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Tuesday, August 21, 1962  
Sravana 30, 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

Tuesday, August 21, 1962/Sravana 30,  
1884 (Saka).

The Lok Sabha met at Eleven of the  
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Bridge on River Hooghly

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- \*476. { Shri Subodh Hansda:  
Shri S. B. Das:  
Shri Basumatari:  
Shri S. C. Samanta:  
Shri M. L. Dwivedi:  
Shri B. K. Das:  
Shri A. V. Raghavan:  
Shri Pottekkatt:  
Shri Indrajit Gupta:

Will the Minister of Finance be  
pleased to state:

(a) whether the preparation of the  
project report of another bridge on  
river Hooghly near Howrah has been  
entrusted to anybody;

(b) if so, to whom; and

(c) when this will be submitted for  
Government's approval?

The Deputy Minister in the Ministry  
of Finance (Shrimati Tarkeshwari  
Sinha): (a) The Government of West  
Bengal has entrusted the work of  
preparation of a report on the feasibility  
of another crossing, over or under  
the Hooghly river, to a firm of Con-  
sulting Engineers.

(b) Messrs. Rendel, Palmer and  
Tritton, London.

(c) The final report on the feasi-  
bility study is expected to be sub-  
mitted to the State Government by  
the end of January, 1963.

1550 (A1) LSD—1.

Shri Subodh Hansda: May I know  
whether the Government have asked  
for any loan from abroad from the  
World Bank or any other organisation  
and if so, what is the amount of loan  
asked for?

Shrimati Tarkeshwari Sinha: On the  
suggestion of the Ford Foundation's  
Advisers, it was felt that the Inter-  
national Bank of Reconstruction and  
Development could be interested in  
this project. Therefore, a formal ap-  
peal was made to them to allot foreign  
exchange component of that. They  
have agreed to allot certain foreign  
exchange component of the project,  
for the preparation of the scheme.

Shri Subodh Hansda: May I know  
in how many places survey has been  
made and whether any recommenda-  
tion has been made as to what kind  
of bridge will be constructed whether  
it is with pillars or without pillars?

Shrimati Tarkeshwari Sinha: I would  
invite the hon. Member to the reply  
that I have given. This is itself a  
feasibility study, so that the report  
has not been prepared. This report  
will go into the question whether the  
project is at all feasible.

Shri Ramanathan Chettiar: What is  
the estimated cost of this project and  
what will be the foreign exchange  
that might be required to complete  
this project?

Shrimati Tarkeshwari Sinha: It is a  
feasibility study. Estimates have been  
prepared by the firm which is entrusted  
with this work. They say that  
the cost of this study will be Rs. 2½  
lakhs plus £18,000 to be paid to the  
consultants and a further sum of  
Rs. 1 lakh to the contractor if the  
contractor is an Indian contractor.

**Dr. K. L. Rao:** May I know whether any Indian firm of Consulting engineers or the Consulting Engineer of the Government of India was called in to prepare this report before this was entrusted to a foreign firm?

**Shrimati Tarkeshwari Sinha:** It was at the instance of the World Bank and the Ford Foundation that this firm was selected.

**Mr. Speaker:** The question is whether any Indian consulting engineers were consulted before giving it to a foreign firm.

**Shrimati Tarkeshwari Sinha:** It is for the West Bengal State to have consultation or not. I cannot give an answer to this question.

**Shri Tridib Kumar Chaudhuri:** May I know if this project is a part of the C.M.P. plan?

**Shrimati Tarkeshwari Sinha:** Yes.

#### Drilling Operations by ENI

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\*477. { **Shri S. C. Samanta:**  
 { **Shri Subodh Hansda:**  
 { **Shri B. K. Das:**  
 { **Shri M. L. Dwivedi:**  
 { **Shri D. C. Sharma:**  
 { **Shrimati Renn Chakravartty:**

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

(a) whether it is a fact that Italian State Enterprise "E.N.I." has agreed to undertake drilling operations for natural oil;

(b) which area it has chosen for this purpose; and

(c) whether it has started its work?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) Negotiations in this regard are in progress between the E.N.I. and the Oil and Natural Gas Commission.

(b) The area in which E.N.I. will undertake drilling, has not been decided so far.

(c) No, Sir.

**Shri S. C. Samanta:** Is it not a fact that an agreement with this E.N.I. was executed on 29-8-1961 and if so, what is that agreement?

**Shri K. D. Malaviya:** There is a general agreement between the two parties to examine the possibility of contract drilling in any area that might be specified by the Oil and Natural Gas Commission. In consequence of the general agreement, the O.N.G.C. have made certain proposals to the E.N.I. They are just now under active consideration of the two parties. Perhaps a decision may be taken within a few weeks if not days.

**Shri S. C. Samanta:** May I know whether in the meantime, the E.N.I. has agreed to contract drilling?

**Shri K. D. Malaviya:** Yes. They have agreed to contract drilling. It is a question of the detailed conditions of their coming and undertaking this drilling.

**Shri D. C. Sharma:** Our country is having contracts of this kind with other countries also. May I know whether the terms of the agreement are the same with all the countries, or they differ from country to country?

**Shri K. D. Malaviya:** Naturally, these conditions might, within the framework of certain common terms, differ here and there. There are not too many countries which are undertaking contract drilling. It is the E.N.I. which has advanced some credit to us, and, therefore, we are examining the proposal of getting contract drilling done by the Italian parties.

**Dr. L. M. Singhvi:** What is the likely expenditure, as estimated at present, of the foreign exchange liability on account of these drilling operations by the E.N.I.?

**Shri K. D. Malaviya:** The implication of foreign exchange expenditure under this contract drilling depends upon the quantum of drilling undertaken and agreed to between the two parties. Just now, there are proposals to get drilling done by them in the Gangetic basin and some other portions of the



country. If the area to be covered is large, naturally, the number of drillings would be larger, and, therefore, the implication of foreign exchange liability will be much larger.

**Shri Hem Barua:** In view of the fact that the Oil and Natural Gas Commission and certain other parties are engaged in drilling work in this country, why is it that new parties are invited, and thus the scope of drilling by other parties is being extended?

**Shri K. D. Malaviya:** We want to finish larger quantity of work in smaller time.

**Shri P. C. Borooah:** What is the total area covered by the operations of the Italian firm, and by what time is the operation likely to be completed?

**Shri K. D. Malaviya:** The operation has not yet begun.

**Shri Bhagwat Jha Azad:** May I know whether any time-schedule has been given, and the Oil and Natural Gas Commission has given its choice about the areas, and if so, by what time it is proposed to start the work?

**Shri K. D. Malaviya:** As I have said, the areas specified by the Oil and Natural Gas Commission are the Gangetic basin, certain areas of Bihar and U.P. and also some other areas about which a final decision has not yet been taken. But these two areas have been decided upon, and a number of wells will be located by the Oil and Natural Gas Commission; the sites will be located upon which they will be required to drill.

दिल्ली में हत्याएँ तथा अन्य अपराध

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श्री म० ला० द्विवेदी :  
श्री स० चं० सामन्त :  
श्री सुबोध हंसदा :  
श्री रामेश्वरानंद :

\*४८० }  
श्री लक्ष्मी मल्ल सिधवी :  
श्री रघुनाथ सिंह :  
श्री यशपाल सिंह :  
श्री दलजीत सिंह :  
श्री प्रकाशवीर शास्त्री :

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

(क) क्या सरकार का ध्यान दिल्ली में बढ़ती हुई हत्याओं तथा अन्य अपराधों की ओर दिलाया गया है ;

(ख) दिल्ली में जनवरी १९६० से अब तक हत्या, हत्या के प्रयत्नों तथा घातक प्रहारों के कुल कितने मामले हुये ; और

(ग) क्या सरकार का विचार इन अपराधों को रोकने के लिए कोई दृढ़ कदम उठाने का है और यदि हाँ, तो क्या तथा कब से ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री वातार): (क) पिछले वर्ष की तत्सम् अवधि की अपेक्षा इस वर्ष कुल संज्ञेय (cognisable) अपराधों तथा हत्याओं की संख्या में कुछ बढ़ोतरी हुई है ।

(ख) हत्याएं १५५  
हत्या तथा घातक ) १-१-६० से  
चोट पहुंचाने के } ३१-७-६२ तक  
प्रयत्न } १००

(ग) बढ़ी हुई गश्तों तथा सतर्कता के अतिरिक्त जन संख्या तथा दर्ज किए गए अपराधों आदि पर आधारित वर्तमान आवश्यकताओं के अनुसार पुलिस को सशक्त बनाने तथा पुलिस की कार्य क्षमता को सुधारने के प्रस्ताव विचाराधीन हैं । इन प्रस्तावों पर शीघ्र विचार किया जा रहा है ।

**Shri Hari Vishnu Kamath:** May I request that this question might be taken up along with a similar unstarred question? It is an unusual request, but it is due to no fault of mine. I gave notice of a similar starred question, but it has been put in the

unstarred list. The question is the same and relates to crimes in Delhi.

**Mr. Speaker:** I shall give an opportunity to the hon. Member to put supplementaries.

**Shri Hari Vishnu Kamath:** Why should the starred question which I had given notice of appear in the unstarred list? I am asking this of you, on a point of order. The same question which I had given notice of is in the unstarred list.

**Shri Tyagi:** What does it matter? The hon. Member's purpose has been served.

**Mr. Speaker:** I can look into it afterwards, but now I shall give an opportunity to the hon. Member to ask supplementaries.

**श्री म० ला० द्विवेदी:** पहले दिल्ली की आबादी केवल ढाई लाख थी, जब कि अब वह २६ लाख से अधिक है। मैं यह पूछना चाहता हूँ कि क्या अब तक इसी अनुपात में दिल्ली की पुलिस में वृद्धि हुई है; यदि नहीं, तो क्यों नहीं और अब जो वृद्धि की जा रही है, वह कितनी की जा रही है।

**गृह-कार्य मंत्री (श्री लाल बहादुर शास्त्री):** यह ठीक है कि जितनी आबादी बढ़ी है, उस की जरूरत के हिसाब से पुलिस की ताकत या पुलिस की संख्या उतनी नहीं बढ़ी है। सच बात यह है कि मेरा अनुमान यह था कि पुलिस की संख्या दिल्ली में बहुत काफी है। मेरा अपना ख्याल यह रहता था कि बमुकाबल और शहरों के दिल्ली को पुलिस ज्यादा मिली है। लेकिन मैंने अभी जो कांफेंस की, उस से यह अन्दाज़ा मिला कि मेरा अनुमान ठीक नहीं था। इस बात की जरूरत है कि पुलिस की स्ट्रेंथ को, ताकत को बढ़ाया जाय।

**श्री म० ला० द्विवेदी:** क्या मैं पूछ सकता हूँ कि पुलिस के अधिकारियों की दक्षता के संबन्ध में मंत्री महोदय की क्या राय है, क्योंकि इस बीच में जो क्राइम्ज हुए हैं, उन की जांचपड़ताल भी ठीक नहीं हुई है और

केसिज भी कम पकड़े गए? मैं यह भी जानना चाहता हूँ कि कितने परसेंट केसिज पकड़े गये और कितनों को सजा हुई।

**श्री लाल बहादुर शास्त्री:** संख्या तो खैर मैं इस वक्त बतला सकता हूँ। लेकिन जहाँ तक उन की दक्षता या कार्वलियत की बात है, वह तो मैं नहीं कह सकता कि वे बहुत अच्छे हैं, मगर यह कहना भी ठीक नहीं होगा कि सब बहुत कमजोर हैं। काफी अफसर अच्छे हैं और कुछ में कमजोरियाँ हैं। लेकिन एक बात में बड़ी कमी रही है और वह यह है कि दिल्ली में जो हमारे सब-इंस्पेक्टरों का लवल है, वह बहुत कमजोर है—कमजोर के मायने ये हैं कि जो सब-इंस्पेक्टर हैं, वे अक्सर प्रोमोटिड हैं, यानी वे हैड-कांस्टेबल थे, या कॉरुटेबल थे और असिस्टेंट सब-इंस्पेक्टर ए। तो वह एक बहुत बड़ी कमी रही है और अब हम उस को सुधारने की कोशिश कर रहे हैं। जब तक सब-इंस्पेक्टरों का लवल कुछ और ऊंचा नहीं होगा, तब तक जांच-पड़ताल में यह कमजोरी रहेगी।

**श्री रामेश्वरानन्द:** मैं गृह मंत्री से यह जानना चाहूंगा कि वह कहते हैं कि हमारे अफसर बहुत अच्छे हैं, नीचे वाले ऐसे हैं, नीचे वाले वैसे हैं, अफसर बढ़िया हैं, (Interruptions). जो भी हो.....

**अध्यक्ष महोदय:** माननीय सदस्य ऐसे वैसे को छोड़ कर सवाल करें।

**श्री रामेश्वरानन्द:** मैं सवाल कर रहा हूँ।

माननीय मंत्री जी ने कहा है कि उन के अफसर अच्छे हैं और दूसरे लोग ऐसे हैं, वैसे हैं, परन्तु किस लिए भरा हुआ है या गोबर, इस की क्या आवश्यकता है, जब वे सुरक्षा के लिए प्रबन्ध नहीं कर सकते? यहाँ पर दिल्ली में होने वाले अपराधों का उल्लेख किया गया है, परन्तु देहातों में तो आये वर्ष अपराधों की संख्या में वृद्धि हो रही है—जिले जिल में किसी वक्त पांच अपराध होत थे, अब वहाँ १५ हो गए हैं। इस लिए मैं यह जानना चाहता हूँ कि

क्या मंत्री महोदय कभी इस दुख को दूर भी कर सकेंगे या यह कोशिश ही कोशिश रहेगी।

**अध्यक्ष महोदय :** श्री पाण्डेय

**श्री रा० शि० पाण्डेय :** गृष्ठा एक्ट के अन्तर्गत जो व्यक्ति दूसरे प्रान्तों से निकाल दिये जाते हैं, वे यहां आ कर बस जाते हैं। क्या मैं जान सकता हूं कि क्या सरकार को यह खबर है और अगर है, तो उस सम्बन्ध में क्या कार्यवाही की गई।

**अध्यक्ष महोदय :** माननीय सदस्य तो मंडज और दूसरे एफिलिएटिड जर्मों से अब गृष्ठां पर चले गए हैं।

**श्री बनर्जी :**

**श्री स० मो० बनर्जी :** क्या मंत्री महोदय के ध्यान में यह बात आई है कि २५ मई, १९६२ और ३१ जुलाई, १९६२ को कुछ नौकरों ने जहर मिला दिया और जहर मिला देने के बाद कुछ लोग मर गए और जब उन नौकरों को पकड़ा गया, तो पुलिस ने उन को छोड़ दिया? मैं श्री टीकमदास गुगलानी की डैच के बारे में पृष्ठ रद्द हूं।

**अध्यक्ष महोदय :** मैं इंडिविडुअल केसिज के लिए कैसे इजाजत दे सकता हूं?

**श्री स० मो० बनर्जी :** मैं यह जानना चाहता हूं कि क्या ऐसे केसिज आए हैं?

**अध्यक्ष महोदय :** श्री शास्त्री।

**श्री प्रकाशबीर शास्त्री :** दिल्ली भारत की राजधानी है और भारत की राजधानी के सम्बन्ध में गृह मंत्री महोदय ने जो अभी विवरण दिया है, उससे वह भी सन्तुष्ट नहीं हैं। मैं यह जानना चाहता हूं कि हत्यायें, डाके, चोरी और अपहरण आदि जैसे कांडों को देखते हुए तथा स्थिति की भयंकरता का अनुमान लगाते हुए इस सम्बन्ध में संतोषजनक पग उठाने के लिए क्या गृह

मंत्रालय ने कोई विशेष कार्यक्रम बनाया है; यदि हां, तो उसका विवरण क्या है?

**श्री लाल बहादुर शास्त्री :** माननीय सदस्य को हमारी कठिनाई का भी थोड़ा अनुभव करना चाहिए। दिल्ली में जिस तरह पुलिस फोर्स बनी है, उसका थोड़ा बहुत अन्दाजा शायद उन्हें हो। काफी बाहर के लोग और पंजाब के काम करने वाले आए, जिनको भर्ती करना पड़ा और, जैसा कि मैंने कहा है, उसमें हम को हर लेवल के, हर दर्जे के जो वहां आफिसर थे, उनको लेना पड़ा, जिसमें हमें काफी कठिनाई और दिक्कत हुई है। एक तरफ तो उनको काम पर लगाना था और दूसरी तरफ हमको उनकी क्षमता या एफिशिन्सी भी देखनी थी।

दूसरी बात यह है कि यह बढ़ता हुआ शहर है और इसकी इतनी बड़ी आबादी है। इसके लिये उसमें कठिनाइयां पड़ी हैं। लेकिन मैं नहीं समझता कि उसको मुधारने की तरफ हमारा ध्यान नहीं है। अभी हाल में पार्लियामेंट के मिलने से थोड़े दिन पहले मैंने इंस्पेक्टर जनरल, डी० आई० जी और डिप्टी कमिश्नर की मीटिंग बुलाई, जिसमें उन प्रश्नों पर विचार किया गया, जो कि माननीय सदस्य यहां पर उठा रहे हैं। हम कई ऐसे कदम उठाने जा रहे हैं, कई ऐसी बातें करने जा रहे हैं, जिस से पुलिस की क्षमता बढ़ाई जाएगी। खास तौर से, जैसा कि मैंने कहा है, सब-इंस्पेक्टर और दूसरे ऊंचे अफसरों को मुधारने के बारे में कदम उठाए जाएंगे।

जहां तक उनकी माबिलिटी का ताल्लुक है, अब हालत यह है कि ट्रांसपोर्ट की गाड़ियां पुरानी पड़ी हुई हैं, टूटी हुई हैं या खराब हैं। अभी चार पांच ही रोज पहले उनको करीब बारह जीप्स या स्टेशन वैगन्ज आदि दी गई हैं। हमने माबिलिटी को बढ़ाने, और सेंटर खोलने और नए थाने खोलने पर विचार किया है और उसके मुताबिक हम काम करेंगे।

श्री यशपाल सिंह : क्या मैं जान सकता हूँ . . . . .

अध्यक्ष महोदय : नेक्स्ट क्वैस्टियन ।

**Shri Hari Vishnu Kamath:** You promised to give me a chance for supplementaries.

अध्यक्ष महोदय : मिनिस्टर साहब ने काफी लम्बा और डिटेल्ड स्टेटमेंट दिया है । अब काफी हो गया है ।

**Dr. L. M. Singhvi:** Our names are in the question. We have not had a chance.

श्री यशपाल सिंह : जब कोई सदस्य सवाल लिख कर देता है, तो उसको सप्लीमेंटरीज पूछने का मौका मिलना चाहिए ।

अध्यक्ष महोदय : नेक्स्ट क्वैस्टियन ।

#### Coal Prices

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\*481. { **Shri Rameshwar Tantia:**  
**Shri P. R. Chakraverti:**

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

(a) whether any decision has been taken by Government to raise the coal prices; and

(b) if not, what other measures Government propose to take to provide incentive to the producers of coal?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) Details of the increase notified with effect from 13-6-1962 are given in the statement laid on the Table of the House in reply to Starred Question No. 1516 on 18th June 1962.

(b) Besides the increase in prices already announced, the Government has liberalised the scheme of stowing assistance and is also considering the question of liberalisation of assistance to collieries handicapped by adverse conditions and grant of loans on easy terms.

**Shri Rameshwar Tantia:** Apart from the rise in the prices and other incentives which the hon. Minister mentioned, what has been done to solve the transport problem, which is a bottleneck in the way of increased coal production?

**Shri K. D. Malaviya:** The transport question is besides the price increase. This question has been specifically put with regard to increase in price.

**Shri Rameshwar Tantia:** After this price rise and the new incentives, may I know whether the production in the Government collieries has increased by 50 or 60 per cent?

**Shri K. D. Malaviya:** We expect that there will be a rise in the production of coal, and we are now working on the exact pattern of increase that is likely to result from these concessions.

श्री विभूति मिश्र : क्या यह सही है कि मंत्री जी ने कोयले की कीमत के बारे में जो नीति निर्धारित की है, उसका नतीजा यह हो रहा है कि बिहार में जिस कीमत पर कोयला मिलेगा, बम्बई में कोयला उससे सन्ने दाम पर मिलेगा ?

श्री के० दे० मालवीय : ऐसा तो मुझे नहीं मालूम पड़ता । बम्बई में कोयले का दाम बिहार में कुछ ज्यादा होगा, क्योंकि ट्रांसपोर्ट का भी दाम बढ़ जाता है ।

**Shrimati Savitri Nigam:** May I know if the hon. Minister is aware that apart from the irregular supplies of coal in the Capital, the quality of coal which is being supplied is very inferior and defective?

**Shri K. D. Malaviya:** As and when our attention is drawn to the bad quality of coal, we take necessary steps. The difficulty is that here some of the merchants are in direct contact with the collieries, and they make their own purchases, and therefore, Government are not able to find out how control on quality can be main-

tained by them. As I said, we are trying our best to maintain the quality.

**Shri Bhagwat Jha Azad:** May I know whether the attention of the hon. Minister has been drawn to the fact that the increase is working in favour of a particular grade of coal rather than in favour of B or other grades of coal?

**Shri K. D. Malaviya:** Yes, Sir; that was the intention also. Because the objective of this price increase was to give preference to more production of higher quality coal. Government are also considering proposals to see that the lowgrade, that is, grade II and III coal are also produced according to the requirements of the country.

**Shri Sham Lal Saraf:** Along with improving things all round, may I know whether production at the base has improved according to the requirements of the country?

**Mr. Speaker:** This relates to coal prices; that is another question.

**Dr. L. M. Singhvi:** Has the Government formulated any policy or criteria for fixing the price of coal? Can the Minister give these criteria to us?

**Shri K. D. Malaviya:** The entire question of price fixation of coal, its criteria, etc. is under examination. A committee on grading was appointed and it has submitted its report just now. We are engaged in deciding upon the policy of the Government on that report. Presumably, the intention is to relate the price of coal to the quality of coal basically.

**श्री बड़े :** मध्य प्रदेश में ट्रकों से जो कोयला जाता था कालियरीज से, उसको ले जाना बन्द कर दिया गया है और कोटे के रिफालिग की वजह से और कोटा कम कर दिये जाने की वजह से वहाँ पर कोयले की इडिसिड वढ़ गई है. क्या यह सच है ?

**अध्यक्ष महोदय :** काट का तात्पर्य इस सवाल से नहीं है ।

**श्री बड़े :** उसके कारण प्राइसिस ...

**अध्यक्ष महोदय :** वह दूसरा सवाल है ।

**श्री बड़े :** ट्रको से ले जाना बन्द कर दिया गया है, इसलिये

**अध्यक्ष महोदय :** वह दूसरा सवाल है ।

**Shri S. M. Banerjee:** Is it true that the employers agreed to increase the wages of the coal mine workers in case coal price was increased? If so, has the wage been increased?

**Shri K. D. Malaviya:** No, Sir. Wages are under separate examination. After the question of wages has been fully examined the price structure of coal is likely to be revised again.

**Shri Daji:** After the price increase are the coal employers satisfied or are they also succumbing to the line of the Indian Chamber of Commerce for further increase? What will be the Government's policy about it?

**Shri K. D. Malaviya:** So far as the representatives of the coal mines are concerned, they come to us and they have indicated their satisfaction but there are at times news appearing in the Press which go to show that there are other people who want to speak on their behalf indicating their dissatisfaction. We are not aware, as a result of this direct conference, that there is any great dissatisfaction although on some points here and there, mine-owners are still making representations on certain counts. All these questions are under active consideration of Government.

#### Violation of Air Space by China

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\*482. { **Shri D. C. Sharma:**  
**Shri Bhakt Darshan:**  
**Shri Ram Ratan Gupta:**  
**Shri D. N. Tiwary:**

Will the Minister of Defence be pleased to state.

(a) whether it is a fact that some more incidents of violation of Indian

air space by Chinese aircraft have taken place recently; and

(b) whether the details would be laid on the Table?

**The Minister of Defence (Shri Krishna Menon):** (a) and (b). There has been one violation of Indian air-space by the Chinese aircraft since Starred Question No. 198 was answered in this House on 26th April 1962. The details have been published in White Paper No. VI which was laid by the Prime Minister on the Table of the House on 6th August 1962.

**Shri D. C. Sharma:** May I know whether we have adopted any measures to prevent these violations of Indian space by shooting down those planes or by taking some other measures?

**Shri Krishna Menon:** This aircraft intruded into our territory at a meridian over Chushal and was inside Indian territory, flying approximately between 30,000—40,000 feet. It is not the policy of Government to take action, in the air, of the character mentioned.

**Shri D. C. Sharma:** May I know if these planes come over our territory to make some reconnaissance or to take maps of our country as is being done in other countries?

**Shri Krishna Menon:** It is difficult to say that, because the plane flies at such a height that we cannot say whether it is a reconnaissance plane or any other. All that we can say is that it is an aircraft, and from the direction it came or the direction it went, that it is a Chinese aircraft.

**Shri Bhakt Darshan:** What is the longest distance up to which the Chinese planes have penetrated into our air space so far and which is that area?

**Mr. Speaker:** Does it relate to the violations?

**Shri Bhakt Darshan:** There have been several violations, Sir.

**Shri Krishna Menon:** The whole history of these violations has been placed on the Table of the House by the Prime Minister.

**Shri Hem Barua:** In view of the repeated violations of our air space by the Chinese aircraft, may I know if the Government engaged our aircraft to chase them away, and if not, was it because of the reason that that would not have been a civilised behaviour?

**Shri Krishna Menon:** In this particular case, there was no question of chasing away because they had left our territory by the time we could have got there in any case. What is more, chasing away requires taking off of our aeroplanes from their bases and it would not be proper for us to give the others any knowledge of the bases of our aircraft.

**Shri Narendra Singh Mahida:** May I know if there is any international air space altitude limit on our territories?

**Shri Krishna Menon:** Normally speaking, it is rather not for me to answer this undecided question of international law, but generally speaking, the sky over our territory is our sky. But in view of the rotation of the earth and things like that, it is extremely difficult to say what the limit is.

**Shri Hari Vishnu Kamath:** In the context of Chinese aggression, of which the matter raised in this question is an important aspect, has the Minister been correctly reported in the press as saying that "the country is morally ill-prepared today and unless we are sufficiently prepared morally, no army can keep the sovereignty of our nation inviolate." Has he been correctly reported as saying this, or, is it another case of another mis-reporting, as the Minister himself recently has said,—he had said that if he ate a banana it would be mis-reported that the banana ate him. But if it has been correctly reported, what is the significance and import of this statement?

**Mr. Speaker:** I am sorry this banana is eating the Minister so many times on the floor of the House!

**Shri Hari Vishnu Kamath:** It is the Minister's own statement.

**Mr. Speaker:** Order, order. That is not relevant here.

**Shri Hari Vishnu Kamath:** My question was, whether what he has said is correctly reported and if so, what is the significance, what is the import and what is the meaning of this statement. All this is related to Chinese aggression.

**Mr. Speaker:** Order, order. We have a limited question here—violation—and that has been answered to the effect that only once it has happened. A general question cannot be raised now.

**Shri Hari Vishnu Kamath:** Is it not part of the Chinese aggression?

**Mr. Speaker:** Every Chinese aggression is not relevant to this question. Dr. M. S. Aney.

**Shri Harish Chandra Mathur:** I am not asking what our policy is; but may I know whether we are fully equipped to bring down such planes if we care to?

**Shri Krishna Menon:** I am not in a position to answer that question at present. It depends upon at what height it flies, how far our base is, what range it has to cover, etc. So, I cannot answer a general question of this character.

**Shri Harish Chandra Mathur:** I am not asking a hypothetical question. My question is related to this particular plane—at what height it was flying. The Minister says it is a general question.

**Mr. Speaker:** The Minister says that he is not in a position to answer this at this moment.

**Shri Surendranath Dwivedy:** Am I to understand from the reply of the Minister that there has been no air violation by the Chinese after the day

when White Paper No. VI was placed on the Table of this House, and whether it is the policy of the Government not to give out any news of air violation in order to create a favourable atmosphere for the talks?

**Mr. Speaker:** He has given the answer that there has been only one violation of our air space.

**Shri Surendranath Dwivedy:** After White Paper No. VI was placed before the House?

**Mr. Speaker:** After White Paper No. VI was laid, is this the only violation?

**Shri Krishna Menon:** I have said here that there has been one violation of Indian air-space by the Chinese aircraft since Starred Question No. 198 was answered in this House on 26th April, 1962.

**Shri Hem Barua:** In reply to my question, the hon. Defence Minister said that we are not fully prepared to chase the aircraft away. But in reply to Shri Mathur's question....

**Shri Krishna Menon:** I have not said that.

**Mr. Speaker:** He says he has not said that.

**Shri Inder J. Malhotra:** In the opinion of our Air Force, what would be the specific purpose of this violation of our air-space by Chinese aircraft?

**Mr. Speaker:** He has said that it is not possible for him to answer that. Next Question.

**Dr. M. S. Aney rose—**

**Mr. Speaker:** I called Dr. Aney before, but he did not rise.

**Some Hon. Members:** He rose.

**Mr. Speaker:** All right. Dr. Aney.

**Dr. M. S. Aney:** My question was of the same nature as Shri Mathur's question. In view of the reply given to his question, I do not want to repeat it.

**Mr. Speaker:** So many hon. Members pleaded that he might be given an opportunity, but he has not availed of it.

**Alloy and Special Steel Plant at Durgapur**

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\*483. { **Shri B. K. Das:**  
**Shri Subodh Hansda:**  
**Shri S. C. Samanta:**  
**Shri M. L. Dwivedi:**  
**Shri Morarka:**

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

(a) whether the project report of the Alloy and Special Steel Plant at Durgapur has been finalised;

(b) what would be the cost of the project; and

(c) by what time the setting up of the plant will be completed?

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

(b) According to the original project report, the estimated cost of the project was Rs. 500 million. Some revision in the estimate has been indicated, but since tenders for the equipment have already been invited, it is not proposed to revise the earlier estimate at this stage.

(c) In 1965-66.

**Shri B. K. Das:** May I know whether there would be any foreign collaboration for this project and if so, to what extent?

**Shri C. Subramaniam:** Yes, Sir. We have appointed a firm in Canada to give us the technical know-how and assist us in this matter: Messrs Atlas and Company.

**Shri Subodh Hansda:** Is there any scheme to fabricate parts of machinery for this steel plant in our country and if so, what percentage of the parts will be fabricated in this country and what would be the foreign exchange saving as a result of it?

**Shri C. Subramaniam:** That would be known only after the tenders have been submitted and we make a scrutiny of the tenders.

**Shri S. C. Samanta:** May I know whether any Indian consultant firm is helping this project and if so, what is the name of that firm?

**Shri C. Subramaniam:** Yes; Messrs Dastur and Company have helped in this project.

**Shri Daji:** May I know what shall be the capacity of this plant and how much credit we shall be able to take in the third Plan?

**Shri C. Subramaniam:** The present estimated capacity is about 51,000 tons of finished steel.

**Shri A. P. Jain:** May I know what types of special steel and alloy this Durgapur plant is going to manufacture and what will be the proportion of its manufactures to the total requirements of the country?

**Shri C. Subramaniam:** Tool, constructional, stainless, heat resistance and die blocks. With regard to the actual requirements of these categories during the third Plan, I should like to have separate notice.

**Shri Morarka:** This project was mooted sometime in the middle of the second Plan and we are now almost in the middle of the third Plan. May I know why this plant is moving so slowly and what steps Government are taking to expedite the progress of this project?

**Shri C. Subramaniam:** We are taking all steps to expedite it. Already tenders have been called for. Because it is a complicated project, some scrutiny has to be made. That is why there has been this delay.

**Shri B. K. Das:** May I know what percentage of our requirements will be met by production from this plant?

**Shri C. Subramaniam:** Roughly we might require about 1½ lakh to 2 lakh



tons of special steel of various varieties, but I do not know the figures with regard to each item.

**Shri Hanumanthaiya:** Is the alloy and steel plant at Bhadravati beginning its production earlier or the Durgapur plant.

**Shri C. Subramaniam:** There is no alloy and steel plant at present at Bhadravati. But there is a proposal to manufacture special steel at Bhadravati.

**Shri S. M. Banerjee:** Since the hon. Minister just now stated the capacity of this plant, I would like to know what will be the employment potential of this factory?

**Shri C. Subramaniam:** I am sorry, Sir, I do not have the figures with me at present.

**Shri Morarka:** For this project, Sir, we have the foreign consultants, then we have the production and know-how advisers, then we had the Indian consultants and finally we have the Hindustan Steel Company to scrutinise the report. Is it not a fact that because of these various consultants more time has been taken than is necessary?

**Shri C. Subramaniam:** As I have already stated, for the first time we are putting up an alloy and steel plant. Naturally, it is a complex plant and we have to take advantage of the various advice available. But now the scrutiny is over and we have called for tenders.

#### Central Board of Secondary Education

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484. { **Shri Harish Chandra Mathur:**  
**Shri P. R. Chakravarti:**

Will the Minister of Education be pleased to state:

(a) what is the scope and function of Central Board of Secondary Education;

(b) whether it will deal with schools in Centrally administered areas or go beyond these; and

(c) what are the outlines of Government scheme to have higher secondary schools all over with English and Hindi as medium of instructions?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). The reconstituted Central Board of Secondary Education shall conduct Higher Secondary Examination in a common syllabus and media of examination. Its services can be availed of by any secondary school in and outside India. All the Higher Secondary schools of Delhi have been affiliated to this Board.

(c) The scheme of providing educational facilities for the children of Central Government employees liable to transfer and other floating population is under consideration and its details are being worked out.

**Shri Harish Chandra Mathur:** Is it not a fact that at present all the higher secondary schools in a particular State are affiliated to the Board of that particular State; if so, will this arrangement not mean an encroachment upon the jurisdiction of the State Governments? May I know how the hon. Minister will explain this and what are the financial implications of this?

**Dr. K. L. Shrimali:** There is no question of encroaching on the rights of the State Governments. It is quite true that each State has its own Board. But there may be some institutions which cannot possibly have the regional language as the medium of examination. And, if affiliation is given to any school in a State it will be with the concurrence of the State Government. So there is no question of by-passing the State Government.

**Shri Harish Chandra Mathur:** It may be with the concurrence of the State Government. But how will the hon. Minister get over the constitutional difficulty? More particularly, may I know whether there would be two different standards for higher secondary examination in each State, one set by the Central Board of Education

and the other by the State Government?

**Dr. K. L. Shrimali:** Well, Sir, we have to look into the actual situation obtaining in our country. In the first place, there will be a large number of government employees' children who have to move from place to place. According to the recommendations of the Pay Commission the Government of India are proposing to set up a chain of schools for the children of these government employees which will have a common medium of examination all over the country. It is quite obvious that these schools cannot be affiliated to the State Board; they can only be affiliated to the Central Board of Secondary Education which has a common medium. Then, at present there are a number of schools which are sending their students to the Senior Cambridge Examination. Even now they do not send their students to the examinations conducted by the State Boards. We are hoping that such institutions which are at present having English or Hindi as their medium for the examination might affiliate themselves to the Central Board of Secondary Examination. In that way, some of the difficulties which the parents have to face will be overcome.

