition of property....".

Further on, it is said:

"That the existence of a purpose must be established objectively has been settled by the decisions of the Supreme Court in *Bela Banerjee's* case, and still holds good".

This is what eminent lawyers of the country say. So this cannot be got over in any manner. Then they say:

"If the Land Acquisition Act, 1894, and other existing laws are allowed to continue in force without alteration, the provision in these Acts to the effect that declaration by Government that the land was required for public purposes shall be conclusive evidence. This cannot be challenged. The position would, however, be different if a consolidating Act is now enacted. The decision of the Government that a land is needed for a public purpose will not have the finality which it would have had if Act I of 1894 and the other Acts were left untouched".

Because you are bringing in new amendments now, therefore you are losing your old sanctions, the sanctions which the Central and State Governments have been enjoying so far because this Act had not been amended.

It is the opinion of the Law Commission that you lose that sanction and "the decision of Government will not have that finality which it would have had if Act I of 1894 and the other Acts were left untouched." I am glad to speak in the interest of the small man. I think you are committing an error, a blunder, in amending this, because as it is it will be useful to the cultivator because it will not be possible to exercise so much freedom of land acquisition as you have been doing so far if you amend this Act.

15.32 hrs.

[SHRI MULCHAND DUBE in the Chair.]

Then there is the question of 'public purpose'. It will have to undergo the test of 'public purpose'. Article 31 says that no new law can be made in contravention thereof. According to article 35, the new law cannot be in contravention of this article; only the old laws will hold good. That is quite clear. Then article 141 says that the decision on law of the Supreme Court is binding on all courts. It is difficult to get round the decisions of the Supreme Court. They will remain final. Whatever you do, the interpretation of the Supreme Court shall be final.

Shri Hari Vishnu Kamath: For all courts, not for the Government.

Shri Tyagi: Government are subordinate to the courts in the matter of interpretation of law.

Shrimati Renu Chakravartty: They will bring forward another amendment.

Shri Tyagi: Coming to the Supreme Court rulings, in *Babu Barkaya Thakur vs State of Bombay* (A.I.R. 1960 S.C. 1203), the Court had clearly laid down that the 'purpose must be something like a hospital, reading room, library or an educational institution open to the public'. These are public purposes according to the view of the Supreme Court. In *Arora vs State of UP*, they say that 'merely

because a company is going to produce something which is likely to be used by the public does not justify acquisition of land for the company because it is not a public purpose'. How shall you get over that? So that it is not possible to think that all the lacunae will be regularised. I am afraid we cannot do that by one stroke of the pen.

Then take the question of sovereign power. There is a ruling of the Supreme Court there also. They say that 'sovereign power to acquire property compulsorily is a power to acquire it only for public purpose. There is no power in the sovereign to acquire private property in order to give it to private persons. Public purpose is a content of the power itself'. This was said by the Court in 1952.

So my fear is that the Bill that Government has brought in amending the Act shall be challenged. It would be challenged on these grounds and then you will again have to face the same music.

Shri Hari Vishnu Kamath: Sweet music.

Shri Tyagi: As my hon. friends have already pointed out, there are quite a number of spots here even in Delhi which were acquired from persons who were going to start industries. They were acquired; they were not given to those industries but given to other industries at higher prices. Is this justice? Such things are happening even in other States.

I am grateful to the hon. Minister, for he has laid down a policy which will sustain me. Otherwise, people will be carried away by sentimental speeches delivered by Communist Members like my hon. friend, Shrimati Renu Chakravartty. I was simply carried away altogether because she spoke out my sentiments, she spoke out the sentiments, of the poor, the sentiments of the people; therefore, people will naturally recognise those representatives who represent them.

[Shri Tyagi]

really, truthfully. She has really done a service to those people by saying that. We have no business to acquire property for private interests. Why should we do so? We say, market price plus 15 per cent. If that were actually the price calculated, let any capitalist come to any town and pay the market price plus 15 per cent. Hundreds will come and give their lands because there is no harm; they are selling at a profit of 15 per cent. If that calculation were there, people would not resent their lands being sold. Why acquire them? Why do you put these capitalist friends into a loss by saying 'market price plus 15 per cent?' This is a penalty to those capitalists who are supporting you. Why do you want to force them to pay market price plus 15 per cent? Why not give them the freedom to buy freely? They will pay market price plus something or minus something for the commission agents.

Shri Hari Vishnu Kamath: It is a new angle.

Shri Tyagi: In fact, that is better. They are moneyed people. Let the poor man have the free market to sell his land. What else has he? If he needs money and wants to sell the land, let him get a good price. I do not think there is any harm in that.

Of course, we cannot do away with acquisition for public purposes. We need it. Therefore, we may be content with the amendment I have moved. There are better amendments, of course. I will change my position as soon as those amendments come. I have no objection to better wording. My amendment reads:

"that such acquisition is needed for the construction of some building or work for a company or a corporation, wholly or partially owned or controlled by the State, or a co-operative society registered under the "Co-operative Societies Act, 1912, or under any other law corresponding to that Act for the time being in force in

any part of India, or a duly registered charitable society or trust, engaged or to be engaged in an industry of work which is in the interests of the general public...."

I can well understand the bringing in of the word 'interests'. If it is acceptable to Government, that will be very good. I am glad my hon. friend the Minister has made an announcement that in the rules he will incorporate a provision that fertile lands will not be acquired and no permission will be given for such acquisition. That is a very good undertaking he has given. I am thankful for this assurance to the people at large.

Since the time we have started considering this Bill, people came to know that I was supporting their cause and I have received a number of telegrams saying that so many thousands of acres of land have been acquired for industries in Ahmedabad, Bombay and other places. Now people will have less fear after the announcement made by the hon. Minister that the interests of the rural population will be looked after.

As regards 'public purpose', there is a big list given by the Law Commission. It is not an exhaustive list defining what a 'public purpose' should be. I do not want to read the whole of it but just a sample.

15.38 hrs.

[MR. SPEAKER in the Chair]

"Provision of villate sites in districts in which the appropriate Government shall have declared by notification in the official gazette; provision of land for planned development from public funds, and subsequent disposal thereof in whole or in part by lease assigned or outright sale with the "object of securing further development as planned".

This is what the Law Commission have recommended. Why not act upto it?

"Provision of land for town or rural planning under a law relating to such planning; provision of land for carrying out any housing schemes or health schemes sponsored by the Union Government or any State Government or local authority for clearing slum areas, for relieving congestion, for housing the poor, landless, displaced persons...."

There are a number of details. I do not want to go through each of them. The considered view of the eminent lawyers, experts in law, is that public purpose would be like that. Allowing a big man to start a factory for profit-earning purposes is not a public purpose.

Again, a question arises. In this latest case, the Supreme Court have clearly laid down that "merely because a company is going to produce something which is likely to be used by the public, it is not a justification to acquire the land for the company, because it is not a public purpose". A factory may produce textiles, the most important thing, but according to the judgment of the Supreme Court, this is not a public purpose, because public purpose means that it must be applied to the building that is made, that must be for the public purpose, or the work that is done, not the produce or whatever comes out of that factory that is used by the public. That is not a public purpose according to the verdict of the Supreme Court.

In the matter of interpretations, I am afraid Parliament is divested of power. We cannot give interpretations. We can only enact laws, and laws within the Constitution, we cannot go beyond the Constitution. Interpretation ultimately will have to be by the Supreme Court, and this is the interpretation of the Supreme Court. Knowingly, with open eyes, why are we going to go beyond these interpretations? Ultimately again we have to come to the very same point.

The amendment of my hon. friend Dr. Ram Subhag Singh says:

"Notwithstanding anything contained in this Act, no land shall be acquired under this Part for a private company, which is not a Government company."

This is beyond the purview of the present clause that we are discussing.

Shri Hari Vishnu Kamath: It has not been moved.

Shri Tyagi: Not moved. But this is again something which I cannot understand. People are accusing me as a Member of the Party, they are putting questions to me: how are you supporting these capitalists, bigger people?

Mr. Speaker: We are not concerned with his membership of the party. Here he can speak as a Member of the House.

Shri Tyagi: I am sorry, but my party affiliation has been so great that sometimes I betray it.

Shri Hari Vishnu Kamath: It cannot be divorced.

Shri Tyagi: Now the question would be, I feel, the question of supporting the big man, the capitalist. Among the capitalists also, the smaller men are chucked off. Suppose I want to start a small factory in the public interest for the production of medicines or something else, whatever I think is in the interests of the public, my friend would not acquire land for me, because I am a small man, I am a private company, I am a firm or I am even a co-operative society. It is only those persons who have got big public limited companies who shall be benefited. Up till now everybody could be benefited, but now we are reformists, we have accommodated the wishes of the people, and now the smaller man shall not be accommodated. The smaller man will be deprived of his land. It is all right. But the smaller man will also not be accom-

[Shri Tyagi]

modated any longer. It is only the bigger man, a man who can float a public limited company who will be accommodated according to the new amendments my hon. friends have given. If you are giving a benefit to people who are coming into industry, why unnecessarily deny it to the small man? Give it to everybody. Or, be frank, and say that according to the principles of the socialist pattern, all those concerns only which enjoy a Government share or State share or a share by municipal or co-operative societies, will be accommodated; for the rest, there is the open market, they can go and buy. If they cannot have it in Bombay, let them come to my town. They can start a factory there. Why should you stick to Bombay alone?

With these words, I commend my amendments.

श्री लहरी सिंह (रोहतक) : स्पीकर साहब, जो अमेंडमेंट अब पेश की गई, उस ने तो और भी मुश्किल पैदा कर दी है। पहले तो बड़ा साफ था एक ही क्लज पर बहस थी। जहाँ तक इस हिस्से का ताल्लुक है,

"That such acquisition is needed for the construction of some building...which is essential to the life of the community".

इस पर तो हाउस में कोई डिफरेंस नहीं था और सब इस को बैलकम करते थे। बहस तो क्लज के इस हिस्से पर थी,

"or is likely to promote the economic development of the country".

सारे मेम्बरज की तरफ से इस के खिलाफ आवाज उठी थी कि यह बड़ा वाइड प्राविजन है। इस लिये मिनिस्टर साहब ने मेम्बरस को कनसल्ट करने के लिये टाइम लिया। उस कनसल्टेशन में क्या प्वाइंट आया और क्या नहीं आया, यह तो मालूम नहीं, लेकिन जो अमेंडमेंट अब लाया गया है,

it made the confusion more confounded and the corruption more corrupt.

उन्होंने क्या दे दिया? उन्होंने "ऐंशंसल टु दि लाइफ आफ दि कम्युनिटी" के लफ्ज भी हटा दिये और "टु प्रोमोट दि इकोनॉमिक डेवलपमेंट आफ दि कंट्री" को शर्त भी खत्म कर दी। उन्होंने डिस्पूटिड क्लज में ये अलफाज रख दिये, "इन दि इन्ट्रस्ट्स आदि दि जनरल पब्लिक"। ये अलफाज रखने के मायने तो यह होंगे कि लॉग हर रोज अदालत में खड़े रहें और हर रोज फैसले होंते रहें। सुप्रीम कोर्ट ने अपने जजमेंट में "पब्लिक परपज" बात कही थी। अगर "पब्लिक परपज" रखा जाये, तब तो ठीक हो सकता था और वह बात समझ में आ सकती थी। लेकिन "पब्लिक परपज" के अलफाज भी गये और ऐंशंसल टु दि लाइफ आफ दि कम्युनिटी के अलफाज भी गये। अब तो इस प्राविजन को बहुत वाइड कर दिया गया है।

पहले बहस इन अलफाज पर थी, "इज लाइकली टु प्रोमोट दि इकोनॉमिक डेवलपमेंट आफ दि कंट्री"।

उन की जगह पर अब इन अलफाज को रख दिया गया है, "इन दि इन्ट्रस्ट्स आफ दि जनरल पब्लिक"। इस का मतलब तो यह है कि अगर कोई आदमी एक फैक्ट्री लगाये, तो वह भी इन्ट्रस्ट्स आफ दि जनरल पब्लिक के लिये ही होगी। उस फैक्ट्री में बनी चीज आम लोगों के इस्तेमाल के लिये नहीं होगी, तो और क्या होगी? इसलिये मैं यह समझता हूँ कि "इन दि इन्ट्रस्ट्स आफ दि जनरल पब्लिक" के अलफाज रखने का नतीजा सिवाये लिटिगेशन को बढ़ाने और कम्पनीज और पब्लिक को तकलीफ देने के कुछ नहीं होगा। अगर इस टर्म को अच्छी तरह से डेफाइन कर दिया जाता, स्पेसिफिक परपज का जिक्र कर दिया जाता, तो ठीक होता। लेकिन मिनिस्टर साहब ने कांस्टीट्यूशन में से कुछ लफ्ज पढ़ कर सुना दिये। जिन का जिक्र

फ्रीडम आफ स्पीच के सिलसिले में किया गया था। मैं अर्ज करना चाहता हूँ कि उस सिलसिले में इस्तेमाल किये गये "इन दि इन्स्ट्रुक्स आफ दि जनरल पब्लिक" के अल्फाज को लैंड एक्वोजीशन के मामले में इस्तेमाल नहीं किया जा सकता है।

इसलिये यह जरूरी है कि "इन दि इन्स्ट्रुक्स आफ दि जनरल पब्लिक" का डेफाइन किया जाये और वह "पब्लिक परपज" के लिये हो। अगर इस में "पब्लिक परपज" रखा जाये तो तमाम हाउस सैटिसफाइड होगा।

आज जमींदारों का जमीन पर सीलिंग लगाई जा चुकी है। उन को जमानें छिन चुकी हैं। अब वे दो दो, चार चार एकड़ के अदमी रह गये हैं। सरकार उन में दूध और घेन लेना चाहती है और उन के लड़कों को पुलिस और फौज में लेना चाहती है। वे लाग सब तरफ से मुल्क और सरकार को सोच कर रहे हैं। लेकिन आज वे लाचार हो कर बैठे हुए हैं। वे कहते हैं कि भगवान यह गवर्नमेंट तो अंग्रेज ने भी ज्यादा सख्त है। उन लोगों के दस दान बच्चे होते हैं, वे कैसे अपना गुजारा करें? आज फैमिली प्लांनिंग का बहुत जिक्र होता है, लेकिन हम देखते हैं कि रिच मैन के कम बच्चे होते हैं, जब कि इस बारे में गरीब आदिमियों पर ज्यादा मार हाता है। जब से इस बिल का चर्चा हो रहा है, वे लोग बहुत परेशान हैं। हम देखते हैं कि यहां पर वर्डज पर पने लिया जा रहा है—कभी कुछ लखज लिख देते हैं और कभी कुछ, लेकिन मतलब वही है, याना कैपिटलिस्ट्स को जमीन दिलवाई जाये। इस के मुकाबले में गरीब आदिमियों का, जिन का हालत पहले ही बहुत खराब हो चुका है, जिन की जमीन छिन चुकी है, कोई अप्टो नहीं दी जा रही है।

जहां तक जमीन हासिल करने का सवाल है, वे लोग इस बारे में सौदा करें, जिन के लिये सरकार की तरफ से यह

बिल लाया गया है। इस में कौन सी स्कावट है? अगर मैं मकान बनाना चाहता हूँ, तो मैं सौदा करूँ, मुझे जमीन मिले या न मिले। लेकिन वे लोग समझते हैं कि सौदा करने से मुश्किल होगी। इसलिये वे गवर्नमेंट की मदद से गरीब आदिमियों को उन की जमीन से डेप्राइव करना चाहते हैं, जिस के बिना उन का जिन्दा रहना नामुमकिन है। आज तमाम इंडिया से, मुल्क के कोने कोने से आवाज आ रही है कि किसी तरह से हमें बचाओ।

जिस गरीब आदिमी की जमीन ली जा रही थी, वह इन्साफ पाने के लिये नीचे गया, ऊपर गया, हाई कोर्ट गया, लेकिन उस की कोई परवाह नहीं की गई। जब वह बहुत रुपये खर्च कर के सुप्रीम कोर्ट गया, तो वहां उस को जस्टिस मिला। अब सुप्रीम कोर्ट के उस जजमेंट को किक किया जा रहा है और उस गरीब आदिमी को उस की जमीन से डेप्राइव किया जा रहा है, जिस के लिये उस ने हजारों रुपये खर्च किये।

एक बात तो यह है कि "पब्लिक इन्स्ट्रु" को डेफाइन किया जाये और दूसरे यह देखना है कि जिन लोगों को हम जमीन से डेप्राइव करने जा रहे हैं, जिन की इतनी बड़ी फैमिलीज हैं, उन के लिये हम ने आल्टरनेटिव क्या रखा है, उन को हम क्या रोजगार देंगे। जहां तक उन को मार्केट वेल्यु देने का सवाल है, मैं अर्ज करना चाहता हूँ कि सरकार दस फैमिलीज को उन की जमीन से डेप्राइव कर के—वे लोग अनपढ़ हैं, वे टेक्नीशन नहीं हैं और कोई ट्रेड नहीं करते हैं—यह कहना चाहती है कि हम तुम को मार्केट वेल्यु देंगे। यह मार्केट वेल्यु क्या है? हम लोग हर रोज देखते हैं कि अदालत में यह कहा जाता है कि चार पांच साल की औसत निकालो, वह मार्केट वेल्यु है। आज सब चीजें दिन-ब-दिन महंगी होती जा रही हैं, लेकिन अदालतों के मुताबिक