**Dr. L. M. Singhvi:** Have the Government made any effort to negotiate or consult with the State Governments to obtain their support and affiliation to a Federal Board of Secondary Education providing for alternative variations of curricula; and, if so, what is the result; if not, why not?

**Dr. K. L. Shrimali:** The Government does not propose to take over the functions of the State Government in this matter. The Central Board will cater to the needs of the Union Territory of Delhi and such institutions which might like to affiliate with this Board. There is no question of taking over the functions of the State Board.

**श्री म० ला० द्विवेदी:** अभी जैसा कि स्टेटमेंट में बतलाया गया है कि सिर्फ दिल्ली के हायर सेकेन्डरी स्कूल्स को एफिलिएशन दिया गया है मैं जानना चाहता हूँ कि यह जो यूनिवर्सिटी टैरीटोरीज़ में हायर सेकेन्डरी स्कूल्स हैं क्या उनको भी एफिलिएशन देने की बात सोची जा रही है? राज्यों की किन किन संस्थाओं को राज्यों के परामर्श से एफिलिएशन दिया जाएगा और कब से दिया जायगा?

**डा० का० ला० श्रीमाली:** अब जैसे जैसे बोर्ड काम करेगा यह एफिलिएशन का काम भी आगे बढ़ेगा। अभी तो बोर्ड स्थापित हुआ है। दिल्ली के जितने भी स्कूल्स हैं उनको एफिलिएशन दिया गया है। कुछ स्कूल्स पहले से जो थे जैसे राजकुमार कालिज, रायपुर है और अहमदाबाद का श्रीयाज कालिज, यह और भी कितनों से एफिलिएशन की एप्लीकेशंस आ रही हैं और शनैः शनैः और स्कूलों को भी रेकग्निशन दिया जायगा।

**Shri Abdul Ghani Goni:** May I know whether there is any scheme under the consideration of the Government to introduce uniform type of text-books throughout the country?

**Dr. K. L. Shrimali:** Uniform type of text-books for secondary stage are neither feasible nor desirable. The Government of India has, however set up a panel of specialists and that panel is now preparing text-books. These text-books will be in the market and if any of the Government would chose to adopt them, they will be free to do so. It is, however, not our desire that there should be uniform text-books all over the country.

**Shri S. N. Chaturvedi:** May I know whether Government contemplate that this Board will take steps to bring uniformity in the standards of higher secondary education throughout the country?

**Dr. K. L. Shrimali:** It is our desire that this Board should have higher

standards. If this Board can maintain high standards, naturally, it will influence other Boards also indirectly. Though I cannot at present hold out any promise, it is my hope that this Board may establish high standards which may be imitated by other Boards also.

**Shri Man Sinh P. Patel:** Since the old Bombay State, or the new States of Maharashtra and Gujarat have not accepted the pattern of higher secondary schools, what will be the function of the Central Board of Education in those States?

**Dr. K. L. Shrimali:** The Maharashtra Government have their own Board. If there are no schools to seek affiliation to this Board, there should be no difficulty to them on that score.

**श्री रामेश्वरानन्द :** मैं जानना चाहूंगा कि क्या सरकार प्राचीन शिक्षा पद्धति की ओर भी कोई ध्यान दे रही है और उसके अनुकूल ही विद्यार्थियों का चरित्र जैसा कि पहले होता था बनाने का प्रयत्न कर रही है ? क्या सरकार के ध्यान में यह बात भी आई है कि पहले छात्र और छात्राएँ एक साथ नहीं पढ़ते थे बल्कि अलग अलग पढ़ते थे ?

**डा० का० ला० श्रीमाली :** इस प्रश्न से यह सवाल नहीं उठता है लेकिन इतना मैं स्वामी जी को बतलाना चाहता हूँ

**अध्यक्ष महोदय :** इस प्रश्न से वह नहीं उठता है मगर आप जवाब देने के लिए खड़े हो गये ।

**श्री रामेश्वरानन्द :** अध्यक्ष महोदय, आप मेरे किसी प्रश्न का उत्तर नहीं देने देते यह क्या बात है ?

**अध्यक्ष महोदय :** अब चूंकि स्वामी जी के प्रति मेरे मन में आदर भाव है इस वास्ते मैं आराम से उनके सवाल को सुन लेता हूँ मगर चूंकि वह मूल प्रश्न से सम्बन्धित नहीं होता है इसलिये उसका जवाब नहीं दिलवाया जाता है ।

**श्री रामेश्वरानन्द :** अध्यक्ष महोदय, यह प्रश्न मेरा उससे सम्बन्धित है फिर भी

**अध्यक्ष महोदय :** मुश्किल है कि इसका फैसला मैंने करना है ।

Next question.

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{ Shri Shree Narayan Das:  
Shri D. C. Sharma:  
\*485. { Shrimati Maimoona Sultan:  
Shri Bagri:  
Shri Yashpal Singh:  
Shri Ram Ratan Gupta:

Will the Minister of Home Affairs be pleased to state:

(a) the number of Chinese who have so far been asked to leave India during the last six months of the year;

(b) how many of those who were asked to leave India have gone to the Court for cancellation of notice to leave; and

(c) how many have been allowed to live in India and the number of cases pending?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Fifty-six during the period from 1st January 1962 to 30th June, 1962.

(b) and (c). One; in this case which is still *subjudice*, Government have been restrained by the High Court from enforcing the order to leave India.

**Shri Shree Narayan Das:** I would like to know the grounds on which they have filed these appeals.

**Shri Datar:** They have stated that they were not liable to be expelled from India.

**Shri Shree Narayan Das:** What is the number of Chinese that still remain in India?

**Shri Datar:** A census was taken and it was found that as on 1-1-62 there were 10,867 Chinese in India.

**श्री यशपाल सिंह :** क्या मैं यह जान सकता हूँ कि जब कि चीन में एक भी भारतीय नागरिक नहीं है तो यहाँ इतने चीनी नागरिकों को बसाना कहाँ तक उचित होगा और क्या यह मुनासिब नहीं होगा कि उन सबको एक स्थान पर बसा कर उन पर पुलिस की कड़ी निगरानी रखी जाय ?

**अध्यक्ष महोदय :** श्री प्रकाशवीर शास्त्री ।

**श्री प्रकाशवीर शास्त्री :** मैं यह जानना चाहता हूँ कि इन प्रकार के चीनी नागरिक जो कि भारत से बाहर भेजे गये हैं क्या इस भारत की राजधानी दिल्ली में भी ये और यदि हाँ, तो उनकी संख्या कितनी है ?

**Shri Datar :** They are concentrated mostly in West Bengal. In Delhi the number is small—262.

**Shri Hari Vishnu Kamath :** Is there any truth in the press reports to the effect that the West Bengal Government has reported to the Central Government that in recent months a large number of bogus or phoney Chinese establishments in the city of Calcutta and that undesirable and prejudicial and espionage activities are on the increase there and, if so, what action has been taken by the Government to expel such undesirable elements from India?

**Shri Datar :** This census was taken in Calcutta by the West Bengal authorities themselves. If they find that there are any bogus numbers, it will be open to them to correct it.

**Shri Hari Vishnu Kamath :** My question was, it is reported that they are on the increase and their activities have increased, and so what action has been taken by the Central Government on the report of the West Bengal Government to the effect that these espionage activities are on the increase.

**Mr. Speaker :** The answer is, it is for the State Government to take that action. This is the answer.

**Shri Hari Vishnu Kamath :** It is a matter for the Central Government to advise the State Government. The Home Minister has no responsibility in this important matter of expelling the undesirable Chinese from India?

**Mr. Speaker :** Order, order.

**Shri Hari Vishnu Kamath :** There seems to be some confusion.

**Mr. Speaker :** Order, order.

**Shri A. P. Jain :** May I know whether there are any Chinese who were asked to leave India, but who did not approach the Court, but have disappeared, that is, who hid themselves? What is their number?

**Shri Datar :** I have one such case so far as the present question is concerned. That man is being found out. In other cases, I cannot answer the question because this question is of a very limited nature.

**श्री रघुनाथ सिंह :** करीब ११००० चीनी हिन्दुस्तान में है । मैं जानना चाहता हूँ कि उनको भारतीय नागरिक ट्रीट करते हैं या चाइनीज नागरिक ट्रीट करते हैं और अगर उनको आप चाइनीज नागरिक ट्रीट करते हैं तो उनके पास पासपोर्ट है या नहीं ?

**Shri Datar :** That has been made clear. This number that I have given is of Chinese resident in India.

**Shri Raghunath Singh :** Have they passports or not?

**Mr. Speaker :** Order, order. Shrimati Savitri Nigam.

**Shrimati Savitri Nigam :** May I know if the hon. Minister is aware that some of the Chinese who are residing in Delhi have been constantly sending very big parcels of food and other goods to China?

**Shri Datar :** I am not aware of this exact allegation. Strong check is being kept.

**Shri Hem Barua :** In view of the fact that, of late, there has been a mushroom growth of Chinese laundries,

shoe shops, in some of the principal cities of India, may I know what measures Government have taken to satisfy themselves that these shops are not converted into honeycombs of Chinese espionage or anti-Indian activities?

**The Minister of Home Affairs (Shri Lal Bahadur Shastri):** As far as I am aware, the Chinese, not during the last 4 or 5 years, but much earlier than that, have been engaged in this kind of work, small shops, laundry shops, dentists' shops or other similar shops. Recently, in Calcutta, there were certain complaints made. Each and every shop was examined and all matters pertaining to them looked into.

**Shri Hem Barua:** What about Shillong?

**Shri Lal Bahadur Shastri:** I cannot say about Shillong just at present. But I have got information about Calcutta. The State Government have done the needful and are quite watchful.

### विमानों की टक्कर

\*४८६. श्री प्रकाशबीर शास्त्री : क्या प्रतिरक्षा मंत्री चकेरी हवाई अड्डे पर विमानों की क्षति के बारे में १८ जून, १९६२ के तारांकित प्रश्न १५२५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या चकेरी हवाई अड्डे पर आंधी में विमानों के टकराने की जांच पूरी हो चुकी है ;

(ख) इस से कुल कितनी हानि हुई और इस के क्या कारण थे ; और

(ग) क्या इसके लिये जिम्मेदार व्यक्तियों को उ ड दे दिया गया ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चाबेन) : (क) जी हां ।

(ख) लगभग १७०० रुपये। दुर्घटना झक्कड़े के कारण हुई, जिसका, चकेरी के हवाई अड्डे पर, वर्षा ऋतु आरम्भ होने से पहले, ३१ मई, १९६२ को संव्या के छे वजे आक्रमण हुआ ।

(ग) संबंधित व्यक्तियों के विरुद्ध अनुशासनात्मक कार्यवाही की जा रही है ।

श्री प्रकाशबीर शास्त्री : माननीय मंत्री जी ने अपने उत्तर में यह विवरण दिया है कि दो जहाज वहां पर खड़े थे और आंधी के साथ वे उड़ गये, जिसके कारण यह हानि हुई। क्या मैं जान सकता हूँ कि भविष्य में सेना के या सामान्य विमानों को कोई न्यति न पहुँचे, क्या उस के लिये कोई समुचित व्यवस्था कर दी गई है ?

**Mr. Speaker:** Whether any precautions have been taken that these do not occur in future?

**The Minister of Defence (Shri Krishna Menon):** There are very well laid down rules with regard to the keeping of aircraft. It is quite true that as the proceedings of the court of enquiry have given it, one aspect of it had not properly been observed. It is also doubtful whether it could have been observed in the hanger accommodation available. There is also the information that even if those precautions had been taken, the storm was so severe that the results might have been the same. But, in spite of all that, in order to protect Government property and to maintain discipline in the Air Force, the Air Command decided that disciplinary action should be taken against those responsible.

श्री रामेश्वरानन्द : अध्यक्ष महोदय, इसकी हिन्दी भी सुना दीजिये ।

अध्यक्ष महोदय : मिनिस्टर साहब ने कहा है कि आंधी इतनी जबरदस्त थी कि अगर एहतियात भी की जाती, तो भी जायज

उस का इन्तज़ाम न किया जा सकता । मगर रूल्ज़ की भी कुछ ढिलाई रही कि हंगर में इतनी जगह नहीं थी और उस के अन्दर नहीं रखा जा सका ।

**डा० मा० श्री० अग्ने :** माननीय मंत्री ने अपने उत्तर में वर्षा ऋतु के आरम्भ होने की बात कही है । मैं यह जानना चाहता हूँ कि उन के हिसाब से वर्षा ऋतु की शुरूआत कौन से महीने में और कौन सी तारीख पर हो गई ?

**अध्यक्ष महोदय :** मैं माननीय सदस्य के सवाल को नहीं समझ सका । क्या वह उस को दोहरा देंगे ?

नैक्स्ट क्वेश्चियन ।

#### Training of Indian Engineers

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\*487. { **Shri Bhagwat Jha Azad:**  
**Shri Bhakt Darshan:**

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

(a) whether any agreement has been arrived at by the Ministry of Steel and Heavy Industries with the Government of U.S.S.R. to train the Indian engineers in India; and

(b) whether such training would be completed in itself or they would be sent for further training to U.S.S.R.?

**The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi):** (a) and (b). On the 19th June, 1962, Heavy Electricals (India) Limited signed a Contract with M.S. Prommashexport Moscow for the deputation of two Soviet specialists for giving training to the Indian Engineers-trainees in designing of hydraulic turbines and for teaching the Russian language for Heavy Electrical Equipment Plant at Ranipur near Hardwar. The trainees will be given orientation training at Bhopal after which they will be sent to U.S.S.R. for advanced and specialised training.

No Contract/Agreement has been entered into with the U.S.S.R. organizations for training of Indian Engineers in India with regard to Bhilai Steel Plant. Bhilai Steel Plant are, however, running their own Technical Institute, where Graduate Apprentices etc., are being trained. Arrangements have also been made for training of some personnel in the U.S.S.R. if required.

**Shri Bhagwat Jha Azad:** May I know whether this training is a part of the programme to train personnel for those plants which are put up here by the Russians, or this training will enable them to handle the other things also in general?

**Shri P. C. Sethi:** This training is with regard to the project at Hardwar, for giving training in the production of hydraulic turbines etc.

**Shri Bhagwat Jha Azad:** The statement does not give us the number. May I know how many of our engineers would be trained under this programme?

**Shri P. C. Sethi:** The number of trainees would be known only after the project report is received.

**Shri Bhakt Darshan:** May I know when this new agreement will actually come into operation?

**Shri P. C. Sethi:** The agreement has been concluded on 29th June, 1962.

**श्री म० ला० द्विवेदी :** ऐसी व्यवस्था की गई थी कि इंजीनियरों को ट्रेनिंग के लिये वहां न भेजा जायगा, बल्कि वहां के लोग यहां आ कर इन को प्रशिक्षण देंगे और ऊंची ट्रेनिंग वहां दी जायगी । मैं यह जानना चाहता हूँ कि अब उन को कैसे भेजा गया है ?

**श्री प्र० चं० सेठी :** अभी दो रसान इंजीनियरों ट्रेनिंग देने आये हैं । बाद में अगर आवश्यकता हुई, तो वे वहां भेजे जायेंगे ।

**Shri K. N. Pande:** Is it a fact that the trainees who had gone to the U.S.A. were not trained for this, because most of the things were kept secret from them? Has it been ascertained that the same thing may not happen with these trainees also?

**Shri P. C. Sethi:** That does not arise out of the main question.

**Shri S. M. Banerjee:** May I know whether the existing engineers who are working in Bhopal and other factories are likely to be sent abroad for training or they will be trained by the Russians here or whether any fresh batch of apprentices will be recruited?

**Shri P. C. Sethi:** As I said earlier, the number of the trainees will be known after the project report is received.

**Shri S. M. Banerjee:** Has that not been ascertained Surely, there must be some plan.

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** This training programme is with reference to the Hardwar project, and, therefore, the question of training the engineers in Bhopal does not arise, as far as this main question is concerned.

**Shri S. M. Banerjee:** My question is different. Now that the agreement has been entered into, our engineers will be trained. May I know whether any fresh batch of trainees is likely to be recruited for the Hardwar project?

**Shri C. Subramaniam:** Yes, fresh recruitment is being made for the Hardwar project.

**Shri Hari Vishnu Kamath:** The statement laid on the Table of the House shows that there has been an agreement with regard to Heavy Electricals in Bhopal, and the Heavy Electricals at Ranipur near Hardwar, to the effect that there will be a deputation of two Soviet specialists for giving training to the Indian engineer-trainees in designing of hydraulic turbines etc. But with regard to the

Bhilai steel plant, there has been no contract or agreement with the USSR organisations for training of Indian engineers in India. While there is an arrangement for training Indian engineers in India with regard to the Heavy Electricals, there is no such arrangement with regard to the Bhilai steel plant. May I know why this differentiation is there?

**Shri C. Subramaniam:** So far as the Bhilai steel plant is concerned, the training has already been done, and we have got our own training institute now to train engineers.

**Dr. K. L. Rao:** Are Government considering setting up training institute with or without the assistance of foreign countries to give training for engineers before sending a select few of them abroad for further specialisation?

**Shri C. Subramaniam:** The policy of Government is not to send them abroad for training but to have them trained in India, as far as possible.

**Dr. K. L. Rao:** What about the setting up of a training institute for training them before you send them abroad?

**Shri C. Subramaniam:** That is under consideration.

**Shri P. Venkatasubalah:** Has the attention of Government been drawn to a statement made by the administrator of the Bhopal Heavy Electricals that lack of technical hands is the reason for their not being able to step up production?

**Shri C. Subramaniam:** This is with regard to training of Indian engineers. I do not think that will arise out of the main question.

**Shri Bhagwat Jha Azad:** The statement does not specify the time that would be taken for training them abroad. May I know whether it would be possible to have them back after training ready for working the plant when it starts production?

**Shri C. Subramaniam:** The training programme will be so laid down that the trained personnel will be available when the plant goes into production.

#### Report of Solveen Delegation

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\*488. { **Shri Morarka:**  
**Shri A. K. Gopalan:**  
**Shri Imbichibava:**  
**Shri Warrior:**  
**Shri M. K. Kumaran:**  
**Shri R. Barua:**  
**Shri Daji:**  
**Shri Nath Pai:**  
**Shri Hem Barua:**

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

(a) whether the draft report of the Solveen Delegation has been finalised;

(b) whether Government will place a copy of the Report on the Table; and

(c) what measures have been agreed to bring Rourkela Steel Plant to its full production capacity?

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

(b) The report was placed on the Table of the House on the 13th August, 1962.

(c) Measures agreed to bring the Rourkela Plant to its full production capacity include *inter alia* the building up of adequate stocks of spare parts so as to improve maintenance; some additions to workshop equipment and transport facilities, and recruitment of additional technical personnel. A Hindustan Steel delegation left for Germany on the 18th August 1962 to finalise and place orders.

**Shri Morarka:** The report discloses many instances of poor maintenance and many explosions due to negligence of the persons working there. May I know whether the responsibility for all these things has been located on the various heads of departments or workers?

**Shri C. Subramaniam:** It is a general complaint that there has been poor maintenance. It is rather impossible to locate responsibility. But now we have taken up the question and there is much better maintenance and much better discipline. The plant is also picking up with regard to production.

**Shri Morarka:** In terms of money, what is the total damage caused and what would be the amount required to repair it?

**Shri C. Subramaniam:** This is with reference to what has got to be done to bring the Rourkela plant to full production. The report mentions that we may have to spend about DM 51 million or about Rs. 6 crores.

**Shri Daji:** Has Government agreed fully and completely with the report as it has been submitted?

**Shri C. Subramaniam:** We have agreed to implement the various recommendations made for the purpose of bringing the plant into full production.

**Shri Daji:** I seek your protection. My question is whether Government has agreed with the report fully and completely including the insinuations contained therein, not whether Government has agreed to the recommendations. To that he has given only a half reply.

**Mr. Speaker:** They have agreed so far as bringing the plant into full production is concerned.

**Shri Daji:** The reply to the other part must be given to me categorically.

**Shri C. Subramaniam:** We have agreed with the report only to the extent I have mentioned.

**Shri M. K. Kumaran:** Is it a fact that the basic difference of opinion between the Government of India on the one hand and the West German Government and private capital enterprises in that country on the other



with regard to public sector industries has greatly aggravated the illness of the Rourkela plant? If so, how do Government propose to get out of this difficulty?

**Shri C. Subramaniam:** I do not see any difference of opinion in this regard. I am not able to understand what the hon. Member means by difference of opinion.

**Shri M. K. Kumaran:** The report gives the impression that there is some basic difference between the two parties.

**Shri Speaker:** Order, order. Shri Hem Barua.

**Shri Hem Barua:** In view of the fact that from the report it is evident that there was virtual anarchy in technical management and administration in this particular plant, and this report has squarely laid the responsibility at the door of Hindustan Steel, may I know what steps Government have taken to reorganise it or to improve matters?

**Shri C. Subramaniam:** We have undertaken some reorganisation also. As I have already stated, we have accepted the report only to the extent of accepting the recommendations with regard to bringing the Rourkela plant into full production. As far as other things are concerned, we are looking into them, and we are trying to bring about better discipline and better management not only in Rourkela but in various other plants also.

#### WRITTEN ANSWERS TO QUESTIONS

##### Aid for Needy Technical Students

\*478. { Shri Basumatari:  
Shri Rameshwar Tantia:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 97 on the 23rd April, 1962 and state:

(a) whether the full details for instituting a loan and aid fund to help needy technical students have been worked out; and

(b) if so, the total amount likely to be involved in establishing such a fund?

**The Minister of Education (Dr. K. L. Shrimali):** (a) No, Sir. Not yet.

(b) Question does not arise.

##### Central Board for Child Welfare

\*479. **Shri Bishanchander Seth:** Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 1456 on the 13th June, 1962 and state:

(a) whether the proposal to set up a Central Board for Child Welfare has been considered;

(b) if so, what will be the aims and objects of the said Board; and

(c) whether the details of the project have been worked out?

**The Minister of Education (Dr. K. L. Shrimali):** (a) to (c). The proposal is still under consideration.

##### Requirements of Steel in Fourth Plan Period

\*489. **Shri Morarka:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether Government are thinking of setting up a Steering Group for studying the requirements of steel in the Fourth Five Year Plan period;

(b) if so, whether it would investigate regarding all types of steel; and

(c) by what time this probe is expected to be finalised?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) and (b). Government have already constituted a Steering Group to formulate the programmes for development of iron and steel production to be included in the Fourth Five Year Plan study *inter alia*, the requirements of steel during the Fourth Five Year Plan period, and will cover pig iron, special steels and ferro alloys in addition to steel.

(c) A study of requirements is a continuous process with no finality, but it is hoped that the Group may be able to make its recommendations in about a year.

**Crude Oil for Nunmati Refinery**

- \*490. { Shri K. N. Tiwary:  
Shri Rameshwar Tantia:  
Shri Bibhuti Mishra:  
Shrimati Renu Chakravarty:  
Shri M. K. Kumaran:

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

(a) whether it is a fact that differences have arisen between Indian Refineries Limited and Oil India Limited over the price of Crude Oil to be supplied to Nunmati Oil Refinery; and

(b) if so, the steps Government propose to take to even out the differences?

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

(b) Does not arise.

**Traffic Offences in Delhi**

- \*491. { Shri Bibhuti Misra:  
Shri Bishanchander Seth:

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

(a) whether it is a fact that a large number of cases of traffic offences remain undecided every year in Delhi;

(b) if so, the reason therefor; and

(c) what action Government propose to take to expedite disposal of such cases?

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

(b) and (c). This is due to the very large number of such cases instituted. More Magistrates are being appointed to try such cases and the number of mobile courts have also been increased.

केन्द्रीय सरकार के कर्मचारियों की काम की दशा सम्बन्धी अन्तर्विभागीय समिति

- \*४९२. { श्री भक्त दर्शन :  
श्री भगवत झा भ्राजाद :  
श्री वी० चं० शर्मा :

क्या गृह-कार्य मंत्री ६ मई, १९६२ के तारांकित प्रश्न संख्या ६०३ के उत्तर के संवंध में यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार के कर्मचारियों की काम करने की दशा का अध्ययन करने के सम्बन्ध में नियुक्त जिस अन्तर्विभागीय समिति ने कुछ समय पहिले अपनी रिपोर्ट दी थी, उस की मुख्य मुख्य सिफारिशों क्या हैं ; और

(ख) उन सिफारिशों पर क्या कार्यवाही की गई है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्रीमती चन्द्रशेखर) : (क) समिति ने ९८ सिफारिशों की हैं । उन के अन्तर्गत कर्मचारी-कल्याण के विभिन्न पहलू आते हैं, जिन में से कुछ ये हैं :—

काम करने की दशाएं

कैटीनें

कर्मचारियों की अवकाश-वेतन, वेतन-वृद्धि, पेंशन, ग्रेज्युटी आदि जैसी बकाया राशियों का उचित समय पर निपटारा

रिहायशी मकान

बच्चों की शिक्षा के लिये सुविधाएं चिकित्सा सम्बन्धी सुविधाएं

परिवहन

सामाजिक, सांस्कृतिक और मनोरंजन सम्बन्धी प्रक्रियाएं

सहकारी ऋण तथा बचत संस्थाएं  
 सहकारी उपभोक्ता भंडार  
 हितकारी निधि  
 कर्मचारी कल्याण संबंधी प्रशासन-  
 तंत्र

(ख) कुछ सिकारिशों, जैसे कैंटीनें, चिकित्सा तथा शिक्षा-सम्बन्धी सुविधाएं मुहय्या करना मंजूर कर ली गई हैं और उन्हें लागू करने के लिये कार्यवाही की जा रही है। बाकी सिकारिशों की संबंधित मंत्रालयों के परामर्श से जांच की जा रही है और वे अभी जांच की विभिन्न स्थितियों में हैं।

#### Hindustan Machine Tools Limited

\*493. **Shri Indrajit Gupta:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether a high official of the Hindustan Machine Tools Limited has been sent to U.S.A. to explore possibilities of private U.S. firms entering the machine-tool industry in India;

(b) If so, the results of the mission; and

(c) whether no more machine tool plants are to be set up in the public sector?

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

(b) Does not arise.

(c) The proposal to set up another machine tool factory in the public sector during the Third Five Year Plan is under consideration.

#### Agreement with ENI

\*494. **Shri Vidya Charan Shukla:** Will the Minister of Mines and Fuel be pleased to state the indications so far regarding the possibility of Italy's State-owned oil and gas monopoly E.N.I. buying India's entire petrol surplus?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** No formal negotiations have been conducted; the matter is still in an exploratory stage.

#### Singareni Collieries

{ **Shri M. N. Swamy:**  
 \*495. { **Shri P. Venkatasubbaiah:**  
 { **Shri M. K. Kumarar:**

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

(a) whether the Union Government have received any proposals from Andhra Pradesh Government concerning the expansion of the Singareni group of collieries with a view to increase coal production;

(b) if so, how much additional expenditure does the expansion cost; and

(c) what is the Centre's reaction to this?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) to (c). Government have invited proposals from the Singareni Collieries Company for increasing the target of production assigned to them in the Third Plan. These proposals have been received and are under examination of Government.

#### Floods in Tripura

\*496. **Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) whether Tripura Territorial Council adopted a resolution requesting the Central Government to take adequate measures for giving relief to the people affected by recent flood as well as for protection against floods; and

(b) if so, steps taken by the Central Government in the matter?

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

(b) The Administration took adequate measures for giving relief to the

flood-affected people. A number of flood protection works have already been completed in the territory and some more are in progress. No special steps were, therefore, taken consequent on the resolution.

#### "Commonwealth Scientists"

\*497. **Shri Raghunath Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Commonwealth Scientists are meeting in New Delhi in a Conference in November, 1962; and

(b) if so, the purpose of the Conference?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) Yes, Sir.

(b) To discuss matters of mutual interest in the fields of science and technology.

#### Steel Plant in Goa

\*498. **Shri Nath Pai:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that Government propose to set up a steel plant in Goa;

(b) if so, whether Government have drawn up their plans; and

(c) when they propose to start work?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) to (c). There is no proposal to set up a steel plant in Goa during the Third Plan period. The Steering Group which has recently been constituted to formulate the Iron and Steel development programmes to be taken up during the Fourth Five Year Plan period is likely to consider this possibility along with others.

#### Avro-748

\*499. **Shri Hem Barua:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Government have found a customer in the

Indian Airlines Corporation for the purchase of Avro-748;

(b) if so, whether any agreement is entered into; and

(c) whether it is a fact that Government are fully satisfied with the technical aspect of the aircraft?

**The Minister of Defence (Shri Krishna Menon):** (a) The Ministry of Transport and Communications have stated that I.A.C. will purchase Avro 748 aircraft for their use as and when the aircraft is available for commercial operation.

(b) No, Sir.

(c) Yes, Sir.

#### Common Police Force for Southern States

\*500. **Shri Umanath:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a common police force is to be established for the Southern States; and

(b) if so, the details thereof?

**The Minister of Home Affairs (Shri Lal Bahadur Shastri):** (a) Yes.

(b) The Southern Zonal Council had constituted a Committee consisting of the Inspectors-General of Police of the States in the Southern Zone to examine the proposal of having a Common Police Reserve Force in the Zone. The report of the Committee has been received and will be considered by the Council at its next meeting. The proceedings embodying the decisions of the Council will be placed in the Library of Parliament after they are finalised.

#### Coal Quotas to States

\*501. { **Shri U. M. Trivedi:**  
**Shri Bade:**  
**Shri Kachhavaiya:**

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

(a) whether it is a fact that after reduction of quota for coal from

April 1962 of the various States, additional quotas have recently been granted to some of the States;

(b) on what principles this additional quota has been granted; and

(c) whether the additional quota has been granted on a uniform basis?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) to (c). The coal quotas of different States have been increased from 1st July, 1962 consequent on the increase by the Railways in the coal loading target by 120 wagons from the West Bengal & Bihar fields, for the transport of coal from that date. The new allocations for the various States have been fixed on a uniform basis so that each State may get a minimum of 13.7 per cent over the actual despatches of 1961, except in the case of those States, where the existing allocation itself is more than the actual despatches of 1961 by more than 13.7 per cent.

#### Naga Hostiles

{ Shri P. C. Borooah:  
\*502. { Shri Raghunath Singh:  
{ Dr. L. M. Singhvi:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the police had destroyed one of the biggest hideouts of Naga hostiles known as the Megu Camp on or about the 5th August, 1962; and

(b) if so, how many hostiles and arms and documents have been captured from there?

**The Minister of Defence (Shri Krishna Menon):** (a) Our Security Forces destroyed the Naga Camp on 1st August, 1962.

(b) No hostiles were captured. Two Khukries and some ammunition but no documents were recovered from the hide-out.

#### Curbs on Air Travel

\*503. **Shri Sham Lal Saraf:** Will the Minister of Finance be pleased to state:

(a) whether Government are aware of the inconveniences caused and disadvantages accruing to Indian nationals engaged in business and such like pursuits in Great Britain on account of restrictions placed on air travel from India to that country; and

(b) whether Government have since received representations from Indian and foreign air companies operating on air routes between India and Great Britain about the delays and inconveniences caused to the air travelling public and in smooth running of the air services as well?

**The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha):** (a) Yes, Sir. To the extent this is inherent in any system of regulation or control,

(b) Yes, Sir.

#### Coke for Gujarat

\*504. **Shri Mansinh P. Patel:** Will the Minister of Mines and Fuel be pleased to state:

(a) what is the total requirement of hard and soft coke in Gujarat for 1962;

(b) whether Government of Gujarat have made any representation to supply the full requirement; and

(c) if so, what action is taken by the Government of India in the matter?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) The requirements of hard coke for engineering industries and of soft coke as intimated by the State Government of Gujarat are 376 wagons and 299 wagons per month respectively. The monthly quotas of hard coke and soft coke have been fixed at 224 wagons and 150 wagons respectively, after taking into account both the

availability of hard coke for various industries and the rail transport available for moving it.

(b) Yes.

(c) To make up shortfalls in supplies of hard coke, 64 wagons of B.P. hard coke have been offered to the State on *ad hoc* basis. In addition to this, offer has also been made for Nut Coke and coke breeze from Bhilai Steel Plant to cover short supplies in soft coke.

#### Appointment of High Court Judges

\*505. **Shri Tyagi:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of High Court Judges appointed during the last three years; and

(b) in how many cases Government have disagreed with the panel/priorities submitted by the Chief Justices of various High Courts for these appointments?

**The Minister of Home Affairs (Shri Lal Bahadur Shastri):** (a) Seventy-nine.

(b) One.

#### Exploration of Oil in Cauvery Basin

\*506. { **Shri Rameshwar Tantia:**  
**Shri Yashpal Singh:**  
**Shri Kajrolkar:**  
**Shri M. K. Kumaram:**  
**Shri Umanath:**  
**Dr. R. Banerjee:**  
**Shri Subodh Hansda:**

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

(a) the progress made towards the exploration of oil in Cauvery basin; and

(b) when the scheme is likely to be completed?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) Geological mapping is almost complete. The entire basin has been covered by

gravity and magnetic surveys. Reconnaissance seismic work has been done for about two "party" years.

(b) It is not possible at this stage to say when it will be completed.

#### Fertilizer Factory at Gorakhpur

{ **Shri D. C. Sharma:**  
 \*507. { **Shri Bhakt Darshan:**  
 { **Dr. Mahadeva Prasad:**

Will the Minister of Steel and Heavy Industries be pleased to state the further progress made in the setting up of the fertilizer factory at Gorakhpur and when the factory is expected to start production?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** The site for the factory and township has been selected and the Government of Uttar Pradesh have been requested to initiate land acquisition proceedings. A site organization is being set up at Gorakhpur. The main plants for the fertilizer project are likely to be supplied by a consortium of Japanese manufacturers. A contract is expected to be signed by the Fertilizer Corporation in the near future with the supplier. An offer has been received and is under detailed examination by the Fertilizer Corporation. According to the time schedule now contemplated, the factory is expected to go into production by July, 1966.

2. Tenders have been invited by the Fertilizer Corporation for the earth moving and construction equipment. Specifications have been drawn up for the auxiliary facilities and tenders are ready for issue.

#### Census Figures Vis-a-Vis Electoral Rolls

\*508. **Shri Harish Chandra Mathur:** Will the Minister of Law be pleased to state:

(a) how the census figures of adult population compare with those on Electoral Rolls; and

(b) what action is proposed to be taken to make good the deficiency?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):** (a) The figures of adult population as ascertained at the 1961-Census have not yet been published and hence it is not possible to compare the figures with those on the electoral rolls.

(b) If, after the publication of the figures of adult population, any deficiency is found between those figures and the figures on the Electoral Rolls, it can be made good in the annual revision of the Electoral Rolls provided by section 21(2) of the Representation of the People Act, 1950, or, if the Election Commission considers necessary, by a special revision provided by section 21(3) of the Act.

**राजभाषा के सम्बन्ध में राष्ट्रपति के आदेश**

\*५०९ { श्री भक्त वरान :  
श्री भागवत झा आजाद :

क्या गृह-कार्य मंत्री २० मार्च, १९६२ के अतारंकित प्रश्न संख्या १८२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि राजभाषा के सम्बन्ध में राष्ट्रपति जी ने जो आदेश दिये थे, उन में से प्रत्येक के बारे में अब तक क्या प्रगति हुई है ?

**गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) :** एक विवरण सभा पटल पर रख दिया गया है। [देखिये परिशिष्ट २, अनुबन्ध संख्या २१]।

#### Central Zonal Council

\*510. **Shri Vidya Charan Shukla:** Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 310 on the 1st May, 1962 and state:

(a) whether any meeting of the Central Zonal Council has since been held; and

(b) if not, when it is proposed to hold the meeting?

**The Minister of Home Affairs (Shri Lal Bahadur Shastri):** (a) No.

(b) It is proposed to hold the meeting some time in the next month.

#### Production of Trucks by TELCO

\*511. { **Shri Indrajit Gupta:**  
**Shri S. M. Banerjee:**  
**Dr. U. Misra:**

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

(a) whether it is a fact that production of trucks by TELCO is to be cut down due to Government's policy of restricting imports of foreign components;

(b) if so, the nature and extent of the restrictions imposed;

(c) whether a large number of TELCO workers are likely to be retrenched or laid off thereby; and

(d) if so, what relief Government propose to provide for the affected workers?

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

(a) and (b). The prevailing foreign exchange situation has necessitated a curtailment in the foreign exchange allocations to the automobile industry, as to other industries, during the current licensing period April-September, 1962. However, considering the importance of the automobile industry, only a marginal cut has been effected in the allocation of foreign exchange to the industry including M/s. TELCO for the import of components and raw materials for the manufacture of trucks. Government hope that there will be no curtailment of production. They are in consultation with the concern and will try and secure substitution of imported components by indigenously-produced components.

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

#### Comptroller and Auditor General

\*512. **Shri Nath Pai:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 1510 on the 18th June, 1962 and state:

(a) whether the question of defining the functions, powers and authority of the Comptroller and Auditor

General of India which was taken up at the Cabinet level has been finally decided; and

(b) if so, details thereof?

**The Deputy Minister in the Ministry of Finance (Shri B. E. Bhagat):**

(a) The Bill defining the duties and powers of the Comptroller and Auditor General of India is expected to be introduced in the next session of Parliament.

(b) The Honourable Member will appreciate that Government cannot disclose the details of future legislative measures before the Bills are actually introduced.

#### Imports and Exports

\*513. { Shri Harish Chandra Mathur:  
Shri Kolla Venkaiah:

Will the Minister of Finance be pleased to state:

(a) what steps, if any, have been taken to check over-invoicing and under-invoicing of import and export items with a view to stop the abuse of foreign exchange; and

(b) what is the assessed or estimated loss of foreign exchange per year due to this malpractice?

**The Deputy Minister in the Ministry of Finance (Shri B. E. Bhagat):**

(a) The Customs authorities carry out a check of the value of imported or exported goods. The G. R. forms which are filled in by exporters are forwarded to the Reserve Bank of India in all cases and are therefore capable of being checked. When any cases of violation of the foreign exchange regulations come to the notice of the Government, they are investigated and where offences are established, necessary penal action under the Sea Customs Act and/or Foreign Exchange Regulation Act is taken against the offenders, and the offending goods.

(b) It is not possible to arrive at any estimate of the probable loss of foreign exchange on this account.

#### Communal Names of Central Universities

\*514. { Shri Rameshwar Tantia:  
Shri Prakash Vir Shastri:  
Shri Bhakt Darshan:  
Shri Bhagwat Jha Azad:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 82 on the 23rd April, 1962 and state:

(a) whether a final decision has been reached towards the removal of communal names of Banaras Hindu University and Aligarh Muslim University; and

(b) if so, the time by which the decision is to be implemented?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). The matter is still under consideration.

#### संस्कृत फाउन्ड्री फोर्ज प्लांट

\*५१५ { श्री भक्त दर्शन:  
श्री कोल्ला वेंकैया:

क्या इस्पात और भारी उद्योग मंत्री २१ जून, १९६२ के अतारंकित प्रश्न संख्या ३६८७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि सरकारी क्षेत्र में द्वितीय फाउन्ड्री फोर्ज प्लांट (दलाई तथा गढ़ाई का कारखाना) स्थापित करने के बारे में क्या निर्णय किया गया है ?

इस्पात तथा भारी उद्योग मंत्री (श्री (चि० सुब्रह्मण्यम) : सरकारी क्षेत्र में द्वितीय फाउन्ड्री फोर्ज प्लांट (दलाई तथा गढ़ाई का कारखाना) स्थापित करने का प्रश्न अभी तक विचाराधीन है ।

#### Transport Planes and Helicopters from U.S.S.R.

\*516. { Shri D. C. Sharma:  
Shri Hem Raj:  
Shri Basumatari:

Will the Minister of Defence be pleased to state:

(a) the progress made so far in the purchase of AN 12 heavy transport



planes and helicopters from the Soviet Union; and

(b) the details of the number of them proposed to be purchased along with their cost?

**The Minister of Defence (Shri Krishna Menon):** (a) Negotiations in regard to heavy transport aircraft helicopters for immediate requirements are in progress.

(b) The price and terms of purchase of these vehicles are advantageous to Government. To disclose details of equipment would be contrary to public interest.

#### Pensions to Ex-Servicemen

**1254. Shri Hem Raj:** Will the Minister of Defence be pleased to state:

(a) the number of cases for the grant of pensions to ex-servicemen who had served on War Engagements and short term engagements;

(b) whether it is a fact that the war gratuities were got refunded on re-enrolment; and

(c) the reasons why their pensions have not been granted?

**The Minister of Defence (Shri Krishna Menon):** (a) There are 352 cases (205 deferred volunteers and 147 short service engagement personnel) who have rendered service only on Short Term or War Engagements. In these cases pension is not admissible under existing rules.

(b) War gratuity which is a reward for service rendered during the war is not required to be refunded, even if the service on non-regular engagement is allowed to count for pension in combination with regular engagement.

(c) Service rendered purely on war engagement or short-term engagement does not earn pension unless it is combined with service rendered on regular engagement.

#### Manufacture of Ancillary Equipment

**1255. Shri Sham Lal Saraf:** Will the Minister of Defence be pleased to state:

(a) what else our aircraft factories manufacture besides air frames and engines;

(b) to what extent ancillary equipment is being manufactured here; and

(c) how far we have been able to complete the range of manufacture from transport aircraft to supersonic fighters within the country?

**The Minister of Defence (Shri Krishna Menon):** (a) Hindustan Aircraft Ltd., Bangalore, are manufacturing railcoaches in addition to Airframes and aero-engines.

(b) Steps are being taken for undertaking the manufacture of aircraft accessories.

(c) Facilities have been established for the production of a transonic aircraft, the 'Gnat' and a supersonic aircraft, the HF 24 at HAL. A basic jet trainer is also under development at HAL. Facilities have been established for the production of a medium transport aircraft at the Aircraft Manufacturing Depot at Kanpur.

#### Stock Markets

**1256. Shri Sham Lal Saraf:** Will the Minister of Finance be pleased to state:

(a) whether Government are aware that the Stock Markets within the country have touched the lowest levels as far as equity prices of stocks are concerned; and

(b) whether it is contemplated to make a probe in this state of affairs in the said markets?

**The Minister of Finance (Shri Morarji Desai):** (a) and (b). The All-India Variable Dividend Industrial Securities Index (Base 1952-53. 100) rose from 184.8 on December 30, 1961 to a peak of 195.6 on May 19, 1962. Thereafter there was a gradual decline and the index stood at 182.8 on

July 21, 1962. Government, which maintains a constant watch over the markets, does not intend to make a special probe only on the ground of the said decline in prices which was not due to irresponsible speculative activities. The markets have steadied since then and the index stood at 186.7 on August 4, 1962.

### Sindri Fertilizer Factory

1257. **Shri Tan Singh:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether the manufacturers of gas generators for production of Ammonium Sulphate in the Sindri fertilizer unit, specially prescribed to provide for stand-by unit;

(b) whether Management of Sindri Fertilizers, in disregard to the advice of manufacturers, kept no stand-by unit simply to achieve the production target of 3,50,000 log tons per annum;

(c) whether it is fact that overstraining of generators as a result of continuous utilization resulted in a serious breakdown and the production dropped sharply by the end of 1959-60;

(d) whether Government have fixed responsibility of overstraining the generators on any person, if so, with what results; and

(e) if not, the reasons therefor?

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

(a) and (b). The consulting firm who had been engaged for the setting up of the Sindri Fertilizer Factory had intended that out of eight gas generators installed, one should be kept as a standby. In actual practice it was, however, found that the working of seven gas generators would not produce adequate gas for an annual production of 350,000 tons of ammonium sulphate which was the designed capacity.

(c) The set-back in production during the year 1959-60 was due to

the combined effect of improper coal supplies and the resultant poor grading of coke as well as the deterioration in the condition of the generators owing to constant operation during 1957-58 and 1959-60.

(d) & (e). In the interests of maintaining production, adequate maintenance of the equipment appears to have been overlooked by the Sindri management. Government have not considered the apportionment of responsibility. A technical committee enquired into the matter and, based on its report, the Board have been concentrating on improving maintenance and production.

### कुल्लू और स्पिती का भूगर्भीय सर्वेक्षण

१२५८. श्री हेमराज : क्या खान और ईंधन मंत्री यह बताने की कृपा करेंगे कि :

(क) कुल्लू और स्पिती घाटियों में खानों की खोज का कोई प्रोग्राम ज्योलोजिकल सर्वे ने बनाया है ; और

(ख) यदि हां, तो यह काम कब तक आरम्भ होगा ?

खान और ईंधन मंत्रालय में उपमंत्री श्री हंजरनवीस) : (क) इस क्षेत्र में भारतीय भूगर्भीय सर्वेक्षण विभाग प्रारंभिक परीक्षण कर रहा है ।

(ख) अन्वेषण प्रगति पर है । इस क्षेत्र में कार्य का आगामी कार्यक्रम अब किये जा रहे अन्वेषणों के परिणाम पर निर्भर होगा ।

### शिक्षा सम्बन्धी पर्यटन

१२५९. श्री हेमराज : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) १९६२-६३ में राज्य सरकारों को विद्यार्थियों के शिक्षा सम्बन्धी पर्यटनों के लिये कितनी धन राशि निर्धारित की गई है ;

(ख) प्रत्येक राज्य को कितनी-कितनी घनराशि दी जावेगी ; और

(ग) उस घनराशि के वितरण का क्या आधार नियत किया गया है ?

शिक्षा मंत्री (डा० का० ला० श्री माली) : (क) १.८२ लाख रुपये ।

(ख) राज्य-वार विवरण सभा पटल पर रखा जाता है । [देखिये परिशिष्ट २, अनुबन्ध संख्या २२] ।

(ग) प्रत्येक राज्य में हाई/हायर सेकेंडरी स्कूलों और कालेजों के विद्यार्थियों की संख्या के अनुपात के आधार पर घन-राशि राज्य सरकारों को दे दी गई है ।

### Territorial Army

1260. **Shri Hem Raj:** Will the Minister of Defence be pleased to state:

(a) whether Government have taken any decision on the terms and conditions to be prescribed for the Territorial Army Officers who apply for admission to the Indian Military Academy; and

(b) if so, the details thereof?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes, Sir.

(b) The main terms and conditions prescribed for the Territorial Army officers for grant of Permanent Regular Commission through the Indian Military Academy are as follows:—

(1) **Eligibility—**

(i) **Age limits.**—A candidate must be between the age of 21 and 27 years on the first day of the month in which the course at the IMA commences. Territorial Army officers who have completed one year's broken or continuous embodied service will be given a benefit of half of the total embodied service for relaxation of upper age limit sub-

ject to the condition that no embodied officer of the Territorial Army who is over 32 years at the time of commencement of the course at the Academy will be eligible.

(ii) **Education qualification.**—Degree of a recognised university, in which case there will be no special entrance examination; or intermediate examination or equivalent, in which case there will be a special entrance examination for admission to the Academy;

(iii) **Service in Territorial Army.**—Territorial Army officers must possess a minimum of 2 years service in the Territorial Army either embodied or un-embodied including any previous service in the regular army.

(2) **Grant of Travelling Allowance/ Daily Allowance.**—Embodied Territorial Army Officers will get TA/DA according to their rank when called up for interview by Services Selection Board/Medical Examination/Special Entrance Examination. Un-embodied Territorial Army Officers will be treated like civilian candidates.

(3) **Training.**—Territorial Army officers with embodied service of 1 year or more will do one year's training at the Academy; others will do 18 months' training.

(4) **Pay and Allowances.**—No pay and allowances will be admissible to the Territorial Army officers during the period of training.

(5) **Outfit allowance.**—No out-fit allowance will be admissible to these officers on grant of regular commissions in the Army. The previous reckonable service in the Territorial Army will, however, count towards renewal of out-fit allowance.

### Ex-Servicemen in Industries

1261. **Shri Hem Raj:** Will the Minister of Defence be pleased to state:

(a) whether Government have finalised decisions on the recommendations of the sub-committee of the

study group regarding the utilisation of the talent and experience of ex-servicemen in various industries; and

(b) if so, the details thereof?

**The Minister of State in the Ministry of Defence (Shri Raghuramaiah):** (a) The recommendations made by the sub-committee of the Study Group are still under consideration.

(b) Does not arise.

#### Census in Tripura

**1262. Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) the population figures as determined during the Census of 1951 and 1961 of Tripura in the following categories: (i) Muslims, (ii) Tribals, (iii) Manipurians, (iv) Hindi speaking Hindus; and

(b) the rate of increase or decrease as the case may be in each case?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) and (b). The 1951 Census figures, including those by religion, for Tripura and all other States are available in the Census of India volumes. The data collected on religion and mother-tongue at the 1961 Census are still under process and are likely to be published in 1963-64.

#### Mahajans in Tripura

**1263. Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of cases instituted against the Mahajans in Tripura under the Bombay Money Lenders Act as adopted in Tripura during 1960-61 and 1961-62, for violating the provisions in relation to rate of interest for the loans advanced; and

(b) what are the difficulties faced by the Administration in bringing about more cases against the Mahajans who violate those provisions of the Act?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). The information is being collected and will be laid on the Table.

#### Encyclopaedia in Malayalam

**1264. Shri M. K. Kumaran:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Government of Kerala have approached the Central Government for any financial and technical assistance for the preparation of an encyclopaedia in Malayalam; and

(b) if so, what has been done in this matter?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) Yes, Sir; for financial assistance only, during 1961-62.

(b) Full details were asked for and these have not been received so far.

#### Multilingual Dictionary

**1265. Shri M. K. Kumaran:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether there is a proposal to prepare a multilingual dictionary for the whole country; and

(b) if so, at what stage it is?

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

(b) Does not arise.

#### Coal in Jammu

**1266. Shri M. K. Kumaran:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that further investigations by the Geological Survey of India have proved that large reserves of coal exist in Jammu in the area beyond the former estimates;

(b) if so, the details thereof;

(c) whether there is any proposal to undertake the development of coal

mines in the Jammu and Kashmir State by the National Coal Development Corporation; and

(d) if so, at what stage it is?

**The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajar-navis):** (a) Yes, Sir.

(b) The coal in Jammu coalfields occurs in two horizons. Both the upper and lower horizons were known from the Kalakot, Mahogala areas whereas only the upper horizon was known in other fields. Recent work by the Geological Survey of India has proved the lower horizon seams in the Ladda area and thus these seams are expected in the other areas as well. In the Ladda area about 61 million tons of coal are expected while in Kalakot and Kura areas 6.6 million tons have been estimated.

(c) The National Coal Development Corporation has no scheme to develop coal mines in Jammu and Kashmir.

(d) Does not arise.

#### Cement Industry in Kashmir

**1267. Shri M. K. Kumaran:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that investigations have proved that there is ample scope for setting up cement industry in Kashmir; and

(b) if so, whether any steps have been taken to promote it?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) Deposits of limestone suitable for cement making have been reported to occur near Wuyan in the Kashmir area and in the Kalakot-Jangalgali belt in the Jammu area of Jammu and Kashmir.

(b) A cement factory of capacity of 20,300 tonnes a year is already coming up at Wuyan and is expected to go into production by the end of the year.

An application has been received for grant of licence for setting up a cement factory at Riasi in the Jammu area and is under consideration.

#### Tribal Reserve Areas in Tripura

**1268. Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) whether any step has been taken to demarcate the boundaries of the Tribal Reserve Areas in Tripura by permanent posts;

(b) if not, how the boundaries could be identified if any dispute arises regarding the boundaries of Tribal reserve;

(c) whether any penetration of non-Tribal population has occurred in Tripura in the Tribal Reserve Areas created by the Ex-Maharaja of Tripura;

(d) if so, the details of such penetration; and

(e) the steps taken to prevent such penetration?

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

(b) The details of the Tribal Reserve areas have been given in the schedule to the notification issued by the Ex-Maharaja of Tripura in this connection.

(c) Some non-tribals have penetrated into the Tribal Reserve areas after having been engaged as 'Barga' cultivators by Tribals themselves.

(d) & (e). No census of non-tribals referred to in (c) has been taken, but instructions have been issued to the officers not to register any deed of transfer of land from tribals to non-tribals, in accordance with the proviso to Section 187 of the Land Revenue and Land Reforms Act, 1960.

**केन्द्रीय सरकार के कर्मचारियों की सेवा-  
वधि बढ़ाना**

१२६६. { श्री कृष्ण देव त्रिपाठी :  
श्री पी० सी० बल्लभा :  
श्री आर० आर० मुरारका :

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

(क) भारत सरकार ने वर्ष १९६२ में कितने अपने कर्मचारियों का कार्यकाल सेवानिवृत्ति प्राप्त करने की आयु पूरी करने के पश्चात् बढ़ाया;

(ख) अलग-अलग मंत्रालयों के अन्तर्गत ऐसे व्यक्तियों की संख्या इस समय क्या है; और

(ग) इन में से कितने कर्मचारियों की अवधि इसलिये बढ़ाई गई है कि उस कार्य विशेष को करने योग्य व्यक्तियों का अभाव है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) से (ग). सूचना एकत्रित की जा रही है और यथा समय सभा पटल पर रख दी जायेगी ।

**Terracing Loan to D.Ps. in Tripura**

**1270. Shri Biren Dutta:** Will the Minister of Home Affairs be pleased to state:

(a) the amount of money given to displaced persons as terracing loan during 1960-61 in Tripura;

(b) the number of displaced persons who have signed receipt documents for terracing loan but have not been given the loan; and

(c) when they will be given the terracing loan?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Rs. 2,75,000.

(b) Nil.

(c) Does not arise.

**Annual Revision of Voters List**

**1272. Shri Biren Dutta:** Will the Minister of Law be pleased to state:

(a) whether annual revision of voters list has been carried on during the current year; and

(b) if not, the reasons therefor?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):** (a) The annual revision of electoral rolls is in progress in all the States and Union Territories and is expected to be completed by the 1st December.

(b) Does not arise.

**Territorial Army**

**1273. Shri Birendra Bahadur Singh:** Will the Minister of Defence be pleased to state:

(a) whether Government propose to replace regular army officers by suitable Territorial Army Officers in unembodied units of Territorial Army to meet the shortage of Regular Army Officers;

(b) if so, the number of regular Army Officers in the rank of Lieutenant Colonel still serving with Territorial Units; and

(c) the steps proposed to be taken by Government to replace them by Territorial Army Officers?

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

(a) Yes, Sir.

(b) 24.

(c) Regular Army Officers will be replaced as and when suitable Territorial Army officers with requisite experience and seniority are available.

### Territorial Army Directorate in Army Headquarters

1274. **Shri Birendra Bahadur Singh:** Will the Minister of Defence be pleased to state:

(a) whether it is the policy of Government to employ Territorial Army Officers in the Territorial Army Directorate, Army Headquarters; and

(b) if so, the number of Territorial Army Officers employed on staff appointments there in grades one, two and three?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes, Sir.

(b) Grade 1	Nil.
Grade 2	1.
Grade 3	1.

A Territorial Army Officer now also holds the appointment of Deputy Director, Territorial Army in the rank of Colonel.

### Urban Territorial Army Units in Delhi

1275. **Shri Birendra Bahadur Singh:** Will the Minister of Defence be pleased to state:

(a) the number of Central Government employees enrolled in the Urban Territorial Army Units in Delhi; and

(b) the steps proposed to be taken by Government to encourage enrolment in larger numbers?

**The Minister of Defence (Shri Krishna Menon):** (a) 1,550.

(b) The recruitment position is satisfactory. No special additional steps to encourage recruitment are therefore considered necessary.

### Territorial Army Units

1276. **Shri Birendra Bahadur Singh:** Will the Minister of Defence be pleased to state:

(a) whether Government propose to disembody the embodied Territorial Army Units;

1550(Ai)L.S.D.—3.

(b) if so, whether suitable Other Ranks will be absorbed in the Regular Army to meet the shortage of experienced and trained soldiers; and

(c) if not, the steps proposed to be taken by Government to resettle them?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes, Sir, as and when the necessity to keep such units embodied ceased.

(b) and (c). Service in the Territorial Army is not intended to offer full-time employment. If persons joining the Territorial Army are in some civil employment their lien on the civil post is protected during the period of embodiment. The question of their resettlement by the Government does not arise. Those desirous of joining the Regular Army can however apply for enlistment in the normal way.

### Annual Awards of the Sangeet Natak Akademi

1277. **Shri Indrajit Gupta:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether there is any regular procedure laid down for making selections for the annual awards of the Sangeet Natak Akademi;

(b) if so, details of the procedure;

(c) whether suggestions and recommendations for awards are invited;

(d) if so, from whom;

(e) whether there is a selection committee for making awards; and

(f) if so, composition of the Committee?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) to (f). The General Council of the Akademi has laid down the categories in the fields of dance, drama and music which are eligible for Akademi Awards. The number of Awards to be given in a particular

year is also determined by the General Council. Suggestions and recommendations for Awards are invited from Members of the General Council, Institutions recognised by the Akademi, State Sangeet Natak Akademies, Fellows and previous Award Winners of the Akademi, and individuals eminent in the fields of dance, drama and music. These agencies are asked to recommend three names in order of preference in each category. The nominations received are placed before the Executive Board which recommends a panel of names, based on the nominations received, for the consideration of the General Council. The final selection is made by the General Council.

#### Taxes on Sulphuric Acid

1278. { Dr. P. N. Khan:  
Shri Subodh Hansda:  
Shri Basumatari:  
Shri S. C. Samanta:

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

(a) whether it is a fact that due to heavy imposition of taxes on sulphuric acid the production of Ammonium Sulphate and other chemical fertilizers has gone down in private and public sectors;

(b) if so, the steps taken by Government to keep the production steady; and

(c) whether this will affect the next year's agricultural production?

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

(a) to (c). Production has not gone down on account of the imposition of excise duty on Sulphuric Acid. There will, however, be a slight increase in the price of fertilizers in the production of which Sulphuric Acid is utilized. Government have taken care to ensure that the increase in price is only marginal so that the off-take of fertilizers is not retarded. It is not, therefore, likely to have any adverse

affect on next year's agricultural production.

#### Foreign Scholarships

**1279. Shri P. Kunhan:** Will the Minister of Education be pleased to state:

(a) how many foreign scholarships have been awarded during the past five years to persons belonging to the Scheduled Castes and Scheduled Tribes from amongst the Government of India Scholarships; and

(b) the State-wise details thereof?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). A statement giving the requisite information in respect of schemes administered by the Ministry of Education is laid on the Table of the House. [See Appendix dix II, annexure No. 23].

#### Fertilizer Projects in West Bengal

1280. { Shri S. C. Samanta:  
Shri Subodh Hansda:  
Shri Basumatari:  
Shri B. K. Das:

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

(a) whether the machineries for Fertilizer Projects in West Bengal have been arranged;

(b) is so, from which country;

(c) whether it is a fact that these will not be able to maintain the time schedule; and

(d) what are the interim steps Government propose to take to make good the deficit in fertilizer production?

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

(a) and (b). Negotiations with an American consortium are in an advanced stage for the supply of equipment for the fertilizer project at Durgapur in West Bengal.

(c) There has been some delay in making foreign collaboration arrangements for this project and, therefore,



it may not be completed according to the original schedule.

(d) The gap between the production and demand will continue to be made good by imports to the extent that foreign exchange is available for the purpose.

#### Andaman Special Pay

1281. { Shri A. K. Gopalan:  
Shri Umanath:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a special pay known as "Andaman Special Pay" applicable to NGOs which is 33 1/3 per cent of the basic pay is in existence in the Andamans;

(b) if so, whether it is a fact that this special pay is only applicable to those going to Andamans on deputation and those who are recruited from the Mainland; and

(c) if so, why the locally recruited are denied this Special Pay?

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

(a) to (c). Persons recruited or deputed from the mainland for service in the Islands are granted Andaman Special Pay at the following rates:—

- (1) 33 1/3 per cent of basic pay subject to a maximum of Rs. 300 per month if posted to South Andamans;
- (2) 40 per cent of basic pay subject to a maximum of Rs. 350 per month if posted to Middle or North Andamans; and
- (3) 45 per cent of basic pay subject to a maximum of Rs. 350 per month if posted in Nicobars.

Persons recruited locally i.e. in the Andaman and Nicobar Islands are not entitled to any special pay if they are posted to South Andamans. However, if a person recruited in South Andaman

is posted to Middle|North Andamans or Nicobars, he is allowed special pay at the following rates:—

- (1) 10 per cent of basic pay subject to a minimum of Rs. 10 per month if posted to North|Middle Andamans;
- (2) 15 per cent of basic pay subject to a minimum of Rs. 15 per month if posted to Nicobars.

Persons who, of their own volition, go to the Islands in search of employment, have to be treated at par with the local residents of the Islands and so get the same terms and conditions of service. Their case differs from that of the persons sent on deputation from the mainland or recruited in the mainland for service in the Administration.

#### Scavenging Conditions Enquiry Committee

1282. { Shri S. B. Das:  
Shri Subodh Hansda:  
Shri Basumatari:  
Shri S. C. Samanta:

Will the Minister of Home Affairs be pleased to state:

(a) whether the comments of the State Governments have been received by the Central Government on the report of the Scavenging Conditions Enquiry Committee;

(b) if so, what are their comments; and

(c) whether these will be laid on the Table?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Copies of the report of the Scavenging Conditions Enquiry Committee were forwarded to all State Governments|Union Territory Administrations etc., for their consideration and implementation. They were not specifically requested to offer their comments, and any questions relating to the recommendations of the Committee were left to

be dealt with, as they arose, by correspondence between the State Government concerned and the Central Government.

(b) Does not arise.

(c) Does not arise.

पश्चिम जर्मनी द्वारा भेंट किया याग

मुद्रणालय

1253. { श्री म० ला० द्विवेदी :  
श्री स० चं० सामन्त :  
श्री ब० कु० दास :  
श्री सुबोध हंसदा :

क्या शिक्षा मंत्री ८ जून, १९६२ के अंतरांकित प्रश्न संख्या २८५६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) पश्चिम जर्मनी की सरकार से जो एक आधुनिकतम मुद्रणालय भेंट में मिला है उस को कहाँ खोला जा रहा है;

(ख) मुद्रणालय का संचालन किस की देखरेख में रहेगा; और कार्य विधि सिखाने के लिये जो जर्मनी के विशेषज्ञों की व्यवस्था की गई है वह क्या है;

(ग) जर्मनी के विशेषज्ञ कब आये थे और कब तक रहेंगे और इनके काम की शर्तें क्या हैं; और

(घ) जो मुद्रणालय भेंट में मिला है उस का मूल्य क्या है और इसकी क्या-क्या विशेषतायें हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) मैंसूर ।

(ख) मुद्रणालय भारत सरकार के पर्यवेक्षण और नियंत्रण में कार्य करेगा । पश्चिम जर्मन सरकार से हुए समझौते के अंश के रूप में आरम्भ में भारतीय कार्मिकों को प्रशिक्षण देने के लिए प्रेस के साथ जर्मन विशेषज्ञों की सेवाएँ भी उपलब्ध की जायेंगी । किन्तुहाल, इसके व्योरे तैयार किये जा रहे हैं ।

(ग) दो जर्मन विशेषज्ञ २८ फरवरी, १९६२ को भारत में आये थे । उन में से एक २० मार्च को और दूसरा २६ मार्च, १९६२ को वापस चले गये । ये दोनों विशेषज्ञ भारत सरकार के अतिथि रहे और उन का दूसरा सारा व्यय पश्चिम जर्मन सरकार ने उठाया ।

(घ) मुद्रणालय का मूल्य लगभग दस लाख मार्क होगा । उपलब्ध आफसेट छपाई की मशीनों में यह नवीनतम मशीन है ।

रुपये का नया सिक्का

1254. { श्री म० ला० द्विवेदी :  
श्री स० चं० सामन्त :  
श्री सुबोध हंसदा :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) इस बात में कहाँ तक तय्य है कि रिजर्व बैंक ने जो एक रुपये का नया सिक्का जारी किया है उस में टकसाली सिक्के की सफाई नहीं है;

(ख) यह सिक्का अभी तक चालू सिक्के की तुलना में घटिया दिखाई देता है इसका क्या कारण है;

(ग) क्या उन को यह मालूम है कि इस नये सिक्के के किनारे साफ नहीं हैं और जो मुहर अंकित की गई है वह सिक्के के दोनों ओर उतनी खूबसूरत नहीं है; और

(घ) क्या यह मये सिक्के इसी प्रकार से चलते रहेंगे अथवा इन में मुधार होगा और कब ?

वित्त मंत्री (श्री मोरारजी देसाई) :

(क) और (ख). हाल में जारी किये गये दशमिक रुपयों (सिक्कों) की किस्म के बारे में न तो भारत सरकार को और न रिजर्व बैंक को ही कोई शिकायत मिली है । हो सकता है एकाध सिक्के घटिया किस्म

के हों लेकिन साधारणतः उनकी दिखावट काफी संतोषजनक पायी गयी है ।

(ग) दशमिक रुपयों (सिक्कों) की परिधि के साथ-साथ लगभग ५० कलापूर्ण दाने बने हैं जिन से इस सिक्के का किनारा, उस पुराने सिक्के से अलग तरह का दिखायी देता है जिस पर ऐसे दाने नहीं हैं । सिक्के की दोनों तरफ का बाकी डिजाइन उतना ही अच्छा है जितना कि पहले से चल रहे दशमिक प्रणाली के किसी भी दूसरे सिक्के का ।

(घ) इन सब बातों को देखते हुए, इन सिक्कों की दिखावट में सुधार करने का सवाल ही पैदा नहीं होता ।

#### Old Election Petitions

1285. { Shri S. M. Banerjee:  
Shri Raghunath Singh:  
Shri Hem Raj:

Will the Minister of Law be pleased to state:

(a) whether it is a fact that some of the election petitions pertaining to 1952 and 1957 elections have not yet been disposed of;

(b) if so, which are those petitions; and

(c) the reasons for the abnormal delay?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):** (a) to (c). No election petition pertaining to the 1952 General Elections is pending for disposal before any tribunal or court.

Only one election petition pertaining to the 1957 General Elections is still pending final disposal. This petition relates to the election for the Koppal Parliamentary Constituency in the Mysore State and the parties to the petition are Shri Shivamurthi Swami and Shri Sangappa. The petition was disposed of by the Election Tribunal on the 14th November, 1959.

An appeal against the decision of the Tribunal was filed in the High Court on the 20th November, 1959, and was disposed of on the 10th September, 1960. Special leave to appeal to the Supreme Court against the decision of the High Court was granted on the 8th February, 1961, and the appeal is at present pending in the Supreme Court.

#### Wages of Coal Mine Workers

1286. **Shri S. M. Banerjee:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether the coal mine owners have agreed to increase the wages of workers after the increase in coal price;

(b) if so, to what extent;

(c) whether wages have been increased in some of the mines; and

(d) if so, the names of such mines?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) The increase in prices of coal notified on the 13th June, 1962, was not related to any specific items of cost, but was given on an ad-hoc basis as an incentive for greater production so as to achieve the Third Plan Target. There is, therefore, no question of the coal mine-owners increasing the wages of workers consequent on this increase in prices.

(b) Does not arise.

(c) and (d). Government is not aware of any wage increases having been given recently in any of the mines.

#### Industrial Cooperative Societies

1287. **Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether there is any scheme to set up Industrial Co-operative Societies in Ordnance Factories;

(b) if so, what are the main features of this scheme; and

(c) whether such co-operatives have been formed?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes.

(b) It is proposed to establish Industrial Cooperative Societies in all progressively Ordnance Factory Estates. The object of these Societies is generally to strengthen industrial co-operation amongst Ordnance Factory employees and their dependents, to give a technical bias to the Factory Estates to provide supplementary income to the families of the Factory employees and to help increase production both for the factories and the country.

The membership of these Societies is open to employees of the Ordnance Factories and allied establishments at the station. The value of a share is Rs. 10.00 and a member can hold a minimum of one and a maximum of one hundred shares. The Board of Directors of the Society will have the General Manager of the Factory as the ex-officio President and will include specialists and a Secretary nominated by the ex-Officio President.

(c) Yes. One Society has been formed at Kanpur and another is being formed at Jabalpur.

#### Ordnance Factories

**1288. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether Government propose to run three shifts in some of the Ordnance Factories;

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

(c) from when?

**The Minister of Defence (Shri Krishna Menon):** (a) to (c). The shifts worked in factories must depend on requirement of equipment for the

Services and the labour and material available.

There are at present no plans for three shifts but no assurances about the plans for some in the future either way can be given at present.

#### D.A. of U.P. Teachers

**1289. Shri S. M. Banerjee:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 940 on the 9th May, 1962 and state:

(a) whether Government have paid any amount to U.P. Government to raise the dearness allowance of the teachers;

(b) if so, whether dearness allowance of teachers has been raised;

(c) if so, to what extent; and

(d) total amount paid by the Centre?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (d). No money has been paid so far. But the U.P. Government can claim 50 per cent of the additional expenditure as Central assistance if they include this scheme in the Third Five Year Plan of the State.

(b) and (c). The dearness allowance has been raised to Rs. 20 p.m. for all the employees (including menial, ministerial and teaching staff) of private aided Junior High Schools and Higher Secondary Schools getting pay upto Rs. 350 p.m. with marginal adjustments upto Rs. 370 p.m.

#### Machine Tool Factories

**1290. Shri P. K. Deo:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that licences were issued in the private sector to 19 firms for the establishment of machine tool factories in different parts of the country;

(b) whether Government have now decided to cancel their licences; and

(c) if so, the reasons therefor?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) 140 firms have so far been granted licences under the Industries (Development and Regulation) Act, 1951 for establishment of factories for the manufacture of machine tools.

(b) Notices have so far been issued to 27 firms to show cause why the licences granted to them should not be revoked.

(c) These firms have failed to take effective steps for implementing the licences granted to them, within the time specified for the purpose.

#### Art Gallery in Himachal Pradesh

**1291. Shri Rameshwar Tantia:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether there is a proposal to set up an Art Gallery in Himachal Pradesh;

(b) if so, where it will be located; and

(c) what would be the total expenditure involved?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) The Government have no information.

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

#### U.P. State Observatory, Nainital

**1292. Shri Surendra Pal Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the cost of construction of the U.P. State Observatory at Nainital is being met by U.P. Government alone, or some financial help is also being given by the Centre; and

(b) the amount given by the Centre, if any?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) The cost is being met by the U.P. Government.

(b) Does not arise.