[श्री लहरी सिंह]

मार्केट वैल्यू के मायने पांच साल का ऐवरेज है, जोकि कुछ भी नहीं आता है। अगर गवर्नमेंट अपने किसी काम के लिये लैंड एक्वायर करे, तो ठीक है, लेकिन जहाँ तक कंपिटलिस्ट क्लास के लिये जमीन एक्वायर करने का सवाल है, अगर वे लोग आपस में सौदा कर के जमीन हासिल नहीं कर सकते, तो कम से कम यह प्राविजन किया जाये कि सिर्फ पब्लिक परपज के लिए जमीन एक्वायर की जाये। उस जमीन से उजड़े हुए फॅमिलीज के लिए एक खास स्पेशल मार्केट वैल्यू हो। उन को खास कम्पनसेशन देने पर गौर किया जाये। जैसे कोई आदमी एक फॅक्ट्री लगाता है जिस जगह पर एक फॅक्ट्री लगती है, उस जगह पर और भी बहुत सा डिवेलेपमेंट का काम हो जाता है। वहाँ पर सड़क बन जाती है, वहाँ पर दुकानें खुल जाती हैं, वहाँ पर मंडी बन जाती है। ये जो दुकानें बन जाती हैं, दस दस और पंद्रह पंद्रह और जिन को कम्पनी वाले बनवा लेते हैं, उन का ये किराया भी खाते हैं लेकिन उन का उस फॅक्ट्री से कोई ताल्लुक नहीं होता है। ये दुकानें भी उस जमीन पर बनती हैं जिस को एक्वायर कर के उस को दिया जाता है। क्या कभी आप ने सोचा है कि जिस से जमीन ली गई है, उस को भी इस में से कुछ हिस्सा मिले, उस के लिये भी इस में कुछ जमीन अलग से रखी जाय ताकि वह भी दुकान बना कर वहाँ पर कुछ काम कर सके। क्या आप ने कोई इस तरह का प्राविजन इस में रखा है कि उस जमीन का एक चौथाई हिस्सा या एक तिहाई हिस्सा उस को मिलेगा ताकि वह भी कुछ कर सके, वह भी अपना गुजर बसर कर सके। आप को चाहिये कि आप देखें कि वह भी यह जो प्रासपेरेटी होगी, उस में हिस्सा ले, उस को एनजाय करे। लेकिन उस बेचारे को न कोई दुकान मिलेगा और न ही उस को या उस के बच्चों को उस फॅक्ट्री में कोई नौकरी ही मिलेगी और

वह गरीब इधर उधर मारा मारा फिरेगा, उस को पूछने वाला कोई नहीं होगा। क्या उस को नौकरी वगैरह वहाँ पर देने में कोई रुकावट है। आप ने तो सिर्फ यहाँ पर जनरल इंटरिस्ट की बात लगा दी है और उस को अमल में ला कर आप कई फॅमिलीज को उजाड़ दे। उन पर आप रहम करें। यहाँ पर जो लफ्ज रखे हैं उन में कोई सदाकत नहीं है। इस का नतीजा यही होगा कि वह गरीब आदमी मारा मारा फिरेगा, लिटिगेशन में फँसेगा और उजड़ जायगा।

कल कोई भाई मेरे पास आये और कहने लगे कि उन के लिये स्टेशन बनवा दिया जाय। मैंने उन से कहा कि स्टेशन की बात मत करो क्योंकि अगर स्टेशन बन जायगा तो तुम्हारी जमीन जाती रहेगी और तुम बेजमीन हो जाओगे। अगर स्टेशन बन गया तो सड़कें भी बनेंगी, नजदीक में मंडी भी बनेंगी, कारखाने भी बनेंगे और सब कुछ होगा और इस सब का नतीजा यह होगा कि तुम को अपनी जमीन से हाथ धोना पड़ेगा, कोई और ही तुम्हारी जमीन ले जायगा और तुम मारे मारे फिरोगे।

गांव के लोग भी चाहते हैं कि उनके यहाँ सड़कें हों, उनके लिए वहाँ मुविधायें मुहैया कीं जायें जोकि दूसरों के लिए मुहैया की गई हैं, उनके पास भी उतनी जमीनें तो कम से कम हो जिस में से वे अपना गुजर बसर कर सकें। लेकिन आप हो यह रडा है कि जमीन पर भी सीलिंग लगा दी गई है सिजसे अधिक जमीन रखी नहीं जा सकती है, जिससे अधिक खरीदी नहीं जा सकती है और जिन के पास उससे ज्यादा थी वह उन से छीन ली गई है। इस तरह की बातों ने बहुत गड़बड़ी पैदा कर दी है। लोगों को मार दिया गया है। आइन्दा क्या आप यह उम्मीद कर सकते हैं कि एक किसान का लड़का अपने बच्चे को कालेज में भेज सकेगा या इंग्लड में पढ़ने के लिए भेज सकेगा। यह सोशलिस्टिक गवर्नमेंट है जिस में कम्पनियों

के लिए तो इतना कुछ किया जा रहा है लेकिन दूसरी तरफ जो किसान है, उसके लिए कुछ भी नहीं किया जा रहा है और उससे उसकी जमीन छीनी जा रही है और इन कम्पनियों को दी जा रही है। गरीब आदमियों की ज़मान बन्द करके पब्लिक इंटरिस्ट में ही हमारी जमीन पर आपने सीलिंग लगा दी जिसका नतीजा यह है कि हमारे जो लड़के हैं, वे पढ़ नहीं सकते हैं, हम लोग शहरों में रह नहीं सकते हैं, हम को मजदूर बनाया जा रहा है। जो गरीब आदमी पोलटरी फार्म से या डेरी से थोड़ा बहुत कमाता है, उसको जमीन इस बहाने पर ली जायेगी कि इसमें कंट्री का डिवेलपमेंट होगा लेकिन अगर कंट्री का डिवेलपमेंट होना है तो यह क्या केवल हमारी कास्ट पर होना है। यह हमारी कास्ट पर नहीं होना चाहिये। जमीन में हम को डिप्राइव करके कंट्री प्लानिंग हो यह हमें मंजूर नहीं है। गोल्डस्मिथ ने जो कहा है, वह मैं दोहराता हूं, पैजेंटरी वंस डेस्टायाइड कैन नेवर बी रेस्टोर्ड। अगर आपने ऐसा किया तो न आपको मिलिट्री के लिए जवान काम करने के लिए मिल सकेंगे, न पुलिस के लिए आदमी मिल सकेंगे और जो गरीब आदमी है वे गलियों में पड़े रहेंगे, मजदूरी करने पर उनको मजबूर होना पड़ेगा। आप ये जो कैपिटलिस्ट हैं, इनको सीधे जमीन खरीदने क्यों नहीं देते हैं, आप क्यों बीच में पड़ते हैं, सीधे आप इनको सौदा करने दो। क्या ये जमीन की कीमत बढ़ा नहीं कर सकते हैं और अगर कर सकते हैं तो आप इनके लिए क्यों एक्वायर करते हैं। अब तक टाटा, बिड़ला आदि ने जो जमीनें खरीदी हैं, जो कारखाने चलाये हैं इन सब के लिए क्या गवर्नमेंट ने जमीन एक्वायर कर के दी है? अगर नहीं दी है तो अब क्यों इस तरह की ज़रूरत आपको महसूस हो रही है। क्यों आप उनके लिए ये सब काम करते हैं

At the cost of the poor person whose son is serving in Kashmir, at the cost of a poor person who is working hard, at the cost of a poor person who is starving. His land has been taken and everything has been acquired.

इन हालात में मैं निहायत अदब से गवर्नमेंट से रिक्वेस्ट करूंगा कि वह इन लोगों की रक्षा करे और हिन्दुस्तान में रेवोल्यूशन की सूरत पैदा होने की नीव न आने दे। ऐसी सूरत आपको यहां नहीं पैदा करना चाहिये जिससे ब्लड रेवोल्यूशन हो जाये। आज देहातों के अन्दर लोग भी पढ़ लिख रहे हैं और उन में भी आगुति पैदा हो रही है। अगर आप ने यह चीज की तो लोग भूखों मरने शुरू हो जायेंगे और तब क्या हालत होगी इसका आप अंदाज़ा लगा सकते हैं। इस वास्ते आप उनके जज़्बात से न खेलें और अगर आप खेलें तो यह जो कैपिटलिस्टिक गवर्नमेंट है यह एक तरफ होगी और सारी कंट्री में रेवोल्यूशन हो जायेगा और उसे आप रोक नहीं सकेंगे। मेहरबानी करके लपड़ों से आप न खेलो, यह जो पब्लिक इंटरिस्ट है इससे आप न खेलो, गरीब की ज़ात से न खेलो। यदि आपने ऐसा किया तो जो गरीब हैं, वह पिस जायेगा और आपका यह जो सोशलिस्टिक पैटर्न का नारा है, यह घरा का घरा रह जायेगा। इस वास्ते वक्त पर ही आप सम्मिल जायें और इन गरीबों के लिए भी कुछ करें, इनको इनकी जमीनों से बेदखल न करें।

श्री ह० च० सौय : अध्यक्ष महोदय . . .

अध्यक्ष महोदय : कितना वक्त यह चलेगा। बहुत से माननीय सदस्य खड़े हो रहे हैं।

श्री यशपाल सिंह (कराना) : अध्यक्ष महोदय, स्वतंत्र पार्टी को केवल पांच मिनट ही अभी तक मिल पाये हैं।

अध्यक्ष महोदय : मुझे अफसोस है कि स्विचिंग पार्टी को इतना ही समय मिला है ।

श्री त्यागी : हाउस जितना इस में इंटरिस्ट ले रहा है, उसको देखते हुए तो ऐसा मालूम पड़ता है कि टाइम बढ़ाना ही पड़ेगा ।

Shri Hari Vishnu Kamath: The discussion on public undertakings has been dropped and that much time has been saved. So, the time for this can be extended.

Shri Ram Ratan Gupta (Gonda): If I am allowed 5 minutes, I am sure, the discussion can be cut down very much because most of the discussion is proceeding on the basis of certain facts which are far from the facts of the situation.

Mr. Speaker: Shri Kamath says that if he is allowed some time the whole time can be saved.

Shri Hari Vishnu Kamath: No, Sir. I said that the discussion on public undertakings has been dropped and the whole of that time has been saved; and so some more time can be taken by this.

अध्यक्ष महोदय : माननीय सदस्य बहुत मूलतः बोले । पांच पांच मिनट में वे अपना भाषण समाप्त कर दें ।

श्री ह० च० सौय : यह बात ठीक है कि इस कानून को हमें बनाना होगा और जो मूल कानून है, उसमें तबदीली करनी होगी । मगर हमारे सामने सवाल यह है कि आब्लिग पब्लिक परपज है क्या । जैसा कि माननीय त्यागी जी ने अभी कहा कि यह जो कानून बनाया जा रहा है, इससे जो बड़े लोग हैं उनको ही लाभ होगा, उनको ही फायदा होगा और जो छोटे पैमाने पर काम करते हैं, उद्योग चलाते हैं, उनको इससे कोई फायदा होने वाला नहीं है । यह अच्छी बात नहीं है । जो कुछ त्यागी जी ने कहा है, मैं उसको सपोर्ट करता हूँ ।

जो मूल कानून है वह उस जमाने में बना था जब कि हमने यह सोचा भी नहीं था कि हमारे देश में इतने बड़े पैमाने पर उद्योग स्थापित होंगे और इतने अधिक पैमाने पर हम को जमीन की जरूरत होगी । हमने जंग बड़ी बड़ी विकास योजनाएँ चला रखी हैं, और जिन स्थानों पर चला रखी हैं वहां पर हजारों फैमिलीज हैं जिन को हटाया जा रहा है या जिन को हटा दिया गया है । हमारे अपने इलाके में, बिहार में दामोदर वैली है, हटिया (रांची) है और एक माननीय सदस्य ने गुप्ता का नाम लिया है । वहां से बहुत ही बड़े पैमाने पर जमीन से लोगों को हटाया गया है और हटाया जा भी रहा है । सवाल पैदा होता है कि उनको रिहैबिलिटेड कैसे किया जाये । उनको रिहैबिलिटेड करने की कोई व्यवस्था इस कानून में हो, ऐसा नजर नहीं आता है । जरूरत इस बात की है कि उनके पुनर्वास की कोई उचित व्यवस्था की जाये । इसमें यह कह दिया गया है कि मार्किट वैल्यू में १५ परसेंट जोड़ करके उनको दे दिया जायेगा । जिन लोगों के लिये हम जमीन लेंगे, अगर सोचा जाए तो वे सैकड़ों गुना मुनाफा उससे कमायेंगे क्योंकि ये जमीनें बड़ी कम्पनियों के लिये ही ली जाएंगी । जब जमीन हम लोगों से ले लेते हैं तो खाली पन्द्रह परसेंट मार्किट वैल्यू से अधिक हम उन को देते हैं । अगर आप देखें तो आपको पता चलेगा कि बीस पच्चीस साल बाद उस जमीन की कीमत कितने ही गुना बढ़ जाएगी । ऐसी सूरत में पन्द्रह परसेंट अधिक देने के बजाय अगर आप पन्द्रह बीस साल बाद जो उसकी मार्किट वैल्यू होगी, उसके हिसाब से मुआवजा दें, तब तो बात कुछ समझ में आ सकती है । इस तरह से मैं समझता हूँ कि यह जो पन्द्रह परसेंट की बात इसमें रखी गई है यह बिल्कुल गलत है और इसको बदलना चाहिये । उचित कम्पेंसेशन देने का प्रबन्ध आपकी तरफ से किया जाना चाहिये ।

साथ ही साथ आपको यह भी सोचना चाहिये कि उनका रिहैबिलिटेशन किस प्रकार

से किया जा सकता है। जो डेवर कमीशन बैठा था, उसने एक सैम्पल बनाया है। उसने बताया है कि बड़ी बड़ी योजनाओं के लिये कितनी फैमिलीज को बेजमीन किया गया है और कितनी कम्पेंसेशन उनको दी गई है और इस मामले में हम कितनी दूर गए हैं। उसने कहा है कि मैथोन डैम में करीब तीन हजार फैमिलीज को हटाया गया और उनमें में से हम केवल ४६४ को ही बसा सके हैं। मयूराशी डैम में २६०० फैमिलीज को हटाया गया और उनमें से केवल एक सौ फैमिलीज को मुश्किल से बसाया जा सका है। यही हालत हीराकुण्ड डैम के बारे में तथा दूसरी योजनाओं के बारे में है। सबाल यह पैदा होता है कि एक दफा तो हम उनको पैसा दे देते हैं, मार्किट वैल्यूज के हिसाब से मगर उसके बाद हम उनकी कोई मुच नहीं लेते हैं, पैसा ले चुकने के बाद उनकी क्या हालत होती है, इसका हमें कुछ पता नहीं होता है। जिन लोगों की जमीन ले ली जाती है, उनमें कोई स्किल तो होती नहीं है, काम तो कोई वे जानते नहीं हैं जिससे उनको कारखानों में नौकरी मिल सके, और उनको बेकार रहना पड़ता है। जमीन से तो वे हाथ धो ही बैठते हैं, उनका पैसा भी कुछ दिन बाद खत्म हो जाता है। नतीजा यह होता है कि हजारों की संख्या में वे बेजमीन के मजदूर हो जाते हैं और एक औद्योगिक केन्द्र से दूसरे औद्योगिक केन्द्र में चलते जाते हैं। इस बात का हम लोगों को बड़ा तीखा अनुभव है। रुरकेला में जिन लोगों की जमीन ली गई उन लोगों को और जगह उचित तरीके से बसाने के बजाय, उन्हें काम पर लगाने के बजाय बीस मील दूर हटा दिया गया है और उनको रुरकेला में काम नहीं मिला। कुछ दिनों तक वे रुरकेला में अनस्किल्ड मजदूर का काम करते हैं और जब वहाँ पर कंस्ट्रक्शन खत्म हो जाता है तो वे हटिया में चले जाते हैं। नतीजा यह होता है कि जब जमीन ले ली जाती है तब वे बेजमीन मजदूर अन्धड़ की तरह से यहाँ से वहाँ हटते रहते हैं और उनकी तबाही होती है।

10 hrs.

इसलिये मेरी दरखास्त है कि कम्पेंसेशन के मामले में हम यह न सोचें कि आज मार्किट वैल्यू क्या है बल्कि यह सोचना चाहिये कि पन्द्रह या बीस वर्षों बाद उसकी मार्केट वैल्यू क्या होगा। लोगों को कम्पेंसेशन देने के मामले में यह व्यवस्था भी होनी चाहिये कि जिस उद्योग के लिये जमीन ली जाती है किसी को उसमें ही उनको काम मिले और उस के रहने को व्यवस्था भी वहीं पर होनी चाहिये। और उस उद्योग या प्राजेक्ट के कुछ खर्च में ही एक हिस्सा इन के किराये बसाने का खर्च अनिवार्य शामिल हो। डेवर कमीशन को भी यही सिफारिश है।

Shri Gajraj Singh Rao (Gurgaon): Sir, I would submit that this enactment has been brought against all laws, against the Constitution and against the interpretation of the law. Even if this amendment is passed what would be the effect? We can see the ruling that is given. Only one point was pressed that the provisions of chapter VII were not applied, that the enquiry was not held, etc. I will stress only one point. If the other points are again raised in the Supreme Court and if this also is set aside, what is the position? The U.P. Government went out of the way: they did things even when the writ was pending. They tried to do something like an enquiry under section 5(a) or 6(a).

Leaving out the point stressed by Shri Tyagi, we shall now come to public purpose; it is well-defined term in the Constitution and it has been interpreted over and over again. Now, there is the general interest of the public. Now, different High Courts may give different meanings and the burden of the whole of it will be this. The peasant proprietor, the small landowner has to bear the litigation. They are poor people and they cannot go to the High Court or the Supreme Court even if they sell all their

[Shri Gajraj Singh Rao]

property. Leaving aside the old enactment and the socialist pattern of society, let us consider this. I can only say:

“पिदर न कुन्द, पिसर तमाम कुन्द”...

Mr. Speaker: Hon. Member may resume his seat. Apparently hon. Member is not feeling well. If he wants he may be helped, some hon. Members may help him. I will allow him to lie down. I am calling Shri K. L. More.

Shri K. L. More: Sir, I have moved amendment No. 23 which reads:

Page 1, lines 10 and 11,

for “an industry which is essential to the life of the community or is likely to promote the economic development of the country”, substitute—

Shri Daji: That has gone; that has been withdrawn.

Shri K. L. More:

“any activity which is essential to the life of the community or is likely to promote the economic development of the country or is otherwise in the interest of the members of a co-operative housing society registered under any law relating to co-operative societies for the time being in force in any State or in the interest of the general public”.

An Hon. Member: That amendment has been withdrawn.

Mr. Speaker: Shri Patil has withdrawn his amendment. The hon. Member says that he has his own amendment.

Shri S. K. Patil: Co-operative societies are covered under the Bill; he is under a wrong impression.

Shri A. K. Sen: It has now been defined so as to cover co-operative society also.

Shri K. L. More: In order to clarify the position of the societies I have moved this amendment. The discussion shows that acquisition has to be made for public purpose. I will in this connection refer to section (6). “Subject to the provisions of Part VII of this Act, when the appropriate Government is satisfied after considering the report made under section 5A (2)” etc. Now, the Bill has been brought to save the position of the companies, but if we see the whole Act, we will find that the position with regard to Chapter VII is not saved. The company has to pay the compensation. In the case of a public company, the compensation will have to be paid to the public revenues or some fund managed or controlled by some authority, but in the case of a private company, the company has to pay the compensation. If the company has to pay the compensation, then that position is not saved. By this Bill, the position of the company is not saved or fettered in anyway, because it has to pay compensation, and the companies have to conform to the conditions laid down in Chapter VII. That means they have to make an agreement with the Government. They have to conform to other things also. They have to show that the work is indirectly useful to the public and the public will be entitled to use it for its own benefit in accordance with the terms of the agreement. So, many hon. Members have blamed the Government for bringing this measure, but they have not given good thought to it.

The Government is not going to improve the position of the company in any way. Only, this measure will bring some benefit. That is, if the purpose is widened, then, indirectly at least, some company will be benefited. But it will have to pay compensation and will have to conform to the agreement. The Government's position with regard to the determin-

ation of compensation or other conditions has remained intact. In this way, the measure will be a sort of iron cage to bring in companies to pay more. Some hon. Members have accused the Government; I am not with them. I want to say that the Supreme Court has made the position very clear with regard to co-operative societies. The position has been very clearly laid down. Therefore, I will not press my amendment.

Shri Ram Rattan Gupta: Mr. Speaker, Sir. I am sorry that I was not present during the discussion which was held on this Bill on the 21st August. I understand that a lot of insinuations was made, wrong facts were brought before the House and that the facts were misinterpreted to mislead the action of the Government in bringing forward this Bill. (*Interruption*).

Mr. Speaker: They can be misunderstood by him also.

Shri Sinhasan Singh (Gorakhpur): This is insinuation, Sir. What the hon. Member says is insinuation.

Shri Ram Ratan Gupta: Now, I would like to correct those impressions. (*Interruptions*).

Mr. Speaker: Order, order. This is not fair. Every hon. Member might honestly construe according to his own notion and understanding and then give his sincere and honest opinions. But, at the same time, points of view can differ. Why should the hon. Member say that hon. Members have misunderstood or did something? He might have held a different opinion. It can also be true that what one hon. Member understands may be understood differently by another hon. Member.

Shri Ram Ratan Gupta: I shall now endeavour to prove that position.

Mr. Speaker: I will not allow him to do so. I will advise him to withdraw those words if he still persists.

Shri Ram Ratan Gupta: I did not mean any disrespect to anybody, and if that was any disrespect I withdraw.

Mr. Speaker: I would request him to withdraw those words and then continue his speech.

Shri Ram Ratan Gupta: If you think that they in anyway carry that idea, I have no objection in withdrawing them. But I never made—and I did not mean—any disrespectful remark. All that I wanted to say was this: that the position or the fact that had existed in Uttar Pradesh, which was responsible to bring about this Bill for acquisition of land for the industries there, has not been brought to the notice of the House.

Mr. Speaker: That is all right. He might bring those facts.

Shri Ram Ratan Gupta: Under the law in Uttar Pradesh, no agricultural land which is Boomidari land can be sold by the agriculturist. That is point No. 1. Point No. 2 is, that land which is under kismi agriculture cannot be sold for any other purpose but for agriculture. These are very important facts that must be taken into consideration, in considering the action which has been taken by the Uttar Government in acquiring the land for industries.

Shri Tyagi: Under what law prohibited? (*Interruptions*).

Mr. Speaker: Order, order. Let the hon. Member proceed.

Shri Ram Ratan Gupta: Agricultural land cannot be sold for any other purpose.

Shri Tyagi: Under what law?

Shri Ram Ratan Gupta: Under the agricultural law of Uttar Pradesh. The third important fact which I want to bring to the notice of the House is this. In the area of the land in question, for which the Supreme Court order has been passed, there, even one week before, land could be ac-

[Shri Ram Ratan Gupta]

quired at the rate of Rs. 200 per biga. Only four days ago, one of my own concerns has acquired 40 bigas at the rate of Rs. 200 per acre which is 350 per acre adjoining that very area. As a matter of fact, if there was freedom to purchase land directly there, this land can be purchased at a much lesser price because most of that land was barren and it comprised mostly of brick kilns. I am surprised when my hon. friend Shri S. M. Banerjee claims that he comes from Kanpur and he enumerated the case....

Shri S. M. Banerjee: Sir, I raise a point of order.

Shri Ram Ratan Gupta: Let me be allowed to proceed. He has had two occasions to speak.

Mr. Speaker: He says it is a point of order, and so I must give him preference.

Shri S. M. Banerjee: The hon. Member also belongs to Kanpur. He says, "my hon. friend Shri S. M. Banerjee claims that he comes from Kanpur." Can he say so, Sir? He also belongs to Kanpur but he fought from Gonda and I fought from Kanpur and got the highest number of votes.

Shri Ram Ratan Gupta: I do not want to enter into personalities, but the person who went to the Supreme Court belongs to one of the industrial concerns of Calcutta. Kanpur is a very international place. Shri S. M. Banerjee himself is a representative from Kanpur and that indicates that we do not bother about these things. What I wanted to say is that actually....

Shri Indrajit Gupta: Is he speaking on any amendment? Let us know on which amendment he is speaking.

Mr. Speaker: He can speak on others amendments also.

Shri S. K. Patil: Why should he be so jittery about it? He is speaking on the clauses.

Shri Ram Ratan Gupta: Shri S. M. Banerjee knows that when this land was acquired, two more pieces of land, one of 150 acres and another of 300 acres, were also acquired at the same time for other industries. He did not make any reference to those cases. Anyway, I will not go into the question of personalities. I would go only into the merits of the case or the facts of the case. The other party who actually filed the writ petition was invited by the Uttar Pradesh Government continuously for three months to sit down and settle the question so that more land could be given to him.

Mr. Speaker: I am very much interested in all this history, but he may refer to the clauses in question.

Shri Ram Ratan Gupta: All these facts have been enumerated here during the last discussion and therefore I wanted to make clear what the actual facts are.

Mr. Speaker: Only the clauses are being taken and therefore he should be brief. He can say those things, and I have allowed him to say them, because, as he said, nobody else knew them. But he must confine himself to the clause before us.

Shri Ram Ratan Gupta: I will come to that. Another thing which I wanted to say is that some of our hon. friends perhaps do not appreciate the difficulties of the various Governments in acquiring land. I have been the Mayor of the town for two years. When our Prime Minister visited that place 10 years ago, he said, "I would like to see that the slums are burnt". Since then, the Government and the Corporation have been busy to get these slums cleared, but because of the liberal law of land acquisition, the proceedings are delayed by the interested parties. The award of prices is not given by the Government, but by the judicial officer who is appointed and an appeal against the award is allowed right up to the Supreme Court. Therefore, to say that the

right of the parties whose land is acquired is not fully safeguarded is in fact not correct.

So far as the particular Act is concerned, nobody will deny the fact that the industrial development of India since the last 90 years and many types of public activities like construction of schools and hospitals have all been made possible due to this Act. Nobody will deny the fact that the application of this Act has so far never been a point of agitation by anybody in this country. That clearly shows that there is nothing fundamentally wrong so far as this particular Act is concerned.

This amending Bill has been brought before the House not because the Government wanted to bring it at this time. So far the courts have held continuously that Government are the final arbiter to determine the necessity of acquisition. While quoting the Supreme Court ruling, the hon. Members have conveniently ignored the opinion of the dissenting Judge. He did not agree with the majority judgment. There can be always two opinions in matters of interpretation of law. So, that decision cannot be made an exclusive ground for attacking the Bill which has been brought before the House.

So far as the U.P. Government is concerned, it was in 1955 when our revered... (Interruptions). I think it is the duty of those who know the facts to correct the wrong impression which seems to have been created in the House against any particular Government. It was in 1955 that our then revered Chief Minister, Shri Pantji invited some of the industrialists and asked what was the reason why U.P. was not progressing industrially. Naturally, it was pointed out that since independence, every State has been making a sort of race to attract the industry by giving all sorts of benefits and facilities of land, power etc., and also by giving exemptions from certain taxes and so on. In 1955 it was decided that U.P. Government

would also allow these facilities and accordingly in 1956, the then Chief Minister, Dr. Sampurnanand, invited the U.P. industrialists....

Mr. Speaker: Order, order. He can make a brief reference to the history of the case, but the whole defence that he is putting up is not very relevant here. We have to see generally what is the effect of this clause or amendment.

Shri Ram Ratan Gupta: I was going to say that this factory was already decided to be put up in Patiala. The land was acquired and the foundation-stone was laid. But according to the new policy decided by the U.P. Government, a few of us decided to come back to U.P. to put up these factories.

I am not going into the details of the various amendments, but one thing stands out clearly. So long as the policy of the Government of India continues to be to link up the industrial development with general policy of the Government and so long as the country goes on feeling that the problem of solving the unemployment question and raising the standards of the people is linked up with the development of industry, I do not think the position of industry stands on a different ground as it might have been sometime in the past. In conclusion, I would say that it will not be correct to say that the purpose of acquiring land for development of these industries which have been licensed by the Government of India after a lot of scrutiny, which fall under the Five Year Plan of the Government of India is not in public interest. The House has already given its consent to all these arrangements and I do not think it will be correct to come forward and say that this particular interpretation should be changed for this purpose.

श्री यशपाल सिंह : अध्यक्ष महोदय, हमारे खाद्य मंत्री महोदय ने जब इस बिल पर ४, ५ दिन का समय मांगा था उस वक्त हमें पता नहीं था लेकिन आज उस को पढ़ने के

[श्री यशपालसिंह]

बाद पता लगा कि इस मनहूस बिल की शकल के ऊपर गाजा और पाउडर मलने के लिये यह ४,५, दिन का समय उन्होंने मांगा था। लेकिन हम देख रहे हैं कि वह गाजा और पाउडर रह नहीं सका और श्री त्यागी जैसे स्पष्ट वक्ताओं ने उस की असल सूरत को खोल कर दिखला दिया है। इसे पढ़ने के बाद पता लगता है:-

"that such acquisition is needed for the construction of some building or work for a Company which is engaged or is taking steps for engaging itself in any industry or work which is in the interests of the general public; or".

जहां तक स्कूलों और कालिजों का ताल्लुक है जहां तक एजुकेशन का ताल्लुक है उन के लिये तो हम जितनी भी जमीन चाहिये वह देने के वास्ते तैयार हैं। मेरी कांस्टीट्यूंसी यहां से सिर्फ ५० मील है। मेरे साथ माननीय खाद्य मंत्री महोदय चलें मैं एक हजार एकड़ जमीन स्कूल और कालिजों के लिये मुफ्त दिखवाता हूं। बगैर किसी रुकावट के दिखवाता हूं लेकिन स्कूल और कालिजों के नाम से, सरमायदार, जो कि आदमखोर हैं, उस को पनपने का मौका देना और पैरासाइट ग्रोथ को आगे बढ़ने का मौका देना हमारे कांस्टीट्यूशन के साथ विद्रोह करना है। हम यहां एक जनतन्त्र के मन्दिर में बैठे हुए हैं जिन ८५ फी सदी किसानों के वोट ले कर हम यहां आये हैं उन ८५ फी सदी किसानों को सिर्फ १५०० खानदानों के हाथ में खेलने के लिए उन १५०० सरमायदारों के सामने इस तरह से डाल दिया गया है जैसे कि शेर के सामने बकरी को डाल दिया जाता है। यह बिल किसान को इस तरह से डालने के लिये लाया गया है। अगर अस्पतालों की बात हो, अगर पब्लिक के फायदे की बात हो, स्कूलों और गुरुकुलों की बात हो, तो जमीन की कोई कमी नहीं है। आज भी चलिये हम आप को हजारों एकड़ जमीन दिलवाने के लिये तैयार हैं लेकिन सरमायदारों के ऐंड्रु को सब करने के लिये इस

तरीके से जो यह बिल लाया गया है हम उस की पुरजोर मुखालफत करते हैं। विरोधी दल के सदस्यों की बात तो रहने दीजिये, आप स्वयं अपनी पार्टी के मेम्बर्स को फीडम ऑफ वोट दीजिये तो आप देखेंगे कि वह स्वयं आप के इस बिल के खिलाफ वोट देंगे। वे इस के हक में वोट नहीं देंगे। पार्टी डिस्प्लिन के नाम पर आप यह चाहते हैं कि ८५ फी सदी जनता का गला घोंटा जाये तो यह चीज वर्दाश्त नहीं की जा सकती है। आप अपने इस बहुमत को इसलिये इस्तेमाल न कीजिये कि उस से ८ फी सदी जनता को जबरह किया जाय बल्कि बहुमत को आप अच्छे काम के लिये इस्तेमाल कीजिये। इस के अलावा हर जगह बहुमत चलता भी नहीं है। हम आप जानते हैं कि आज सिप्रेट पीने वालों की तादाद ज्यादा है, हुक्का पीने वालों की तादाद ज्यादा है, कालिजों और यूनिवर्सिटीज से पास होने वालों में थर्ड डिवीजनर्स की तादाद ज्यादा है। लेकिन उन थर्ड डिवीजनर्स को ऐडमिनिस्ट्रेशन का काम नहीं सौंपा जा सकता है। वहां के लिये तो वह पांच फी सदी नवयुवक लेने पड़ेंगे जो कि फर्स्ट पास हुये हैं। यह खेद का विषय है कि आज इस बिल द्वारा संख्यामुर के आधार पर ८५ फी सदी जनता का गला घोंटा जा रहा है। यह बिल किसानों के अस्तित्व को खतरे में डालने के लिये और उन को मिटाने के लिये लाया जाता है।

मैं एक छोटा सा किसान हूं। मैं एग्रीकल्चरल परपज के लिये जब गेहूं को पानी ट्यूबवैल से देता हूं, जब मैं गन्ने को पानी देता हूं तो मुझ से सरकार १८ नये पैसे फी यूनिट के हिसाब से चार्ज करती है! चने, गेहूं और सब्जी वगैरह को जो हम पानी देते हैं उसके लिये हम से सरकार १८ नये पैसे प्रति यूनिट चार्ज करती है लेकिन उस के विपरीत बिड़ला साहब को रिहंद डैम की बिजली जो दी गई है वह सिर्फ ३ नये पैसे पर यूनिट दी गई है। अब बिड़ला साहब जो कि सब से बड़े सरमायेदार हैं उन से तो एक यूनिट के लिये ३ नये पैसे लिये जाते हैं

लेकिन किसान का बेटा एक यूनिट के लिये १८ नये पैसे देता है। हमारे साथ सरकार द्वारा सौतेली मां जैसा सलूक किया जाता है। आपने अगर बहुमत और संख्यासुर के आधार पर इस बिल को यहां से पास भी कर दिया तो भी भारत की ८५ फीसदी जनता इसे हरगिज मानने के लिये तैयार नहीं होगी. . . .

अध्यक्ष महोदय : माननीय सदस्य मेरी तरफ ध्यान दें।

श्री यशपाल सिंह : बड़ी कृपा है। आप के दीदार का मौका मिला, इस से बढ़ कर मेरे लिये और क्या खुशनसीबी हो सकती है ?

अध्यक्ष महोदय : चूँकि आप का ध्यान मेरी ओर न हो कर उधर रहता है इसलिये आप ज्यादा जोश में आ जाते हैं।

श्री यशपाल सिंह : “दिल मेरा भस्कर है दीदारे अकदस से जनाब”

ला के माने ये हैं :—

“Law is nothing but the will of the people expressed in terms of law”.