#### Delhi Public Library

**1293. Shri Surendra Pal Singh:** Will the Minister of Education be pleased to state:

(a) the total amount of financial help that is proposed to be given to the Delhi Public Library during the current Plan period and how much money has already been given out of that allocation; and

(b) the main items on which this grant-in-aid is likely to be spent?

**The Minister of Education (Dr. K. L. Shrivastava):** (a) (i) The Delhi Public Library is being run as a Central project. For meeting its expenditure on establishment and library activities, a sum of Rs. 3,30,000 (Non-Plan) was given in the year 1961-62, and a similar provision has been made in the budget (Non-Plan) for the year 1962-63 out of which a sum of Rs. 1,65,000 has been released so far. Expenditure on establishment and library activities (Non-Plan) will be provided for the remaining years of the Plan period also, more or less on these lines.

(ii) A sum of Rs. 12.5 lakhs (Plan) has been provided for the "Development of Library Service in Delhi—the Delhi Public Library". So far no amount has been spent out of this allocation.

(b) (i) The Non-Plan provision will be spent for meeting expenditure on establishment and library activities.

(ii) The Plan provision will be spent on construction of a building for the main library and for opening two branch libraries.

**Loan due from Burma**

1294. **Shri D. C. Sharma:** Will the Minister of Finance be pleased to state:

(a) the amount of loan due to India by Burma, both for pre-Partition and post-Partition period separately on 30th June, 1962;

(b) the amount of interest accrued thereon till 30th June, 1962; and

(c) what steps, if any, have been taken to effect the recovery of both the principal and the interest?

**The Minister of Finance (Shri Morarji Desai):** (a) The pre-Partition dues from Burma were settled in 1954-55 and 1955-56. The position in this regard is explained fully at page 55 of the Explanatory Memorandum on the Budget of the Central Government for 1959-60.

As regards the post-Partition period, Rs. 15.83 crores was outstanding against Burma on 30th June 1962, out of the 1957 loan of Rs. 20 crores.

(b) Sums totalling Rs. 3.57 crores, accrued on account of interest on the Rs. 20 crore loan, upto the 30th June, 1962, were received from Burma.

(c) As stated in reply to part (a) above, the pre-Partition dues from Burma have already been settled. As regards the 1957 loan of Rs. 20 crores, Burma has been making payments regularly in accordance with the terms of the Agreements dated the 12th March, 1957, and no special steps are necessary for effecting the recovery.

**Import of Low-Grade Coal**

1295. **Shri D. C. Sharma:** Will the Minister of Mines and Fuel be pleased to refer to the reply given to Starred Question No. 202 on the 26th April, 1962 and state:

(a) the progress made so far in the proposal to import low-grade coal from West Pakistan to meet the fuel needs of brick kiln industries in Punjab and Rajasthan; and

(b) when it is likely to materialise?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) and (b). The Government of India has since agreed to import 10,000 tons per month of brick burning coal from Pakistan during the current year, for being utilised in Delhi, Rajasthan, Punjab and Uttar Pradesh, provided the price of Pakistan coal is commensurate with the prices of Indian coal supplied to these areas:

**Officers Joining Private Firms**

1296. { **Shri P. R. Chakraverti:**  
**Shri Prakash Vir Shastri:**  
**Shri P. K. Deo:**

Will the Minister of Defence be pleased to state:

(a) the number of retired Government officials belonging to Superior Cadres of Services, such as I.C.S., I.A.S. and I.P.S. who have joined Public or Private Sectors in different capacities during the last five years;

(b) the nature of their appointments and the emoluments they are drawing;

(c) whether Government have introduced any provision restricting the scope of their employment; and

(d) if so, in what form?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):**

(a) and (b). As regards those in private employment, Government maintain information only in respect of such officers who take up re-employment within two years of retirement. Information about such officers and those re-employed in the public sector is being collected and will be laid on the Table of the House.

(c) and (d). Under the existing rules on the subject, All India Service officers have to take the sanction of Government prior to accepting any commercial employment within a period of two years from the date of retirement. Before sanc-

tion is given, Government examine the nature of re-employment offered by the employer to the officer in the light among other things, of any possible dealings the officer may have had with the employer while in service.

#### Copper Deposits in Kangra District

1297. { Shri G. K. Singha:  
Shri Subodh Hansda:  
Shri Basumatari:  
Shri S. C. Samanta:

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

(a) whether it is a fact that large deposits of Copper have been located by the Geological Survey of India in Kangra District of Punjab;

(b) if so, whether extensive survey has been made; and

(c) the result of the survey?

The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajarnavis): (a) No, Sir; only indications of copper mineralisation over a length of 8 kilometres have been recorded by the Geological Survey of India near Naraul in the Garsha Valley.

(b) and (c). Investigation in this area which was started in April 1962 is in progress. The results of the investigation will become available after it is completed.

#### Non-Official Organisations

1298. { Dr. P. N. Khan:  
Shri Subodh Hansda:  
Shri S. C. Samanta:

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

(a) which are the non-official organisations receiving grants from the Central Government for the last seven years i.e., since 1955 for the

welfare of the Scheduled Castes and Scheduled Tribes; and

(b) whether the grants are given annually?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) The names of non-official organisations receiving direct grants from the Central Government since 1955 are shown in the list, placed on the Table of the House.

1. Iswar Saran Ashram.
2. Harijan Sevak Sangh.
3. Bharatiya Depressed Classes League.
4. All India Backward classes Federation.
5. Bharatiya Adimjati Sevak Sangh.
6. Indian Red Cross Society.

(b) Yes.

#### Prices of Cement

1299. { 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) how many cement manufacturers have switched over to the use of furnace oil instead of coal as fuel; and

(b) what has been the consequent rise in prices of cement?

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

(a) So far, one cement manufacturer, viz., Messrs. India Cements Ltd, Madras, have switched over from the use of coal to furnace oil in one of the three kilns at their Talaiyuthu cement factory;

(b) The ex-works price of cement payable to the producer at the Talaiyuthu cement factory has been increased by Rs. 2.37 per tonne but there has been no increase in the selling price of cement.

### भारत में दबा हुआ सोना

१३००. श्री प्रकाशवीर शास्त्री : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में छिपे सोने को बाहर लाने के लिये क्या कुछ सफल उपाय सोचे गये हैं;

(ख) क्या यह भी सच है कि यह प्रवृत्ति धीरे-धीरे बढ़ रही है;

(ग) लगभग कितने रूपयों का सोना इस समय दबा हुआ होगा; और

(घ) क्या सरकार ने यह जानने का भी प्रयास किया कि यह प्रवृत्ति बढ़ क्यों रही है ?

वित्त मंत्री (श्री मोरारजी देसाई) :

(क) संचित (होर्डेड) सोने का पता लगाने और देश की अधिक से अधिक भलाई के लिए उसका उपयोग करने के सवाल पर सरकार बराबर विचार करती रहती है। लेकिन बहुत सी अमली और कानूनी कठिनाइयाँ भी हैं जिन्हें दूर करने के बाद ही कोई प्रभावशाली उपाय किया जा सकता है।

(ख) इस बात के स्पष्ट संकेत नहीं हैं कि यह प्रवृत्ति बढ़ रही है।

(ग) संचित सोने के बारे में ठीक-ठीक अनुमान लगाना कठिन है। देश में लोगों के पास जो सोना जमा है उसका कुल मूल्य, कुछ अनुमानों के अनुसार, सोने के अंतर्राष्ट्रीय मूल्य के हिसाब में लगभग १८५० करोड़ रुपया है।

(घ) यह सवाल पैदा ही नहीं होता।

दिल्ली में प्लाटों का दिया जाना

१३०१. श्री म० ला० द्विवेदी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में मध्यम तथा कम आय वाले व्यक्तियों को मकान बनाने के लिये

२,००० प्लाट देने की जो योजना बनाई गई थी वह अब तक किस अवस्था में है;

(ख) यह प्लाट कब तक उपलब्ध कर देने का निश्चय था और इस में विलम्ब क्यों हो रहा है; और

(ग) यह प्लाट अब कब तक उपलब्ध किये जायेंगे ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : नीलाम द्वारा देने के लिए २,००० प्लाट बनाने की योजना से सम्बन्धित विकास कार्य काफी आगे बढ़ चुका है और वह साठ प्रतिशत से अधिक पूरा हो चुका है।

(ख) इन प्लाटों को देने के लिए कोई निश्चित तिथि नहीं रखी गई थी परन्तु जैसा पहले से अनुमान किया गया था उस से कुछ अधिक समय लग गया है, क्योंकि ठेकेदारों से पूरा पूरा सहयोग नहीं मिला।

(ग) ऐसी आशा है कि ये प्लाट मार्च, १९६३ तक पूर्णतः विकसित हो सकेंगे और उसके बाद ही लोगों को मिल सकेंगे।

विदेश भेजे गये विद्वान

१३०२. श्री म० ला० द्विवेदी : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) १९६१-६२ में सांस्कृतिक संबंध स्थापित करने के लिए कितने विद्वान विदेशों को भेजे गये;

(ख) इन में से कितने विदेशी सरकारों ने निर्मात्रित किये थे और कितने भारत सरकार ने बाहर भेजे थे; और

(ग) इन विद्वानों की यात्रा पर सरकार ने कुल कितना व्यय किया ?



**वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायून कबिर) :** (क) २६.

(ख) उन में से सभी विदेशी सरकारों वा सांस्कृतिक संगठनों द्वारा निर्मात्रित किये गये थे ।

(ग) रुपये ७७,१८२.५५ न० पै० ।

**उर्वरक कारखाने**

१३०३. श्री म० ला० द्विवेदी : क्या इस्पात तथा भारी उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) उर्वरक उद्योग को स्थापित करने के लिये निजी औद्योगिकों ने पिछले एक वर्ष में अब तक क्या प्रगति की है; और

(ख) अब तक जिन औद्योगिकों को आंध्र प्रदेश, मध्य प्रदेश, राजस्थान और मद्रास में कारखानों को खोलने के लिये जो लाइसेंस दिये गये उन के सम्बन्ध में क्या प्रगति हुई है ?

इस्पात और भारी उद्योग मंत्री (श्री चि० सुब्रह्मण्यम्) : (क) और (ख). विभिन्न राज्यों में निजी क्षेत्र में उर्वरक कारखानों की स्थापना में अब तक हुई प्रगति निम्नलिखित है :—

१. आंध्र प्रदेश :

(क) कोठागोदाम उर्वरक कारखाना

सर्वश्री आंध्र शहर ने, जिन्हे इस प्रयोजन के लिये लाइसेंस दिया गया है, उस सहयोग सनझोते का एक मसौदा प्रस्तुत किया है जिसको तकनीकी और वित्तीय सहयोग के लिये एक सुप्रसिद्ध अमरीकन फर्म के साथ करने का विचार रखते हैं । मसौदे की जांच हो रही है और अगले कुछ ही दिनों में इसके अनुमोदित होने की संभावना है । इस बीच पार्टी, प्रायोजना के लिये भूमि अर्वाप्त हेतु तथा अन्य उपयोगी वस्तुयें जैसे जल, विद्युत-शक्ति और कोयला, जो एमोनिया के उत्पादन में प्रमुख कच्चा माल

होगा, की पूर्ति के लिये प्रबन्ध कर रही है । पार्टी ने प्रायोजना को कार्यान्वित करने के लिये एक पब्लिक लिमिटेड कम्पनी बनाने का जिसमें एक संचालक मंडल होगा, और पूंजी जारी करने के लिये कन्ट्रोलर आफ कैपिटल इमूज की अनुमति प्राप्त करने के लिये भी प्रबन्ध कर लिया है । सहयोग की शर्तों के अनुमोदित हो जाने के पश्चात् इन बातों को अन्तिम रूप दिया जायेगा । यह संभावना है कि कारखाने में मार्च, १९६५ के पहले पहले उत्पादन होने लगेगा ।

(ख) विशाखापटनम उर्वरक कारखाना :

कंसोर्टिम (consortium) ने, जिन्हे कारखाने को स्थापित करने के लिये लाइसेंस दिया गया है, प्रायोजना को कार्यान्वित करने के हेतु प्राथमिक कदम उठाने के लिये 'कोरो-मण्डल फर्टीलाइजिंग लिमिटेड' के नाम से एक प्राइवेट लिमिटेड कम्पनी रजिस्टर करवाई है । प्राइवेट कम्पनी ने विशाखापटनम पत्तन प्राधिकारियों से कारखाने के निर्माण के लिये ४०० एकड़ भूमि, जो पत्तन प्राधिकारियों की है, पट्टे पर देने के लिये बातचीत की है । कम्पनी स्थानीय अधिकारियों से पानी, पावर इत्यादि की पूर्ति के लिये भी बातचीत कर रही है । नावोट्रिष्ट प्रबन्ध-संचालक, जिसे विदेशी सहयोग कार्ताग्रियों ने नामजद किया है, गत मास भारत आ गया है और यह आशा की जाती है कि वह निकट भविष्य में स्थल प्रबन्ध संचालक संभाल लेगा और काम शुरू कर देगा । यह आशा की जाती है कि कारखाना १९६४ के अन्त से पहले उत्पादन आरम्भ कर देगा ।

२. मध्य प्रदेश

सर्वश्री खान्डेवाल ब्रादर्स ने, जिन्हे कारखाना स्थापित करने के लिये लाइसेंस दिया गया था, लाइसेंस वापिस कर दिया है । अब कारखाने को सरकारी क्षेत्र में लगाने का फैसला किया गया है ।

### ३. राजस्थान

श्री बी० एल० जालान ने, जिन्हें हनुमानगढ़ में उर्वरक कारखाना लगाने के लिये लाइसेंस दिया गया है, प्रायोजना को कार्यान्वित करने के लिये एक कम्पनी के रजिस्ट्रेशन के लिये आवेदन पत्र दिया है। पार्टी की प्रायोजना के लिये अमरीका की एक फर्म से तकनीकी और वित्तीय सहयोग प्राप्त करने के बारे में चल रही बात चीत अन्तिम अवस्था में है।

### ४. मद्रास

सर्वश्री कोठारी एण्ड सन्स, जिन्हें टूटी-कोरिन में एक उर्वरक कारखाना स्थापित करने के लिये लाइसेंस दिया गया है, प्रायोजना के लिये अमरीका की एक फर्म से तकनीकी वित्तीय सहयोग प्राप्त करने के बारे में बात चीत कर रहे हैं। आशा है कि बातचीत की अन्तिम रूप देने के लिये अमरीकी सहयोग सितम्बर के महीने में भारत आयेंगे।

सर्वश्री ईस्ट इंडिया डिस्टिलरीस एण्ड शुगर फैक्टरीस ने, जिन्हें मद्रास राज्य में इन्नौर स्थान पर एक उर्वरक कारखाना स्थापित करने के लिये लाइसेंस दिया गया है, कारखाने का निर्माण लगभग पूर्ण कर लिया है। कारखाने के शीघ्र ही उत्पादन आरम्भ करने की संभावना है

### ५. मंसूर

मंगलौर में एक उर्वरक कारखाना लगाने के लिये सर्वश्री शा वेंनेस एण्ड कम्पनी द्वारा प्रस्तुत प्रस्ताव को कुछ शर्तों के साथ कर लिया गया है। पार्टी को शीघ्र लाइसेंस दिया जायेगा। इस प्रयोजन में हालैंड की एक फर्म से सहयोग प्राप्त होने की प्रस्थापना है यह आशा की जाती है कि वे कार्या-रम्भ करने के लिये इस साल के आखिर में भारत आयेंगे।

### Dehydrogenated Oils for Defence Canteens

1304. { **Shri Warrior:**  
**Shri Vasudevan Nair:**

Will the Minister of Defence be pleased to state:

(a) whether the State Government of Kerala have approached his Ministry with a request for patronage of dehydrogenated products of the State-owned factory in Kozhikode by way of supplies to the defence canteens; and

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

**The Minister of Defence (Shri Krishna Menon):** (a) and (b). No such request has been received recently from the Government of Kerala.

### Three year Degree Course

1305. **Shri Yallamanda Reddy:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the system of three-year degree course is not working well;

(b) whether it is a fact that the results of Pre-University Course Classes are very very poor in the country;

(c) whether there is any proposal to appoint a committee to review the whole question; and

(d) if so, when?

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

(d) Does not arise.

### Hostile Nagas

1306. { **Shri P. C. Borooah:**  
**Shri Bishanchander Seth:**  
**Shri Raghunath Singh:**  
**Shri Yashpal Singh:**

Will the Minister of Defence be pleased to state:

(a) whether a number of Naga Hostiles have surrendered in June-July, 1962;

(b) if so, how many; and

(c) what action has been taken in regard to these Nagas?

**The Minister of Defence (Shri Krishna Menon):** (a) and (b). 4 Naga hostiles surrendered to our Security Forces during June and July, 1962. Information regarding the number of Naga hostiles who surrendered to the civil authorities is not readily available.

(c) The information is being collected.

#### **Cost of Ranchi Township**

**1307. Shri Morarka:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the cost of the Ranchi Township has increased several times over the original estimate;

(b) if so, the reasons therefor; and

(c) the final estimate on the basis of the present calculations?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) to (c). The cost has not increased several times over the original estimate. The sanctioned estimate of the Ranchi Housing Project was Rs. 80 lakhs. There may be some increase in this figure mainly on account of increase in building works and development i.e. water supply, sewerage, electric supply etc. The matter is under examination of Hindustan Steel.

#### **Khetri Copper Project**

**1308. Shri Morarka:** Will the Minister of Mines and Fuel be pleased to state:

(a) the progress made so far by the Khetri Copper Project;

(b) the amount spent so far; and

(c) whether the orders for the smelter plant have been placed?

#### **The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajarnavis):**

(a) The Government have accepted the desirability of implementing the Khetri Copper Project with a capacity of 21,000 tons of electrolytic copper per annum, as envisaged in the report on the technical and economic feasibility of the Khetri Copper Project submitted by the Consultants for the project, M/s. Western Knapp Engineering Co., instead of 10,000 tons which is the target mentioned in the III Plan.

2. Further drilling is in progress to firmly establish the existence of ore reserves upto a depth of 2,500 ft.

3. Detailed designs, engineering drawings and bid documents for the shaft sinking work and for rough grading of the plant site have been finalised and tender enquiries for these works issued already. Detailed designs, drawings and specifications for the shafts and mine equipment are expected to be received shortly from the Consultants.

4. Investigations for supply of water to the Project are nearing completion. The reports of the Geological Survey of India on the ground water potential of the areas in the vicinity—Singhana, Jodhpura and Chaonra—is expected shortly.

5. The Rajasthan State Electricity Board are taking up works for the supply of power to the Project both during the construction stage and the operational stage.

6. Sites for the location of the plant and residential colony at the project have been demarcated and proceedings for acquisition of private land have been initiated by the State Government.

7. Applications for a mining lease, and, for a prospecting licence for certain areas adjoining the areas proposed to be covered by the mining lease, have been made to the Rajasthan Government.

8. A Base Camp has been established to provide temporary accommodation for staff, and preparations for a phased programme of construction of the town

ship have been taken up and are being pursued.

9. Survey of the plant area has been completed.

(b) Rs. 14,06,822.68 nP upto May, 1962.

(c) No, Sir.

**Industrial Management Pool**

**1309. Shri Moraka:** Will the Minister of Home Affairs be pleased to state:

(a) the number of persons selected in the Management Pool by the U.P.S.C. in 1958;

(b) whether all the selected persons have been employed;

(c) whether persons not selected by the U.P.S.C. have also been employed; and

(d) if so, their number?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) 212.

(b) Of the selected candidates, 2 are yet to be absorbed.

(c) No.

(d) Does not arise.

**Implementation of Untouchability (Offences) Act in Tripura**

**1310. Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) whether any committee was appointed in Tripura to look into the effective implementation of the provisions of the Untouchability (Offences) Act;

(b) if so, the names of its Members; and

(c) the progress of its work, if any?

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

(b) The Committee consists of the following officials of the Tripura Administration:—

- (1) the District Magistrate,
- (2) the Superintendent of Police,
- (3) Deputy Secretary, Revenue Department, and
- (4) Secretary, Judicial Department.

(c) No case of infringement of the provisions of the Untouchability (Offences) Act, 1955, has come to the notice of the Committee so far.

**U.N. Team's Report on Fertilizer Projects**

1311. { Shri K. N. Tiwary;  
Shri Bibhuti Mishra;  
Shri Surendranath Dwivedy;

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

(a) whether it is a fact that about a year ago a U.N. team had come here to study fertilizer projects, and it submitted a report to Government;

(b) if so, its main recommendations;

(c) whether Government have published that report; and

(d) the action taken on the recommendations?

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

(a) Yes.

(b) A copy of the Report is available in the Parliament Library.

(c) No.

(d) The recommendations made in the Report are being implemented wherever possible.

**Delhi University**

**1312. Shri Bibhuti Mishra:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the students seeking admission to various

Colleges of the Delhi University are asked to write their castes and religions; and

(b) if so, whether Government propose to take any action in the matter?

**The Minister of Education (Dr. K. L. Shrimali):** (a) Students seeking admission to the various colleges of the University of Delhi are required only to indicate their religion and/or nationality in the application form for admission and not their caste. However, they are required to indicate whether they belong to the Scheduled Castes. This information is necessary for statistical purposes and for the application of concession rules.

(b) Since the practice followed by the University is in conformity with Government policy in this behalf, no action is considered necessary.

#### **District Soldiers, Sailors and Airmen's Boards**

**1313. Shri A. V. Raghavan:** Will the Minister of Defence be pleased to state:

(a) the total number of District Soldiers, Sailors and Airmen's Boards in India;

(b) whether the pay scale of secretaries of these Boards varies from State to State and from district to district; and

(c) whether there is any proposal before Government to fix a uniform scale of pay to the Secretaries of the District Soldiers, Sailors and Airmen's Boards?

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

(a) 186.

(b) Uniform scales of pay as under already exist in respect of Secretaries of the District Soldiers, Sailors and Airmen's Boards in all States:

(i) Rs. 250—10—300—15—450 for Secretaries of Grade I Boards.

(ii) Rs. 120—8—200—10,2—220 for Secretaries of Grade II Boards.

(iii) Rs. 80—5—120 for Secretaries of Grade III Boards.

(c) There is no proposal to fix uniform scales of pay for Secretaries of all grades of DSS & A Boards.

#### **Holiday Trips of Government Employees**

**1314. Dr. L. M. Singhvi:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that some holiday trips to Kashmir and other places are organised by the Family Welfare Organisation of the Home Ministry for the benefit of Government employees and their families;

(b) if so, the amount of expenditure incurred by Government directly or indirectly on these trips each year;

(c) whether the accounts are audited and if so, by whom; and

(d) whether persons who are neither Government servants nor members of their families are also included in these trips as guests, etc?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Yes: such trips are organised by the Staff Welfare Organisation (Girih Kalyan Kendra).

(b) 1960-61	Rs. 3,437.18 nP.
1961-62	Rs. 2,188.62 nP
1962-63	Rs. 2,400.00 nP
	(Approx.)

(c) Yes; by a chartered Accountant initially and by the A.G.C.R. in due course.

(d) No.

#### **Physical Education**

**1315. { Shri P. Kunhan:  
Shri Raghunath Singh:**

Will the Minister of Education be pleased to state:

(a) whether Government have any programme to improve physical education;

(b) if so, the details thereof; and

(c) whether physical education has been recommended as being made a compulsory subject by the Central Advisory Board of Physical Education?

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

(b) (i) A National College of Physical Education has been established in Gwalior with training facilities for a 3 year Degree Course to bring out a better class of Physical Education Teachers.

(ii) Financial assistance on matching basis is being extended to Physical Education Training institutions for the improvement and development of facilities like gymnasias and playing fields.

(iii) A National Physical Efficiency Drive based on carefully graded tests has been launched to popularise the cult of physical fitness and to arouse the enthusiasm of people for achieving higher standards of physical efficiency.

(iv) Model syllabi of Physical Education for boys and girls have been drawn up and steps are being taken to popularise these syllabi through orientation courses for teachers in physical education.

(v) Financial assistance is extended in the form of scholarships for higher training in indigenous physical activities.

(vi) Suitable Yogic practices have been included in the programme of physical education. Financial assistance is also extended for undertaking fundamental scientific research in Yoga.

A provision of Rs. 89 lakhs has been made in the Third Five Year Plan to implement the programme for promotion of Physical Education.

(c) Yes, Sir. The Central Advisory Board of Physical Education & Recreation at its last meeting held on the 6th and 7th July, 1962 has recommended that Physical Education should be made a compulsory Examination

Subject for a House Examination upto one Standard below the S.S.L.C. Examination. The Board has further recommended that Physical Education should also be introduced in the Colleges and Universities as an Elective Subject in B.A. & B.Sc.

### विद्रोही नागा

१३१६. { श्री रघुनाथ सिंह :  
श्री प्र० चं० बरुआ :  
श्री रिशांग किशिंग :  
श्री डा० ना० तिवारी :  
डा० ल० म० तिषवी :  
श्री बी० चं० शर्मा :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि १ जून से ले कर कितने नागा विद्रोही मारे गये, घायल हुये और गिरफ्तार हुये और उसी अवधि में कितने भारतीय नागरिक नागा विद्रोहियों ने मारे, घायल किये और गिरफ्तार किये ?

प्रतिरक्षा मंत्री (श्री कृष्णा मेनन):

प्रथम जून से ३१ जुलाई १९६२ तक, मारे गये, घायल हुये तथा पकड़े गये विद्रोही नागाओं की संख्या निम्नलिखित है :—

मारे गये	. १५
घायल	. ११
पकड़े गये	२७८

विद्रोही नागाओं द्वारा मारे गये, घायल हुये तथा पकड़ लिये गये (सुरक्षा सेनाओं के अतिरिक्त) व्यक्तियों की संख्या के बारे में सूचना सहज प्राप्य नहीं है।

### Oil in Cauvery Basin

**1317. Shri Umanath:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that in pursuance of oil exploration in Cauvery Basin it has been decided to drill a hole 3,000 feet deep;

(b) if so, the purpose of the step and stage at which the execution of this decision stands;

(c) the location where the hole is to be drilled, the name of the village and district; and

(d) when the work is expected to be completed?

**The Minister of Mines and Fuel Fuel (Shri K. D. Malaviya):** (a) No, Sir. It is proposed to undertake structural drilling in the Cauvery Basin.

(b) Structural drilling is proposed to be undertaken to obtain geological information and information regarding the rock formations below surface. Arrangements for sending structural rig to Cauvery Basin are under way.

(c) The location has not been decided yet.

(d) It is not possible at this stage to say when it is likely to be completed.

#### Expansion of Public Sector Oil Refineries

**1318. Shri Daji:** Will the Minister of Mines and Fuel be pleased to state whether Government are considering a scheme for expanding the capacity of Public Sector oil refineries during the Third Five Year Plan period?

**The Minister and Fuel (Shri K. D. Malaviya):** Yes, Sir.

#### Division Conferences of L.I.C.

**1319. Shri S. N. Chaturvedi:** Will the Minister of Finance be pleased to state:

(a) whether divisional conferences of officers and field workers of Life Insurance Corporation are held every year;

(b) if so, the maximum and minimum expense incurred on any one of them;

(c) the total expenditure on these conferences each year in 1960, 1961 and 1962; and

(d) the expenditure on this account in the Delhi Division in each of the years 1960, 1961 and 1962?

1550(Ai)LSD—4.

**The Minister of Finance (Shri Morarji Desai):** (a) to (d). The information is being collected and will be laid on the Table of the House when available.

#### Central Assistance to States for Polytechnics

**1320. Shri Subodh Hansda:  
Shri S. C. Samanta:**

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) what kind of Central assistance will be given to the States for setting up polytechnics and junior technical schools for girls;

(b) whether any quota has been fixed for each State; and

(c) if so, what is the basis of fixing such quotas?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) The Central Government will provide 75 per cent of the non-recurring expenditure and 50 per cent of the recurring expenditure for a period of five years.

(b) No quota has been fixed. The quantum of Central assistance to a State depends on the number of polytechnics and Junior Technical Schools to be established under the State's Third Five-Year Plan.

(c) Does not arise.

#### Financial Assistance for Famine Relief to Andhra Pradesh

**1321. Shri P. Venkatasubbaiah:** Will the Minister of Finance be pleased to state:

(a) whether any financial assistance has been made available to the Andhra Pradesh Government to start permanent relief measures in chronically famine stricken areas of Rayalaseema;

(b) if so, what the amount is; and

(c) whether the pattern of famine relief has been suggested by his Government?

**The Minister of Finance (Shri Morarji Desai):** (a) and (b). Loan assistance of Rs. 553 lakhs was made available to Andhra State during the 1st and 2nd plans under the Programme of Permanent Improvement of Scarcity Areas. Information is not available as to how much of it was spent in Rayalaseema area. A Pilot Plan for the development of the chronically drought-affected areas covering 12 taluks in the Andhra Pradesh State has been received in the Ministry of Food and Agriculture, Department of Agriculture. It is being examined in consultation with the Ministry of Community Development, Panchayati Raj and Cooperation.

(c) No, Sir.

### इण्डियन आयल कम्पनी का पेट्रोल डिपो

१३२२. श्री भक्त दर्शन : क्या खान और ईंधन मंत्री ८ जून, १९६२ के तारांकित प्रश्न संख्या १३७० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि नई दिल्ली कार्यपालिका समिति द्वारा इण्डियन आयल कम्पनी का एक पेट्रोल डिपो खोलने के बारे में इस बीच क्या निश्चय हुआ है।

खान और ईंधन मंत्रालय में उप-मंत्री (श्री हजरतबीस) : अभी तक कोई निर्णय नहीं हुआ है क्योंकि नई दिल्ली नगरपालिका ने फिल्लिंग/सर्विस स्टेशनों के चालू कराने के

लिए इण्डियन आयल कम्पनी के पास औपचारिक प्रस्ताव ( formal proposals ) नहीं भेजे हैं।

### भ्रष्टाचार

१३२३. श्रीभक्त दर्शन : क्या गृह-कार्य मंत्री १४ मई, १९६२ के तारांकित प्रश्न संख्या ७१८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि भ्रष्टाचार सम्बन्धी मामलों का शीघ्रता से निबटारा करने के लिये तत्सम्बन्धी अधिनियमों में संशोधन करने का जो प्रश्न विचाराधीन था, उसके बारे में इस बीच क्या निश्चय किया गया है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : प्रस्तावों की जांच की जा रही है।

### दिल्ली राज्य संस्कृत विश्व परिषद्

१३२४. श्री भक्त दर्शन : क्या शिक्षा मंत्री १८ जून, १९६२ के अतारांकित प्रश्न संख्या ३३४६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि दिल्ली राज्य संस्कृत विश्व परिषद् द्वारा प्रस्तुत की गई जिन मांगों पर विचार किया जा रहा था, उन में से प्रत्येक के बारे में क्या निश्चय किया गया है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : दिल्ली राज्य संस्कृत विश्व परिषद् की मांगों के सम्बन्ध में सरकार द्वारा लिये गये निर्णयों का विवरण सभा पटल पर रखा गया।

### विवरण

दिल्ली राज्य संस्कृत विश्व परिषद् की मांगें	सरकार द्वारा लिया गया निर्णय
१	२
(१) संस्कृत अध्यापकों के पद के लिए जो योग्यताएं निर्धारित हैं, उनमें अंग्रेजी की योग्यता सम्मिलित नहीं होनी चाहिए।	विषय अभी विचाराधीन है।
(२) प्रशिक्षित शास्त्रियों को ग्यारहवीं कक्षा पढ़ाने दो जाए और उन्हें उच्च-स्नातक अध्यापकों का २५०-४७० रुपये का वेतन-मान स्वीकृत किया जाए।	स्वीकृत नहीं की गई है।
(३) पश्चिमी पंजाब और सीमान्त प्रान्त से आने वाले शास्त्रियों को १७०-३८० रुपये का वेतन-मान स्वीकृत किया जाए।	विषय विचाराधीन है।



१

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- (४) उच्च माध्यमिक परीक्षा के संस्कृत के प्रश्न-पत्र संस्कृत में बनाए जाने चाहियें ।  
केन्द्रीय माध्यमिक शिक्षा बोर्ड ने संस्कृत के प्रश्न-पत्रों को भविष्य में अंग्रेजी और संस्कृत (देवनागरी लिपि) में बनाने का निर्णय कर लिया है ।
- (५) सातवीं कक्षा की संस्कृत पाठ्य-पुस्तक, बहुत कठिन पाठ्य पुस्तक अब उचित रूप से संशोधित और उसके स्थान पर कोई अन्य पुस्तक लगा दी जाए ।  
धित और सरल कर दी गई है ।

### High Schools in Tripura

1325. **Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) whether Tripura Territorial Council, in their budget estimates of 1962-63, proposed the establishment of five high schools in addition to provisions made in the Third Five Year Plan; and

(b) if so, whether adequate financial assistance would be given to the Council for starting those five high schools during the current financial year?

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

(b) As the proposal involves fresh expenditure outside the Third Five Year Plan, the Council has been asked to furnish detailed justification in support of the proposal. The question of giving financial assistance for this purpose will be considered when the Council submits the necessary details.

### Municipal Market in Agartala

1326. **Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) whether a Municipal Market has been constructed at Maharajganj Basar, Agartala, Tripura, with finances advanced by the Rehabilitation Department, Tripura Administration;

(b) if so, the number of shop rooms constructed;

(c) the number of shop rooms rented; and

(d) if the shop-rooms could not be rented, the reasons therefor?

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

(b) 100.

(c) Sixteen shop-rooms have already been rented whereas 46 are proposed to be given on rent shortly.

(d) The remaining 38 shop-rooms will be rented only after required alterations and additions have been carried out.

### National Archives

1327. **Shri Raghunath Singh:** Will the Minister of Education be pleased to state whether National Archives of India at New Delhi is facing the problem of accommodation for its records on shelves?

**The Minister of Education (Dr. K. L. Shrimali):** Yes, Sir. It has been decided to construct an annexe to the existing building of National Archives of India on Janpath, New Delhi, to relieve the shortage of stack accommodation experienced by the Department.

### Mid-Day Meals to School Children

{ **Shri P. Venkatasubbaiah:**  
1328. { **Shri D. C. Sharma:**  
{ **Shri Krishna Deo Tripathi:**

Will the Minister of Education be pleased to state:

(a) whether Government propose to extend the scheme of Mid-day meals to school going children in the country with immediate effect;

(b) if so, the details of the scheme and the expenditure involved;

(c) how many State Governments have already introduced this scheme along with the number of children being benefited; and

(d) what is the quantum of financial assistance given to those State Governments?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). The mid-day meals scheme is not a Central but a State scheme. It is for the State Governments to include it in their State Plans.

(c) The scheme of mid-day meals is in operation in eleven States. The number of Children being benefited at present is about four million.

(d) Central assistance is not given to the States scheme-wise but for the Plan as a whole. The question of giving financial assistance for mid-day meals programme on percentage basis is under consideration.

#### Advance Granted by Reserve Bank of India

**1329. Shri P. C. Borooah:** Will the Minister of Finance be pleased to state:

(a) the extent of loans and advances granted by the Reserve Bank of India out of National Credit (long term operations) Fund so far;

(b) how much of it has been paid to the State Governments and how much of it has been given to Assam Government; and

(c) how much has been paid to the Co-operative Banks?