अगर यहां पर जनता के नमाइंदे बैठे हुये हैं, तो सत्तारूढ़ दल को फीडम आफ वोट दी जाये। वे लोग इस बिल के खिलाफ वोट देंगे।

अभी का, कल का ही केस है कि इकबाल पुर मिल का मालिक एक छोटे से मजदूर की दुकान छीनना चाहता है। मैं अपनी कांस्टीट्यूसी में भी गया और मैंने कलैक्टर साहब से कहा कि एक मजदूर को, जिस के पास सिर्फ चार अंगुल भूमि है, एक करोड़पति मिल मालिक हटाना चाहता है। कलैक्टर साहब ने मुझे जवाब दिया कि यह तो पब्लिक इंटरेस्ट में करना पड़ेगा। करोड़पति का इंटरेस्ट तो पब्लिक का इंटरेस्ट है, लेकिन एक मजदूर का इंटरेस्ट पब्लिक का इंटरेस्ट नहीं है ? ये ज्यादातियां और जुल्म इस वक्त बर्दाश्त नहीं किये जा सकते।

हम जनतंत्र के मन्दिर में बैठे हुए हैं। हम कोई बात ऐसी नहीं कहेंगे, जो इस मन्दिर के खिलाफ हो, हमारे कांस्टीट्यूशन के खिलाफ हो, हमारी इस अजमत के खिलाफ हो, क्योंकि हमारे कांस्टीट्यूशन की इज्जत, हमारे स्पीकर साहब की इज्जत हमारी इज्जत है, लेकिन मैं कहना चाहता हूँ कि इतना मनहूस बिल आभ से पहले इस फ्लोर पर नहीं आया है। अगर किसी किसान की आत्मा यहां पर बैठो हुई होती, अगर स्वर्गीय सरदार पटेल यहां पर बैठे हुए होते, तो यह बिल हरगिज नहीं लाया जा सकता था। स्पीकर साहब, मैं आप के द्वारा मिनिस्टर साहब से दरखास्त करना चाहता हूँ कि इस मनहूस बिल को वापस लिया जाये।

हम लोगों के साथ—जेती करने वालों के साथ, एग्रीकल्चरिस्ट क्लास के साथ—आज सौतेली मां का सलूक होना है। मैं अपने कम्यूनिस्ट भाइयों से भी कहूंगा कि वे मेरे मुताल्लिक यह खयाल न करें कि मैं कोई बड़ा जमींदार हूँ। मैं एक बहुत मामूली सा जमींदार हूँ, बीस एकड़ का काश्तकार हूँ। रामगढ़ साहब ने, जो कि बिहार में लीडर हैं, अपनी बीस हजार एकड़ जमीन मुफ्त तकसीम की है। मेरे पास जो बीस एकड़ जमीन है, मैं उस को मुफ्त देने के लिए तैयार हूँ। कम्यूनिस्ट भाई यह खयाल हरगिज न करें कि वे कुछ ज्यादा त्याग कर सकते हैं। हम उन से ज्यादा त्याग करने के लिए तैयार हैं। लेकिन मेरी दरखास्ता यह है कि जब किसान पर कुल्हाड़ी चलेगी, तो हम और कम्यूनिस्ट एक लाइन में खड़े होंगे। “वयं पंचाधिकम् शतम्”—उस वक्त हम एक सौ पांच होंगे।

आज हर जगह एग्रीकल्चरिस्ट को जिवह करने की कोशिश की जाती है। सरकार ने मिलिटरी में यह रूल बना रखा है कि जब हमारा लड़का, राजपूत, सिख या जाट का लड़का, फौज में भरती होने के लिए, रेक्यूटमेंट के लिए, जाता है, तो कहा जाता है कि उस

[श्री यशपाल सिंह]

का कद पांच फीट छः इंच होना चाहिए, लेकिन जब गैर-सिख, गैर राजपूत और गैर-जाट का लड़का जाता है, तो पांच फीट चार इंच कद होने पर भी लिया जाता है। हमारे लिए यह कानून है कि हमारा लड़का पांच फीट छः इंच होने पर ही लिया जाये, जब कि गैर-काश्तकार के लिए यह रूल है कि उस का लड़का पांच फीट चार इंच होने पर ले लिया जाये। हम कहते हैं कि जब हमारा करना-खाना छीना गया, हमारी जमीने छीनी गईं, हम ने अपने सामन खड़े कर के अपने घोड़ों को गोली मारी, हमारे लड़के अब पांच फीट छः इंच तक नहीं बढ़ सकते। इस लिए हम को ईक्वल स्टेटस पर लाया जाये और बहुमत से हमारी गला न घोंटा जाये।

मैं ने अभी इकवालपुर के केस का जिक्र किया है। वहां पर मजदूर की झोंपड़ी छीनी जा रही है, सिर्फ़ इस लिए कि इकवालपुर के मिल के मालिक की, जो कि करोड़पति है, इच्छा पूरी हो जाये। हमारा कहना यह है कि "होल्ली एंड पार्टली" अलफ्राज को निकाला जाये। एक रुपया दे कर सरमायादार या गवर्नमेंट का कोई नुमायंदा उस में हिस्सेदार हो जायेगा। मैं मंत्री महोदय से कहूंगा कि इस सदन की स्पिरिट को समझा जाये, जनता की स्पिरिट को समझा जाये और बहुमत के चक्कर में न आ कर इस बिल के ऊपर गौर किया जाये। जो आदमी करोड़पति है, वह कहीं जा कर जमीन खरीद सकता है। वह करोड़ों रुपये खर्च कर सकता है। लेकिन कानून के जोर से ८५ फ्रीसदी जनता का गला घोंटने की कोशिश करना किसी भी दृष्टि से उचित नहीं है।

अदल और इन्साफ़ का यह नमूना रहा है कि एक बार नौशीरवां बादशाह का महल बन रहा था। महल बनते बनते बीच में एक बुढ़िया का छोटा सा झोंपड़ा आ गया। उस बुढ़िया को कहा गया कि यह झोंपड़ा हटा लो। उस बुढ़िया ने कहा कि नहीं, यह झोंपड़ा मुझे

महल से ज्यादा प्यारा है। इस पर नौशीरवां बादशाह ने कहा कि लाख लो, दस लाख लो, करोड़ लो। बुढ़िया ने मना कर दिया और कहा कि यह मेरे अस्तित्व का सवाल है। नौशीरवां बादशाह ने यह हुक्म दिया कि महल को टेढ़ा कर लिया जाये, लेकिन बुढ़िया के दिल को तकलीफ़ न पहुंचे।

मैं अर्ज करना चाहता हूं कि एक बुढ़िया के लिए नौशीरवां बादशाह ने कांस्टीट्यूशन बनाया था, लेकिन यहां पर ८५ फ्रीसदी जनता का गला घोंटा जा रहा है और फिर यह कहा जाता है कि मजदूरों का राज है, किसानों का राज है। इस लिए मेरी दरखास्त है कि सरकार की तरफ से जनता की स्पिरिट को समझा जाये और उस के मुताबिक इस बिल को वापस लिया जाये। अगर मंत्री महोदय इस बिल को वापस लेंगे, तो जनता उन को आशोर्वाद देगी, जनता उन को वोट देगी, जनता उन को मुख प्रदान करेगी। लेकिन अगर वह इस बिल को वापस नहीं लेंगे, तो इस देश की ८५ फ्रीसदी जनता उन को माफ़ करने वाली नहीं है।

श्री पालीवाल (हिण्डौन) : अध्यक्ष महोदय, बहुत कम अवसर ऐसे आये होंगे, जब इस सदन के दोनों ओर के सदस्यों में किसी विषय पर इतना मतभेद रहा हो, जितना कि इस विधेयक के बारे में है। आज सदन में इस विधेयक के बारे में गहरे असंतोष की भावना है। इस विधेयक का जो मेन क्लोज़ २ है, उस पर पहले दिन भी सदन के सभी ओर से बड़ा असंतोष प्रकट किया गया था और मंत्री महोदय ने उस को अनुभव कर के कुछ समय चाहा था कि वह सदस्यों से बातचीत कर के उन की भावना को समझ कर ऐसा परिवर्तन कर लें, जो सदन का आम तौर से स्वीकार्य हो। मुझे खेद है कि उस बातचीत के पश्चात् जो नतीजा आया, जो फल आया, वह आरिजिनल अमेंडमेंट से, आरिजिनल क्लोज़ से,

ज्यादा खराब आया। अगर आप उस क्लॉज की पंक्तियों को देखें, तो बिल्कुल स्पष्ट हो जायेगा कि वह प्राविजन जितना पहले अनिश्चित था, अब उस से अधिक अनिश्चित हो गया है, उस से जितनी खराबियां पहले हो सकती थीं, अब उस से कहीं अधिक खराबियां हो सकती हैं। पहली शब्दावली यह है :

"that such acquisition is needed for the construction of some building or work for a Company engaged or to be engaged in an industry which is essential to the life of the community....".

इस में कुछ तो कंक्रीट बात है और कुछ निश्चितता इस में आती है। इस के बाद ये शब्द हैं :

"...or is likely to promote the economic development of the country;"

लेकिन सरकार की ओर से अब जो शब्दावली आई है, वह इस प्रकार है :

"that such acquisition is needed for the construction of some building or work for a Company which is engaged or is taking steps for engaging itself in any industry or work which is in the interests of the general public;"

"इन दि इन्ट्रेस्ट आफ दि जनरल पब्लिक", इट इज ए वरी वाइड टर्म। इस की टर्मज इतनी वाइड हैं कि अगर कास्मेटिक्स का प्राइवकेशन करने वाली कोई फ़ैक्ट्री भी एक्वीजिशन चाहे तो वह भी इस में आ सकती है, क्योंकि कास्मेटिक्स का प्राइवकेशन भी जनरल पब्लिक के इन्ट्रेस्ट के लिए हो सकता है, क्योंकि पब्लिक का एक बहुत बड़ा सैकशन उस को यूज करता है और उस के प्राइवकेशन से बाहर जाने वाली मुद्रा की बचत हो सकती है। इस माने में कई चीजें आ सकती हैं।

लेकिन मेरा निवेदन यह है कि ये चार पांच दिन लगा कर मामले का कोई इम्प्रूव नहीं किया गया, बल्कि उस को और ज्यादा उलझन में डाल दिया गया है। मेरे मित्र, श्री त्यागी, और मैं ने सम्मिलित रूप से एक संशोधन दिया है। मंत्री महोदय ने मोशन रखते वक्त यह उद्देश्य बताया था कि सुप्रीम कोर्ट के हाल के फैसले से न केवल प्राइवेट कम्पनियों का ही मामला अनिश्चित रूप में आ गया है, बल्कि गवर्नमेंट की पब्लिक अंडरटेकिंग के लिये भी बड़ा खतरा पैदा हो सकता है, इसलिये उस स्थिति का निराकरण करने के लिये यह बिल लाया गया है। हम दोनों ने जो संशोधन दिया है, उस में यह व्यवस्था की गई है कि गवर्नमेंट अंडरटेकिंग, कार्पोरेशन और पब्लिक कम्पनीज को, जिन में अधिकांश भाग गवर्नमेंट का हो, स्वीकार कर लिया जाये। अगर मंत्री महोदय की अब भी यही पोजीशन है, तो मैं नहीं समझता कि इस संशोधन को स्वीकार करने में उन को क्या एतराज हो सकता है।

लेकिन मैं एक कदम आगे जाता हूँ। मैं इस बात को स्वीकार करता हूँ कि विरोधी बेंचों की ओर से जो एक संशोधन आया है, जिस को श्रीमती रेणु चक्रवर्ती और श्री बनर्जी ने रखा है, वह मेरे खयाल से हमारे इस संशोधन की तुलना में हम को, और मेरा खयाल है कि सारे सदन को, अधिक साह्य हो सकता है।

श्री त्यागी : कभी कम्प्यूनिस्टों की ही बात मान ली जाये।

श्री पालोवाल : जैसा कि मैं ने अर्ज किया है, बहुत कम अवसर ऐसे आते हैं, जबकि इस सदन में किसी विषय पर इतना अधिक मतैक्य हो। जहां तक इस विधेयक का सम्बन्ध है, कम्प्यूनिस्ट सदस्य, स्वतंत्र पार्टी के सदस्य—मेरा खयाल है कि माननीय सदस्य, श्री यशपाल सिंह स्वतंत्र पार्टी को

[श्री पालीवाल]

बिलांग करते हैं, जिस के बारे में कहा जाता है,—और वह है भी—कि वह एक राइटिस्ट पार्टी है,—

श्री यशपाल सिंह : हमारी राइट पार्टी है ।

श्री पालीवाल : ... और दूसरी ओर समाजवादी पार्टी के सदस्य अर्थात् इस सदन के चारों ओर बठने वाले सदस्य इस विधेयक से असंतुष्ट हैं । मैं अपने दल के सदस्यों के बारे में कहना चाहता हूँ कि उस का एक बहुत बड़ा बहुमत इस विधेयक से बहुत असंतुष्ट है । इस की बड़ी चिन्ता है कि इस के परिणाम खास तौर से किसानों के लिये बड़े घातक होने वाले हैं । जो तर्क अन्य माननीय सदस्य द्वारा दिये जा चुके हैं, उन को मैं दोहराना नहीं चाहता । लेकिन इतना मैं अवश्य कहना चाहता हूँ कि कोई लाभ तो नहीं बल्कि इस का परिणाम बड़ा घातक होगा खास तौर से किसानों के लिये । यह कहा गया है कि किसान से तो जमीन दूसरे लोग ले लेते हैं और फिर वे उस जमीन को ज्यादा कीमत पर बेचते हैं, इसलिये किसान को जो नाम लिया जाता है, वह वैसे ही लिया जाता है। असल में किसान को न तो इस का बड़ा लाभ मिलने वाला है और न ही हानि होने वाली है । मेरा निवेदन यह है कि क्या गवर्नमेंट इस पोजीशन को स्वीकार करने के लिये तैयार है कि जो संशोधन हम कर रहे हैं, उन में यह निश्चित कर दिया जाये कि किसान से किसान की भूमि नहीं ली जायेगी । जहाँ तक मिडलमैन का सम्बन्ध है, स्पेकुलेटर्स का सम्बन्ध है, उन से हमारी कोई हमदर्दी नहीं है । लेकिन इस चीज को जहाँ तक किसान का सम्बन्ध है, स्पष्ट कर दिया जाय कि उन की जमीन नहीं ली जायेगी । अगर ऐसा कर दिया जाय तो मेरा खयाल है कि

इस सदन का बहुमत इस के हक में हो सकता है ।

माननीय मंत्री जी ने कहा है कि दुबारा इस कानून में संशोधन करने के बारे में सरकार विचार कर रही है । यदि यह सच है तो अश्वत्थ महोदय मुझे कोई कारण मालूम नहीं होता है कि इस बिल को क्यों रश थू किया जा रहा है, क्यों इस में जल्दबाजी दिखाई जा रही है । अभी जो माननीय राम रतन जी ने कहा है उस से ऐसा लगता है कि सचमुच इस सारे एक्ट में कोई बहुत बड़ी खामी है क्योंकि एक ओर उन्होंने बताया है कि जब वह कानपुर के मेयर थे तब स्लम क्लियरेंस के लिये जय जमीन एक्वायर करने की बात हुई जेकि निश्चित रूप से पब्लिक परन्ज हो सकता है, उस के लिये तो कई साल लग गये, एक्वायर नहीं हो सकी और दूसरी ओर यहाँ पर जो एक केस इन प्वाइंट हैं, उस केस में जमीन एक्वायर करने में उतनी देरी नहीं लगी, उतना समय नहीं लगा । इस वास्ते मैं समझता हूँ

There must be something very seriously wrong with this Act.

इस कानून में इतनी भारी खामियाँ हैं, इतनी ज्यादा कमियाँ हैं कि सब के सब एक्ट को संशोधन करने की आवश्यकता है और इस तरह से इस बिल को इस हाउस में रश थू करना नहीं चाहिये । मैं समझता हूँ कि सरकार के सामने जो बहुत ज्यादा आनरेबल तरीका हो सकता है वह यह है कि वह इस विधेयक को वापिस ले कर के सारे एक्ट को संशोधित करे, एक कम्प्रिहेंसिव बिल हमारे सामने लाये । जो सदन की भावना है, उस को हमें पहचानना चाहिये । सदन के किसी सैकशन से भी यह आवाज नहीं आई है कि देश की प्रगति को रोक दिया जाय, देश के औद्योगिक विकास को रोक दिया जाय या वह रुक जाय । हम सब यही चाहते हैं कि देश को उभारा जाय, देश को आगे बढ़ाया जाय । लेकिन इस के साथ साथ हम

यह भी चाहते हैं कि उस प्रगति की कीमत केवल गरीब आदमी को चुकाने के लिये मजदूर न किया जाय। जो पूँजीपति हैं, जो उद्योगपति हैं, जो बड़ा धन, बड़ा रुपया, बड़ा मुनाफ़ा कमाने वाला है, उस को अगर माफ़िट रेट से, जिस से वह जमीन लेता है, कुछ ज्यादा भी देना पड़ जाता है गरीब आदमी को तो कोई बहुत भारी अनर्थ होने वाला नहीं है। जो उद्योगपति हैं, वे तो फ्री एंटरप्राइज को स्पॉट करने वाले लोग हैं। क्या कारण है कि इस में गवर्नमेंट का दखन चाहते हैं? क्यों नहीं वे जमीन एक्वायर करने की कोशिश चाहते, यह मेरी समझ में नहीं आया है।

एक आस्तन बात कह कर मैं समाप्त करता हूँ। यह जो नई प्रोजेक्शन गवर्नमेंट ने ली है, उस में शायद यह कहा जायेगा कि इन में सेफगार्ड रख दिये गये हैं। इस में कह दिया गया है कि प्राइवेट कम्पनीज एलिमिनेटिड होंगे। इस में कहा गया है :—

“notwithstanding anything contained in this Act, no land shall be acquired under this power for a private company which is not a Government company”.

Shri Tyagi: It is out of order.

श्री पालीवाल : ऐसा लगता है कि शायद प्राइवेट कम्पनीज डिस्टिग्विश्ड फ्रॉम गवर्नमेंट कम्पनी के बारे में यह है। अब गवर्नमेंट कम्पनी की कोई परिभाषा ही नहीं है कम्पनीज एक्ट में, इसलिये यह इस तरह से हुआ

“private company as distinguished from public limited company.”

दूसरी बात एक और है। ओरिजिनल एक्ट के सैक्शन ३८ में यह प्रोवाइड किया गया है पार्ट ७ की कार्रवाई के लिये कि कोई भी व्यक्ति जो सौ या सौ से अधिक मजदूरों को एम्पलाय करता है, वह भी

कम्पनी माना जायेगा। इसका मतलब यह हुआ कि प्राइवेट कम्पनियों को तो इसका लाभ नहीं मिलेगा लेकिन पब्लिक लिमिटेड कम्पनीज जो हैं प्राइवेट ओनर्ज की, उनको लाभ मिलेगा, हर वह इंडिविजुअल जो सौ से ज्यादा मजदूरों को एम्पलाय करता है, उस को इस का लाभ मिलेगा। केवल प्राइवेट लिमिटेड कम्पनीज को ही नहीं मिलेगा। मैं कोई इस में हर्ज नहीं पाता हूँ कि जो प्राइवेट लिमिटेड कम्पनी वाले हैं वे इंडिविजुअल कंसेटा में अपने कंसर्न के या पार्टनरशिप की कंसेटी में अपने कंसर्न के नाम से लैंड ले लें और अपना काम चला लें। इस तरह से काम चल जायेगा। जो लाभ हम देना चाहते हैं वह जरूर उन को मिल जायेगा।

Mr. Speaker: I want to know the pleasure of the House. We have spent so much time on this. I want to know whether the desire is that we should continue still further.

Shri Tyagi: We have so far discussed only one clause. We are anxious to discuss each clause like this.

Mr. Speaker: But there should be some end to the discussion. How long does the House desire to sit?

Shri Tyagi: Whatever be the time, we have to discuss this in detail.

Shri Hari Vishnu Kamath: I would suggest to the Minister that he withdraw this Bill and allow the Ordinance to lapse. A new Bill can be introduced in the next session.

Mr. Speaker: That is for the Minister to decide according to what he likes. I can only ascertain the pleasure of the House.

Shri Hari Vishnu Kamath: We can continue this tomorrow.

Mr. Speaker: We have already exceeded the time very much. We have spent practically the whole of today. I am prepared to sit up to 6, 7 or even 8.

Some hon. Members: No, no.

Mr. Speaker: We ought to finish it somehow. If the House is prepared to sit late, I am agreeable. I will sit as long as the House sits.

Shrimati Renu Chakravartty: We have got so much of time at our disposal because there is no business.

Shri S. M. Banerjee: We can take it up for tomorrow the whole day.

Mr. Speaker: The Minister of Parliamentary Affairs would tell us whether we have got enough work.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): For tomorrow?

Mr. Speaker: The suggestion is that the whole of tomorrow should be devoted for this.

Some hon. Members: Yes, yes.

Shrimati Renu Chakravartty: There is no urgency about it.

An hon. Member: We require at least two more days.

Shri Hari Vishnu Kamath: Shri K. C. Reddy's Resolution has been withdrawn. So, that much time has been saved.

Shri Satya Narayan Sinha: What has been withdrawn?

Shri Hari Vishnu Kamath: Shri K. C. Reddy's Resolution.

Mr. Speaker: That has nothing to do with this.

Shrimati Renu Chakravartty: It is a very contentious Bill.

Mr. Speaker: If we want more time for this then we should sit at least till 6 O' Clock today.

Shri Satya Narayan Sinha: We need not decide it just at present. You can judge it yourself tomorrow. If you are satisfied that the discussion has been sufficient, you can stop it.

Shri Tyagi: Sir, you can well understand the wishes of the House. So, surely, we should not be guided only by what Government feels in the matter.

Mr. Speaker: Would the Minister or the Government be influenced by the number of speeches delivered here? It must have been very clear to the hon. Minister by now as to what the House or Members feel. What is the use of prolonging the discussion endlessly?

Shri Daji: Let us discuss it till the end.

Shrimati Renu Chakravartty: The feelings on this Bill are on all sides of the House. This is no party issue at all. It is very necessary that the Government understands that there is a feeling of unanimity in this matter. Let each one express himself strongly on this. We are now discussing only clause 2. When we come to clause 3, which is one of the most important clauses, we want to give expression to our views in more strong terms.

Shri Narendra Singh Mahida: I have been able to speak on State of Gujarat. I have not been given an opportunity to speak on this, though we are affected by this most.

Shri Hari Vishnu Kamath: Withdraw the Bill. 6

Mr. Speaker: How many more Members want to speak on this clause alone? Well, I find so many Members want to speak. If I have to accommodate all of them, the whole of tomorrow would not be sufficient to discuss this clause alone.

Shri Tyagi: It does not matter.

Shrimati Renuka Ray: Tomorrow would not be enough.

Shri Daji: Let us have a limit on the duration of speeches.

Mr. Speaker: We have to finish it at some time or the other. Hon. Members should realise that it cannot be continued endlessly. Now we will sit till 6 O'clock and devote the whole

of tomorrow. That is all. There ought to be some limit (*Interruptions*). What else can I do? I am giving two hours tomorrow and one hour today.

Shrimati Renu Chakravartty: You will recollect, Sir, that during the course of the whole of the last two Lok Sabha we had never requested that a Bill should not be guillotined. But because it is a Bill which is of the utmost importance, we are making this request.

Mr. Speaker: We had four hours in the beginning and then four hours today. Still, I am giving another three hours.

Shrimati Renuka Ray: That will not do.

Shrimati Renu Chakravartty: We will leave it to you, if you like, but we would like you to feel the pulse of the House. Many hon. Members in the back benches as also in the front benches want to express themselves about this.

Shrimati Renuka Ray: There are some hon. Members who want to send it to the Select Committee.

Shri Tyagi: That has been defeated.

Shrimati Renuka Ray: Some of the amendments are most important. Please give us sufficient time.

Mr. Speaker: I am not shutting out any amendment.

Shri Satya Narayan Sinha: All that I submit is that it has not assumed any importance subsequent to our deciding in the Business Advisory Committee with the consent of all, that four hours would be quite sufficient. It was said that you had one hour up your sleeve. Even after that, I do not know the feeling of the House but we must know how much time they want.

Some Hon. Members: The whole of tomorrow.

Shri Daji: Only one whole day we want. Give us a chance to express ourselves.

Shri Hari Vishnu Kamath: We might sit upto six o'clock today and the whole of tomorrow.

Shri Satya Narayan Sinha: Some time limit should be fixed. Tomorrow means the whole night. Should we sit the whole day and night?

Shri Hari Vishnu Kamath: Let there be a whole night session provided you serve us dinner.

Mr. Speaker: We ought to be definite now. It is demanded that upto 5 O' clock tomorrow, time should be given for this.

Some Hon. Members: Yes.

Mr. Speaker: I will allow that, but at 5 O' clock tomorrow, whatever be the stage, I will guillotine it. Is that agreed?

Several Hon. Members: Yes.

Shri Hari Vishnu Kamath: Upto 6 O' clock tomorrow.

Mr. Speaker: No, not upto 6 O' clock, but upto 5 O' clock tomorrow. Whatever be the stage then, I will have the right to guillotine it. That is agreed.

Shri Paliwal: Give five hours tomorrow.

Shri Hari Vishnu Kamath: And one hour more today.

अध्यक्ष महोदय : हो सकता है कि मिसलेनिग्रस डिस्कशन में दन, पंद्रह मिनट लग जायें, उस में क्या फर्क पड़ता है ?

We sit upto 6 O' clock today.

Some Hon. Members: Yes.

Some Hon. Members: No.

Shri Hari Vishnu Kamath: We sit upto 6 O' clock today.

Mr. Speaker: Shri K. C. Sharma should not go away because I am going to call him. Tomorrow I will have no time for him. Hon. Members should not run away in the hope that they would get an opportunity tomorrow because there are so many hours more. We are going to sit up

[Mr. Speaker]

to 6 O' clock today and those who are absent during this interval will not be entitled to be called tomorrow. Now, Shri Sumat Prasad.

Shri Sumat Prasad (Muzaffarnagar): Sir, the scope of section 40, sub-section (1) of the Land Acquisition Act is a limited one. It does not include the acquisition of land for economic development or for any industrial concern. The only object was to provide better amenities for the workmen under clause (a) and such other works of a charitable nature as schools, colleges, hospitals etc. under clause (b). That was confirmed by the judgment of the Supreme Court also.

Mr. Speaker: The hon. Member is not audible. He might move forward. There is another speech also going on in the House.

Shri Daji: It is the hon. lady Member's speech and it is very disturbing.

Mr. Speaker: Let us hear that first. She would not listen even now. So, I thought that we might hear her.

Shri Hari Vishnu Kamath: She is engaging herself in conversation with the Minister of Parliamentary Affairs.

Mr. Speaker: Order, order. The whole House has stopped its proceedings just to listen to her, because her voice was louder than the voice of the hon. Member whom I had called upon to speak.

Shrimati Renuka Ray: I am sorry.

Shri S. M. Banerjee: May I rise to a point of order? I have been noticing a feeling that the Minister of Parliamentary Affairs is just trying to induce her not to speak, and so on. That is not fair.

Shrimati Renuka Ray: He is not trying to induce me, but I am trying to induce him to accept my suggestions.

Shri Satya Narayan Sinha: Neither of us is trying to induce each other.

Shri Sumat Prasad: I was referring to section 40 of the Land Acquisition Act. Its scope was limited. Clause (a) of section 40 (1) provided for acquisition of land for the erection of dwelling houses for workmen or for the provision of better amenities directly connected therewith. And clause (b) of section 40 (1) provided for work of general benefit, and it reads thus:

"That such acquisition is needed for the construction of some work, and that such work is likely to prove useful to the public."

Now, both these clauses are being retained. The original amendment proposed was.

"that such acquisition is needed for the construction of some building or work for a Company engaged or to be engaged in an industry which is essential to the life of the community or is likely to promote the economic development of the country;"

So, the first criterion is that the land should be acquired for these industries which are essential to the life of the community; and the other criterion is that they should be likely to promote the economic development of the country.

Now, this is a period of planning, and our Plans provide for the setting up of industries which are essential for the economic development of the country. Therefore, there can be no difficulty in interpreting the term 'economic development of the country'. We have accepted the policy embodied in the Industrial Policy Resolution, and it has been accepted by the House and by the nation as a whole. Nobody would object if land is to be acquired for an industry included in the Five Year Plan, or if it is otherwise necessary.

There can be no objection in such a case. That was the only object of bringing forward this amending Bill.

The scope of the clause which is proposed to be substituted in place of clause (aa) of the original amendment is:

"that such acquisition is needed for the construction of some building or work for a company which is engaged or is taking steps for engaging itself in any industry or work which is in the interests of the general public."

The scope of the new amendment which is in substitution of the previous amendment is very wide.

Since clause (b) of the parent Act already provides for acquisitions needed for the construction of some work etc., I do not see any necessity for including these words in the new clause which is going to be substituted in place of the original clause (aa) in the Bill. The proposed clause makes the scope of the original clause (aa) of the amending Bill much wider and more general.

17 hrs.

[SHRI SURENDRANATH DWIVEDY in the Chair]

I think most of the criticisms in this House can be met if the language is so changed that only industries within the scope of the Third or Fourth Five Year Plan, which the community considers essential for economic development, will get the benefit of acquisition of land. At present, it is very wide and vague and therefore land can be acquired for various types of industries which may come within the definition of 'general purpose' but which may not be necessary for the economic development of the country or the interests of the Plan. Therefore, I would respectfully submit that the original amendment is much better than the present one which wants to replace the original one. In view of the feeling in this House and outside, it must be

made absolutely clear by the amendment that only for very specific and limited objects it may be possible to acquire land and the scope of the amendment need not be made wider.

It has rightly been said that industrialists are very well off. If anybody has benefited by the Plan most, it is the industrialists. Even if the object is narrowed and those industries for which land can be acquired are limited to the industries which are included in the Plan, they can very well purchase land by paying something more. Therefore, I would submit that no case has been made out for widening the scope of the original amendment.

Shri Narendra Singh Mahida: I have marked the sense of the House and I must bring it to the notice of the hon. Minister that my State of Gujarat is the most concerned with this land acquisition as it is fast changing into an industrial State. This morning also I had pointed out to the hon. Food Minister that we are losing lands in Gujarat as agriculturists at a very fast rate. In construction of roads, canals, mills, factories in various towns, ranging from Bulsar right up to Palanpur. All along the railway line, every small town and every city, lands are being deprived from agriculturists, and we as cultivators are being shaken to our roots—we have a fear that this legislation may benefit the industrialists and harm our interests.

We who have lost all as zamindars or jagirdars have now to depend solely on our little lands. We have become common men, but our confidence is completely shaken by this legislation. We have changed ourselves, but the big industrialists, who have gained throughout the post independence period, who have helped the party in power, have not changed a bit. Our cars have gone, our palaces have disappeared; but the prosperity of industrialists has increased.

I have known almost all the top industrialists in India, and generally, I

[Shri Narendra Singh Mahida]

do not find any change in them in the last 14 years. Their cars have not disappeared, their bank balances have not lowered down, and their fatness has not reduced. I am sorry to say that the party in power is still hobnobbing with these industrialists, taking their help and granting them assistance by way of acquiring lands which is the only sustenance remained in the hands of poor agriculturists.

What do we want more in this country, industries or food? We do not say we do not want any industry, but we feel that while taking of encouragements to grow more food, we are being deprived of our lands, and as a result, food is shrinking, and the importance of industry is being brought out and helped.

In my State, I wish to bring to the notice of the hon. Minister, in almost all cities—I will cite you Baroda, Ahmedabad, Surat and various other towns—lands are lost not in small number of acres. For example, Baroda alone will be losing 15,000 acres of land by way of this oil refinery. The town of Naroda near Ahmedabad will be losing 13,000 acres of land because of industrialisation. I do not say that there should be no growth of industries. We all know that prosperity depends on industries, but there must be some limit on expansion. In Gujarat, industries are expanding right from Bulsar to Palampur railway line. Lands are being acquired in that way and we shall not have any belt in that region for agriculturists at all, because all our lands are being fast taken over for irrigation purposes, criss-cross of State road or national roads, and various other schemes. Luckily, oil is found also, but we request the Government that the oil refineries—at the moment the Government have one in mind, but it might be increased to three—may not be situated, probably, on cultivated lands, but on coastal lands or lands which are not utilised for cultivation purposes.

In Koyali alone, which is near Baroda, as I have brought to the notice of the Food Minister earlier, nine villages will be destroyed, 35,000 people will be displaced and 15,000 acres of land will be lost, yielding an annual revenue of Rs. 1 crore in excise alone, and Rs. 24 lakhs land revenue; 150,000 fruit-bearing trees will disappear, and together with them 50,000 other trees will go; and there will be a total loss to the extent of Rs. 25 to Rs. 30 crores to all the people concerned. This is only one example I am citing.

I need not stress what is more important, oil or food. Of course, we say that oil is our national cry, the nation needs oil badly, but why cannot the Government select uncultivated lands, locate the factories or refineries on uncultivated lands? We are still clamouring for a Capital in Gujarat. We have selected Gandhi Nagar. We will be losing 15 to 20 villages and thousands of acres of land. Why cannot the Government advise the State Government to take it to a place in the hinterland, whereby cultivated lands are not lost? Everywhere I know this is happening. Near Bulsar we have Atul, near Surat we have Udhna. Baroda is also expanding, in a radius of about 10 miles. That way, Nadiad, Anand—I can cite you a number of cities where industrial expansion is going on. We are not sorry for it. My only complaint is that cultivated lands are being taken over without proper compensation, and as a result, people suffer a lot.

On the one side, near Koyali there is Land Reclamation Institute, and waste lands are being reclaimed there. On the other side, good cultivated lands are going over to factories. This has been criticised by all the eminent persons of all parties and sections. Even Shri Dhebar and our well-known Bhodan leader Acharya Vinoba Bhave and many others have decried this tendency of Government, depriving the cultivators of their land. Because the agriculturists are not united, because the farmers of India have not got any association, their cry is not heard here in this House. If they had

unity, I am sure, this Government will be shaken to its bones. But because the farmers are ignorant, because they are not united, because they do not know how to present their case, they are being ignored.

There have been two or three deputations from my State who have come to represent their matters on this subject. There are a couple of telegrams and a number of letters addressed to us protesting against this policy of Government in deriving the agriculturists of their land.