**The Minister of Finance (Shri Morarji Desai):** (a) Upto the 30th June, 1962, the Reserve Bank of India had sanctioned to the State governments State co-operative banks and the central co-operative land mortgage banks, long and medium-term loans from the National Agricultural Credit (Long-term Operations) Fund amount-

ing to Rs. 63.79 crores. Out of the amounts sanctioned, Rs 51.63 crores were drawn by the 30th June, 1962.

(b) A sum of Rs. 28.56 crores was sanctioned to the State governments upto the 30th June, 1962 out of which Rs. 26.29 crores were drawn by that date.

The loans to the Assam Government included in the amount of Rs. 28.56 crores sanctioned to various State governments, amounted to Rs. 36 lakhs, out of which Rs. 35 lakhs have been drawn

(c) Upto the end of June, 1962, Rs. 35.07 crores were sanctioned to the State cooperative banks for agricultural purposes, out of which Rs. 25.18 crores were drawn.

#### Nunmati Refinery

**1330. Shri P. C. Borooah:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether the full throughput of the Nunmati Refinery is still restricted;

(b) if so, to what extent; and

(c) what are the main difficulties faced by the refinery at present?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) No, Sir. The refinery is running on full capacity.

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

#### Conference of Chairman of Public Service Commissions

**1331. Shri Shyam Lal Saraf:** Will the Minister of Home Affairs be pleased to state:

(a) whether in the Conference of Chairman of Public Service Commissions (Central and States) held in Delhi in March, 1961 under the Chairmanship of the Chairman of the U.P.S.C. an attempt was made to evolve a uniform procedure for recruitment and promotion of officers in different services in the country; and

(b) whether that policy has since been adopted by all the Public Service Commissions in all the States?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). The discussions in the Conference of Chairmen of Public Service Commissions held in March, 1961 were mainly designed to evolve uniform standards of approach and working procedures but no formal resolutions were adopted. The discussions were of a purely informal nature, the procedure to be followed by the Public Service Commissions for the discharge of their statutory duties being an internal matter to be decided entirely by each Commission.

#### Powers of Election Commission

1332. **Shri Yashpal Singh:** Will the Minister of Law be pleased to state:

(a) whether the attention of Government has been drawn to the suggestion made by Attorney General of India, Shri M. C. Setalvad at a seminar organised by the Mysore State Commission of Jurists, reported in the *Statesman* dated New Delhi, the 8th July, 1962 to the effect that more powers should be given to the Election Commission to prevent abuses during general elections and that India should evolve its own methods to have honest and conscientious legislatures; and

(b) if so, whether Government have any intention to amend electoral law of the country, accordingly?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):** (a) Yes, Sir.

(b) The Election Commission, was consulted and it has stated that at present it has no specific recommendation to make for amending the law of elections in the matter.

#### N.E.S. Blocks in Manipur Hill Areas

1333. **Shri Rishang Keishing:** Will the Minister of Home Affairs be pleased to state:

(a) the respective amounts of the Tribal welfare fund expended during the financial years of 1960-61 and

1961-62 for each of the eight National Extension Service Blocks in Manipur hill areas;

(b) the basis or principle according to which the fund is allotted to each of the blocks; and

(c) whether the amount was properly utilised and the target of work fixed was achieved?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (c). Additional allotments from the tribal welfare funds are made only in respect of Tribal Development Blocks (known as Special Multipurpose Tribal Development Blocks during the Second Plan). One such block was opened in Manipur during the Second Plan period. Seven more are to be started during the Third Plan period; of which one was started in 1961-62. The figures of expenditure and targets achieved in respect of these two Blocks have been called for from the Union Territory Administration and the information will be placed on the Table of the House when received.

(b) The additional funds (from the outlay earmarked for the Welfare of the Scheduled Tribes) allotted to each of the Tribal Development Blocks are as follows:—

(Rs. in lakhs)	
Funds allotted	
During Stage I of five years.	During Stage II of five succeeding years.
1. Special Multipurpose Tribal Blocks (started in Second Plan)	15 5
2. Tribal Development Blocks (started in Third Plan)	10 5

1. Special Multipurpose Tribal Blocks (started in Second Plan)	15	5
2. Tribal Development Blocks (started in Third Plan)	10	5

### Vigilance Department of Manipur Administration

**1334. Shri Rishang Keishing:** Will the Minister of Home Affairs be pleased to state:

(a) the number of cases registered and investigated against the local and deputed officers by the Vigilance Department of the Manipur administration from 1960 to June, 1962;

(b) the number of such cases dropped and disposed of during the aforesaid period;

(c) the action taken against the officers who are found guilty; and

(d) the number of cases appealed to and disposed of by the President?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) 53 cases involving 72 officers, of whom 66 were local and 6 deputationists.

(b) and (c). 34 cases were dropped. 7 cases have been entrusted to the police including S.P.E. 17 cases have been disposed of resulting in the dismissal of six Govt. servants, termination of the services of two, and imposition of minor penalties on four.

(d) One (remitted by the President for fresh inquiry).

### Oil Refineries

**1335. Shri Kolla Venkaiah:** Will the Minister of Mines and Fuel be pleased to state:

(a) the oil refineries working in public sector and private sector in 1962-63;

(b) the oil refining capacity of different plants in private and public sector working in 1962-63;

(c) the quantity of different oil products produced and refined in different plants in 1961-62; and

(d) the wholesale price of different products refined in different refineries in 1961-62?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) and (b). The names of the five refineries (four in the private sector and one in the public sector) and their present capacity is as follows:

Name	Capacity (Million tonnes per annum).
<b>1. Private Sector:</b>	
Burmah Shell.	3.5
ESSO.	2.4
Caltex.	1.05
Assam Oil Company.	0.4
<b>2. Public Sector:</b>	
Nunmati.	0.75

(c) It is not in public interest to disclose refinery-wise production of different oil products separately.

(d) Ceiling selling prices applicable to the products produced by indigenous refineries or imported from abroad are given in the statement laid on the Table of the House. [See Appendix II, annexure No. 24].

### New Scales of Pay for Teachers

**1336. Shri Kolla Venkaiah:** Will the Minister of Education be pleased to state how many universities and colleges have adopted the new scales of pay for teachers suggested by the University Grants Commission recently?

**The Minister of Education (Dr. K. L. Shrimall):** The University Grants Commission have suggested new scales of pay only to University teachers with effect from 1st April, 1961 and 22 State Universities have agreed to implement the new scales.

Scales of pay of College teachers were revised by the Commission with effect from 1st April, 1957 and 430 Colleges have implemented the revised scales.

### Production Costs of Steel

**1337. Shri Kolla Venkaiah:** Will the Minister of Steel and Heavy Industries be pleased to state the production costs

of steel per ton, produced in Bhilai, Rourkela and Durgapur factories and the reasons for the difference in costs?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** The Plants are still in the early stages of production and a realistic assessment of the costs of production can be made only when all the Plants have been in full production for some time.

#### **Drowning Tragedy at National Sports Club Swimming Pool**

1338. { **Shri D. C. Sharma;**  
 { **Maharajkumar Vijaya**  
 { **Ananda;**  
 { **Shri Bishanchander Seth;**  
 { **Shrimati Renu Chakravartty;**  
 { **Shri Hem Barua;**  
 { **Shri Eswara Reddy;**

Will the Minister of Education be pleased to state:

(a) whether an enquiry was instituted into the death of a boy who was reported to have been drowned in the National Sports Club of India swimming pool in July, 1962; and

(b) if so, what are its findings?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). An enquiry committee has been set up which has not yet completed its work.

#### **Construction of Naval War-Ships**

1339. **Shri D. C. Sharma:** Will the Minister of Defence be pleased to state:

(a) the progress that has been made in the direction of construction of Naval war-ships in the country; and

(b) the details thereof?

**The Minister of Defence (Shri Krishna Menon):** (a) and (b). The question of undertaking the construction of Naval war-ships in India has been receiving the attention of the Government. The progress made in the construction of Naval war-ships is as under:—

(i) The Seaward Defence Boats have recently been completed

in Shipyards in Calcutta area and are now in service with the Indian Navy;

- (ii) a Survey Vessel for the Indian Navy is at present under construction at the Hindustan Shipyard Ltd., Vishakhapatnam;
- (iii) two Inshore Minesweepers are under construction at Mazagon Dock, Bombay;
- (iv) orders are expected to be placed shortly for the construction of one Coastal Minesweeper and three Seaward Defence Boats at Mazagon Dock and Garden Reach workshops; and
- (v) Exploratory steps are being taken for the construction of destroyers/frigates at the Mazagon Dock, Bombay.

#### **Foreign Exchange for Scientific Equipment**

1340. **Shri N. Sreekantan Nair:** Will the Minister of Education be pleased to state:

(a) the names of universities and colleges that received the allocation of the foreign exchange for scientific equipment and library books during the period from 1st January, 1959 to 31st March, 1961;

(b) what use the University Grants Commission made of the balance of Rs. 23 lakhs foreign exchange (Rs. 172 lakhs—Rs. 149 lakhs); and

(c) whether Government have made any allocation of foreign exchange for the purpose during the first two years of the Third Plan?

**The Minister of Education (Dr. K. L. Shrimali):** (a) A statement is laid on the Table of the House. [Placed in Library. See No. LT-352/62].

(b) The foreign exchange equivalent to Rs. 23 lakhs was not used.

(c) So far the Government have made allocation for 1½ years—i.e., up

to 30th September, 1962 of the Third Plan.

#### Income Tax Appeals in Orissa

**1341. Shri P. K. Deo:** Will the Minister of Law be pleased to state:

(a) whether the Orissa Chambers of Commerce have made representation to the Government of India that Income-tax appeals should be referred to the Calcutta tribunal instead of Patna tribunal; and

(b) if so, the reasons for the same?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):**

(a) Yes, Sir.

(b) It is represented that Orissa assesseees would be benefited if the Calcutta Benches of the Tribunal are conferred jurisdiction over Orissa cases, as Calcutta is nearer than Patna and Orissa assesseees can get their cases heard and decided at Calcutta by spending less time and money.

It may be mentioned that under the present practice, the Orissa assesseees do not have to go to Patna for the hearing of their cases, but the Patna Bench camps in Orissa to hear their cases. Efforts are being made for a Bench of the Tribunal to camp at Orissa more frequently so that the Orissa cases do not remain pending for a long time. Nevertheless, the question whether the Calcutta Benches should have jurisdiction over Orissa cases instead of Patna Bench, is receiving consideration.

#### Real Earnings during the Plan Periods

**1342. Shri Yashpal Singh:** Will the Minister of Finance be pleased to state

(a) whether it is a fact that during the last two plan-periods real earnings have been lowest i.e. about one per cent in the case of Central Government employees as compared to other sections of employed population in the country;

(b) if so, the reasons therefor; and

(c) what steps Government have taken to raise the standard of living of the employees?

**The Minister of Finance (Shri Morarji Desai):** (a) and (b). Data regarding the real earnings of Central Government employees as compared to other sections of employed population in the country are not at present available, but the position in this regard is being studied by a Committee appointed by the Planning Commission.

(c) Besides improvement in pay scales, the following steps have been taken:

- (i) Enhancement in the rates of dearness and compensatory allowances;
- (ii) Improvement in retirement benefits;
- (iii) Improvement in Leave Travel Concession;
- (iv) Grant of Educational assistance;
- (v) Concession regarding house-rent for Government accommodation;
- (vi) Extension of Medical facilities; etc.

#### Income Tax Evasion

**1343. Shri Yashpal Singh:** Will the Minister of Finance be pleased to state:

(a) the number of cases of Income-tax evasion which came into notice of Government in Delhi during 1961-62 and 1962-63 so far; and

(b) the steps taken by Government to stop its recurrence?

**The Minister of Finance (Shri Morarji Desai):** (a) 1961-62—394.

1962-63—71

(Upto July 1962)

(b) The law relating to the imposition of penalties for concealment has recently been tightened in the Income-tax Act, 1961. Provision also exists for launching prosecutions.

### Domicile Certificates

**1344. Shri Hem Raj:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that domicile certificates are insisted upon by the college authorities for the admission of students in different States;

(b) if so, the names of such States; and

(c) how does it fit in with the national integration policy of Government?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). The Government is not aware of any College authorities insisting on domicile certificates for admission of students in different States.

(c) The National Integration Council at its meeting held on June 2 and 3, 1962 considered the question of admissions to Universities in different States and strongly recommended that admissions to Universities should not be denied on considerations of place of birth, residence, caste or creed. The Government has requested the University Grants Commission to take this matter up with the Universities.

### राजनैतिक पीड़ितों के बच्चे

**१३४५. श्री भक्त दर्शन :** क्या शिक्षा मंत्री २० मार्च, १९६२ के तारांकित प्रश्न संख्या १११ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि राजनैतिक पीड़ित व्यक्तियों के बच्चों को शिक्षा सम्बन्धी सुविधायें देने के लिये कुछ वर्ष पहले जो योजना स्वीकार की गई थी, उसे कार्यान्वित करने में प्रत्येक राज्य और संघ राज्य-क्षेत्र में अब तक क्या प्रगति हुई है ?

**शिक्षा मंत्री (डा० का० ला० श्रीमाली):** राजनैतिक पीड़ितों के बच्चों को शैक्षणिक सुविधाएं देने की योजना को कार्यान्वित करने के सम्बन्ध में १९६१-६२ के दौरान में की गई प्रगति को दिखाने वाला विवरण सभा पटल पर रखा जाता गया है। [देखिये परिशिष्ट २, अनुबंध संख्या २५]

### कोयला खानों को पट्टे पर देना

**१३४६. श्री राम सहाय तिवारी :** क्या खान और ईंधन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बहुत सी खानों को लोग पट्टे पर उठाए हुए हैं और एक व्यापार बनाये हुए हैं ; और

(ख) यदि हां, तो सरकार ने इस पट्टेबाजी को रोकने के लिये कौन से पग उठाये हैं जिससे कोयला उत्पादन में बाधा न पड़े ?

**खान और ईंधन मंत्री (श्री के० दे० मालवीय):** (क) और (ख). खनिज रियायत नियमावली के अनुसार कोयलों के लिये कोई खनन पट्टा केन्द्रीय सरकार और सम्बन्धित राज्य सरकार की भी पूर्व मंजूरी के बिना हस्तांतरण नहीं किया जा सकता है। २५ अक्टूबर, १९४९ से पहले दिये गये पट्टों के लिये ये नियम लागू नहीं होते थे; जिसके परिणामस्वरूप कई पट्टेदारों द्वारा पर्याप्त लाभ पर ऐसे-ऐसे पट्टों का हस्तांतरण किया गया। इस प्रकार के पट्टों के अवयवस्थित हस्तांतरण को रोकने के लिये खनिज रियायत नियमावली को संशोधित किया गया है। इस संशोधन के अनुसार हस्तांतरण से जो २५ अक्टूबर, १९४९ से पूर्व कोयले से सम्बन्धित मंजूर किये गये खनन पट्टों के लिये भी लागू होगा, सम्बन्धित नियमों के उपबन्धों में व्यवस्था की गई है।

### Sports Villages

1347. { Shri Heda:  
Shri D. C. Sharma:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government have abandoned the scheme of 'sports villages' in Delhi;

(b) the reasons for such a decision;

(c) what were the details of the scheme; and

(d) what is the latest position in regard to scheme of 'Olympic Village'.

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

(b) Does not arise.

(c) The details have yet to be worked out by a Committee of the All India Council of Sports after the possession of the land for the proposed 'Sports Village' has been secured.

(d) As in (c) above. The scheme of 'Olympic Village' is not different from that of 'Sports Village'.

### Rupee Payment

1348. Shri Daljit Singh: Will the Minister of Finance be pleased to state:

(a) the total rupee payments principal as well as interests made during 1960-61 and 1961-62 country-wise; and

(b) the purpose for which they are utilised here?

The Minister of Finance (Shri Morarji Desai): (a) It is presumed that information is required in respect of repayment of principal and payment of interest charges on foreign loans to be made in rupees. The countries to which such rupee payments were made in 1960-61 and 1961-62 are only two—U.S.A. and

U.S.S.R. The details of these payments are as under:

	(rupees in crores)			
	1960-61		1961-62	
	Prin- cipal	Pay- ment of in- terest	Prin- cipal	Pay- ment of in- terest
U.S.A.	2.97	3.01	4.45	6.35
U.S.S.R.	5.47	1.29	6.40	1.22
<b>TOTAL</b>	<b>8.44</b>	<b>4.30</b>	<b>10.85</b>	<b>7.57</b>

(b) Indian rupees received by the Government of U.S.A. may be used by that Government for any expenditures or payments by the U.S.A. in India. Such currency may also be used in other areas or converted into other currencies as may be mutually agreed upon. The U.S.A. has agreed to take into account the economic position of India in any contemplated use of the rupees received by the United States on these accounts. Rupees received on account of repayment of principal and payment of interest charges in respect of loans from the former Development Loan Fund of U.S.A., shall, however, not be utilized for export of goods from India, unless agreed to in advance by the Government of India.

Rupees accruing to the Government of U.S.S.R. are utilized for financing exports from India on the terms and conditions of the Soviet—Indian Trade Agreement in force from time to time.

### Study in Production and Management of H.S.L.

1349. Shri Daji: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether the Hindustan Steel Ltd., contracted with a private firm for making studies in production and management in Hindustan Steel Ltd. and/or Steel Plants;



(b) what are the terms of reference; and

(c) what fees were contracted for?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 28].

#### Roads in Border Areas

**1350. Shri Hem Raj:** Will the Minister of Defence be pleased to state:

(a) whether Government propose to connect the Border line from Shipki La Pass in Himachal with Kaurik in Spiti with Ladakh in Kashmir;

(b) if so, what will be its probable cost; and

(c) whether the construction of roads in these border areas or the construction of Aerial Ropeways will be more durable and profitable?

**The Minister of Defence (Shri Krishna Menon):** (a) to (c). No such plans have been formulated or sanctioned by the Board.

#### Scholarships for Higher Studies in Hindi

**1351. Shri P. Venkatasubbaiah:** Will the Minister of Education be pleased to state:

(a) whether Government propose to award scholarships to students from non-Hindi speaking areas for higher studies in Hindi in 1962-63;

(b) whether these scholarships will be distributed State-wise among the non-Hindi speaking States; and

(c) if so, the basis for such distribution?

**The Minister of Education (Dr. K. L. Shrimali):** (a) Yes, Sir. An announcement has already been made in the newspapers calling for applications by 1st September, 1962.

(b) These scholarships are distributed State-wise.

(c) Population basis.

#### "Smuggling"

**1352. Shri D. C. Sharma:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that large scale smuggling is going on between Punjab and West Pakistan through the common border and large quantities of gold and luxury articles like watches etc. are being smuggled into India from Pakistan; and

(b) if so, the steps Government have taken in the matter?

**The Minister of Finance (Shri Morarji Desai):** (a) The Government of India have no reason to believe that large scale smuggling is going on between Punjab and West Pakistan through the common border in recent years.

(b) Does not arise.

#### Cost of Living Index in Delhi

**1353. Shri D. C. Sharma:** Will the Minister of Finance be pleased to state:

(a) whether the cost of living index in Delhi is rising;

(b) if so, nature of the rise during 1958-59, 1959-60, 1960-61 and 1961-62; and

(c) the main reasons for this rising cost of living index?

**The Minister of Finance (Shri Morarji Desai):** (a) The Working Class Consumer Price Index for Delhi which had reached 130 (1949=100) in July 1961 came down to 127 by October 1961 and in subsequent months it was between 129 and 130 until April 1962. It declined once again to 127 in May 1962. The provisional figure for June 1962 is 130. It will be seen that in the last few

months there is no steady upward trend.

(b) The above-mentioned Index averaged 117 in 1958-59, 119 in 1959-60, 121 in 1960-61 and 128 in 1961-62.

(c) The rise in the Consumer Price Index for Delhi in 1958-59 was mainly due to the rise in prices of food articles; in the subsequent two years prices of food articles declined, but the index went up with the increase in prices of fuel and lighting, clothing and miscellaneous items. In 1961-62 also the main factor behind the rise in consumer price index (which occurred during the first half of the year) was increase in prices of articles other than food, although prices of food articles also went up.

#### Primary Education in India

**1354. Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) whether the Study Group on the administration of primary education in India has made any progress in its work;

(b) if so, whether a report has been submitted; and

(c) the important features thereof.

**The Minister of Education (Dr. K. L. Shrimali):** (a) The material required by the Study Group has since been received and is being tabulated.

(b) and (c). The report is expected to be ready by November 1962.

#### Central Loans to States

**1355. Dr. L. M. Singhvi:** Will the Minister of Finance be pleased to state:

(a) the total quantum of Central loans to different States outstanding as of date;

(b) the total interest falling due in the financial year 1962-63; and

(c) how it is proposed to effect and accelerate recoveries?

**The Minister of Finance (Shri Morarji Desai):** (a) The accounts for the year 1961-62 have not yet been finally closed. A statement showing the amount of loans outstanding against the different State Governments as on 31st March, 1961 is laid on the Table of the House.

(In crores of Rs.)

Andhra Pradesh	151
Assam	44
Bihar	153
Gujarat	24
J & K	45
Kerala	47
Madhya Pradesh	113
Madras	105
Maharashtra	205
Mysore	69
Orissa	139
Punjab	253
Rajasthan	109
Uttar Pradesh	211
West Bengal	242
<b>TOTAL</b>	<b>1910</b>

(b) Rs. 80 crores approximately as per Budget Estimates 1962-63.

(c) State Governments are required to repay the Central Loans in accordance with the terms and conditions attached to the loans. The repayments are watched by the Accounts Officers who are also expected to bring defaults, if any, to the notice of Government for remedial action.

#### Old Manuscripts

**1356. Shri Raghunath Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether 15 old and important manuscripts are being published; and

(b) if so, the names of manuscripts and details of scheme?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) Yes, Sir.

(b) (A) *Names of the Manuscripts*

1. Nirukta Vartika (Sanskrit).
2. Nyaya Kandali with an unknown Commentary (Sanskrit).
3. Bhupalavallabha (Sanskrit).
4. Nyayakalpalatika by Anandapurna (Sanskrit).
5. Kasyapasamhita (Sanskrit).
6. Asayurveda (Sanskrit).
7. Jambavati Parinayam (Sanskrit).
8. Tuptika Vyakhya Vartika (Sanskrit).
9. Mimamsa Kutualavrtti by Vasudeva Dikshita (Sanskrit).
10. Jaiminiyasutravrtti Bhavatrata (Sanskrit).
11. Viswakarma Silpam and Viswakarmayam (Sanskrit).
12. Vrdhagarga Samhita (Sanskrit).
13. Mana Manohar (Sanskrit).
14. Tajul Maathir (Persian).
15. Jawami-ul-Hikayat (Persian).

(B) *Details of the scheme*

On the advice of the Indology Committee, the Ministry of Scientific Research and Cultural Affairs have decided to publish critical editions of 15 rare manuscripts of National importance, and the work has been entrusted to reputed scholars.

**Japanese Archæologists**

1357. **Shri Raghunath Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state whether a team of Japanese Archæologists has visited Neolithic sites of Burzahuma near Srinagar in Kashmir valley?

The Deputy Minister in the Ministry of Scientific Research and Cultural Affairs (Dr. M. M. Das): One Japanese Archæologist visited Burzahom on the 5th July, 1962.

**Kerala University**

1358. **Shri P. K. Deo:** Will the Minister of Education be pleased to state:

(a) whether the Kerala University received any grant from U.S. Government;

(b) if so, how much; and

(c) how it is going to be utilised?

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

(b) Rs. 25,000.

(c) The grant is for purchasing teaching material and other equipment needed for starting two Diploma Courses (Diploma in English and Diploma in Teaching of English) for a Programme for improving the standard of English teaching at the C.M.S College, Kottayam.

**Mazagaon Docks**

1359. **Shri D. C. Sharma:** Will the Minister of Defence be pleased to state:

(a) whether the team of experts which visited U.K. recently to examine the facilities available in that country in the docks and to make them available in the Mazagaon Docks in Bombay have submitted a report to Government;

(b) if so, whether the report has been considered; and

(c) the steps taken in this direction?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) and (c). This report is under consideration.

**Manufacture of Watches**

1360. { Dr. L. M. Singhvi:  
Shri Yashpal Singh:

Will the Minister of Steel and Heavy Industries be pleased to refer to the

reply given to Starred Question No. 299 on the 1st May, 1962 and state:

(a) the total number of watches manufactured/assembled in the Public Sector so far;

(b) the average cost and the amount of foreign exchange involved per piece;

(c) the machinery for their sales and figures of sales;

(d) the number of watches exported and amount of foreign exchange earned; and

(e) anticipated date of starting completely indigenous manufacture?

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

(a) Upto 4th August 1962, the Hindustan Machine Tools Ltd., have assembled 18,482 watches.

(b) The assembly of watches from imported components is being carried out by the Hindustan Machine Tools Ltd., primarily to train technicians and the cost involved is treated as the cost of training. A regular costing system would be introduced after the commencement of manufacture and the average cost of watches could be determined only thereafter. The amount of foreign exchange expenditure per piece is as follows:

'Citizen' (Gents)	Rs. 20.00
'Janata' (Gents)	Rs. 18.14
'Sujata' (Ladies)	Rs. 18.18

(c) The watches are at present sold in the offices of the Hindustan Machine Tools Ltd., located in Delhi, Bombay, Madras, Bangalore and Chandigarh. Upto 4th August 1962, 16,673 watches had been sold.

(d) Nil.

(e) According to the terms of the collaboration agreement, the Citizen Watch Co., Tokyo, would impart technical know-how to the Hindustan Machine Tools Ltd., to enable them to attain a level of indigenous content

equal to 84 per cent. It is expected that the Hindustan Machine Tools Ltd., would be able to achieve this by 1966.

#### High Altitude Sickness among Defence Forces in Ladakh

**1361. Dr. L. M. Singhvi:** Will the Minister of Defence be pleased to state:

(a) how many serious cases of high altitude sickness been reported among the defence forces in the Ladakh area;

(b) how many of these have been fatal; and

(c) what steps have been taken to acclimatise the defence personnel with a view to minimise the incidence?

**The Minister of Defence (Shri Krishna Menon):** (a) to (c). 99 such cases occurred among Defence Forces in the Ladakh area during the period 1960 to 31st July 1962. Fourteen of these cases proved fatal in 1960 and 1961. There have been no fatalities in 1962. Special arrangements exist to acclimatise Defence personnel to minimise the incidence of high altitude sickness.

#### I.A.F. Plane Crash

**1362. { Shri Raghunath Singh:  
Shri P. C. Borooah:**

Will the Minister of Defence be pleased to state:

(a) whether an Indian Air Force plane crashed on 24th July, 1962 at Kudiani village 30 miles from Balasore; and

(b) if so, the cause of accidents?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes, Sir. The accident occurred approximately 2 miles East of Kamtipuda (West Bengal).

(b) The cause of the accident is being investigated by a Court of Inquiry which has been appointed.

### Cement Production

1363. **Shri Mohammad Tahir:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the total quantity of cement produced in India;

(b) the quantity required for consumption; and

(c) whether cement is imported from other countries?

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

(a) The total quantity of cement produced in India during 1961-62 is 8.8 million tonnes.

(b) The quantity of cement required for consumption during 1962 is estimated to be about 10 million tonnes.

(c) Import of cement involving foreign exchange is not allowed. A quantity of 49,990 tonnes was recently allowed to be imported on an *ad hoc* basis from two cement factories belonging to Indian companies in West Pakistan, the cost of the import being adjustable against the remittable profits of the companies.

### New Year's Day

1364. **Shri C. K. Bhattacharya:** Will the Minister of Home Affairs be pleased to state:

(a) why 1st January of English Calendar has been adopted and published as the New Year's Day in the Government of India Calendar for 1962-63.

(b) whether Government have accepted it as the New Year's Day for India;

(c) how long the observance will continue;

(d) whether Government are contemplating to stop the observance with immediate effect; and

(e) whether the practice of observing 1st Chaitra of the National Calendar as the New Year's Day by

declaring a holiday is contemplated to be introduced in replacement of the observance of 1st January of the English Calendar?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). No particular day as such has been prescribed as the official New Year's Day by the Government of India. January 1, has been shown as New Year's Day in the calendar as it is so in the Gregorian calendar, which is still being used for all official purposes.

(c) to (e). Do not arise.

### Yoga

1365. **Shri Hem Raj:** Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 555 on the 9th May, 1962 and state:

(a) whether the report of the Committee of medical experts set up by Government to evaluate the therapeutic value of Yoga exercises has been published;

(b) if so, what action Government propose to take for encouragement of such exercises for preventing diseases; and

(c) which of the centres recommended by the committee have been selected by Government for help?

**The Minister of Education (Dr. K. L. Shrimali):** (a) The report is still under print.

(b) and (c). The report of the Committee of medical experts is under examination.

### Legislation on Statistics of Births and Deaths

1366. **Shri Hem Raj:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to bring a Central Legislation on the statistics of births and deaths in the country;

(b) if so, when; and

(c) whether the States have been consulted on the subject and what are their views?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) to (c). The views of the State Governments have been invited in the matter. Replies from some of the State Governments are still awaited.

#### Foreigners

**1367. Shri Raghunath Singh:** Will the Minister of Home Affairs be pleased to state how many foreigners excluding Chinese have been told to leave India during the last three months?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** The information is being collected and will be laid on the Table of the House in due course.

#### Youth Delegations to Europe

**1368. Shri Morarka:** Will the Minister of Education be pleased to state:

(a) whether a youth delegation sponsored by the Bharat Sevak Samaj is touring Europe on a goodwill mission under the leadership of Shri T. Ramachandra; and

(b) whether any age limit was imposed at the time of selection of delegates for the above goodwill mission?

**The Minister of Education (Dr. K. L. Shrimali):** (a) a batch of 10 camp volunteers sponsored by the Indian Organising Committee for Training Projects in Work Camp Methods and Techniques in South-East Asia, under the leadership of Shri T. Ramachandra, Joint Secretary of the Committee, is visiting European countries to study work camps and youth programmes.

(b) No, Sir.

#### Oil in Assam

**1369. Shri Hem Barua:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that he made a statement on 25th July, 1962 to the effect that the Oil and Natural Gas Commission was preparing a comprehensive statement on royalty and other issues connected with the difficulties experienced and obstructions placed in the Commission's efforts to find oil in Assam;

(b) if so, a brief outline of these 'difficulties' and 'obstructions' and the extent to which work in the matter of oil exploration has suffered in the State; and

(c) what positive steps are taken to expedite programmes of work?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) to (c). There has been some delay in the exploration programme of the Oil and Natural Gas Commission in Assam on account of delay in grant of Petroleum Exploration Licences in Lakwa and Teok-Jorhat areas and land acquisition proceedings in Assam for land required by the Commission. These matters were brought to the notice of the State Government. They agreed to look into the matters and see that everything was settled satisfactorily so that exploration might proceed smoothly and expeditiously. The required licences are now being issued by Assam Government.

#### Research in Plywood

**1370. { Shri A. K. Gopalan:  
Shri Imbichibava:**

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that a laboratory for research in plywood manufacturing process and allied subjects is being set up in Bangalore; and

(b) if so, the details thereof?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) Yes, Sir.

(b) This is a cooperative Research Association formed by the plywood manufacturers. The Council of Scientific and Industrial Research will assist the Association with grants-in-aid and technical advice. A laboratory will be established in Bangalore and a field station at Calcutta.

#### **Bokaro Steel Plant**

**1371. Shri Mohammad Elias:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the site selected for Bokaro Steel Plant has got adequate water supply;

(b) if not, the reasons why this site was selected:

(c) the details of other sites which were considered for establishment of Bokaro Steel Plant; and

(d) the particular reasons and conditions for selecting the present site for this Plant?

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

(b) Does not arise.

(c) and (d). Five possible sites for location of the third steel plant were considered in 1955—two at Bokaro, two at Sindri and one at Durgapur. The site at Bokaro was considered a very good site but it could not be selected for the location of the third steel plant because communications to the site were still to be developed. Durgapur was selected as a site for location of the third plant and it was decided to open up communications to the Bokaro site for the fourth steel plant. This has since been done and Bokaro is accordingly being developed for the establishment of the fourth steel plant.

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#### **Gauhati University**

**1372. Shri Hem Barua:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the State Government of Assam has forwarded the report of the Pavate Commission appointed to conduct an enquiry into the affairs of the Gauhati University to the Central Ministry of Education for expert opinion; and

(b) if so, the findings of the Union Government as also the advice, if any, tendered?

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

(b) The matter is under consideration.

#### **Smuggling of Paintings**

**1373. Dr. L. M. Singhvi:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government are aware that there is a large scale unlicensed export and smuggling of paintings and other objects of art from India to foreign countries;

(b) if so, what specific measures are being taken to check this; and

(c) the measures taken to ascertain the extent of such illegal export?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) only paintings and other objects of art which are over one hundred years old require a licence for export under the Antiquities (Export Control) Act, 1947. No case of unlicensed export of such objects has come to the notice of this Ministry in the recent past.

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

**Descendants of Nawab Wajid Ali Shah  
of Oudh**

1374. { Dr. L. M. Singhvi:  
Shri Raghunath Singh:

Will the Minister of Home Affairs be pleased to state:

(a) whether the descendants of Nawab Wajid Ali Shah of Oudh approached Government lately; and

(b) if so, with what purpose and to what effect?

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

(b) They have applied for enhancement of their political pensions and grant of educational allowances to their children. The matter is under consideration.

**Iron Ore Deposits in Mohindergarh  
District**

1375. **Shri A. N. Vidyalkar:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government have explored the possibilities of exploiting the deposits of the iron ore in the Mohindergarh District in Punjab;

(b) approximate tonnage and capacity of these iron ore mines;

(c) what practical steps have been or are proposed to be taken to exploit fully these deposits; and

(d) whether Government propose to open the mines through a public undertaking or propose to auction the same?

**The Deputy Minister in the Ministry of Mines and Fuel (Shri R. M. Hajarnavis):** (a) The iron ore deposits in Mohindergarh District are being already worked by private parties; though the State Government had granted three mining leases, only one mine is at present worked as the iron ore from the other two mines

was not of the specifications laid down by the State Trading Corporation because of its high phosphorous content.

(b) The reserves of the iron ore deposits in Mohindergarh District are estimated at over 2 million tons, but no detailed prospecting has been done. The iron ore production in the area during the years 1958, 1959, 1960 and 1961 was 16,903 tonnes, 20,367 tonnes, 12,259 tones and 12,192 tonnes (provisional) respectively.

(c) The Government of Punjab had sent about 1000 tons of ores from this area for the purpose of smelting trials in the Low-shaft Furnace Pilot Plant of the National Metallurgical Laboratory Jamshedpur. These trials are stated to have given favourable results. The State Government are now considering to set up a small pig iron plant in the vicinity of Mohindergarh district based on these deposits. An application from a private party for the grant of a licence in the area for the manufacture of pig iron and blast furnace slag for a capacity of 108,000 tons per annum has also been received by the Central Government. The application is under consideration.

(d) The iron ore mines in the area are being worked by private parties. The mining leases are granted in accordance with the provisions of the Mineral Concession Rules, 1960 and not by auction.

**Campus Work Scheme**

1376. **Shri Heda:** Will the Minister of Education be pleased to state:

(a) what is the campus work scheme;

(b) what grants are given under it and to which institutions; and

(c) at what stage are these projects?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). The object of the scheme is to instil among students right attitude towards manual labour and at the same time help High Schools, Higher Secondary



Schools, Colleges and Universities of at least three years' standing, possessing their own buildings and land to acquire much-needed recreational amenities through shramdan by students. The Central Government's grant does not exceed 75 per cent of the actual expenditure subject to the ceilings mentioned below and subject to the institution contributing at least 25 per cent as its share of the actual expenditure on the project:

Project	Ceiling prescribed
	Rs.
(a) Recreation Hall-cum-auditorium	35,000
(b) Swimming Pool (25 metres)	30,000
(c) Gymnasium	25,000
(d) Small Stadium for spectators round the sports Arena	25,000
(e) Open-air theatre	15,000
(f) Pavilion	10,000
(g) 400 meters Oval Cinder Track for track events	10,000

(c) Out of 750 projects approved since the inception of the scheme in 1953-54, 370 projects have been completed so far and the remaining 380 projects are still under construction.

#### Dacoities/Robberies

1377. { Shri P. C. Borooah:  
Shri Bagri:

Will the Minister of Home Affairs be pleased to state:

(a) the number of dacoities/robberies, murders and suicide cases in each Union Territory during the last three months separately and how these figures compare with the figures pertaining to the preceding three quarters;

(b) the number of lives involved therein; and

(c) the number of accused convicted and acquitted?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). Information is being collected and will be laid on the Table of the House in due course.

अनुसूचित जातियों और आदिम जातियों के विद्यार्थियों को छात्रवृत्तियां

१३७८. श्री उटिया : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) आदिम जाति एवं अनुसूचित जातियों के छात्रों को दी जाने वाली छात्रवृत्ति शैक्षणिक सत्र के अन्त में ही मिल पाती है; और

(ख) यदि हां, तो अनुसूचित जातियों और अनुसूचित जातियों के छात्रों को अन्तरिम धनराशि दिलाने में क्या कठिनाई है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) जी, नहीं ।

(ख) प्रश्न नहीं उठता ।

फिर भी, राज्य सरकारों से कहा जा चुका है कि यदि अग्रिम छात्रवृत्ति देनी की पद्धति उन के यहां लागू न हो, तो शैक्षणिक सत्र के प्रथम चार महीनों के लिये पात्र छात्रों को ये अग्रिम छात्रवृत्तियां प्रदान की जायें ।

शक्तिमान और निशान मोटर गाड़ियां

१३७९. श्री उटिया : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) प्रतिरक्षा विभाग द्वारा निर्मित शक्तिमान एवं निशान मोटर यान का उत्पादन १९६०-६१ एवं, १५ जुलाई, १९६२ तक कितना रहा है; और

(ख) उक्त यानों को सार्वजनिक प्रयोग में उपलब्ध कराने में क्या अड़चनें हैं ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) :

(क) आर्डिनेन्स फैक्टरी में १९६०-१९६१ तथा १९६२ के अन्तर्गत जितनी "शक्तिमान" तथा "निशान" गाड़ियां बनाई गईं उन की संख्या इस प्रकार है :—

गाड़ी की किस्म	वर्ष		
	१९६०	१९६१	१९६२ (जुलाई तक)
शक्तिमान (३-टन)	८५८	१२४६	३६४
निशान (१-टन-ट्रक)	८१	७१९	३९२
निशान पेट्रोल ५-हंडरबेट)			१९७

आर्डिनेन्स फैक्टरियों में निशान पेट्रोल का निर्माण केवल जून १९६२ से आरम्भ हुआ है। और ऊपर दी हुई संख्याओं के अतिरिक्त १४०० निशान गाड़ियां वार्डर रोड के डाइरेक्टर जनरल को सप्लाय की गई हैं। इस समय ३-टन वाली गाड़ियों की उत्पादन क्षमता १५०० गाड़ियां प्रति वर्ष हैं। और १ टन वाली गाड़ियों की उत्पादन-क्षमता १०००। सन् १९६२ के अन्तर्गत ऊपर दी गई हुई संख्याओं तक पहुंचने की आशा है : सेना तथा सिविल उपयोग के लिये उन की कार्य-क्षमता और भी बढ़ सकती है।

(ख) इस समय आर्डिनेन्स फैक्टरियों की उत्पादन-क्षमता सशस्त्र सेनाओं की इन गाड़ियों की आवश्यकतापूर्ति के लिये काफी है और उस समय भी ऐसा ही था जब कि इन गाड़ियों का उत्पादन आरम्भ हुआ था। आर्डिनेन्स फैक्टरियों की उत्पादन-क्षमता बढ़ा कर ४००० शक्तिमान ट्रक (सिविल काम वाले) प्रति वर्ष निर्माण करने की योजना पर सरकार सक्रिय रूप से विचार कर रही है।

### Alloy Steel Project

1380. **Shri Mohammad Elias:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) what is the estimated capital cost of the Alloy Steel Project and its production capacity;

(b) when the project was taken up for execution and what is the present position of the same; and

(c) when production, as per the present programme, is expected to commence?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) According to the Project Report, the total cost of the Alloy Steel Project is estimated at about Rs. 500 million. The Plant is estimated to produce 80,000 metric tonnes of ignots per year or about 48,000 metric tonnes of finished products.

(b) In February 1961 the Project Report was accepted by Government in principle. Production and Know-how Advisers have been appointed by Hindustan Steel. Tenders for supply of plant and equipment have been invited and the last date of receipt of tenders is 16th October, 1962. In the meantime, preliminary work connected with site levelling, construction of perimeter wall, shop offices and temporary site offices has been taken up.

(c) The production is expected to start in 1965-66.

### Demands of L.I.C. Employees

1381. **Shri Umanath:** Will the Minister of Finance be pleased to state:

(a) whether the talks between the Life Insurance Corporation and its employees over the wage and other demands of the employees have concluded;

(b) if so, the result thereof; and

(c) what steps Government propose to take to conclude the same amicably?

**The Minister of Finance (Shri Morarji Desai):** (a) and (b). The talks between the management of the Life Insurance Corporation of India and the representatives of the All India Life Insurance Employees' Association and the All India Insurance Employees' Association which started on the 12th April, 1962 concluded on the 24th July, 1962 without any agreement.

(c) Government do not propose to intervene at this stage.

#### Printing of "China Today"

**1382. Shri P. C. Borooah:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that printing of the Chinese Embassy monthly journal "China Today", has recently been discontinued; and

(b) if so, in what circumstances?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) No. The last issue of this weekly dated the 10th August, 1962 was printed at the Roxy Printing Press, Connaught Place, New Delhi.

(b) Does not arise.

#### Steel for Small Scale Industries

**1383.** { Shri U. M. Trivedi:  
          { Shri Bade:  
          { Shri Kachhavaiya:

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

(a) how much indigenous quota of steel (category-wise) has been allotted for Small Scale Industries and Steel Processing Industries during 1960-61 and 1961-62 to various States;

(b) what is the actual supply of the steel material against the quota allotted for the above two years;

(c) whether it is a fact that not even 10 per cent of the material has

so far been actually delivered to the Small Scale Industries against the quotas allotted to them;

(d) if so, what steps Government propose to take to improve the supply position; and

(e) in view of the growing importance of Small Scale Industries whether Government will arrange to give 'top priority' to the supply of of steel raw material to these Small Scale Industries and Steel Processing Industries quotas?

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

(a) to (c). Steel for Small Scale industries has to come either from the Small Scale Industries quota operated by the Development Commissioner, Small Scale Industries (Ministry of Commerce and Industry) or out of the States' 'pooled' quota, which includes steel for steel processing industries looked after by the State Government. In both these cases a bulk quota is given to the authorities concerned. The Development Commissioner, Small Scale Industries distributes the quota to all the States keeping in view the demand.

In the first half year 1960-61 (according to financial year), allocations were limited to plates, sheets and wire. In the second half year 1960-61, plates were also treated as 'relaxed' category and allocations were made only for black plain sheets (thinner than 14 gauge), galvanised plain/corrugated sheets and wire. Indents for relaxed categories are accepted direct from consumers and stockists and are generally planned in full.

Bulk of the orders of the small scale industries are booked with the stockists and statistical information is not available about supplies made to small scale industries quota-holders through Stockists. Similarly, category-wise allotment and despatch figures for small scale industries in

the country are also not available. It is clear, therefore, that a comparison of the allotments made by the Iron and Steel Controller with despatches of steel to various States against State Steel Processing Industries quota and Small Scale Industries quota from the main producers for which alone figures are available, will present an incomplete and misleading picture, since despatches from Stockists for which figures are not available will be excluded. It is, therefore, regretted that the figures asked for cannot be given.

(d) and (e). It is not possible to accord 'top priority' to the entire demand of the Small Scale Industries. However, the following steps have been taken to improve supply position:—

- (i) A quantity equal to 1/3 of the allotment under the Small Scale Industries quota in each half-year is planned and despatched on 'First Priority' basis and the rest are planned on 'Second Priority' basis;
- (ii) To supplement indigenous supply, import of 48,000 tons of steel was arranged through the State Trading Corporation. A further import of 10,000 tons of sheets and 5,000 tons of wire rods is being arranged through the State Trading Corporation for distribution to small scale industrial units exclusively;
- (iii) Separate foreign exchange is allotted every half-year, according to availability, for issue of import licences to small scale units for steel items; and
- (iv) Efforts are also made to release steel from barter and commercial imports to small scale industries against Essentiality Certificate to the extent import licences could not be issued on account of shortage of foreign exchange.

#### Coal for Lime Industry in Madhya Pradesh

{ Shri U. M. Trivedi:  
1384. { Shri Bade:  
      { Shri Kachhavaia:

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

(a) whether it is a fact that the Lime Industry in Madhya Pradesh is facing crisis owing to shortage of coal;

(b) if so, whether there is any move to rush coal supplies to this area;

(c) whether it is a fact that the Lime Industry in Madhya Pradesh was so far getting most of its supplies from the Umari Colliery, which has now closed down for about 3 months; and

(d) whether it is a fact that the Government of India are not permitting the Lime Industry in Madhya Pradesh to draw its coal supplies from other coal fields—thus leading to forced closure of a number of kilns resulting in large unemployment?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) and (b). Reports regarding shortage of coal for the Lime Industry in Madhya Pradesh were received during July, 1962. Special and preferential allotments were arranged to meet the shortage in deserving cases.

(c) Yes.

(d) No. The Lime Industry in M.P. are allowed to draw their coal requirements from other collieries in Madhya Pradesh and some quantities from West Bengal/Bihar fields.

#### Stainless Steel Quota to States

{ Shri U. M. Trivedi:  
1386. { Shri Bade:  
      { Shri Kachhavaia:

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

(a) how much stainless steel quota for utensil manufacture has been

allotted to each State during 1960-61 and 1961-62;

(b) what is the principle followed in making the allotment to the various States; and

(c) whether any preference is given to backward States to enable them to bring about faster development in such regions?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) A Statement is laid on the Table of the House. [See Appendix II, annexure No. 27].

(b) Allotments have been made on the basis of the sponsored indents received and the actual quantity available for allocation to various States on *pro rata* basis.

(c) No, Sir, but this aspect will be kept in view in future, subject to availability.

#### राजस्थान में लघु सिंचाई योजनाएँ

१३८७. श्री राम सेवक यादव : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) तीसरी पंचवर्षीय योजना के अन्तर्गत राजस्थान में आदिवासियों के लिये लघु सिंचाई योजना हेतु कितनी धनराशि दी गई है ;

(ख) यह धनराशि कितने वर्षों में खर्च की जायेगी ; और

(ग) योजना के प्रथम वर्ष में कितनी धनराशि खर्च होने को थी और कितनी वस्तुतः खर्च हुई ?

गृह-कार्य मंत्रालय में उप मंत्री (श्रीमती चन्द्रशेखर : ) (क) ५१.०० लाख रुपये ।

(ख) ५ वर्ष में ।

(ग) राज्य सरकार का विचार, १९६२-६२ के दौरान १३.४३ लाख रुपये खर्च करने का था; और ३० सितम्बर १९६१

तक इस में से ७.४२ लाख रुपये खर्च किये जा चुके थे । पूरे वर्ष के खर्च के बारे में राज्य सरकार को रिपोर्ट अभी आनी है ।

#### साक्षर सेना तैयार करने की प्रस्थापना

१३८८. श्री राम सेवक यादव : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि समस्त देश को पांच वर्ष में ही साक्षर बनाने के लिये शिक्षा मंत्रालय साक्षर सेना निर्माण पर विचार कर रहा है; और

(ख) यदि हां, तो उस की रूप रेखा क्या है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली):

(क) जी, नहीं ।

(ख) प्रश्न नहीं उठता ।

#### Primary Education in Delhi

1389. **Shrimati Ramdulari Sinha:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that similar facilities as are provided for primary education in the Union Territory of Delhi are not available in other Union Territories;

(b) if so, what is the difference; and

(c) what steps are being proposed to bring all Union Territories on par with Delhi in the matter of primary education?

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

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

#### Employees of Fertilizer Factory, Naya Nangal

1390. **Shri Daljit Singh:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the recommendations of the Pay Commission are not being applied to the

employees of the Fertilizer Factory, Naya Nangal; and

(b) if so, the reasons thereof?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) and (b). As explained in the statement made by the Finance Minister in the Lok Sabha on the 15th February, 1960, (extract laid on the Table of the House. [See Appendix II, annexure No. 28]. the recommendations of the Pay Commission are not automatically applicable to the employees of public sector undertakings. The request of the Nangal Fertilizers Workers Union for revision of pay in the light of the recommendations of the Pay Commission was independently examined by the Board of Directors of the Fertilizer Corporation. The Board decided that the matter be postponed till the Corporation's financial position improves.

#### **Entertainment for Indian Troops Abroad**

**1391. Shri Surendra Pal Singh:** Will the Minister of Defence be pleased to state:

(a) what are the countries where our armed forces personnel are serving in fulfilment of our international obligations; and

(b) whether there is any arrangement for providing Indian music and Indian films for their entertainment?

**The Minister in the Ministry of Defence (Shri K. Raghuramaiah):** (a) Indo-China, Gaza and Congo.

(b) Yes, Sir. The amenities are generally provided by the United Nations to our troops serving in Gaza and the Congo and by the International Commission for Supervision and Control to those serving in Indo-China. Special arrangements have been made for screening Indian films for the benefit of our troops serving in these countries. At the time of turn-over, the relieving contingent generally equips itself with amenity

stores including records of Indian music. For the benefit of our troops serving in the Congo, the All India Radio broadcast a special programme once a week which includes items of Indian music.

#### **Reservation in Professional Colleges**

**1392. Dr. P. Srinivasan:** Will the Minister of Education be pleased to state:

(a) whether there are any reservations for backward classes candidates in professional colleges; and

(b) if so, the percentage thereof.

**The Minister of Education (Dr. K. L. Shrimall):** (a) and (b). Information is being collected and will be laid on the Table of the House in due course.

#### **Quarters for Dumdum Estate of Gun Shell Factory, Cossipore**

**1393. Shrimati Renu Chakravarty:** Will the Minister of Defence be pleased to state:

(a) whether it is proposed to build new quarters according to the new specification of the Government of India for those living in the Dumdum Estate of Gun Shell Factory, Cossipore;

(b) whether the one room tenements are housed in war time barracks and have had ventilation and light;

(c) whether latrines are generally common and often built contiguous with living quarters; and

(d) whether representations regarding their hardships have been received from the workers?

**The Minister of State in the Ministry of Defence (Shri K. Raghuramaiah):** (a) Yes, Sir; the proposal is under consideration.

(b) No, Sir; but the tenements were built according to war-time specifications.

(c) This is not correct. More than half the tenements have individual latrines.

(d) There is a general complaint regarding these tenements built to war-time specifications. As these have outlived their useful life, it is proposed not to incur heavy expenditure on them by providing further amenities like individual latrines, but to progressively build new quarters according to the latest design.

#### Coal Deposits in Bijapur (Mysore)

1394. **Shri S. B. Patil:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government are aware that the fossil formation on the stones roundabout Talikot in Bijapur District of Mysore State indicates that the coal deposits can be available roundabout this area;

(b) whether there is possibility of coal deposits and whether Government are intending to carry on an intensive geological survey; and

(c) if so, when the survey will be carried on?

**The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajar-navis):** (a) and (b). No, Sir. The Talikota area was mapped by the Geological Survey of India during 1954-55. The area around Talikota in the Bijapur district consists of limestone and other formations of Bhima age. The other rock formations in this area are granites, gneisses and schists of Archaean age, Deccan traps with inter and infra trappean sediments, laterite and laterite grit and soil.

(c) Does not arise.

#### Military School in Mysore

1395. **Shri S. B. Patil:** Will the Minister of Defence be pleased to state:

(a) whether there is any proposal to start a Military School in Mysore State;

(b) whether it is a fact that the Mysore Government has proposed to open such a school at Bijapur; and

(c) if so, what are the details of the scheme?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes, Sir.

(b) No, Sir. There is no decision in regard to location.

(c) The matter is under discussion with the Mysore Government. The school will be established and will function under the Sainik School Scheme.

#### Minerals in Mysore

1396. **Shri S. B. Patil:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government are aware that large deposits of limestones, iron and manganese ores and asbestos are available in Bijapur District of Mysore State;

(b) if so, the estimated quantities of these minerals; and

(c) whether Government have any scheme of utilising these mineral resources?

**The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajar-navis):** (a) The Government of India are aware of large deposits of limestone and small occurrences of iron ore, manganese ore and asbestos in Bijapur district of Mysore State.

(b) At Talikota, the reserves of limestone were estimated at 300 million tons. Large deposits of limestone also occur at Bagalkot, Gadankeri, Devnal, Kundargi, Shirgupi, Kaladgi, Khajjidoni, Chik and Hire Sillikeri, but their reserves are not estimated. The reserves of iron ore, manganese ore and asbestos have also not been estimated.

(c) The Government of India have no scheme of their own for utilisation of minerals in this area.

**Technical Colleges in Punjab**

**1397. Shri Jagdev Singh Siddhanti:** Will the Minister of Education be pleased to state:

(a) the total number of medical and Technical/Engineering Colleges in Punjab at present;

(b) how many of them are in the Hindi Zone;

(c) how many Libraries in Punjab State are being granted financial and other aid by the Central Government; and

(d) how many of them are in the Hindi Zone?

**The Minister of Education (Dr. K. L. Shrimali):** (a) to (d). The requisite information is being collected and will be laid on the Table of the House when available.

**Gujarat Refinery**

**1398. Shri P. C. Borooah:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that the Soviet Union has offered to help build the Gujarat refinery;

(b) if so, whether the Indian Team which recently visited the U.S.S.R. discussed the possible terms of the offer; and

(c) if so, what broadly are the terms of the proposed collaboration?

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

(b) No team has recently been to the U.S.S.R. The details of the project were settled and agreed to in November, 1961.

(c) (i) The Government of U.S.S.R. has offered a credit of up to Rs. 10 crores for technical assistance and supply of equipment and materials.

(ii) The Government of U.S.S.R. will design the Refinery for processing Ankleshwar and Kalol crudes up

to a capacity of 2 million tons per annum.

(iii) The Government of U.S.S.R. will render technical assistance in the construction and commissioning of the refinery and will also help train Indian technicians.

**Compensatory Allowance for Tripura Employees**

**1399. Shri Biren Dutta:** Will the Minister of Home Affairs be pleased to state:

(a) whether any special compensatory allowance is given to the employees of Tripura Administration;

(b) what categories of employees are the recipients of such special compensatory allowances;

(c) whether the same categories of employees working under Central Government in Tripura are receiving these special compensatory allowances; and

(d) if not, the reasons therefor?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). A special compensatory allowance called "Tripura Special Compensatory Allowance" at a flat rate of Rs. 7.50 P.M. only is granted to all the employees of the Tripura Administration working in the Territory and drawing pay (including Dearness Allowance) not exceeding Rs. 195/- p.m. subject to marginal adjustment upto Rs. 202.50 n.p.

(c) and (d). The pay and allowances of the employees of Tripura Administration are based on the pattern of pay and allowances admissible to the employees, with corresponding responsibilities and duties, under the Government of West Bengal. The Central Government employees are governed by separate sets of rules based on a different pattern.



**Veterinary Dispensaries in Tripura**

1400. **Shri Biren Dutta:** Will the Minister of Home Affairs be pleased to state:

(a) whether officers and staff in veterinary dispensaries of Tripura work on Sundays and holidays;

(b) if so, whether any overtime remuneration is given to them for that work; and

(c) if not, whether such overtime remuneration is proposed to be given in future?

**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.

**Bar Library Building at Agartala**

1402. **Shri Biren Dutta:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Bar Library building at Agartala, Tripura is inadequate to accommodate the pleaders and advocates; and

(b) if so, whether steps would be taken to provide more accommodation for this Bar Library?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). Information is being collected and will be laid on the Table.

**General Provident Fund v/s Life Insurance for Grade IV Employees**

1403. **Shri S. M. Banerjee:** Will the Minister of Finance be pleased to state:

(a) whether Central Secretariat Service Grade IV (Direct Recruits)

Association had represented to the Government for giving an option to low paid employees either to subscribe towards General Provident Fund or to go in for life insurance; and

(b) if so, what are the difficulties in the acceptance of the above demand of the Association?

**The Minister of Finance (Shri Morarji Desai):** (a) Yes. This was one of the demands made by the Association.

(b). A compulsory Provident Fund scheme was introduced recently as a measure of family provision, in pursuance of the Second Pay Commission's recommendation. Government feel that it would not be advisable to make it optional without establishing satisfactory alternative arrangements for family provision. To this end, the question of providing compulsory life insurance for Central Government employees is being examined by a Working Group.

**Pay and Allowances to Certain Army Personnel**

1404. { **Shri Krishnapal Singh:**  
**Shri P. Kunhan:**

Will the Minister of Defence be pleased to state:

(a) what are the existing rates of pay, pensions and allowances of (a) Sepoys (b) N.C.O.'s and (c) J.C.O.'s in different arms of the army;

(b) when were these rates fixed;

(c) whether Government are considering the question of revising these scales in view of rising prices; and

(d) if so, when?

**The Minister of Defence (Shri Krishna Menon):** (a) and (b). Infor-

mation in respect of pay and allowances (admissible in India) and in respect of pensions is given in the Statements laid on the Table of the House [See Appendix II, annexure No. 29]. The orders regarding revision of pay and allowances were issued in September 1960 and had retrospective effect from the 1st July 1959. The orders regarding revision of service pension have been issued on 6th August 1962, and apply to those individuals who have retired or will retire on or after the 1st April, 1961.

(c) and (d). The pay and allowances have been substantially improved as a result of the 1960 revision which took into account the rise in prices; and the rates of pension have just been revised. The question of revision of the rates of dearness allowance is under consideration.

**अनुसूचित जाति तथा अनुसूचित आदिम जाति छात्रों को छात्रवृत्तियाँ**

१४०५. श्री बेरवा : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) पहली, दूसरी और तीसरी योजना में राज्यवार अनुसूचित जातियों के छात्रों की कुल संख्या कितनी रही; और

(ख) कितने छात्रों को छात्रवृत्तियाँ दी जाती हैं जिस में राजस्थान की क्या संख्या है और कितना अर्थात् केन्द्रीय सरकार छात्रवृत्ति के लिये देती है ?

**शिक्षा मंत्री (डा० का० ला० श्रीमाली) :**

(क) सूचना उपलब्ध नहीं है। फिर भी, १३ अगस्त, १९६२ को लोक-सभा में श्री वास्मीकी द्वारा पूछे गये अतारंगित प्रश्न संख्या ६२८ के उत्तर को और व्यापक किया जाता है।

(ख) एक विवरण सभा पटल पर रखा गया है। [देखिये परिशिष्ट २ अनुबन्ध संख्या ३०]

**टेस्ट मैच की टीमों पर खर्च**

१४०६. श्री बेरवा : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) हमारे देश के जो टेस्ट मैच खेलने खिलाड़ी विदेश जाने और विदेश से खेलने के लिये यहाँ आते हैं उनपर सन् १९६१ में कुल कितना खर्च हमारी सरकार द्वारा किया गया ;

(ख) इस में सरकार द्वारा कितना खर्च किया जाता है और खिलाड़ियों द्वारा कितना; और

(ग) सरकार द्वारा खिलाड़ियों को क्या-क्या सुविधा दी जाती है ?

**शिक्षा मंत्री (डा० का० ला० श्रीमाली) :**

(क) टेस्ट मैचों और दूसरी प्रतियोगिताओं (टूर्नामेंटों) के लिये विदेशों में टीमों को भेजने तथा विदेश से टीमों को निमंत्रित करने के लिये खेल संघों / संस्थाओं को कुल ६३,३४६.०० रुपये के अनुदान दिये गये थे।

(ख) सामान्यतया सरकार टीमों के सदस्यों को पर्यटक दर्जे के हवाई भाड़े के दोनों ओर के खर्च के बराबर या वास्तविक घाटे को पूरा करने के लिये जो भी कम हो अनुदान देती है। खिलाड़ियों द्वारा किया गया खर्च ज्ञात नहीं है।

(ग) उपर्युक्त, वित्तीय सहायता के अतिरिक्त, पासपोर्ट वीसा तथा विदेशी विनिमय की उपयुक्त राशि की व्यवस्था जैसी सुविधायें भी दी जाती हैं।

**Social Welfare Centres in Himachal Pradesh**

**1407. Shri Virbhadra Singh:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Social Welfare Centres run by the Social Welfare Board in Himachal Pradesh have been closed down; and

(d) if so, what steps have been taken to provide alternative work to the employees thrown out of employment?

**The Minister of Education (Dr. K. L. Shrimali):** (a) No, Sir; the Centres (of the Original Pattern Projects) have only been handed over to voluntary welfare organisations in accordance with a policy decision applicable to the whole country.

(b) Almost the entire staff has been taken over by the voluntary organisations who have taken over the activities of these Centres.

**Re-finance Corporation**

**1408.** { **Shri A. P. Jain:**  
          { **Shri Dhaon:**

Will the Minister of Finance be pleased to state:

(a) what were the funds placed at the disposal of the Re-finance Corporation out of—

(i) PL-480; and

(ii) any other funds;

(b) what portion of these funds was expected to be utilised so far by way of advancement of loans and how much has been actually advanced;

(c) whether it is a fact that the State Financial Corporation have been

put on the list of institutions to which the Re-finance Corporation will advance funds;

(d) whether it is also a fact that the State Financial Corporations shall in future act as agents of the Industrial Credit and Investment Corporation; and

(e) what are the implications of the new facilities referred to in part (d) above?

**The Minister of Finance (Shri Morarji Desai):** (a) Provisio has been made for the grant of a loan of Rs. 26 crores in Indian rupees to the Refinance Corporation from out of the PL 480 funds. A sum of Rs. 8 crores has already been drawn by the Corporation. As the provision of Rs. 26 crores has not yet been fully utilised, the question of placing any other funds by the Government at the disposal of the Corporation or making any provision therefor does not arise.

(b) The loans sanctioned and disbursed by the Refinance Corporation upto the end of June 1962 amounted to Rs. 20.46 crores and Rs. 10.06 crores respectively.

(c) Yes.

(d) According to the provisions of the State Financial Corporations Act, 1951 as amended recently in 1962, the corporations can be appointed as agents of any notified financial institution. The Industrial Credit and Investment Corporation has been notified as an institution for which the corporations can act as agents.

(e) The amendment referred to under (d) was promoted in order to enable the state financial corporations to act as the agents of other institutions granting loans to the small and medium-sized industrial concerns which are eligible for loans from the corporations themselves.

**Crimes in Delhi**

1409. { **Shri Hari Vishnu Kamath:**  
           **Shri Bishanchander Seth:**

Will the Minister of Home Affairs be pleased to state:

(a) whether thefts, robberies, burglaries, kidnappings, murders and similar crimes relating to person and property are on the increase in Delhi and New Delhi;

(b) the number of offences pertaining to each of the categories (aforementioned) separately, registered, investigated, challaned and convicted from 1st January 1962 upto 15th August, 1962 and during the corresponding period of 1961; and

(c) the measures adopted by Government to arrest the deteriorating situation?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) There has been some increase this year as compared with the corresponding period of last year. A final appreciation can, however, only be made when the figures for the whole year are available.

(b). A Statement is laid on the Table of the House. [See Appendix II, annexure No. 31].

(c) Apart from increased patrolling and vigilance, proposals are under examination to strengthen the police according to the present needs based on population, registered crime etc., and to increase the mobility of the police.

**Bar Councils in Punjab and Delhi**

1410. **Shri Hem Raj:** Will the Minister of Law be pleased to state whether it is a fact that the Bar Councils have not been formed in the Punjab State and Delhi?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Misra):** No Sir. The Bar Council of Punjab and the Bar Council of Delhi were constituted on 17-11-1961 and 1-12-1961 respectively.

**Nickel and Cobalt in H.P.**

1411. { **Shri P. C. Borooah:**  
           **Shri Raghunath Singh:**

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

(a) whether it is a fact that deposits of nickel and cobalt had recently been discovered in Himachal Pradesh; and

(b) if so, whether a systematic survey of the region to assess the potentialities of the seams has been undertaken?

**The Deputy Minister of Mines and Fuel (Shri Hajarnavis):** (a) and (b). No, Sir. However, Nickel and Cobalt mineralization has been reported from Kulu area of Punjab and further investigations in this area are being made.

**Oil Deposits on Alleppey Coast**

1412. **Shri N. R. Laskar:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether the Central Government propose to conduct an expert investigation of the sea-bed on Alleppey coast where deposits of oil are reported to have been found; and

(b) if so, the nature of the investigation and the probable time by which the investigation will be taken up?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) No, Sir. No oil deposits have been detected along the Alleppey coast.

(b). Does not arise.

**House Building Loans to L.I.C.  
Employees at Madras**

**1413. Shri Umanath:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Life Insurance Corporation employees of Madras who have purchased house-sites at Pallavaram represented in person to the Chairman of the Corporation for loan to build houses, to be repaid in equal monthly instalments with interest;

(b) whether the employees offered to take a Term Assurance Policy to the extent of their liability;

(c) whether they also suggested that the Life Insurance Corporation could take over the sites and build houses to give them to the employees on hire purchase basis after completion of the houses;

(d) whether an appeal was sent to the Chairman in January 1962 as well;

(e) whether the Zonal Manager made any recommendations on this;

(f) if so, what were the recommendations; and

(g) what are the reactions and decisions of the Life Insurance Corporation on the various points of representation?

**The Minister of Finance (Shri Morarji Desai):** (a) to (g). The information is being collected and will be laid on the Table of the House when available.

**Oil and Natural Gas at Cambay**

**1414. { Shri Jashvant Mehta:  
Shri D. J. Naik:**

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

(a) what is the total estimated reserve of oil and gas of Cambay Project area;

(b) at what price the natural gas of Cambay Region is to be supplied to Dhuvaran Thermal Station of Gujarat Electricity Board; and

(c) what will be the basis on which price of natural gas found in Gujarat area will be decided?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) According to present indications, the reserves of gas of Cambay field are of the order of 1000 million cubic metres. Oil reserves are, at present, not regarded as commercial.

(b) Exact price has not yet been fixed but it has been agreed that the price will be related to the price to be decided shortly for the residual fuel oil to be supplied to the power House from the Gujarat Refinery eventually.

(c) The basis will have to be decided in each case on the basis of quality of gas etc.

**Pilot Refinery, Cambay**

**1415. Shri Jashvant Mehta:** Will the Minister of Mines and Fuel be pleased to state:

(a) when was the erection of pilot refinery at well site No. 2 in Cambay Project started;

(b) what are the reasons for not commissioning the pilot refinery in spite of such a long period; and

(c) what is the total expenditure incurred on this pilot refinery?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) July, 1960.

(b) The main reason is the non-availability of certain essential equipment. An order for its import has already been placed, but supplies have not been received so far.

(c) About Rs. 1.28 lakhs.

**Russian and Rumanian Technicians at Gujarat Oil Fields**

**1416. Shri Jashvant Mehta:** Will the Minister of Mines and Fuel be pleased to state:

(a) what is the total number of Russian and Rumanian technicians working at oil fields in Gujarat area for Oil and Natural Gas Commission;

(b) what is the split up of these technicians category-wise; and

(c) what is the total expenditure incurred on them annually from the day they have started working?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) to (c). The required information is being collected and will be laid on the Table of the House as soon as it is available.

**Rabindra Bhawan at Agartala**

**1417. Shri Biren Dutta:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether regional Rabindra centenary committee set up in Tripura, have any plan to construct a Rabindra Bhawan at Agartala;

(b) if so, whether the Central Government has approved the plan; and

(c) if so, what steps have been taken to construct the Rabindra Bhawan?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) to (c). The foundation stone of Rabindra Bhawan in Agartala was laid on the 18th April, 1961. As the matter concerns the Tripura Administration, it was not necessary for Government of India to approve the plan.

**Study Leave to Central Government Employees**

**1418. Shri M. L. Dwivedi:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that on the recommendation of the Second Pay Commission Government have decided to grant study leave to Central Government employees liberally and to encourage or advise them in suitable cases to have such leave;

(b) if so, what, are the essential conditions which a Government employee is required to fulfil for grant of study leave abroad;

(c) how much leave salary can be admissible to a Government employee during study leave; and

(d) whether Government employee can send his application for admission directly to a University for a particular course before submitting an application for grant of study leave?

**The Minister of Finance (Shri Morarji Desai):** (a) Yes.

(b) The information is contained in the statement laid on the Table of the House. [See Appendix II, annexure No. 32].

(c) Half the amount of average monthly pay earned during ten months preceding the month in which the leave commences or half the amount of substantive pay, whichever is greater.

(d) Yes.

**Production of Heavy Water**

**1419. { Shri P. C. Borooah:  
Shri Daljit Singh:**

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

(a) whether production of heavy water has started in India with the

commissioning of the heavy water plant at Nangal;

(b) if so, at what cost the plant has been installed; and

(c) how much of heavy water has been produced so far?

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

(a) Yes.

(b) About Rs. 2 crores.

(c) About 123 Kgs up to 16th August, 1962.

**Loan Scholarships for Poor Students**

1420. { **Dr. Mahadeva Prasad:**  
**Shri P. C. Borooh:**

Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government propose to start a loan scholarship scheme for the benefit of poor students; and

(b) if so, the details thereof?

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

(b) The details are being worked out.

**Sainik School for J. & K.**

1421. **Shri Abdul Ghani Goni:** Will the Minister of Defence be pleased to state:

(a) whether there has been a demand of opening a Sainik School in Jammu and Kashmir State;

(b) whether Government are considering the demand; and

(c) if not, the reasons therefor?

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

1550(A1) LSD—6.

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

**Research for Drug Plants in J. & K.**

1422. **Shri Abdul Ghani Goni:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any research has been conducted for drug plants in Jammu and Kashmir State; and

(b) if so, the details thereof?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayan Kabir):** (a) Yes, Sir; by the Regional Research Laboratory, Jammu.

(b) The details are published in the Annual Technical Report of the Council of Scientific and Industrial Research, copies of which are available in the Library of the House.

**Sale Price of Coal of Singareni Collieries**

1423. **Shri P. Kunhan:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether there is a proposal to reduce the sale price of coal raised by the Singareni collieries company; and

(b) if so, from what date it will be enforced?

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

(b) Does not arise.