Even this discussion of one or two days will not, probably, shake the Food Minister. But, I may tell the Food Minister that if he does not hear these things, probably, a time may come when the party in power may not remain in power, because this fundamental question of depriving the agriculturists of their lands for the sake of industrialists is opposed not by us alone, but by the people as a whole. Even this House has given its sense fully. The Communists and the Congress, the Socialists, and the Swatantra parties, have all expressed their feelings. I hope the ears of the Food Minister are open and that the party in power will also bear in mind the fact that this erroneous policy, of depriving the lands of the agriculturists for the industrialists, is not proper. Government must change its policy. Otherwise, I am sure people will show the Government its strength, in the coming years. The party in power will have to listen to the agriculturists.

Cannot this Land Acquisition (Amendment) Bill be stayed? Because of the Supreme Court's orders, our Government had perforce to bring in an Ordinance. But, I would request the Government to change the whole law of land acquisition, which is an Act of 1894, and bring in a consolidated law suited to our present day changed circumstances?

I do not want to take much time. But I again wish to say and emphasize 1661 (Ai) L.S.D.—9.

that the agriculturists must be heard with respect. Their problems must be dealt with properly and this policy of ignoring the agriculturists and paying more attention to the industrialists is not fair.

Shri K. C. Sharma (Sardhana): Mr. Chairman, Sir, I have read with great attention the amendment moved by my hon. friend . . .

श्री यशपाल सिंह : सभापति महोदय, हाउस में इस समय कौरम नहीं है।

Mr. Chairman: We have all agreed that we shall continue the discussion, and the hon. Member should not press for quorum.

Shri K. C. Sharma: I was trying to look into the provisions of the law . . .

Dr. M. S. Aney: We are agreed that we shall continue. But, we cannot do work under illegal conditions. My hon. friend has drawn your attention to want of quorum.

Mr. Chairman: May I remind the hon. Member that there is a convention that for the extended period, generally, we do not press for quorum? If the House wants the rules to be strictly followed, then, I will have to get the bell rung.

Shri Bhagwat Jha Azad (Bhagalpur): When your attention has been drawn to it you cannot try to dispose it of like this. How can you overlook that?

Mr. Chairman: The rules do not provide that even between the hours of one and half past two, we can continue without quorum. We do it because of the convention accepted by the House. So, for the extended period also, if you want to observe the convention, we can, certainly, continue the discussion. There will be no voting. It is only to enable the discussion to be continued.

Shri Tyagi: I think we might carry on tomorrow.

Shri A. C. Guha (Barasat): Is there any convention that during the extended time also there will be no quorum? That is only for the lunch period.

Mr. Chairman: That is for the lunch period. But that convention is generally followed for this period also.

Shri Tyagi: Can voting take place in the extended period?

Mr. Chairman: No.

Shri K. C. Sharma: I will refer to article 19 of the Constitution. It gives the right to acquire, hold and dispose of property. This is qualified by sub clause (5):

"Nothing in sub-clause (d), (e) and (f) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, reasonable restrictions on the exercise of any of the rights conferred by the said sub-clauses either in the interests of the general public or for the protection of the interests of any Scheduled Tribe."

The other relevant article is 31(2) which says that no property shall be compulsorily acquired or requisitioned save for a public purpose and save by authority of a law which provides for compensation for the property so acquired. In USA, article 5 of the US Constitution says that no private property shall be taken for public use without just compensation. Compensation also is referred to in article 31 of the Indian Constitution. In U.S.A. there are two doctrines: the doctrine of police power and eminent domain. That is to say, the State has greater authority over the property of the individual, when public purpose is the need of the national emergency. In American law, it is seen Government displayed restraint in its intention in seeking to expand the meaning of the words 'public use' beyond military purposes, post offices, high ways and public buildings. If an acquisition is needed for the construction of some buildings or for a company engaged in industry, it is in the

interest of the general public. That is how this amendment says. The expression 'general public' is used in article 19 of the Constitution to restrict the right of the individual to hold property and that right of the individual to hold the property is modified: it may be nullified. Surely I accept the proposition. It is not applicable for taking property of A and giving it away to B. Suppose I keep a tiger in my land, one may say: you should not use your land for keeping a tiger on that land to the detriment of the children playing in the public park. This is nullifying the use of my land. I cannot keep dogs and tigers on my land just to frighten children playing in the public park. But it does not mean that you jump upon my head and take my land and give it away to B. In the 18th century England the merchants and traders were riding upon the poor farmers and citizens. What about Kanpur? My hon. friend, the Kanpur millionaire, is not there. It is a place of infamy, a place where you find the highest number of crimes. This is what Kanpur is. Kanpur is a place where four persons are murdered, where the legal procedure was nullified. It was a shame when a high court judge said that "it is my first judicial experience to come across a Government advocate questioning the right of the judge to summon a man as a court witness because a certain man happened to be a millionaire." Where is the rule of law? It is the rule of Gold.

I am not a physiocrat. I do not stick to land. Once my forefathers were land holders and I am still a petty land-holder. But ever since 1930 I did not love to have it. I am not a physiocrat. I do not like to stick the land. To stick to the land is a sign of low civilisation and low industrial growth and low economic growth. People who are the highest in the industrial development do not cling to land. You cannot produce from a small piece of land, as much as you like with the technological and scientific help. But my point is, I do not like to accept the position that any projecteeing creature can stand up and say, "I am an industrialist." Who is an

industrialist? He is a man who works day and night intelligently for his workers or for the people of the country. He is not an industrialist who works for mere projecteering in a place where the highest crimes are committed in the day, at 12 O'clock—children are lifted; people are murdered and the courts are helpless.

I know about Kanpur. The district magistrate there is willing to forgo Rs. 200 a month so that he may be saved from that dirty city. That is Kanpur. What aches me is not the land but the condition which is akin to the 18th century England, when the traders and merchants rode on the poor farmers when the poor people were simply slaves. Do you mean to say that we should accept the position of slavery under this Constitution? When a woman is just kidnapped in the street and nobody raises a voice, when the district magistrate does not like to continue in his position and is willing to forgo Rs. 200, what does it mean, if it is not slavery? Kanpur is the city of crimes.

Shri Hari Vishnu Kamath: That is too much.

Mr. Chairman: The hon. Member cannot characterise a city like that. It is not the proper word.

Shri K. C. Sharma: It is a city of crimes. So, my respectful submission is that this amendment does not conform to the language of the Constitution. Article 19, as I have submitted, is applicable to the case of taking away the full right to hold the property, but article 31 comes into play in cases where a piece of land is taken away from the owner for a public purpose either by the State or by a company. Public purpose is the main thing in article 31. The Law Commission has defined what public purpose is. It is found at page 54 of the 10th report of the Law Commission, and reads as follows:

Acquisition for Company—

“(a) . . . of land for a company for the erection of dwelling houses for the workmen employed by the company or for the provision of amenities directly connected therewith; or

(b) where the land is needed for the construction of some work and such work is likely to prove substantially useful to the public.”

For a company to acquire land, these two things are necessary. That is, erection of dwelling houses for their workmen or some work which is likely to prove substantially useful to the public. This term ‘substantially useful for the public’ has been referred to in many recent judicial decisions. Though, in modern times a man who clings to land is called physiocrat not a happy term. It is a fact that ever since man began to possess things, land has been his most precious possession.

Even the Romans based their secular law on four principles, namely, justice, order, reason and humanity. Reason and humanity as well as justice demanded that A's property could not be taken away and given to B. It was limited by two considerations that the interest of the people or country is more than the interest of the individual and when there is a necessity like war, etc. private property can be taken. Later it was qualified by due process of law in the American Constitution. There also, the private property of an individual cannot be taken for public use unless it is of such a nature as military purpose, post offices, highways or such things.

A very pertinent question arises at this stage. If India is to be industrialised, industries are to be built on land. Land must come from somewhere. I have already submitted that for a country to grow and develop, industries are needed. A country like India must have big capital industries. In the last war, Japan could fight American all right, but Japan was defeated

[Shri K. C. Sharma]

because it had no capital industries. So, in a country like India, for building capital industries, land has to be acquired. But, for that, private industrialists must negotiate with the owner of the land, pay the market price and get the land. Why should the Government come in? I am a lawyer and if I need a house for my residence and my office, I do not go to the Government to acquire land for me. I negotiate with the owner of the land, pay the price and get the land for my private purpose. Cannot an industrialist negotiate it? It is in the interest of industry itself and in the interest of general public that the industrialists should be responsible for acquiring land for themselves. If a good price is coming, certainly the owner will pass on the land to the industrialist and no difficulty will arise. In the money economy land does not count for much.

I submit that as they are, these amendments are not in accordance with the provisions of the Constitution and I have my own doubts that the Supreme Court will not uphold them.

श्री तुलशीदास जाधव (नांदेड़) : सभापति महोदय, मैंने अपने साथियों के साथ एक एमेंडमेंट नम्बर ६ दी है और उसमें यह सुझाव रखा है कि जहां तक लैंड एक्वायर करने का सम्बन्ध है, जो कोओपरेटिव सोसाइटीज होती हैं, हाउसिंग कोओपरेटिव सोसाइटीज होती हैं उनके लिये लैंड एक्वायर की जानी चाहिये। जब से यह हाईकोर्ट का निर्णय हुआ है, उसके बाद से उनके लिये एक्वीजीशन नहीं होता है।

श्री दाजी : कोओपरेटिव सोसाइटीज के लिए हो सकता है, कोई रुकावट नहीं है।

श्री तुलशीदास जाधव : आपके यहां हो सकता होगा लेकिन महाराष्ट्र की जो पोजीशन है वहां पर हाईकोर्ट के निर्णय के बाद इन सोसाइटीज के लिये भी एक्वीजीशन नहीं हो सकता है। इसलिये हमने एक एमेंडमेंट दिया है और मैं आशा करता हूं कि माननीय मंत्री जी कृपा करके उसको स्वीकार कर लें।

श्री दाजी : वह मंजूर हो जाएगा।

श्री तुलशीदास जाधव : मैंने माननीय सदस्यों के भाषणों को सुना है और उन पर गौर मैंने किया है। मुझे ऐसा लगा है कि कम्पनियों के लिये जमीन एक्वायर करने की जो बात है, उसके खिलाफ आज यहां पर हवा है। यह बात सही है कि जो कंपिटलिस्ट हैं, जो कारखानेदार हैं, वे चाहें तो अपनी मन पसन्द की जमीन कहीं भी खरीद सकते हैं और सीधे बातचीत करके ले सकते हैं। जब वे करोड़ों और लाखों रुपये कारखाने में डालने के लिये तैयार हो जाते हैं, तो थोड़ी सी जमीन भी वे अपने आप जमीन मालिक से मोल ले सकते हैं। मैंने देखा है कि बाजार कीमत भी आज जितनी होनी चाहिये, उतनी नहीं है। माननीय त्यागी जी ने कहा कि बाजार में जो कीमत हो उस रीति से वे ले लें। लेकिन आजकल बाजार की कीमत में भी बड़ी कठिनाई उत्पन्न हो गई है। हमारे यहां सीलिंग बिल आया जिसमें यह है कि १२५ एकड़ से ऊपर जमीन किसी के पास नहीं रहनी चाहिये। यह चीज हो जाने के बाद जमीन की जो कीमत है, वह भी कम हो गई है। इसका कारण यह भी है कि कोई दूसरा आदमी जमीन लेने के लिये तैयार नहीं है और जहां पर लेने की इच्छा होती है, वहां पर जमीन मिलती नहीं है। साथ ही जो कल्टीवेशन करने वाले लोग हैं, वे ही जमीन को ले सकते हैं, दूसरे व्यवसाय करने वाले जमीन नहीं ले सकते हैं। ऐसी सूरत में पहले कम्पीटीशन में जैसे जमीन की कीमत ज्यादा होती थी, उस रीति से अब ज्यादा नहीं होती है। यह सही है कि छोटे-छोटे जो खेडूत हैं, जिन के पास थोड़ी जमीन है वे उस पर जो काम करते हैं, उसी से अपना पेट भरते हैं और जो कंपिटलिस्ट लोग होते हैं, जो कारखानेदार होते हैं, उनकी इच्छा वहीं जमीन लेने की होती है, जो जगहें शहर के नजदीक होती हैं। यह भी सही है कि जब ऐसा होता है तो जो गरीब खेडूत होता है, उसको उस जमीन से बेदखल हो जाने के बाद, कोई काम नहीं रहता है;

उसका कोई सहारा नहीं बच रहता है। इतना ही नहीं उसके लिये अपना तथा अपने वच्चों का पेट भरना भी मुश्किल हो जाता है। मान लीजिये उसको सौ रुपये के हिसाब से या दुगने के हिसाब से उसकी जमीन की कीमत दे दी जाती है लेकिन उसके बाद क्या होता है, इस पर आप विचार करें। वह पैसा ज्यादा दिन तक उसके पास टिकता नहीं है, खर्च हो जाता है और आखिर में जाकर उसको मजदूरी करने के लिये मजबूर होना पड़ता है।

यहां पर यह कहा गया है कि उसको उसकी जमीन की ज्यादा कीमत मिलनी चाहिये। जितनी भी स्पीचिज हुई हैं, उनका सार यही था। यह कहा गया है कि बाजार में जो कीमत है, वह उसको मिलनी चाहिये। लेकिन मैं तो इसके भी आगे जाकर कहता हूं कि सौ रुपये के बजाय उसको अगर दो सौ रुपया भी दे दिया जाए तो भी जो पैसा है वह गरीब के पास नहीं रहता है और थोड़े दिन के बाद उसके पास से चला जाता है, खर्च हो जाता है और उसके बाद उसको मजदूरी वगैरह करने के लिये मजबूर होना पड़ता है। इस वास्ते यह जो आर्गुमेंट दिया जाता है कि जो कीमत हो वह उसको मिलनी चाहिये, यह टिकती नहीं है, ऐसा करने से कोई बहुत ज्यादा लाभ उसको नहीं होता है। हमारे देश में कारखानेदारी बढ़नी चाहिये अगर हम दुनिया की मार्किट में कम्पीट करना चाहते हैं। इसमें मैं समझता हूं कोई दो मत नहीं हो सकते हैं। अगर हम चाहते हैं कि हमारा एक्सपोर्ट बड़े तो उसके लिये हम को अपना उत्पादन बढ़ाना होगा और उत्पादन बढ़ाने के लिये कारखानों का विस्तार करना होगा, नए कारखाने लगाने होंगे। इस वास्ते मिनिस्टर साहब को कोई ऐसा मार्ग निकालना होगा जिससे कारखानेदारों को जमीन हासिल करने में कोई मुश्किल पेश न आए। कुछ माननीय सदस्यों का कहना है कि जहां कहीं भी दूसरी जगह पर जमीन मिलती हो, उसको उन्हें ले लेना चाहिये और

कारखाना स्थापित कर लेना चाहिये। यह चीज हमेशा ही सम्भव नहीं होती है। पहाड़ों पर अगर जमीन फालतू पड़ी हो तो जो कारखाना वहां नहीं लग सकता है, उसको वहां कैसे लगा दिया जाए। जंगलों में भी जितनी जमीन पड़ी है, वहां पर कारखाने नहीं लगाये जा सकते हैं। कारखाना लगाने से पहले कई बातों पर सोचना, विचार करना पड़ता है। देखना पड़ता है कि वहां पर पानी का, बिजली का इन्तजाम है या नहीं है, लोग वहां पर आ जा सकते हैं या नहीं, रह सकते हैं या नहीं। अगर देश में कारखानेदारी बढ़नी हो तो कहीं न कहीं उपयुक्त स्थान पर जमीन का इन्तजाम होना ही चाहिये। बाजार भाव पर जमीन ले ली जाए, और रुपया उनको दे दिया जाए, वह आर्गुमेंट मेरे विचार में टिक नहीं सकती है। इस वास्ते कोई दूसरा ही मार्ग हम को निकालना होगा। मेरा सुझाव, इस सम्बन्ध में, यह है कि जब और कोई चारा न बच रहे तब सरकार उनके लिए जमीन एक्वायर करे। कारखानेदारी सब में पहले देहाती लोगों से बाजार की कीमत दे कर या उससे कुछ अधिक दे कर जमीन खरीदे। इस में कोई हर्ज की बात नहीं है। अब अगर खेड़त कहे कि मैं जमीन नहीं दूंगा तो क्या करना चाहिये। तब हम को गरीब आदमों का भी ध्यान रखना पड़ेगा। उर्मी की खातिर हम सोशलिस्टिक पैटर्न आफ सांसाइटी की तरफ जा रहे हैं। एक दम हम इसको हासिल नहीं कर सकते हैं। ३५ बरस में रूम में डिक्टेटरशिप आफ दी प्रोर्जैटैरिएट चली आ रही है। मैं वहां पर १९५२ में गया था। वहां पर मैंने देहातों को देखा। वहां पर अनपढ़ लोग मैंने पाये, फटे हुए कपड़े उनके पाये। ३५ साल के बाद भी वहां ये चीजें देखने को मिलती हैं। इसका मतलब यह नहीं है कि हम अपने यहां सोशलिस्टिक पैटर्न लाने में और ११ ज्यादा बक्त लें। लेकिन वहां पर जब ३५ वर्ष में यह चीज सम्भव नहीं हुई है तो हमारे यहां यह १५ बरस में कैसे सम्भव हो सकती है। वहां पर मैंने टूटी फूटी गाड़ियां देखीं, फटे पुताने