**Applications to Reserve Bank for Clearance Certificates**

1424. **Shri P. Kunhan:** Will the Minister of Finance be pleased to state:

(a) the number of applications received in July, 1962 by the Reserve

Bank from Indian passengers going abroad asking for clearance certificates;

(b) the number of passengers given clearance certificates;

(c) the number of those whose applications are pending; and

(d) number of those whose 'P' forms have not been approved?

**The Minister of Finance (Shri Morarji Desai):** (a) 3152.

(b) 2113.

(c) 728.

(d) 311.

These figures are based on the information available with the Reserve Bank of India, Central Office, Bombay where the bulk of the work relating to the clearance of passages was then centralized.

#### Cement Factory in Pondicherry

**1425. Shri Umanath:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it was proposed to establish a cement factory in Pondicherry;

(b) if so, whether any licence was given;

(c) what is the capacity of the plant;

(d) when the licence was issued and to whom;

(e) whether the plant has been commissioned;

(f) if not, what is the progress made so far;

(g) what are the reasons for the delay; and

(h) when it is expected to go into production?

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

(a) to (h). In December, 1956, approval was given to Messrs. K. C. P. Ltd., Madras, to establish a cement factory of capacity of 200,000 tons a year at Pondicherry. The scheme did not make much progress and in June, 1961, Messrs. K. C. P. Ltd., intimated that as the Neyveli Lignite Corporation was not in a position to supply lignite coke breeze in the near future, they would not be able to proceed with the scheme and were surrendering the approval letter. The approval letter was accordingly treated as withdrawn and cancelled.

#### **Cement Factory at Pamban, Rameswaram**

**1426.** { Shri Umanath:  
Shri M. K. Kumaran:

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

(a) whether there is any proposal for establishment of a cement factory at Pamban, Rameswaram, Madras State;

(b) whether any party has approached the Government of India for licensing a plant in the above location;

(c) if so, what is the capacity applied for; and

(d) what is the decision of Government thereon?

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

(a) to (d). An application under the Industries (Development and Regulation) Act, 1951 was received from a private party in August, 1961 for grant of licence for setting up a cement factory of capacity of 165,000 tonnes a year near Pamban in Ramana-thapuram District of Madras State. Recently, the party has proposed a change of location of the proposed factory to Rameswaram. The application is still under consideration.



12 hrs.

## RE: POINT OF PRIVILEGE

**Mr. Speaker:** Papers to be laid on the Table.

**Shri P. K. Deo** (Kalahandi): Sir, some time back I gave notice that a breach of privilege of this House had been committed by the wrong statement of the Prime Minister. While replying to the debate...

**Mr. Speaker:** I am sorry he should intervene in this manner, the leader of a very responsible group whom I respect so much. He saw me this morning, and I told him that I had received the notice, and that intimation had been sent to the Prime Minister. Let me receive the reply, and then I will give him an opportunity. Why should he rise in this manner? Why should he be so impatient in this respect? I have already told him that I am proceeding with it. I am just trying to find out the reactions of the Prime Minister. Unless I get that, unless I get the facts, how can I proceed with that motion?

**Shri P. K. Deo:** May I submit most respectfully that I bow to your ruling, but I would like to draw your attention to Page 388 of *May's Parliamentary Practice*.

**Mr. Speaker:** I have studied it three times since he gave this notice to me. He should wait and see. Let that come, he can then quote as many instances from *May's Parliamentary Practice* as he likes.

**Shri P. K. Deo:** There should be a time-limit fixed for the reply.

**Mr. Speaker:** This much latitude he should give me. I will get it done as early as possible.

12.02 hrs.

## PAPERS LAID ON THE TABLE

## ANNUAL REPORT AND ACCOUNTS OF THE SINGARENI COLLIERIES CO., LTD.

**The Minister of Mines and Fuel** (Shri K. D. Malaviya): I beg to lay

on the Table a copy each of the following papers:

- (i) Annual Report of the Singareni Collieries Company Ltd., Hyderabad, for the year 1961 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon, under subsection (1) of section 619A of the Companies Act, 1956.
- (ii) Review by the Government on the working of the above Company. [Placed in Library. See No. LT-344/62.]

## ANNUAL REPORTS OF THE INDIAN INSTITUTE OF SCIENCE AND INDIAN INSTITUTES OF TECHNOLOGY

**The Minister of Scientific Research and Cultural Affairs** (Shri Humayun Kabir): I beg to lay on the Table a copy each of the following Reports:

- (i) Annual Report of the Indian Institute of Science, Bangalore for the year 1960-61. [Placed in Library. See No. LT-345/62.]
- (ii) Annual Report of the Indian Institute of Technology, Kharagpur, for the year 1960-61. [Placed in Library, see No. LT-346/62.]
- (iii) Annual Report of the Indian Institute of Technology, Bombay, for the year 1960-61. [Placed in Library, see No. LT-347/62.]
- (iv) Annual Report of the Indian Institute of Technology, Madras, for the year 1960-61. [Placed in Library, see No. LT-348/62.]
- (v) Annual Report of the Indian Institute of Technology, Kanpur, for the year 1960-61. [Placed in Library, see No. LT-349/62.]

**ALL-INDIA SERVICES (DEATH-CUM-RETIREMENT BENEFITS) AMENDMENT RULES**

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** I beg to lay on the Table a copy of the All-India Services (Death-cum-Retirement Benefits) Amendment Rules, 1962 published in Notification No. G.S.R. 966, dated the 21st July, 1962, under sub-section (2) of section 3 of the All India Services Act, 1951. [Placed in Library, see No. LT-350/62.]

**CENTRAL SALES TAX (REGISTRATION AND TURNOVER) RULES**

**The Deputy Minister of Finance (Shri B. R. Bhagat):** I beg to lay on the Table a copy of Notification No. G.S.R. 1001 dated the 28th July, 1962 making certain further amendment to the Central Sales Tax (Registration and Turnover) Rules, 1957, under sub-section (2) of section 13 of the Central Sales Tax Act, 1956. [Placed in Library, see No. LT-351/62.]

12.03 hrs.

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS**

**SIXTH REPORT**

**Shri Krishnamoorthy Rao (Shimoga):** I beg to present the Report of the Committee on Private Members' Bills and Resolutions.

✓ 12.03½ hrs.

**CONSTITUTION (THIRTEENTH AMENDMENT) BILL\***

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** I beg to move for leave to

introduce a Bill further to amend the Constitution of India.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

**Shri Hari Vishnu Kamath (Hoshangabad):** On a point of order, Sir. I may be permitted to invite your attention to rule 66 of the Rules of Procedure and Conduct of Business, which reads as follows:

"A Bill, which is dependent wholly or partly upon another Bill pending before the House, may be introduced in the House in anticipation of the passing of the Bill on which it is dependent."

Now, if you will be pleased to have a look at the Bill which is sought to be introduced, the Constitution (Thirteenth Amendment) Bill, it is wholly dependent upon the State of Nagaland Bill, but that has not been introduced, and so it is not pending before the House. I have got a copy of the Bill before me, the State of Nagaland Bill. The main clause of that Bill is as follows:

"As from the appointed day, there shall be formed a new State known as the State of Naga land comprising the territories...."

**Mr. Speaker:** I follow. He might proceed.

**Shri Hari Vishnu Kamath:** The Constitution (Thirteenth Amendment) Bill is entirely dependent upon the State of Nagaland Bill which has not been introduced and which is not pending before the House. This Bill cannot therefore be introduced in the House unless the other Bill is introduced.

**Shri S. M. Banerjee (Kanpur):** The number should be changed.

**Shri Hari Vishnu Kamath:** Whatever it is. I am not a stickler for

\*Published in the Gazette of India, Extraordinary Part II, Section 2, dated 21-8-62.

rules. Far from it. I am only sorry for an attitude of mind which is reflected in this indifference and scant regard for the rules which the House has made. I venture to prophesy that if this attitude is not rectified and not corrected, this very attitude will in course of time, in the long run, be detrimental, even fatal, to the healthy growth of parliamentary institutions in our country.

**Mr. Speaker:** I am sorry; probably Shri Kamath had something which happened earlier also in his mind to pass these remarks. There are two things in regard to this Bill. In regard to these two Bills, one is not dependent on the other but each is dependent on the other; both are dependent; there is no Bill here which we can call independent. In this case, there is this difference. Secondly, it can be introduced in the House in anticipation of the passing of the other. Introduction is not barred. When we come to the consideration stage, if there are two Bills and one is dependent on the other, then certainly that objection can be taken. It can be introduced in anticipation of the passing of the Bill on which it is dependent. If both are dependent on each other, and if one has to be introduced, the second one would follow. What should be the procedure for that? If one were dependent on the other, certainly I would first see that the one that is independent must be introduced first and then it would be followed by the second. But in the present case both depend upon each other and therefore there is this distinction.

**Shri Hari Vishnu Kamath:** Sir, on a point of clarification. May I earnestly appeal to you to clarify your ruling which has been given? You say that they depend upon each other, sort of interdependent. If you look at the provisions of the other, the State of Nagaland Bill, that provides for the creation of the State of Nagaland. Unless that State is created, you cannot amend the Constitution. Therefore, I venture to submit that this

Constitution (Amendment) Bill is primarily dependent upon the State of Nagaland Bill and unless that is introduced first and made pending before the House under Rule 66, the other Bill cannot be introduced.

**Mr. Speaker:** Can Nagaland be constituted without amending the Constitution?

**Shri Hari Vishnu Kamath:** It can be constituted . . .

**Mr. Speaker:** I do not agree there; Nagaland cannot be constituted until the Constitution is amended and the Constitution cannot be amended unless we pass the Bill here. Therefore, both are interdependent.

**Shri Hari Vishnu Kamath:** If I remember aright, when the States Reorganisation Bill was before the House, in the First Lok Sabha, the Bill was taken up first and then only the amendment of the Constitution was taken up; that is my impression.

**Mr. Speaker:** There was some difference and I have tried to state it; I am of this view. The question is:

**Shri Hari Vishnu Kamath:** But, Sir, there is another objection. That is under the Constitution, and not under the Rules. Under article 3 of the Constitution, that is, the proviso, it says:

"Provided that no Bill for the purpose shall be introduced in either House of Parliament except on the recommendation of the President..."

That has been given. It reads further:

" . . . and unless, where the proposal contained in the Bill affects the area, boundaries or name of any of the States the Bill has been referred by the President to the Legislature of that State for expressing its views thereon within such period as may be specified in the reference or within such further period as the President may allow and the period so specified or allowed has expired."

[Shri Hari Vishnu Kamath]

May I submit, that at the moment the House is not aware whether this has been done. I may remind the House and you too, that when the States Reorganisation Bill was before the House, before the amending Bill was introduced, I remember that the proceedings of the legislatures of the various States were made available to Members and laid on the Table of the House.

**Mr. Speaker:** Yes. He is right. But the Bill was referred to the Assam Legislature; they have discussed it and the report has been received. It is available at the counter and the hon. Members can get copies of that.

**Shri Hari Vishnu Kamath:** Does it refer to the Nagaland Legislature, the Territorial Council?

**Mr. Speaker:** Yes. The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

**Shri Jawaharlal Nehru:** I introduce the Bill. //

12.10 hrs.

STATE OF NAGALAND BILL\*

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** I beg to move:

"That leave be granted to introduce a Bill to provide for the formation of the State of Nagaland and for matters connected therewith."

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill to provide for the formation of the State of Nagaland and for matters connected therewith."

*The motion was adopted.*

**Shri Jawaharlal Nehru:** I introduce the Bill.

12.10½ hrs.

APPROPRIATION (No. 4) BILL\*

**The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat):** On behalf of Shri Morarji Desai, I beg to move:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1962-63."

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1962-63."

*The motion was adopted.*

**Shri B. R. Bhagat:** I introduce the Bill.

12.11 hrs.

APPROPRIATION (RAILWAYS) No. 4 BILL\*

**The Minister of Railways (Shri Swaran Singh):** I beg to move:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1962-63 for the purposes of Railways."

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service

of the financial year 1962-63 for the purposes of Railways."

*The motion was adopted.*

**Shri Swaran Singh:** I introduce† so the Bill.

12.11½ hrs.

APPROPRIATION (No. 4) BILL

**The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat):** I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1962-62, be taken into consideration."

**Mr. Speaker:** The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1962-63 be taken into consideration."

*The motion was adopted.*

**Mr. Speaker:** The question is:

"That clauses 1 to 3, the Schedule, the Enacting Formula and the Long Title stand part of the Bill."

*The motion was adopted.*

*Clauses 1 to 3, the Schedule, the Enacting Formula and the Long Title were added to the Bill.*

**Shri B. R. Bhagat:** I beg to move:

"That the Bill be passed."

**Mr. Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

12-12½ hrs.

APPROPRIATION (RAILWAYS)  
NO. 4 BILL

**The Minister of Railways (Shri Swaran Singh):** I beg to move:\*

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1962-63 for the purposes of Railways, be taken into consideration."

**Mr. Speaker:** The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1962-63 for the purposes of Railways, be taken into consideration."

*The motion was adopted.*

**श्री बागड़ी (हिसार) :** प्वाइंट ऑफ ऑर्डर । कल मैं ने एक रिजोल्यूशन मूव किया था नकली दवाइयों के बारे में, और उसका एक कायदा है कि जब तक मूवर जवाब न दे उस वक्त तक वह बहस खत्म नहीं होती । मैंने कल जवाब के लिये टाइम मांगा था लेकिन मुझे जवाब देने का वक्त नहीं दिया गया ।

**अध्यक्ष महोदय :** ऑर्डर , ऑर्डर । जो चीज हमारे सामने है उसके साथ इसका सम्बन्ध नहीं है ।

**श्री बागड़ी :** कल जो मैंने रिजोल्यूशन रखा था उसमें कायदे का उल्लंघन हुआ है ।

**अध्यक्ष महोदय :** वह बात आप और किसी वक्त कह सकते थे । अभी जो चीज ली जा रही है पहले उसको तो खत्म होने दीजिये । दरम्यान में इसको कैसे लिया जा सकता है ?

**श्री बागड़ी :** इसके खत्म होने के बाद ?

†Introduced/moved with the recommendation of the President.

\*Moved with the recommendation of the President.

**अध्यक्ष महोदय :** यह मैं ने नहीं कहा

**श्री बागड़ी :** मैं ने पूछा है ।

**अध्यक्ष महोदय :** पहले इसे खत्म करें या जो पहले बिजनैस हाथ में है उसको लें ।

**Mr. Speaker:** We take up the Bill clause by clause.

The question is:

"That clauses 1 to 3, the Schedule, the Enacting Formula and the Long Title stand part of the Bill."

*The motion was adopted.*

*Clauses 1 to 3, the Schedule, the Enacting Formula and the Long Title were added to the Bill.*

**Shri Swaran Singh:** I beg to move:

"That the Bill be passed."

**Mr. Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

12.14 hrs.

#### RE: POINT OF ORDER

**श्री बागड़ी (हिंसा) :** प्वाइंट ऑफ ऑर्डर । लोक सभा के कार्य संचालन सम्बन्धी नियमों के नियम संख्या ३५८ के उप नियम (३) में दिया हुआ है :

"कोई सदस्य, जिसने कोई प्रस्ताव प्रस्तुत किया हो, उतर के रूप में पुनः बोल सकेगा, और यदि प्रस्ताव किसी गैर-सरकारी सदस्य द्वारा प्रस्तुत किया गया हो तो सम्बन्धित मन्त्री, अध्यक्ष की अनुमति से (चाहे वह वाद-विवाद में पहले बोल चुका हो या नहीं) प्रस्तावक के उतर देने के बाद बोल सकेगा ।"

और नियम ३५८ में दिया गया है :

"नियम ३५८ के के उपनियम (३) के उपबन्धों के अधीन रहते हुए वाद-विवाद सब अवस्थाओं में मूल प्रस्ताव के प्रस्तावक के उतर देने पर समाप्त हो जाएगा ।"

इसके तहत मुझे जवाब देने का मौका नहीं मिला हालांकि मैंने कहा था कि मुझे जवाब देने का समय दिया जाए, लेकिन हाउस एडजर्न कर दिया गया । इसलिये मैं चाहता हूँ कि मुझे जवाब देने का मौका दिया जाए।

**अध्यक्ष महोदय :** उसकी बहस जब चल रही थी उस वक्त आप उठे थे यह बात ठीक है । लेकिन डिप्टी स्पीकर साहब ने लिखा है कि डिस्कशन इज ओवर यानी बहस खत्म हो गयी । उनका फैसला काबिले पावन्दी है । मैं कोई अदालत अपील नहीं हूँ जो उनके फैसले को हटा सकूँ । अगर कोई सवाल मेरे वक्त में उठेगा तो उस वक्त मैं उस पर गौर करूँगा । मैं इसमें दखल नहीं दे सकता क्योंकि मैं उनके ऊपर आला अफसर नहीं हूँ कि जो उन्होंने खस हालात में फैसला दिया है उसमें मैं तव-दीली ला सकूँ ।

**श्री बागड़ी :** लेकिन कानून तो स्पष्ट है । दो और दो चार होगा पांच नहीं हो सकता ।

**अध्यक्ष महोदय :** जिससे आप अपील करना चाहते हैं उसको अस्तित्थार न हो तो क्या किया जा सकता है ?

**श्री त्यागी (देहरादून) :** मैं कुछ अर्ज करना चाहता हूँ । इस वक्त चर्चा इस बात की है कि अगर कोई प्रस्ताव पेश किया गया हो और उस पर बहस हो तो प्रस्ताव पेश करने वाले को जवाब देने का मौका दिया जाना चाहिए । परन्तु कल जो बहस चली थी उसमें माननीय सदस्य ने कोई प्रस्ताव नहीं रखा था, सिर्फ बहस शुरू की थी और बहस हो गयी । बहस को शुरू करने के साथ-साथ

अगर वह एक प्रस्ताव भी रख देते कि "मैं तजवीज करता हूँ कि इस चीज को पास किया जाय" तो फिर जवाब का सवाल उठता। लेकिन जब प्रस्ताव ही नहीं रखा गया तो जवाब का सवाल कैसे उठ सकता है ?

**Shri Daji (Indore):** Day before yesterday and yesterday we were discussing similar motions. Day before yesterday the motion was moved by our friend, Shri Ram Ratan Gupta that the report of the National Industrial Development Corporation be taken into consideration and he was given the right of reply. Yesterday also the motion was of the same nature. I must respectfully submit that Shri Bagri rose immediately and he even tried to draw the attention of the Chair to his right of reply. We were also submitting to the Chair that he had a right of reply. Even then abruptly the Chair chose to discontinue the proceedings. Therefore, it is not a question of appeal. That was the business transacted last yesterday evening and we are entering upon a new work today. This is just the proper moment to raise it.

**श्री प्रकाश वीर शास्त्री (विजनीर) :**  
 मैं भी आप से बड़ी नम्रता से निवेदन करना चाहता हूँ क्योंकि कल मैं उस समय सदन में उपस्थित था। अब जैसे कि त्यागी जी ने कहा कि वह प्रस्ताव नहीं था, वह एक बहस थी, तो आपको शायद पता होगा कि जिस धारा के अन्तर्गत मूवर ने वह बहस मांगी गई थी, उसका स्पष्ट उल्लेख है "अनियत दिन वाला प्रस्ताव"। उसके अन्तर्गत वह बहस मांगी गई थी और उस के अन्तर्गत जब वह बहस समाप्त हुई तो जिस धारा का आपने अभी उल्लेख किया है उसके अनुसार आप को दो मिनट देने चाहिये थे और प्रस्तावक को उत्तर देने का अवसर देना चाहिए था। प्रस्तावक महोदय इस बात का बराबर आग्रह करते रहे कि वे इस सम्बन्ध में कुछ कहना चाहते हैं लेकिन डिप्टी स्पीकर साहब ने बिना कुछ पूछे यह कह कर हाउस ऐडजर्न कर

दिया कि अब हाउस खत्म होता है। ऐसा करना इस धारा का उल्लंघन है। हम जानना चाहते हैं कि इस पर आपकी व्यवस्था क्या है ताकि भविष्य में इस प्रकार की कार्यवाहियाँ न हों।

**Shri Tyagi:** Sir, may I just clarify one thing.

**Mr. Speaker:** Order, order. The point is very clear. Why should we continue to spend more time on this?

**Shri Tyagi:** Sir, whenever such discussions are had, particularly from the Government side, we bring in an amendment to say that the policy is approved or disapproved. In that case a reply has to be given to the debate because votes have to be taken on that amendment. On this motion no votes were required to be taken. There was no proposal before the House. A discussion was sought to be had and we had the discussion.

**Shri S. M. Banerjee (Kanpur):** Sir, I was present in the House yesterday when this discussion took place. It was actually with the wishes of the House that the time was extended to 17.30 hours with the definite view that the mover of the motion may be allowed a few minutes to reply. Sir, I am not objecting to the ruling of the Deputy-Speaker. Perhaps, he in his wisdom did not allow him the right of reply. But what I object to most is that the Minister for Parliamentary Affairs and other senior Members of the Congress group who were here were constantly going to the Deputy-Speaker and telling him that there was a meeting going on of the Congress Parliamentary Group and that the discussion must come to an end. This is most objectionable.

**Mr. Speaker:** Order, order. We are criticising a thing which cannot be done just now. Whenever there is a motion, certainly the mover has got a right to reply. But in this case the discussion was raised under Rule 193—"Discussion over matters of urgent public importance for short duration".

[Mr. Speaker].

जिसके नीचे उन की बहस थी उस १९३ में साफ है :—

“There shall be no formal motion before the House nor voting”.

इसमें कोई चीज हो नहीं सकती थी ।

It can only be talked out; nothing further can be done in that.

यह तो है एक बात । मैं उस में भी नहीं ने रहा कि रूल का उस वक्त कोई उल्लंघन हुआ या न हुआ । यह सवाल इस वक्त मेरे सामने नहीं रखता जा सकता और मेरे पास कोई पावस नहीं है कि उस में कोई फैसला दूं । जो भी कुर्सी पर बैठा हो किसी वक्त चाहे वह स्पीकर हो, डिप्टी स्पीकर हो या पैनल आफ चेअरमैन से मिस्टर द्विवेदी हो, जो फैसला उस वक्त वह दे वह काबिले पाबन्दी है । उस वक्त के लिये वही आखिरी है । उस को बदल नहीं सकते । अगर मेम्बर साहबान कोई हाइपोथेटिकल क्वेश्चन करना चाहते हैं जैसा कि बनर्जी साहब ने कहा कि आयंदा के लिये इस में कुछ होना चाहिए तो वह अलहदा सवाल है । जब सामने आयेगा तो उसको मैं कंसिडर करके अपना फैसला दूंगा ।

**Shri S. M. Banerjee:** The Leader of the House is here. Such meetings should not be organised immediately after the sitting of the House.

**Mr. Speaker:** Order, order. That is quite a different thing altogether. Whether a meeting should be organised or not has nothing to do with the question before the House. Even if the Deputy-Speaker was of the opinion that a reply should be given by the mover then he would not have adjourned the House and he would have continued sitting in spite of the fact that a meeting was there. The meeting would not have mattered in any case. इस वक्त मेरे अख्यार में नहीं है कि उसमें कुछ जा सकूँ । जो उन्होंने फैसला दिया वह उस बहस के लिए

कतई है । अगर किसी वक्त किसी साहब के सामने जो यहां बैठे हों सवाल उठेगा तो उन हालात के मुताबिक जो उस वक्त पेश होंगे वह फैसला कर सकेंगे । यहां कोई कोर्ट आफ अपील नहीं है जो कि दुबारा उसे सुन सके । मेम्बरों में अगर कुछ अहसास हो कि इसमें कुछ गलती हुई है तो हो लेकिन मैं नहीं समझता कि कोई हुई है । इस बात का फैसला आयन्दा जब कोई सवाल उठेगा तभी हो सकेगा, इस वक्त नहीं ।

**श्री प्रकाश वीर शास्त्री :** अब फैसला तो आपने कर ही दिया फिर उसके बाद क्या फैसला करने को रह जाता है ? आपने जब यह कह दिया कि उसमें आप कोई गलती नहीं समझते हैं तो फिर अपील किसके सामने करी जाय ? आप ही तो इस हाउस के सबसे बड़े अध्यक्ष हैं ।

**अध्यक्ष महोदय :** क्या मुझे हक नहीं है कि मैं यह कह सकूँ कि मैं उससे इतिफाक करता हूँ ? लेकिन जैसा कि मैंने कहा कि आयन्दा जब कभी इस तरह का सवाल उठेगा तो उस वक्त के हालात को देखते हुए प्रीसाइडिंग आफिसर को यह देखना होगा कि उसने क्या फैसला दिया जाय । चूंकि यह सरसरी तौर पर मेरे सामने आया इसलिये मैं ने इस के बारे में कह दिया । लेकिन फैसला तो तभी होगा जबकि कोई इस तरह का मामला पेश हो ।

**Shri Hari Vishnu Kamath (Hoshan-gabad):** Sir, on a point of clarification. The ruling which you were pleased to give just now needs further clarification.

**Mr. Speaker:** I have not given any ruling. I have only stated that I am no court of appeal.

**Shri Hari Vishnu Kamath:** You have made a wise observation which needs further clarification, and it is this. There has been before the House



precedents in the past, conventions, whereby a Member raising a discussion of this kind has had the right of reply—some precedents. Therefore, I would earnestly appeal to you to make a categorical statement, not a ruling, as to whether the Deputy-Speaker yesterday when he was in the Chair was right or wrong in giving the ruling that he did. Of course, I am not requesting you to give it as an appellate court. Otherwise, the House would be helpless.

**Mr. Speaker:** Order, order. This House is supreme. I am not sitting here as a court of judgment. If I now declare that he (Deputy-Speaker) was right or wrong, then I am acting as a court of appeal. What else am I doing? On the one side, Shri Kamath says that I need not give a ruling as a court of appeal; on the other side, he says that I must declare whether the Deputy Speaker was right or wrong. These two things are contradictory. How can I give my opinion whether he was right or wrong? Whatever he did at that moment that was the correct decision and that has to stand for the moment.

**Shri H. N. Mukerjee** (Calcutta Central): Yesterday from what appears—I was not present—it seems the mover wanted to reply. Certain other members on this side of the House wished to impress upon the Chair that he should be given the right of reply, but the Chair merely disappeared and the House had to adjourn *ipso facto*. As the Chair was constrained to behave in that fashion, for good or bad reason, the House was left in a quandary and this kind of situation has taken place. So, we request some kind of guidance in this matter.

**Mr. Speaker:** I am very sorry I was not able to explain it though I tried to do it again and again. Firstly, the conduct of the Speaker or the Deputy-Speaker cannot be discussed in this manner. Without a substantive motion we cannot discuss it. Secondly, once a decision has been taken by the Deputy-Speaker, who was in the Chair at that moment....

**Shri Bade** (Khargone): No decision was taken. He just went away.

**Mr. Speaker:** That is also a decision (*Interruptions*). Order, order. We need not press it further. I have tried to make the position clear. It is my misfortune if I am not very clear in that respect.

**Dr. M. S. Aney** (Nagpur): Here I want to mention that in the Bulletin that is published by this Secretariat it is simply mentioned that after the speeches of the hon. Members the reply was given. Nowhere is it mentioned that the debate was concluded. Generally, whenever such discussions are referred to, a remark is made at the end that the discussion or debate is over. In this particular case, no remark like that has been put.

**Mr. Speaker:** The record that I have got shows that. Now this is over.

12.28 hrs.

#### LAND ACQUISITION (AMENDMENT) BILL

**The Minister of Food and Agriculture** (Shri S. K. Patil): I beg to move:

“That the Bill further to amend the Land Acquisition Act, 1894, and the validate certain acquisitions under that Act, be taken into consideration.”

The Land Acquisition Act of 1894 deals with two kinds of acquisition, *viz.*, acquisition of land for a public purpose and acquisition of land for companies. In the former case, compensation for such acquisition is paid out of the revenues of the State. But in the latter case, it is to be paid entirely by the company. Compensation payable for acquisition of land under the Act is ordinarily the market value plus fifteen per cent. as solatium. The provisions of Part VII of the Act of 1894 apply to acquisition of land for companies.

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The expression "company" has been used in the Act in a very comprehensive manner and not in a limited manner, as in the Company Law. It would also apply to companies registered under the Societies Registration Act of 1860 and Registered societies within the meaning of the Co-operative Societies Act of 1912. Before any land can be acquired for a company, it is necessary that the company obtains the previous consent of the appropriate State Government, which is the Central Government or the State Government as the case may be and executes an agreement with it as provided under section 41 of the Act. Further, as provided by section 41, land can be acquired for a company if the appropriate Government is satisfied under that Act of 1894. Under Chapter VII, the Government has got to be satisfied 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 or (b) that such acquisition is needed for the construction of some work, and that such work is likely to prove useful to the public—mark these words—that such work is likely to prove useful to the public. In the case of acquisition of land for the purpose referred to in item (b), as I have said, the agreement to be entered into between the company and the appropriate Government under section 41 requires that the agreement shall provide for the terms on which the public shall be entitled to use the work.

The above provisions for acquisition have worked for the last 68 years. The interpretation has been so liberal and no difficulty had ever arisen during this period. During this long period, lands were acquired for companies not only for erection of dwelling houses for workmen, for the provision of amenities directly connected therewith or for works which are directly useful to the public such as hospitals, public reading rooms, libraries and educational institutions, but

also for the erection of factories, workshops, office buildings etc. for companies engaged in industry useful to the public. The above provisions recently came up for consideration before the Supreme Court in the case of *Aurora vs. the State of U.P.* In that case, some land was acquired by the Government of the U.P. for a company for the construction of textile machinery parts factory by invoking the provisions of part VII of this Act. The agreement entered into under section 41 did not, however, provide for any direct use of the work by the public. On this fact, the Supreme Court held by a majority decision, given on 15th December, 1961, that land can be acquired for a company under Part VII only when the work to be constructed would be directly useful to the public, and the public would be entitled to use the work as of right for its own benefit in accordance with the terms of the agreement. Further, the fifth term of the agreement entered into provided by section 41 does not contemplate the acquisition of land for a company simply because the products produced by the work to be erected thereon are likely to be useful to the public. The Supreme Court accordingly set aside the acquisition proceedings taken by the State Government in the above case. This has created a difficulty. Apart from the merits or demerits of this particular case that has been decided by the Supreme Court, the judgment is that the acquisition of land must correlate to the final use of it by any member of the public. That interpretation, right or wrong—that must be right because the Supreme Court has done it—has created a problem which did not arise in the 68 years of the operation of this Act. That would now mean that you have got to satisfy direct public use of that particular thing, otherwise, it is open to litigation. This has opened the floodgates everywhere for litigation.

Government have got representations from as many as 6 or 7 States as

to in how many cases this judgment is being used. The judgment itself in the case referred to has become of minor importance. But, the judgment that this public use has to be related to the public use in a sense in which the Supreme Court has adjudged it, creates a difficulty that you cannot acquire land for any co-operative society, you cannot acquire land even for a corporation of the Government of India, because a land that would be acquired for a fertiliser factory in the public sector is a corporation and therefore, it is an independent entity by itself. In the State of Bombay, we have been threatened with litigation that we could not have it until the court decides on it. Not only in one case, but, there has been such a fear everywhere in the States that this decision would now open channels where it will be impossible to do anything. So far as the implementation of the Plan is concerned, it will become difficult now, because, for the plan, both in the public sector and the private sector, if the allocations are made and if the land is not made available, difficulty arises.

Then, again, there can be also retrospective effect of this, because, certain people, who without knowing or before this judgment, had acquiesced in the process and have given their land, can go to a court of law asking compensation or for something which is worse. Lands have appreciated four or five times, any number of times. Over the whole period, this has been done. Therefore, a situation has been created where something has got to be very promptly done not merely for the case in the U.P. Whether that case in the U.P. was justified or not, I am not going into that, although the judgment particularly refers to that case, because of the interpretation of Chapter VII or sections 40 and 41, the whole case has got to be reviewed. Therefore, apart from this possible setback to industrial development to which I made reference, there was also the danger that acquisitions made in the past might be questioned in courts of

law and claims may be made by previous owners whose lands have been illegally acquired, according to this judgment, for restoration of land or for payment of damages in view of the enormous increase in the value of land during recent years. It was, therefore, necessary for the Central Government, immediately, to undertake proper legislation with retrospective effect to meet the situation which had arisen in view of the Supreme Court judgment in the above case that I have quoted.

The question as aforesaid arose not only in the case of companies in the private sector, but also in the case of companies in the public sector to which I have just now made reference. The matter had been accordingly examined in consultation with the Attorney General by the Ministry of Law who had advised that in view of Entry 42 in the Concurrent List, Parliament was competent to enact a law for the acquisition of property for a company whether in the public sector or in the private sector. Here, the question arises, if the matter was not in the Concurrent List, the position would have been different. The Government of India themselves would have undertaken legislation. This being in the VII Schedule item 42 in the Concurrent list, even the States are competent to legislate. As it is, the present position is, the law is not uniform in the whole of India. The erstwhile Part B States have their own things which we have not taken up and the Jammu and Kashmir State has not got it. We thought it proper that, instead of each State going in for a separate legislation, and may be for a variety of reasons different kinds of legislation, it would be worthwhile that we should have a legislation which would be of a uniform type. Therefore, the demand came as I said from the States. As I have said, it is not only one State; the States that have so far come are the Gujarat, U.P., Madhya Pradesh, Maharashtra, Orissa and Andhra. Not only that. The Ministry of Commerce and Industry

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of the Government of India has also come in because they have got many corporations which may be challenged for the acquisitions that they have done so far. The Ministry of Community Development and Co-operation have come in because land cannot be acquired for co-operative societies if the strictest interpretation of this particular section is taken. Therefore, attempt is being made now to enact a law. The Government passed an Ordinance because it was urgent. Now, since Parliament is meeting, it is up to us to enact it into law

Many amendments have been sent here because many people think that it is an important legislation. It is important in a sense. But, what is sought to be amended is a very small part, as I will presently point out. It is only one part. The other parts are consequential that are amended. What is amended is this. I shall again read it from the original Act itself. Under Chapter VII of the Land Acquisition Act, of 1894, after enquiry,

"Such consent shall not be given unless the appropriate Government be satisfied either on the report or the Collector under section 5A sub-section (2) or by an enquiry held as hereinafter provided,—

The inquiry is on the following points:

"(a) 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, or

(b) that such acquisition is needed for the construction of some work, and that such work is likely to prove useful to the public."

It is the latter part of clause (b) which is attacked by the decision of the Supreme Court, namely the part which reads 'that such work is likely

to prove useful to the public.' Although during the last sixty-eight years there has been no case of such an interpretation, and the State Governments have been acquiring lands, as I said, for a variety of reasons, now, after the judgment has come, the trouble has arisen that not only will it be difficult in the future to acquire land, but there might even be the retrospective effect of it namely that people may go to courts of law on the ground of wrongful acquisition and claim damages; and those damages would not be small, but they would be very heavy indeed. The progress of our plans will also get stuck up, not only in the private sector, but even in the public sector, because the corporations that are there in the public sector will also have to face this difficulty, because the thing will have to be tested in a court of law whether the acquisition can be done or not. So, that is the main part of the Act which is sought to be amended in this Bill. Sub-section (1) of section 40 has now got two clauses, namely clause (a) and clause (b). We now propose to add a new clause (aa). Clause 2 of the Bill, therefore, accordingly provides:

"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; or".