[श्री तुलशीदास जाधव]

कपड़े पहने हुए लोगों को देखा। मैं अपने साथ उनके फोटो भी लाया हूँ। वहाँ पर डिस्टेंटरशिप में ३५ बरस में भी लोगों का दारिद्र्य दूर नहीं हुआ है। हम भी अपने यहां सोशलिस्टिक पैटर्न स्थापित करना चाहते हैं और जितनी जल्दी हो सके, करना चाहते हैं और मैं नहीं कहता हूँ कि हमें उनसे ज्यादा बक्त लेना चाहिये। जितनी जल्दी यह हो सके, इसको करना चाहिये। लेकिन जो भी काम हम करें उसको केवल प्योरेटीकल में हम नहीं कर सकते हैं, प्रेक्टीकल में उसे हम को करना होगा। मैं कुछ मुझाव मिनिस्टर साहब के सामने रखना चाहता हूँ।

जमीन तो कारखाने के लिए मिलनी चाहिये, इस में कोई दो राय नहीं हैं। साथ ही खेडूत को जो उसकी कीमत मिले वह बाजार भाव से भी ज्यादा मिलनी चाहिये। यह भी मेरा विचार है। लेकिन अगर वह कहता है कि जमीन नहीं दूंगा तो क्या उपाय होना चाहिये। इसके लिए मेरा मुझाव है कि यह देखा जाये कि जहां तक हो सके, उससे वह जमीन न ली जाये और अगर आसपास किसी दूसरी जगह पर जमीन पड़ी हुई है और वहां पर कारखाना स्थापित हो सकता हो तो वहां पर उसको स्थापित कर दिया जाये। अगर यह सम्भव न हो तो उस जमीन को एक्वायर करने की व्यवस्था तो की ही जानी चाहिये। लेकिन इस पर अमल तब होना चाहिये जब कि मुसीबत में पड़ने की नौबत आ जाये और कोई कारखानेदार के लिये दूसरी जगह पर जहां जमीन अवेलेबल हो, कारखाना स्थापित करना मुश्किल हो सकता हो।

आज पब्लिक सैक्टर और प्राइवेट सैक्टर दोनों साथ-साथ चल रहे हैं। इस में दो मत नहीं हैं कि हम को ज्यादा गति, ज्यादा प्रोत्साहन पब्लिक सैक्टर को देना चाहिये। जहां तक पब्लिक सैक्टर का सम्बन्ध है, उसके लिए एक्वीजीशन करने के लिए

हम तैयार हैं। लेकिन जहां तक प्राइवेट कम्पनी का सम्बन्ध है, प्राइवेट जो कारखानेदार होता है, जो प्राइवेट कैपिटलिस्ट होता है, उसके पास खुद की काफी पूंजी होती है, टेक्स इवेजुन भी वही करता है, देश को भी मुश्किल में वह फंसाता है। ऐसी अवस्था में उसके लिए जमीन देते समय अगर हिचकचाहट हो जाये तो यह स्वाभाविक है। मैं तो कहता हूँ कि बाकी के जो दरवाजे हैं, बाकी का जितना उसका काम है उसके लिये ठीक से कानून बना कर कैपिटलिस्ट्स के लिये जो करना है उसे करना चाहिये। लेकिन इस तरह का कोई रास्ता निकालना जिससे कि जिन लोगों को कारखाना बनाना है उन को जमीन न मिले, जितनी कीमत ज्यादा से ज्यादा हो सकती है उतनी देने पर भी न मिले, यह ठीक नहीं है और इस के लिये हम को कुछ करना चाहिये। मेरा मुझाव यह है कि मिनिस्टर साहब को ऐसा इन्तजाम करना चाहिये कि ऐसी जमीन लेने के लिये जो बाजार भाव हो उस के हिसाब से कीमत दी जाय और अपना कोई आफिसर अप्वाइंट कर के मिनिस्टर साहब इस की देख भाल करें कि जिस की जमीन ली जाये उस के साथ कोई अन्याय न हो। जब कीमत के बारे में ऐसा इन्तजाम किया जायेगा तभी यह समस्या हल हो सकती है।

श्री दे० शि० पाटिल (यवतमाल) : क्या आप की ऐसी राय है कि अगर कोई प्राइवेट कम्पनी कीमत देवे तो उस को जमीन मिलनी ही चाहिये ?

श्री तुलशीदास जाधव : बगैर इस के कारखाने बनेंगे कैसे ? जब आप ने मिक्स्ट एकानमी का रेजोल्यूशन पास किया है, जैसी कि सन् १९५६ के रेजोल्यूशन के अनुसार आप की पालिसी है, तब तक आप को इस को करना ही पड़ेगा। आखिर मिक्स्ट एकानमी के माने क्या हैं ? मैं तो कहता हूँ कि मिक्स्ट एकानमी की जो पालिसी है, जो आप का इस के सम्बन्ध में रेजोल्यूशन है, उस को

निकाल दीजिये और जो इंडस्ट्रीज हैं, भले ही वे बेसिक हों या कोई और, उन को स्टेट चलाये, तब फिर आप चाहे जैसे कीजिये। मैं इस विचार का हूँ।

श्री त्यागी : अगर किसान खेती को बढ़ाने के लिये, आलू बोने के लिये कहे कि किसी शहर के बड़े इंडस्ट्रियलिस्ट के बंगले की जमीन को ऐक्वायर कर ली जाये, तो क्या आप करा देंगे ?

श्री तुलशीदास जाधव : बात ऐसी है कि बंगले के पास कोई जमीन हो, और कोई बिल इस रीति से आ जाये तो मैं आप के साथ उसे सपोर्ट करूंगा। मैं ३०, ३५ वर्षों से देहातों में रोजाना काम करता हूँ। मैं इस विचार का नहीं हूँ कि खेडूत को रास्ते पर फँक दिया जाय और वह भूखा मरे। लेकिन, जैसा त्यागी जी ने कहा, अगर कारखाना बनाने के लिये कोई कारखानेदार जमीन चाहता है और उस को गवर्नमेंट से ऐक्विजिशन कराना चाहता है तो उस का प्रबन्ध सरकार को कराना चाहिये, मैं इस विचार का हूँ। अगर किसी कारखानेदार को बम्बई शहर में मकान न मिलता हो तो वह गवर्नमेंट के पास नहीं आयेगा कि मकान का ऐक्विजिशन कर के सरकार उस को दे दे, वह ज्यादा भाड़ा दे कर भी मकान लेता है। लेकिन कारखाना बनाने की बात अलग है और आफिस के लिये जगह लेने की बात अलग है। कारखाना खुलने से जो बेकार लोग होते हैं उन्हें काम मिलता है, उत्पादन बढ़ता है। मेरा यह कहना है कि ऐसी अवस्था में अगर जमीन न मिलने से कारखाना बनना बन्द हो जायें तो यह ठीक नहीं है।

दूसरी बात यह है कि आज कल गांवों में और सारे देश में जिस तरह की हवा आप चाहते हैं वैसी हवा नहीं हो सकती है। हम ने इस से पहले आंकड़े मुने कि ३०० करोड़ रुपये का टैक्स इवेजन होता है। कई लोग ऐसे भी मिलते हैं जो कहते हैं कि हमारे पास पैसा भरा हुआ है, हम उसे कहां डालें, इस का मार्ग

बतलाइये। हिन्दुस्तान को आजाद हुए तो अभी केवल पन्द्रह वर्ष हुए हैं, लेकिन मैंने ऐसी अवस्था यहां कहीं नहीं देखी जैसी कि मैंने खुद अपनी आंखों से रूस के अन्दर देखी थी। वहां कोर्ट में मैं गया तो जो ट्रेजरर थे, जिन का ३५०० रूबल वेतन था, वह ४०, ०० रूबल की चोरी कर के तिजोरी से ले गये थे और उन के ऊपर केस चल रहा था। मैं ने वहां पर लोगों से पूछा कि तुम्हारे यहां ३५ वर्षों से डिक्टेटरशिप है लेकिन इस तरह की चोरी होती है, इस के क्या माने हैं ? उन्होंने मझे बतलाया कि जब तक डेवेलपमेंट आफ दि माइन्ड और प्रोडक्शन आफ दि नेशन दोनों साइमल्टेनिअसली नहीं चलेंगे तब तक यह चीजें बन्द नहीं होंगी। अगर माइन्ड बढ़ गया और प्रोडक्शन कम हो गया तो भी तकलीफ होगी और प्रोडक्शन बढ़ गया लेकिन माइन्ड ज्यादा नहीं बढ़ा तो भी तकलीफ होगी। इसी तरह से जब तक अपने देश के अन्दर हर क्षेत्र में ऐसी हवा नहीं आयेगी तब तक कुछ नहीं हो सकेगा।

यहां मैंने बहुत सी स्पीचेज सुनीं। लेकिन इस के अन्दर से आखिर मार्ग कैसे निकाला जायें ? हाई कोर्ट ने निर्णय कर दिया जिस से जमीन नहीं मिलती है और गवर्नमेंट को आर्डिनेन्स निकालना पड़ा। वहां पर बहुत से विद्वानों ने अपने विचार रखे हैं। मैं ज्यादा बक्त तो नहीं लेना चाहता लेकिन मैं सोच रहा था कि आखिर इस में गवर्नमेंट क्या करे और क्या सुझाये। किस रीति से लोगों को बसाये यह बात अलग है। हाउस के अन्दर एक प्रकार का एजिटेशन है और बाहर भी इस बिल के ऊपर बड़ी नाराजगी है, यह बात सही है, लेकिन इस के लिये रास्ता निकाल कर आर्डिनेन्स जारी कर के बार-बार हिन्दुस्तान में बेकानूनी चीज करना भी तो ठीक नहीं है। इसी लिये यह बिल यहां लाया गया है। इस के लिये कमेटी मूकरर करने का जो विचार था वह भी पूरा नहीं हो सका क्योंकि इस में समय ज्यादा लगता। कारखानेदारों के लिये

[श्री तुलसीदास जाधव]

और दूसरे लोगों के लिये इस से जो मुश्किल पैदा हुई इस के लिये यह बिल यहां रखा गया। मैं ने जो मुझाव दिये हैं उन पर विचार कर के मिनिस्ट्री को यहां पर आना चाहिये और हाउस के अन्दर और बाहर जो हवा इस सम्बन्ध में है उस को भी देख कर बीच का ऐसा रास्ता निकालना चाहिये जिस से जिस की जमीन हो उस को उस की पूरी कीमत मिले और उस के ऊपर किसी भी दृष्टि से अन्याय न हो। इतना ही नहीं, अगर कर सकते हैं तो यह भी करना चाहिये कि अगर किसी की जमीन कारखानेदारों के लिये ली गई हो तो उस को दूसरी जगह पर ठीक सी जमीन मिले। महाराष्ट्र के अन्दर जो वहां की गवर्नमेंट है वह अगर किसी खेदूत की जमीन इरिगेशन प्रोजेक्ट के लिये लेती है तो उस को दूसरी जगह जमीन देती है खेती के लिये, और वह उस की जमीन की कीमत के बराबर कीमत की होती है। उस के बेलों की जोड़ी की और मकान आदि सब की व्यवस्था करती है। मैं तो कहूंगा कि अगर किसी कारखाने के लिये किसी किसान की जमीन ली जाती है तो पाटिल साहब की तरफ से और मिनिस्ट्री की तरफ से उस को गारन्टी दी जानी चाहिये कि उस कारखाने में उस को मान और सम्मान के साथ रखा जायेगा और जिस तरह से कई वर्षों तक काम करने के बाद तीन महीने का बोनस कारखाने में काम करने वालों को दिया जाता है, यदि कोई आदमी सरकारी नौकरी करता है तो उस को २५ वर्ष के बाद पेन्शन मिलती है, उसी तरह से जिस आदमी की जमीन जाती है, जिस का पेट भरने का साधन चला जाता है, उस के लिये भी कुछ न कुछ इन्तजाम होना चाहिये।

श्री बजर्राज सिंह : (बरेली) : सभापति महोदय, अभी जिन हमारे माननीय मित्र ने काश्तकारों का केस प्लोड किया उन्हें एक परेशानी थी कि शायद बाजार भाव मिलने से भी काश्तकारों की परेशानी दूर नहीं होगी।

इस के लिये मैं केवल यह निवेदन करूंगा कि जिसे हम बाजार भाव कहते हैं वह शायद पैसे के ही रूप में समझा जा रहा है। लेकिन ऐसी बात नहीं है। बाजार भाव से मतलब है खुली छूट सौदा करने की। जब कोई मालदार आसामी जमीनें लेने के लिये आयेगा तो काश्तकार को इस बात की खुली छूट होगी कि वह उस का पूरा-पूरा पैसा मांग ले या अपनी और गर्त भी उस के सामने रखे। पैसा ले और उस के साथ-साथ उस एन्टरप्राइज में नौकरी मांगे, पैसा ले और उस जमीन के मुतहक थोड़ी जमीन ठेके के रूप में, होना बोलने के लिये या सब्जी सप्लाई करने के लिये ले ले या इसी प्रकार की कोई और चीजें मांग सके तो बाजार भाव का मतलब पैसे की कीमत से हल नहीं हो जाता। बाजार भाव से मतलब है कि बाजार में सौदा करने का उसे अधिकार मिलना चाहिये। ऐसा ही इस सदन के इधर के पक्ष ने और उधर के पक्ष ने कहा।

मेरा तो निवेदन यह है कि जब हर तरफ से एक ही आवाज गूंज रही है कि इस में खेती खतरे में है और खेतिहर खतरे में हैं तो मैं समझता हूं कि हमारे पाटिल साहब और डा० राम मुभग सिंह को इस ओर ध्यान देना चाहिये। डा० राम मुभग सिंह से मेरा थोड़ा सा परिचय कमेटियों के सिलसिले में हुआ है। मैं जानता हूं कि उन के दिल में बड़ा दर्द काश्तकार के लिये है और जमीन की पैदावार बढ़ाने के बारे में भी इन के अन्दर बड़ा दर्द है। हर तरह की परिस्थितियां आती हैं। हो सकता है कि इस तरह की परिस्थितियां आई हों जिन में यह संशोधन लाना पड़ा। कई चीजों के लिये हमारे माननीय दोस्त ने भी कहा कि जमीन ऐक्वायर करनी ही पड़ेगी और बहुत से ऐसे केसेज होंगे जिन में जमीन ऐक्वायर किये बगैर काम चलेगा नहीं। हमारे माननीय मिनिस्टर साहब के सामने भी ऐसे सवाल आये होंगे जिन के कारण उन को यह संशोधन रखना पड़ा। मैं समझता हूं कि उन के दिल की गहराई इस बात से

नापी जा सकती है कि चार छः रोज हुए जब पहले यह बिल पेश किया गया था और उन्होंने देखा कि सदन में बड़ा शोर शराबा है और लोगों में परेशानी है तो उन्होंने समय चाहा और समय चाहने के बाद अपनी पूरी इच्छा शक्ति लगा कर यह नया संशोधन लाये। इतिहास है कि उस से भी वह डिजायर्ड इम्पैक्ट क्रिएट नहीं हो सका जो हम चाहते थे। आज और संशोधन आ रहे हैं और हो सकता है कि आगे भी हम इस प्रकार के संशोधन न कर सकें कि जिस में हम समझ सकें यह सब आग्नि स्टेज पर पहुंच गया और हम ऐसा संशोधन नहीं लाये हैं कि इस से आगे कोई और संशोधन नहीं आ सकता और लाना मुमकिन नहीं है। मैं नहीं समझ पाता कि क्यों इसे प्रिस्टिज इश्यू बना कर यह सोचा जाता है कि जो भी संशोधन आ गये हैं उन में से किसी को न मानेंगे और इस प्रमोवमेंट बिल को पास करा कर छोड़ेंगे तभी इज्जत बचेगी, वरना इज्जत किरकिरी हो जायेगी। मैं समझता हूं ऐसा सोचना ठीक नहीं है।

एक संशोधन है कि इस बिल को सिलेक्ट कमेटी को दे दिया जाये और सिलेक्ट कमेटी में इस पर आगे विचार चले क्योंकि अभी हाउस की मांग पूरी नहीं हो पा रही है, अन्यथा, इतने सदस्य इस पर बोले, कल का दिन पूरा दिया गया, और आज भी मैं समझता हूं कि देर हो जाने के कारण सन्नटा दिखाई दे रहा है। मैं तो विश्वास के साथ कह सकता हूं कि जितनी सरगर्मी आज पैदा हुई है कल उस से ज्यादा पैदा होगी क्योंकि हर एक के दिल में परेशानी है और बावैला मचा हुआ है।

अभी हमारे एक पंजाब के मित्र बोल रहे थे कि वे गिर गये। उन के दिल में बड़ा धक्का लगा मालूम होता है क्योंकि वह बोलना कुछ चाहते थे लेकिन बोलना कुछ और पड़ रहा था। इस स्थान से कि नेता लोग नाराज न हो जायें।

मैं उत्तर प्रदेश के उस क्षेत्र से आता हूं जहां इस प्रकार की कई चीजें चल रही हैं। आप ध्यान से देखें तो आप को पता चलेगा कि देश के लिये आज कुछ चीजें ऐसी हैं जिन के लिये हम कह सकते हैं कि उन की बड़ी जरूरत है, कुछ चीजों के लिये कह सकते हैं कि बीच की जरूरत है और कुछ ग्रंडरेकिंग्स ऐसे हैं जिन के लिये हम कह सकते हैं कि उन की बिल्कुल जरूरत नहीं है।

बरेली के उत्तर में एक एयरोड्राम बनाया जा रहा है। यह बड़ी पुरानी स्कीम थी। पहले एक एयरोड्राम की जरूरत पड़ी थी और उस वक्त वह नहीं बनाया जा सका। खाली लैंडिंग ग्राउण्ड बना कर छोड़ दिया गया था। अब चाइना इश्यू के कारण उसकी जरूरत महसूस हुई और करीब ३५०० या ४००० बीघा जमीन उसके लिये ले ली गयी जिससे पांच गांव इम्पैक्ट हो गए हैं। ये पांच गांव इस प्रकार के हैं कि ये गांव तो बाहर रह जाते हैं और इनकी जमीन एयरोड्राम में आ जाती है। तो इस तरह से वह जमीन ले ली गयी है। एक प्रोजेक्ट आया था कि एक तरफ से जमीन ले ली जाए जो कि एक बड़े काश्तकार की थी। अगर वह जमीन ले ली जाती तो ये पांच गांव बच जाते। मगर जो मैशिनरी आज काम कर रही है लैंड एक्वीजिशन का वह छोटे गरीब काश्तकार की बात नहीं सुनती, वह तो बड़े आदमी की बात सुनती है जिसके पास इतना पैसा हो कि वह सुप्रीम कोर्ट में मुकदमा ले जा सके। उसका उनको डर लगता है कि यह अपना मुकदमा सुप्रीम कोर्ट तक ले जाएगा और जीत कर आ जाएगा। उससे उनको डर लगता है। डर नहीं लगता छोटे काश्तकार से। इसलिये इन पांच गांवों की जमीन ले ली गयी। मैं समझता हूं कि वहां के लोग हर पार्टी के लोगों के पास गए और उन्होंने उनको ठीक सलाह दी। मैं पास भी आए। मैंने भी उनसे कहा कि यह नेशनल यूटिलिटी की चीज है। इसकी जरूरत

[श्री ब्रज राज सिंह]

पड़ सकती है। तुम मत घबराओ, तुम्हारे लिये कोशिश करेंगे। मैंने उनको आश्वासन दिया कि तुमको सिथेटिक रबर फैक्टरी में काम दिलाने की कोशिश करेंगे और तुम को फिर कलक्टर और कमिश्नर साहब के पास ले चलेंगे हमने उनको आश्वासन दिया कि तुम को सिथेटिक रबर फैक्टरी में काम दिलवाया जाएगा। मगर आप देखें कि सिथेटिक रबर फैक्टरी में क्या हो रहा है। उसको भी इसी प्रकार के छोटे-छोटे काश्तकारों की जमीनों लेकर बनाया गया है। पहले जब उनकी जमीनों ली गयीं तो वे स्टे आर्डर ले आए और उन्होंने अपनी फसलें बो दीं, लेकिन उनकी फसलें फिर काट दी गयीं। इस तरह से तीन-तीन चार-चार फसलें लोगों की खराब हो गयीं। और जिन लोगों की जमीनों ली गयी थीं उनको ही उस फैक्टरी में चौकीदारी तक नहीं मिलती, जिनकी जमीनों ली गयी थीं उनको उसमें नौकरी नहीं मिलती, उनको वहां ठेके नहीं मिलते। इसलिये जो इन लोगों को जिनकी साढ़े तीन हजार या ४००० बीघा जमीन एयरोड्रोम के लिये ले ली गयी है, उस फैक्टरी में काम दिलाना नामुमकिन था। नतीजा यह हुआ कि इस रिजेंटमेंट की वजह से आज बरेली में पांच हजार मजदूर हड़ताल कर रहे हैं। लेकिन कोई नतीजा नहीं निकला। वे गरीब आदमी हैं। उनके लिये पुलिस बुलायी गयी। मार-मार कर उनका कब्रूमर निकाल दिया गया और उनकी घड़ियां, फाउन्टेनपैन, पैसे आदि पुलिस ले गयी। यहां पर उसके लिये हमने एक कार्लिंग अटेंशन मोशन दिया लेकिन वह नामंजूर हो गया।

डा० सा० श्री० अणु: कितने दिन पहले की बात है ?

श्री ब्रजराज सिंह : अभी चल रहा है। उसके बाद हमने शार्ट नोटिस क्वेस्चन दिया कि शायद इसका उत्तर देने में मन्त्री जी को कोई परेशानी न हो। और मैं इस इन्तिजार में बैठा कि कि जैसे ही मिनिस्टर साहब आ

उत्तर मिलेगा मैं उन लोगों से जाकर कहूंगा कि हमने तुम्हारी आवाज मिनिस्टर साहब के पास तक पहुंचा दी है। तुम घबराओ मत, कुछ न कुछ तुम्हारे लिए किया जाएगा। लेकिन कुछ नहीं हुआ। उसके अलावा हमने एक साधारण क्वेस्चन दिया। उसका उत्तर आ गया कि यह स्टेट गवर्नमेंट का मामला है हमको उससे कोई मतलब नहीं। तो इस प्रकार यह बात खत्म हो गयी। मैं आपसे निवेदन करना चाहता हूं कि इस सिथेटिक रबर फैक्टरी में सारा सेंटर का ही पैसा लग रहा है। लेकिन इस बारे में कुछ नहीं किया जाता।

कहा जाता है कि काश्तकार मुकदमा जीत कर आ जाते हैं, वे सुप्रीम कोर्ट तक से मुकदमा जीत कर आ जाते हैं। लेकिन छोटे काश्तकार का हाल यह है कि सुप्रीम कोर्ट तो क्या वह छोटी अदालतों में भी मुकदमा नहीं लड़ा सकता। यह तो वही लोग कर सकते हैं जिनके पास बहुत पैसा है, और वे लोग भी जो नजीर लेकर आ जाते हैं उसका फायदा गरीब काश्तकार तक नहीं पहुंचने दिया जाता। जो रूलिंग सुप्रीम कोर्ट ने दे दिया था उससे एक आदमी को शायद फायदा पहुंच गया हो लेकिन वह मासेज तक नहीं पहुंच पाया और यह अमेंडमेंट यहां लाकर रख दिया गया। हो सकता है कि काश्तकार इसका मुकाबला न कर सकें। पर मैं अपने मिनिस्टर साहब से निवेदन करूंगा कि वे इसको प्रेस्टीज इश्यू बनाने की कृपा न करें। व्हिप के द्वारा जबरदस्ती वोट मांग कर इसको पास कराने का यत्न न करें।

मुझे मालूम है कि उनके हृदय में दर्द है काश्तकार के लिये और उसकी खेती के लिये। इसलिये मैं आशा करता हूं कि वह इस बात को जरूर सोचेंगे।

18 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 30, 1962/Bhadra 8, 1884 (Saka).

[Wednesday, August 29, 1962/Bhadra 7, 1884 (Saka)]

ORAL ANSWERS TO QUESTIONS		COLUMNS	WRITTEN ANSWERS TO QUESTIONS—contd.	
S.Q. No.	Subject	4657—94	S.Q. No.	Subject
667	Committee for Anti-corruption Drive . . .	4657—62	693	Pipeline in Gujarat. 4700—01
668	Coal dumping . . .	4662—65	694	Advance for building of English weekly 'Link' 4701—02
669	New Education Code for Delhi . . .	4665—67	695	Education as concurrent subject . . . 4702
670	Model legislation for Universities . . .	4667—69	696	Revision of pay scales of employees of Delhi Administration . . . 4702—03
671	Coal targets during Third Plan . . .	4669—73	U.S.Q.	
672	Delhi Primary Education	4673—75	No.	
673	Oil Pipe Lines . . .	4675—78	1897	India's economy . . . 4703—04
674	Coil Washeries . . .	4679—81	1898	Field firing in Kangra 4704
675	Prices of steel and pig iron . . .	4681—82	1899	Classification of Anglo-Indian . . . 4705
676	State participation in oil refineries . . .	4682—83	1900	Scholarships for Scheduled Caste students . . . 4705—06
677	Hogenakkal Hydro-electric project . . .	4683—84	1901	Murder cases in Manipur . . . 4706—07
678	Compulsory Military Training for students	4684—89	1902	Grant for Punjabi dramas . . . 4707
679	Sindri Fertilizers Factory . . .	4689—90	1903	Production price of iron ore . . . 4707—08
680	Development of Petrochemical industries . . .	4690—92	1904	Payment to Indo-Commercial Bank deposits . . . 4708
681	Royalty from Gujarat Oil wells . . .	4692—94	1905	Welfare of S.C. and S.T. in Andhra Pradesh 4708—09
WRITTEN ANSWERS TO QUESTIONS . . .		4694—4774	1906	Cultural centres in Andhra Pradesh . . . 4709
S.Q. No.			1907	Coal for Andhra Pradesh 4709—10
682	Indian team to Everest	4694	1908	Residential accommodation for employees of Accountant General's Office, Andhra Pradesh 4710
683	Targets for steel production during Fourth Plan period. . .	4694—95	1909	Higher Secondary students . . . 4711
684	Consumption of petroleum products in Rajasthan . . .	4695	1910	Maithili language . . . 4711—12
685	Mizo hills . . .	4696	1911	Dr. Gayen's Report on 'Measurement of Achievements in Mathematics' 4712
686	Manufacture of automobile leaf springs . . .	4696—97	1912	Restoration of pay cut of Defence employees 4712—13
687	Royalty on oil . . .	4697—98	1913	Gang of cattle killers 4713
688	Coal gas plant for Delhi	4698	1914	Price of grade II coal 4713—14
689	Closure of stainless steel factories in Bombay	4698—99	1915	Audit Staff Association, Shillong . . . 4714
690	Advisory Committee on Training and Recruitment . . .	4699—4700	1916	Garden Reach Workshop 4714
691	Coal Corporations . . .	4700	1917	Crime cases in Delhi. 4714—15
692	Technicians sent abroad by Hindustan Steel Ltd.	4700	1918	Steel or pig iron quota to States . . . 4715—16
			1919	'Sanskriti' . . . 4716—17

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
1920	'Cultural Forum' .	4717
1921	Machine Manu- facturing industry . .	4718-19
1922	Children's Art Exhi- bition	4719-20
1923	Coal for Ambala-Karnal and Rohtak areas . .	4720
1924	Institutions of National importance. . . .	4720-22
1925	Elections to Works Committee of Gun and Shell Factory . . .	4722-23
1926	Cost of steel plants .	4723
1927	Foreign personnel in steel plants . . .	4724
1928	Use of Hindi in Gov- ernment Offices . .	4724-25
1929	D.Ps. from East Pakis- tan	4725-26
1930	Physical Education and Youth Welfare Schemes	4726-27
1931	Assistance to Voluntary Hindi Prachar Organisa- tion	4727
1932	Termination Notice for Government em- ployees	4728
1933	Multi-purpose tractors .	4728
1934	Physical handicapped .	4729
1935	Oil refineries . . .	4729-30
1936	Under-invoicing of exports and over- invoicing of imports .	4730
1937	Grant to Mysore Gov- ernment	4730
1938	Delhi Education Depart- ment	4731
1939	Excavations near Ahar .	4731
1940	Population map . . .	4731-32
1941	Sanskrit	4732-33
1942	India-China border . .	4733-34
1943	Production of Armour plates in steel plants .	4734
1944	Foreign artists . . .	4734-35
1945	Breakdown of Rourkela's Blast Furnace No. 3 .	4735-36
1946	Indian Investment Centre .	4736
1947	Tribunal for excise duty on tobacco	4736
1948	Sea survey of Andaman Islands	4737
1949	Drilling in Darang Salt Mines	4737-38

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
1950	Agreement between Oil and Natural Gas Commission and Maz- door Sabha. . . .	4738
1951	Houses for Scheduled Caste and Scheduled Tribe families . . .	4738-39
1952	Macharia Cement Factory .	4739-40
1953	Stipends for Tribal students	4740
1954	Scheduled Areas and Scheduled Tribes Com- mission's report . .	4741
1955	Primary Education Body	4741
1956	Geological Survey of India	4742
1957	Players for Intern- tional meets . . .	4742-43
1958	Physical fitness for recruitment in Armed Forces	4743
1959	Welfare of troops . .	4744
1960	Curb on travelling to East Pakistan . . .	4744-45
1961	Libraries managed by Central Government .	4745
1962	Pay of Section Officers .	4745
1963	Township at Dhaleswar .	4746
1964	Quarters constructed at Narsinghgarh . . .	4746
1965	Second Pay Com- mission Recommen- dations	4746-47
1966	Himachal Pradesh Sec- retariat at Simla . .	4747
1967	Pension to Territorial Army Officers . . .	4747
1968	Tribal blocks	4747-49
1969	Janata colleges in Delhi .	4749
1970	C.H.S. Scheme facili- ties for Defence em- ployees	4749-50
1971	Industrial and non- industrial employees of Defence installations .	4750
1972	Extension of Punjab Backward Classes (Grant of Loan) Act to Manipur	4751
1973	Pay scale of Manipur Administration em- ployees	4751-52
1974	Jet trainers	4752
1975	Bharat Electronics Ltd. .	4752-53

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
1976	Hindi translation of 'Tripitak'	4753
1977	Research Laboratory, Jorhat	4753-54
1978	Purchase of property from the Princes in Himachal Pradesh	4754
1979	Corruption cases in H.P.	4754-55
1980	Availability of books for Universities students	4755
1981	Cement for Andhra Pradesh	4755-56
1982	Financial powers of Oil and Natural Gas Commission.	4756-57
1983	Second Language Convention	4757
1984	Blasting of rocks in Laccadives	4758
1985	Copper deposits in Alwar	4758-59
1986	Coaching centre for S.C. and S.T. at Allahabad	4759
1987	Rayon factory	4760
1988	Overtime allowance for Armed Forces Headquarters employees	4760
1989	Armed Forces Headquarters employees	4761
1990	Gas and oil in Punjab	4761-62
1991	Praga Tools Corporation, Andhra Pradesh	4762-63
1993	Welfare of Scheduled Castes and Scheduled Tribes in Mysore	4763
1994	Prices of cement	4763-64
1995	Geophysicists for Third Plan	4764-65
1996	Foreign Exchange facilities for students	4765
1997	Steel Plant in South	4766
1998	Coal movement	4766-67
1999	Reorganisation of Oil and Natural Gas Commission	4767-68
2000	Ankeshwar Oil	4768
2001	Steel for Small Scale Industries of Assam	4768-69
2002	National Book Trust	4769-70
2004	Delhi Land Reforms Act	4770
2005	Delhi Land Reforms Act	4770-71

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2006	Academy of Indian dance and music	4771
2007	Equipment for Rourkela Steel plant	4771-72
2008	Amalgamation of New Citizen Bank of India	4772-73
2009	Cultivation of tobacco	4773
2100	Koyana Hydro-Electric Project	4773-74

OBITUARY REFERENCE . 4774

The Speaker made a reference to the passing away of Dr. Bakshi Tek Chand who was a member of the Constituent Assembly of India and of the Provisional Parliament.

Thereafter members stood in silence for a short while as a mark of respect.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE . 4775-80

(i) Shri Bagri called the attention of the Prime Minister to the reported firing by Nepali soldiers on a hut in the Miris Police station of Darjeeling district on the 24th August, 1962 resulting in the death of two Indians

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru) made a statement in regard thereto.

(ii) Shri S. M. Banerjee called the attention of the Prime Minister to the reported missing of an aircraft of the Nepal Royal Airlines with Indian Inspector of Accidents, First Secretary of the Indian Embassy, Nepal and four others on board.

The Prime Minister also made a statement in regard thereto.

COLUMNS

PAPERS LAID ON THE TABLE

4780, 4781

(1) A copy of Notification No. F.70 (37)/59-Vol.II published in Tripura Gazette dated the 10th April, 1962 containing the Tripura Land Revenue & Land Reforms (Allotment of Land) Rules, 1962, under section 198 of the Tripura Land Revenue and Land Reforms Act, 1960.

(2) A copy each of the following Rules under section 296 of the Income-tax Act, 1961:—

(i) The Income-tax (Amendment) Rules, 1962 published in Notification No. S. O. 2029 dated the 30th June, 1962

(ii) The Income-tax (Second Amendment) Rules, 1962 published in Notification No. S. O. 2565, dated the 10th August, 1962.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS PRESENTED

4781

Seventh Report was presented.

STATEMENT BY MINISTER :—

The Minister of Steel and Heavy Industries (Shri C. Subramaniam) made a statement regarding distribution of G.C. Sheets.

COLUMNS

BILL PASSED 4792—4813

The clause-by-clause consideration of the State of Nagaland Bill was taken up and concluded, and the Bill, as amended, was passed.

BILLS UNDER CONSIDERATION 4813—4932

Discussion on the motion to consider the Land Acquisition (Amendment) Bill and amendments thereto moved on 21st August, 1962 continued. The amendment of Shri R. Barua for circulation of the Bill was negatived. On the amendment of Shri Daji for reference of the Bill to a Select Committee, the House divided, Ayes, 40; Noes 150, and the amendment was accordingly negatived. The motion to consider the Bill was adopted. The clause-by-clause consideration of the Bill was taken up but not concluded.

AGENDA FOR THURSDAY, AUGUST 30, 1962/
BHADRA 8, 1884 (SAKA)—

Further clause-by-clause consideration of the Land Acquisition (Amendment) Bill and passing of the Bill.