This provision takes away the rigour or the consequences of the particular judgment that has been given, and provides that we need not necessarily correlate the acquisition with public use in the sense that it must be possible for everybody to make use of

it. There are many things which may not directly be for public use. It is not a garden, and it is not a school; in fact, even in a school, only some students can go; it is not something where everybody, as of right, can go. The things which we are contemplating are those envisaged in the Plan, which we expect will be of a type where the public in general will get the benefit out of them.

Many institutions, whether they are co-operative or otherwise, would be affected if this is not amended. That is why this amendment is sought to be made. There are a few other amendments which are sought to be made, but they are consequential. The most important among them is the amendment to section 41 of the principal Act, which is provided for in clause 3 of the Bill. In section 41 of the principal Act, instead of the words:

"the purpose of the proposed acquisition is to obtain land for the erection of dwelling houses for workmen employed by the company . . ."

we have now sought to provide that the same rules and the same provisions as in section 40 as it would be amended now would apply. Then, we have proposed the addition of a new clause (4A) in section 41 which reads thus:

"where the acquisition is for the construction of any 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, the time within which, and the conditions on which, the building or work shall be constructed or executed; and".

The other amendments are of a consequential nature.

Clause 4 of this Bill seeks to validate certain acquisitions that have al-

ready been done in the past. So, this is also a consequential thing. There are one or two other small amendments also which are consequential. So, I am talking of the Bill as it is and explaining the main amendments that we are seeking to make.

There is also another thing which has been pointed out. In the original Act, certain Acts of 1912 etc. have been mentioned. But, after the passing of the Constitution, this subject has become a concurrent subject, and, therefore, many States have passed their own Acts, to which a reference has not been made in the parent Act. In order to remove any doubt on this score, we have provided that the amended sections 40 and 41 of the Act would be deemed to have been in force at all material times when such acquisition was made, and so on.

There is also an attempt to have the word 'activity' introduced instead of the word 'industry', purely for the purpose of helping the co-operative societies. It was pointed out by the Law Ministry that merely providing the word 'industry' would not be enough, because a co-operative society may not be called an industry. Therefore, it is for no other purpose except that a co-operative society also has got to be covered, that we have introduced the word 'activity'. The House can consider whether the term 'activity' should be used, or whether any other better word could be found in its place, or whether we can use both the words 'activity' and 'industry' in respect of co-operative societies. That is quite a different thing altogether. But I am merely explaining that the word 'activity' has been proposed for no other purpose except that of introducing co-operative societies within the scope of this enactment.

These are the main provisions of the amendments that are now sought to be made in this Bill.

As for the urgency of this Bill being passed into law, as I have explained already, first we had thought

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it necessary to issue an Ordinance. That Ordinance will lapse within six weeks from the commencement of the session of Parliament. Therefore, the Ordinance can be in force only up to the 16th or 17th September. If the law is not enacted before that, then it will become difficult, and nothing could be done in the matter of acquisition. Therefore, the urgency of the case is that before this session comes to an end, we must pass this Bill into law, so that all those difficulties and all those misgivings that exist may disappear, and there can also be a uniform law covering the whole country.

It may be stated that hitherto we had no difficulties of this sort. But I may add that hitherto, the acquisition for a private company was also rare, and the occasions were few and far between when it was necessary to do so. But today, if the full Plan has got to be executed, it is not enough if we provide the funds or the foreign exchange required, but it is equally necessary for the completion of the Plan that land also must be made available. If it is possible for the company to get it privately, then it is well and good. But, it is not merely for the purpose of the private company that it is acquiring the land, but the private company has been asked by Government to fulfil a part of the Plan, and, therefore, it equally becomes the duty of Government as well to see that the company is enabled to acquire the land. Whether a particular land alone should be given and not the other land etc. is a different matter altogether. If the company secures that land without reference to Government, then also we do not come into the picture. But when we acquire land for the company, the difference arises this way. It is not very easy for a company to get land with Government's help, because under sections 40 and 41 of the Act as it stands and as it has stayed during the last sixty-eight years, several conditions have to be satisfied, to the satis-

faction of the State Government that the land so acquired is for a public purpose. We are only changing the wording and taking it beyond the ambit of ambiguity that has arisen today after the judgment of the Supreme Court and providing that that public purpose need not necessarily be correlated to the physical enjoyment of the land by every member of the public in the sense that he can go there and use it, but the purpose should be such that anything that is done would ultimately be in the interests of the public. It may not be so directly as in a garden or in a school or anything of that type. But it may be some kind of industrial venture, which may be a part of the Plan, and the results of it may be useful for the economic development of the country.

I would not like to go into those amendments, because we can discuss these matters when we take up the clauses. But there are two amendments given notice of by hon. Members in respect of which I would like to say something. One of these amendments is to the effect that the Bill should be sent to a Select Committee, and the other is that it should be circulated for eliciting public opinion. So far as the latter is concerned, unless we are prepared to face a situation where the Ordinance will lapse and the chaos will continue, it would be impossible to accept it, and, therefore, Government cannot accept it.

As regards the motion for reference of this Bill to a Select Committee, if there had been time enough, surely there would have been nothing wrong in accepting it. But as we see it, we have got only a few more days' time at our disposal during this session. Moreover, what is sought to be amended is only one little item. It is important, no doubt. I do not say that it is not important, but it is only one little item which is sought to be amended. Therefore, Government are unable to accept the motion for reference of the Bill to a Select Committee. If, in the course of the discus-

sion, any points emerge or any suggestions are made which would be really helpful in order to see that the land should be protected as well as the Plan or anything that we do under the Plan, then Government would be prepared to consider those suggestions. So, the reference of the Bill to a Select Committee or the postponement of the consideration of the Bill for the purpose of eliciting opinion thereon are matters which cannot be resorted to now, unless Parliament is prepared to sit for a little longer during this session and pass this Bill, but that is a different matter altogether.

So far as the amendments given notice of are concerned, many of the amendments are of a type which seek to protect the co-operative societies, which we ourselves have done. Government themselves will move the necessary amendments enabling acquisition of land for co-operative societies, because the Ministry of Community Development and Co-operation also has come into the picture, and so, this has got to be done. Therefore, amendments by other hon. Members would not be necessary in this behalf.

There are other amendments also which are there. As I see them, I find that some of them are such that certain people do not want to do anything for a private company. That is a different matter altogether. If that be so, then this House has got to take a decision as to whether the Plan should be restricted only to the public sector and not extended to cover the private sector. I am not saying that you should do it indiscriminately. By all means, do it in a manner which is provided for in the Act. There is an examination provided for prior to the acquisition. The company has got to apply to the Government, and the collector or any other person concerned will have to find out whether the acquisition is needed for that purpose or not. I have read those two clauses in which it has got to be proved satisfactorily that it is for a public purpose, and public purpose has got to be defined. Then alone the

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State Government issues the necessary order.

For all these reasons, therefore, the Bill has got to be expedited and passed into law.

**Mr. Speaker:** Motion moved:

"That the Bill further to amend the Land Acquisition Act, 1894, and to validate certain acquisitions under that Act, be taken into consideration".

**Shri Hari Vishnu Kamath** (Hoshangabad): On a point of order. My point of order in regard to this Bill is two-fold, one on the ground of rules of procedure and the other on the ground of the Constitution itself.

I will first take up the point under the rules of procedure. I will invite your attention and the attention of the House to rule 71 (page 36 of the *Rules of Procedure and Conduct of Business in Lok Sabha*, 5th edition). It reads as follows:

"Whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the House, there shall be placed before the House along the Bill a statement . . ."

mark the words—

"explaining the circumstances which had necessitated immediate legislation by Ordinance".

Now, how is a Bill defined? It is defined in rule 64 (page 34):

"The Speaker may, on request being made to him, order the publication of any Bill (together with the Statement of Objects and Reasons, the memorandum regarding delegation of legislative power and the financial memorandum accompanying it . . ."

That constitutes a Bill. Now, it is no justification for the Minister and no satisfaction us to say that in the

[Shri Hari Vishnu Kamath]

Statement of Objects and Reasons he has made a casual reference to the circumstances in which the Ordinance was necessitated.

**Shri S. K. Patil:** May I cut short the discussion? The hon. Member is really labouring under some kind of ignorance.

**Shri Hari Vishnu Kamath:** No ignorance.

**Shri S. K. Patil:** A statement has been placed before the House when the Bill was introduced.

**Shri Hari Vishnu Kamath:** Now he mentions it. When the Bill was circulated, I did not get a copy of the statement along with my parliamentary papers.

**Mr. Speaker:** I remember a statement was laid on the Table of the House.

**Shri S. K. Patil:** A copy of the statement was laid on the Table of the House when the Bill was introduced.

**Shri Hari Vishnu Kamath:** May I remind you that in the First Lok Sabha—I do not know whether there has been a laxity since then—Members in such cases used to get both the documents, that is, a copy of the Bill and a copy of the statement of Government regarding the circumstances in which the Ordinance was necessitated. I do not know what happened in the Second Lok Sabha.

**Mr. Speaker:** Simultaneously with the introduction of the Bill, a statement was laid on the Table.

**Shri Hari Vishnu Kamath:** Not circulated along with a copy of the Bill.

This is not fair to Members. The rules of procedure are categorical on the point.

**Mr. Speaker:** If it had not been circulated to Members at their residences, at least it was available at the Counter.

**Shri Hari Vishnu Kamath:** May I seek your guidance for the future? Rule 71 says, '... there shall be placed before the House along with the Bill a statement...'. Every Member is entitled to all papers laid along with the Bill.

**Mr. Speaker:** May I read the rule with the hon. Member?

"Whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the House....

**Shri Hari Vishnu Kamath:** Yes.

**Mr. Speaker:** .... "there shall be placed before the House along with the Bill a statement explaining the circumstances which had necessitated immediate legislation by Ordinance".

**Shri Hari Vishnu Kamath:** I accept.

**Mr. Speaker:** When the Bill was introduced, a statement was laid on the Table. The only objection that the hon. Member is taking is that because the Bill was circulated to Members at their residences, the statement also must have accompanied the Bill.

**Shri Hari Vishnu Kamath:** My submission is that it used to be done regularly formally in the Provisional Parliament and the First Lok Sabha. I remember very well there were some Bills which replaced Ordinances and with the copies of those Bills we got also statements explaining the circumstances necessitating the Ordinance. I do not know why there has been a laxity after that in this regard.

**Mr. Speaker:** I am not sure about it. If it was being done, I will direct that in future that also might be done.

**Shri Hari Vishnu Kamath:** Without that, we would not be in a position to make an effective contribution.



**Mr. Speaker:** What is the rule that makes it necessary that it must be circulated to the Members? He is only drawing that inference and quoting a precedent that it used to be done. That is all what he is saying. I am telling him that I am not sure if it used to be done, but if Members desire it, I will certainly direct that in future it might be done. But so far as the requirements of the rule are concerned, they have been fulfilled because with the introduction of the Bill a statement was laid on the Table of the House.

**Shri Hari Vishnu Kamath:** May I submit that the rule does not say either that a copy of the Bill must be circulated to the Members?

**Mr. Speaker:** No.

**Shri Hari Vishnu Kamath:** Then we need not get a copy of the Bill either. You do not violate the rule if you do not circulate it.

**Mr. Speaker:** At least this rule would not be violated if the Bill is not circulated.

**Shri Hari Vishnu Kamath:** There may be other rules. But it is only this rule which refers to a statement. Unfortunately, there is no other rule referring to that.

**Mr. Speaker:** His point is that the statement also might be circulated to Members. I agree with his suggestion.

**Shri Hari Vishnu Kamath:** The second objection is on the ground of the Constitution itself. I take it that in moving for consideration of the Bill, the Minister also introduced—not for consideration immediately—amendments which stand in his name. Am I correct in this? Has he not introduced the amendments?

**Mr. Speaker:** No amendments have been introduced. There is no introduction of amendments.

**Shri Hari Vishnu Kamath:** What is the position? When you give notice of

amendments, are they not introduced automatically?

**Shri S. K. Patil:** I have not introduced any amendments. That will be during the clause by clause consideration stage.

**Shri Hari Vishnu Kamath:** In this respect, I suppose the Minister stands in a separate category, under rule 65 because that rule says:

"Any member, other than a Minister ..."

This distinguishes a Member from a Minister. Therefore, perhaps when a Minister gives notice of amendments, they are *ipso facto* understood to have been introduced in the House.

**Mr. Speaker:** Amendments are never introduced at this stage.

**Shri Hari Vishnu Kamath:** There must be a stage when the House is in possession of the amendments.

**Mr. Speaker:** Notice of amendments has been given and they are circulated. I cannot exactly follow what the hon. Member means by 'introduction'.

**Shri S. M. Banerjee (Kanpur):** He means circulation of the amendments.

**Shri Hari Vishnu Kamath:** They have been before the House.

**Mr. Speaker:** I could not appreciate what he means by 'introduction' of amendments.

**Shri Hari Vishnu Kamath:** You will appreciate the point as I proceed further with my argument.

The words used in article 31 of the Constitution, 'right to property', are specific, categorical and unambiguous—'for a public purpose'. Now, what the Minister wants to provide for is 'public interest' I therefore put it to you as the supreme authority in Parliament whether by seeking to do this he is not attempting to ask Parliament to do something which is *ultra vires* the Constitution, because

[Shri Hari Vishnu Kamath].

'public purpose', in my judgment, is quite different from 'public interest'. I appeal to you to consider this and rule that the Bill sought to be introduced, in so far as it concerns this aspect of the matter, is *ultra vires* of Article 31 of the Constitution.

**Shri A. P. Jain** (Tumkur): The words 'public interest' are not used in the Bill. They are used in the amendment of which the Minister has given notice. That amendment has not so far been formally introduced in the House. The point which Shri Kamath has raised can come up only when that amendment has been formally moved in the House and not at this stage.

**Mr. Speaker:** Which amendment is he referring to?

13 hrs.

**Shri Hari Vishnu Kamath:** The amendment standing in the Minister's name.

**Mr. Speaker:** Amendments would be taken up later on. The Minister may or may not move it at all. Who knows that?

**Shri Hari Vishnu Kamath:** I hope wisdom prevails, but in the Bill itself, see the wording of the clause—I am not talking of the amendments now, but the Bill itself:

"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;"

You, Sir, were also a Member of the Constituent Assembly, where elaborate arguments and discussions took place on this article 31. It went through several metamorphoses before it finally emerged in its present

form. You will recollect the trend of arguments in the Constituent Assembly during the discussion on this article, one of the vital articles of the Constitution.

Whatever has been done in clause 2 of the Bill I feel is not co-terminous with, not consistent with public purpose as defined and stipulated in article 31(2) of the Constitution. "Public purpose" has got a special connotation, and there is no synonymous connotation in the clause of the Bill before the House. I therefore seek your ruling on this matter whether it is not *ultra vires* of the Constitution.

**The Minister of Law (Shri A. K. Sen):** If on such a thing, you, Sir, have any doubt about the position, I certainly would be glad to assist you, but I do not think it admits of any doubt.

**Shri Hari Vishnu Kamath:** For you, of course, there is no doubt at all. You are a Minister.

**Mr. Speaker:** Doubts I may or may not have. There is another thing. The Chair has never decided the question of constitutionality. The hon. Member will remember that so many times we have taken a decision that it is for the courts. The Chair always leaves this question to the House, and the House takes a decision. Then it is for the courts to decide whether it is *ultra vires* or *intra vires*. The hon. Member would agree with me in this position.

Motion moved:

"That the Bill further to amend the Land Acquisition Act, 1894, and to validate certain acquisitions under that Act, be taken into consideration."

There are some amendments for circulation, one by Shri R. Barua.

**Shri R. Barua** (Jorhat): I am moving.

**Mr. Speaker:** There are three motions for circulation. Out of the three, as Shri R. Barua's motion gives a later date than the other two motions, I will take up only his, and I will deem it as having been moved.

**Shri S. M. Banerjee:** What about the others?

**Mr. Speaker:** The others are barred. This is moved. I am taking this up because this gives the latest date for eliciting opinion. That is the criterion.

There are two motions for reference to Select Committee, one by Shri Daji and the other by Shri Yellamanda Reddi. Shri Reddi is not present. It is also not in order because he has not given the names as yet. I will take Shri Daji's motion as moved.

**Shri R. Barua:** I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th November, 1962." (20)

**Shri Daji** (Indore): I beg to move:

"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).

**Mr. Speaker:** The original motion as well as the motion for circulation and motion for reference to Select Committee are before the House.

**Shri Hari Vishnu Kamath:** How is time allocated?

**Mr. Speaker:** We might allocate that also. It is four hours in all.

**Shri Hari Vishnu Kamath:** One hour is with you always. Make it five hours please.

**Mr. Speaker:** Really I have some apprehensions. I have got a very long list and there might be others who might not have sent in their names but might stand up later.

**Shri A. P. Jain:** I am one of them.

**Shri Tyagi** (Dehra Dun): Would it be possible for you, Sir, to have only the general discussion today, for many Members could not really study the significance of the Bill and they might like to send in further amendments. You may kindly postpone the second reading for some other day, and have only the first reading today.

**Shri Hari Vishnu Kamath:** By your leave, Sir, under rule 292, I move:

"That the time allocated by the House on the 7th August, 1962 (vide Third Report of the Business Advisory Committee) for consideration and passing of the Land Acquisition (Amendment) Bill, 1962, be extended from 4 hours to 6 hours."

**Mr. Speaker:** It is for the House. I cannot interfere. If it so desires, it can extend any time it likes. The question is:

"That the time allocated by the House on the 7th August, 1962 (vide Third Report of the Business Advisory Committee) for consideration and passing of the Land Acquisition (Amendment) Bill, 1962, be extended from 4 hours to 6 hours.

*The motion was adopted.*

**Mr. Speaker:** Then it is extended from four to six hours. Four hours today, up to the end then we will continue this general discussion.

Could I place a time-limit on speeches also? Fifteen minutes each should be enough.

**Shri Hari Vishnu Kamath:** With discretion to increase it to 20 minutes. You have got the discretion.

**Shri Daji:** While moving my motion for reference to Select Committee, I was aware of the argument that as the Bill seeks to replace the ordinance, the House should enact it during the current session itself, but I have moved this motion because I consider that the Bill, though simply and sweetly explained by the hon. Minister in charge, is neither so sweet nor so simple as it is sought to be made out. There are so many serious implications and ramifications which have to be considered in greater detail.

It would be necessary for the Select Committee mainly to go into two things. Firstly, it will have to consider the very principle involved, whether we are going to permit the compulsory acquisition of land for private industrial enterprise; secondly, if such acquisition is to be permitted, whether the principle of compensation should be different from the general principle of the market price plus 15 per cent, whether we should revise or change that formula and raise it. For both these reasons, it will be proper if the Bill goes to a Select Committee.

Let us examine the genesis which has led to the introduction of this Bill and the ordinance. The position prior to the ordinance was that while land could be compulsorily acquired for an admitted public purpose, it could be acquired for a private company only for certain activities which had relation to a public purpose, and it was further coupled with the objective that the public should have the unimpaired right of utilising it. The salutary effect of both these provisions together was that land could be acquired only if the private company wanted to start some school, hospital or edu-

cational institution or some such thing.

But, as the Minister in charge has pointed out, in fact, land was acquired not for any such public purpose, but for the setting up of industries, a textile machinery industry in a particular city, and the case went up to the Supreme Court. We have the learned judgment of the Supreme Court before us. It is a very clear, lucid and forceful judgement, if I may be permitted to say so with great respect, and both these aspects have been discussed in the judgment.

The Supreme Court has come to conclusion that it cannot be said to be a public purpose to allow a private entrepreneur to set up a factory. Because when it was said that land could be acquired for a public purpose the purpose should be directly correlated with the activity in view. It should not be remote. Remotely everything will be for public purpose. Without meaning any disrespect to the House, I may say that even a dancing hall would be said remotely to be for a public purpose. Similarly, a gambling den or a swimming pool or a billiards room could be said to serve a public purpose remotely. Every conceivable activity would have a public purpose. But the public purpose dominantly visualised by the Act was not remote public purpose but public purpose which would be directly related to it and therefore it was said in the Act itself that it should be public purpose and the public should have free access thereto. So, those two sections in the Act coupled together brought about a situation in which the public purpose was something more restricted and directly related to the public than the remote public purpose as is now sought to be enacted. An industrial establishment would like to establish a plant: that would become a public purpose. I cannot conceive of any activity permitted by this Government which is ultimately not for public purpose. Only illegal activity could not be for public purpose. For

the present I am confining myself to the legislation and I will later come to article 31 of the Constitution and show how it will have its ramifications. Now, what has the Supreme Court said? To acquire land and hand it over to a private enterprise for building an industry for private profit and call it a public purpose is turning the State into a land agent for capitalists.

**Shri Tyagi:** (Dehra Dun) Are these their words?

**Shri Daji:** Yes these are their words. The hon. Judges cannot be said to be political propagandists like me; they feel that such interpretation will turn the State into a land agent. The Supreme Court puts this beneficial interpretation consistent with the declared socialist objective of the State; the Supreme Court says that it is not prepared to accept their interpretation. What is now sought to be done is to endorse this interpretation and turn the State into a land agent for capitalists; they want the seal and approval of Parliament boldly, with the boldness which can be matched only by the Minister in charge of this Bill and no one else, they equate it with the purposes of the Plan. They say that it is consistent with our Plan. On page 12 of their judgment the Supreme Court says:

"The fact that the product of the company would be useful to the public is not sufficient to bring the acquisition for a company within the meaning of the relevant words in sections 40 and 41. In the present case all that the Government was satisfied about appears to be that the product of the company will be useful to the public and the provision in the agreement is merely that the public shall be able to go upon the works for purposes of business. This in our opinion is not the meaning of the relevant words under sections 40 and 41 and therefore the Government's satisfaction in that behalf is not enough to entitle it to use the

machinery of the Act for the purpose of acquisition in this case. We therefore allow the appeal with costs and setting aside the order of the High Court quash the notification under section 6 of the Act and the proceedings resulting therefrom."

They are now wanting to circumvent this provision. It is a question of principle.

I must say that the Land Acquisition Act is an expropriatory measure and an extra-ordinary measure whereby we forcibly take possession of land and fix the price thereof. If the party concerned is not satisfied, we allow him to go for litigation but meanwhile possession is taken and we ask him to go from court to court and from court to court, discussing what compensation should be. The compensation allowed is market price plus 15 per cent 15 per cent is merely an eyewash

जैसा कि हिन्दी में कहते हैं १५ परसेंट देना तो ब्राँसू पोंछने की बात है।

So, when such an important expropriatory measure is contemplated we have to see that the objective should be dominantly national interest or public purpose. Public does not mean any member of the public it means public as a whole, nation or society as a whole. That should be the only relevant consideration by which we can justify the abolition of the ordinary right of property vested in an individual and forcibly make him part with his property. It was, therefore, advisedly said in the Land Acquisition Act that land could be acquired for colleges, hospitals etc. This was introduced by an amendment because it was thought that it was good if any private individual wanted to run a school or a hospital the dominant objective was social and public and so that was allowed. But that was also the maximum limit to which we have gone. Now, we want to secure land and hand it over to the private enterprise for any activity.

[Shri Daji]

Land would be acquired for an industrial establishment to install a plant or to construct a godown or to set up an office or for use as a pig sty or a stable. Instead of passing such a complicated legislation as this, you could have a one-line legislation.

**Mr. Speaker:** The hon. Member should address the Chair.

**Shri Daji:** Yes, Sir. The Minister could say that if it is deemed fit by a Minister then he can acquire any land for any price at any time without any appeal. That would at least save us from litigation. Why have this complicated clauses and show of public purpose and say that it will ultimately produce good or it is ultimately to the welfare of the public good.

**Shri Hari Vishnu Kamath:** They will then have to amend the Constitution.

**Shri Daji:** They will do it. This amounts to this. When I am putting it so sharply the hon. Minister is smiling. But the effect or the ultimate result of this amendment is to expropriate an individual and take away his land for any purpose. The first question therefore is whether we are going to take away land from one hand and put it in the hands of another. If it is a co-operative society or any thing of some such character or a public sector corporation it can be understood because in that case too the evil is there but the benefit is much more than the evil and therefore, the evil has got to be tolerated.

**Shri Tyagi:** In the matter of public corporations, you have no objection?

**Shri Daji:** No; I will have no objection. That is why I say that it should go to a Select Committee. Let us examine its ramifications. I want to counter one argument of the hon. Minister in charge. I consider it a very intelligent way of saying that it will help our planning activities.

When you acquire land at market price plus fifteen per cent, do you guarantee the price that the industrial establishment would charge for the product produced. Will the Government guarantee the price he will charge? He, here, means the establishment. He takes the land at a very cheap price; he starts profiteering 10 times or even 100 times. Yesterday we discussed the drug adulteration. There was a report by a foreign expert that the selling price of some of these drugs is ten times the cost of production

**Shri Tyagi:** They are paying income-tax also.

**Shri Daji:** They are avoiding income-tax. They are avoiding more than what they have paid. Therefore in structure of our existing society, when we are unable to give any guarantee for the price that is charged, for the services that will be rendered, when we are unable to find out whether the industries have indulged in adulteration or not, and when we cannot guarantee these things, to take away, under these circumstances, the land from the poor man and hand it over to the industrial establishment is most unsocialistic. It is scandalous. It is an insult on the avowed doctrine of socialism. By the back-door, the Government is going to perpetuate the fraud on the Constitution. I say this is a fraud on the Constitution because these words, "public purpose" which have been defined in the legislation are also found in article 31 of the Constitution. If for the purpose of legislation, the Supreme Court has interpreted the words "public purpose" to mean a direct correlation between the purpose and the public, certainly, when this matter goes up to the Supreme Court, not *vis-a-vis* the interpretation of the clauses of the Act but *vis-a-vis* article 31 of the Constitution, the same reasoning will be applied, and it will be said that this is expropriation of property from a poor man.

Apart from the arguments that the courts may adduce, what is the moral justification for it? When the Constitution has permitted that you can expropriate property for a public purpose, did it mean that you should expropriate it from a poor man and hand it over to the rich man and allow the rich to profit themselves at the cost of the entire nation? Is that the meaning of the Constitution? Is that the meaning of the word socialism, which we are writing on the statute? It will be a sad day if we condescend to make the State act as a land agent for the industrialists, even without any brokerage"

**Shri Hari Vishnu Kamath:** Secret brokerage'

**Shri Daji:** The collectors of the districts in the States, the State ministries, the State Ministers, will all act as the legal agents, land agents, of private industrialists and make some secret brokerage at the time of the elections. Of course, that is another matter. But, is there any guarantee in the Bill that before this recourse is taken, all efforts for private negotiations shall be exhausted? Once this Bill is on the statute-book, every industrialist will come and say, "Please get us land. "Certainly, in private bargaining, the price will be more, but who is going to bargain? Everyone will apply, and who will get the benefit? Not even all the industrialists will get the benefit; only a chosen few—the Tatas of Bihar and the Birlas of Madhya Pradesh. They will be having a joy ride by this legislation, and it is they who can bring about the pull or the push on the Ministers concerned. This legislation is going to be used for their benefit—to rob the poor man of his land and hand it over to the big houses who wield their push and pull on the Ministers in the different States concerned and then say, "this is for the Plan and this is socialism."

So, with great force at my command, I say that this is a measure which should be taken back. Let us examine its provisions again in the

Select Committee and also examine as to whether this is absolutely necessary. Shall we not devise certain checks, certain measures, certain alternative schemes of compensation which will be fair to the persons concerned? Shall we not devise a certain measure of control over the industrialists in regard to these matters? The Bill must go to the Select Committee. The Bill, as it stands, is a sacrilege and democracy, is an insult to socialism. Plainly speaking, it is going to hand over the entire machinery of the State to pillage and loot of certain big houses. We shall be condescending to that State of affairs if we pass this measures as it is.

**Shri R. Barua:** Mr. Speaker, Sir I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th November 1962."

The Bill as it is seeks to depart violently from the spirit of the parent Act. Originally, the word "company" was defined as to include the public sector, the co-operative societies and so forth. There are two provisions; one for the acquisition of land for public purpose and the other for companies. So far as companies are concerned, the purpose was limited to a certain extent as provided under sections 40 and 41 of the original Act. The word "company" has been defined in the original Act of 1894 as follows:

"the expression "Company" means a company registered under the Indian Companies Act, 1882, or under the (English) Companies Acts, 1862 to 1890, or incorporated by an Act of Parliament of the United Kingdom or by an Indian law, or by Royal Charter or Letters Patent and includes a society registered under the Societies Registration Act, 1860, and a registered society within the meaning of the Co-operative Societies Act, 1912".

It also includes a company incorporated by an Act of Parliament, just as

[Shri R. Barua]

we are now having different corporations in the public sector. So far as these companies are concerned, in all cases, land could not be acquired. Certain conditions were to be fulfilled as provided under section 38A which reads as follows:

"An industrial concern, ordinarily employing not less than one hundred workmen owned by an individual or by an association of individuals and not being a Company, desiring to acquire land for the erection of dwelling houses for workmen employed by the concern or for the provision of amenities directly connected therewith shall, so far as concerns the acquisition of such land, be deemed to be a Company for the purposes of this Part..."

Even an industrial concern was allowed to acquire land for the purpose of giving amenities to certain workmen because it is in the interests of the people that proper amenities are given to the workmen in the industries and also in the companies.

Under sections 40 and 41, certain processes have to be gone through before land can be acquired for the company. Section 40(1) says:

"Such consent shall not be given unless the appropriate Government be satisfied..." etc.

13.25 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

There is also provision regarding an agreement to be entered into. Therefore, so far as public purpose is concerned, that is also explained. In the case of companies, only to a certain extent that was done; the purpose was to see that the private property is not unnecessarily invaded upon by some interested persons.

The hon. Minister in charge of the Bill was very eloquent in saying that up till now we had no difficulty in acquiring land under the Act, and that only the Supreme Court decision brought about a trouble. I respectfully submit that it was not so. No-

body tried to acquire land for the purpose of a private company, for a private establishment, in the way it was done in the case of Uttar Pradesh, and that is why the stricture had to come in this case. Also, it has been seen that under the Constitution, article 31, as has been rightly pointed out the public purpose should be fulfilled. There is also a directive principle contained in article 39. It is the duty of the State to see that "ownership and control and the material resources of the community are so distributed as best to subserve the common good." It also says that the "operation of the economic system does not result in the concentration of wealth and means of production to the common detriment." Therefore, when you take the meaning of the expression "public purpose", we should also go back to the Constitution in which it is clearly stated that the State should protect or direct the policy in a way to see that the means of production are not concentrated in one hand. Therefore, to say that for the purpose of having industries in the country we should see that lands are acquired through the governmental agency for the purpose of private industries will be going too far, and it will be against the spirit of the directive principles of the Constitution which I have just now read.

Therefore, I submit that the Bill is not in accordance with the spirit of the Constitution. Let us also see the genesis of the case through which this has come in. We have got experience of land acquisition. This process takes months and months; even in government undertakings it takes a long time. In my part of the country, a fertiliser factory was sought to be established. Two years have elapsed; but due to delay the Government has not been able to complete the acquisition proceedings as a result of which the public is really suffering. In this case, you will find that the notification under section 4 was published on 25-6-1956 and under section 6 on 5-7-1956. On 31-7-1956,



and within a month's time, the possession was taken. Not only that. During this short period the procedure that was prescribed under Chapter VII of the Land Acquisition Act was not complied with and the company was so powerful to utilise the entire Government machinery so quickly that in a month they could take possession of the land, even without drawing up the agreement.

**Shri Tyagi:** That shows the machinery there is more prompt than in other States.

**Shri R. Barua:** During my experience, in no case could the land be acquired so quickly, however efficient the administration may be. But in this one case, the Government was so efficient. That shows that when private individuals or companies are interested, they can just manage things in a way so that the entire machinery could be moved. If that is the way of utilising the Government machinery for purposes of acquiring land, it also casts some aspersions on the Government machinery. For acquiring land, one has to go from the bottom. First one should obtain a report from the sub-deputy collector and go through different processes till it comes to the governmental level; it is very easy for business houses to get this done. That is why we do not feel happy that this should be extended to the companies. We have got no objection if it is extended to the public sector undertaken created by Acts of Parliament and also to the cooperative sector. But when it is extended to the private sector, nobody knows to what extent they will misuse the machinery. This is the context in which we have to consider the question of extending the provisions of the Act to include private companies.

In the case I was mentioning the writ petition was dated 31-7-1956 and on 14-9-1956 an enquiry was ordered. The report was submitted on 3-10-1956 and on 4-12-1956 a fresh agreement was drawn up. On 7-12-1956 a fresh notification was issued. This is how

the machinery was moving. Therefore it is in the fitness of things that we do not extend this provision to private companies or private industries for the purpose of land acquisition.

Even under the present Act, private companies can have the assistance of the Government to acquire land provide they conform to the provisions of Chapter VII. That is enough. If they establish an industry and afterwards if it is found that their workmen are increasing and it is necessary to provide sufficient accommodation for them, they can acquire land with the help of Government after going through Chapter VII. All these things are provided in the parent Act. But if this provision as is proposed in the Bill is extended to private companies, some industrialist will come with some finance and no matter what his credentials are, he would be able to acquire land. Once the land is acquired, we have got no control over the production machinery; there is nothing of that sort. That is why it was in the fitness of things that previously the law-makers never thought it fit to extend this provision to private companies unconditionally.

The hon. Minister says that the industrial development of the country will be impaired if this provision is not extended to private companies. But up till now we have not come across any report either from the Planning Commission or in the last budget session that the Government faced any such difficulty for not having the requisite power to acquire land for the private sector. This is a new thing which has just been introduced by bringing in this Bill. Therefore, this argument is not correct. The other day we discussed the reports of the National Industrial Development Corporation and we found that though the Corporation is made up of people having responsible positions in the industrial concerns, some remarks were made by Shri Ram Ratan Gupta, an hon. Member of this House. I am told he is also a very

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successful businessman. His observations were:

"One of the objectives with which the Corporation was created was to develop the production of those items which were not manufactured in India or were in short supply... Most of the loans had been granted to the companies in which some of the directors of the Corporation were interested. There could be no objection to that but it would be seen that most of those persons were resourceful industrialists having their own huge banks."

Therefore, when the private interest comes in, we find even a respectable organisation which was mooted by Government behaving in this way. This remark was made by an hon. Member of the House who is also a member of the loan advisory committee. Therefore, we have to be very cautious in framing laws so that private concerns do not unnecessarily create complications for the State, which is trying to achieve its object of a socialist pattern of society. If we introduce these things, apart from anything else, I am afraid they will create complications for the Government. I have already indicated the way in which the present case went up to the Supreme Court and created certain complications which would cast aspersions on the administration. If we allow the private sector to come in like this, I think the complications would be worse than ever.

Yesterday there was a debate on spurious drugs and we saw how the private business concerns were indulging in undesirable activities. Recently, we have also come across a report that there is a flight of Rs. 400 crores by way of under-invoicing in exports and over-invoicing in imports. The Government have not been able to catch hold of the persons yet who were responsible for the flight of about Rs. 400 crores out of India. Mostly this is done by the business concerns in the private sector.

Therefore, I would respectfully submit to you and through you to the Minister-in-charge to see these serious implications which would result if we extend the provision of acquiring land without any check to the private companies.

With these words, I oppose the Bill and submit that the Bill may be circulated for eliciting public opinion.

**Shri A. P. Jain:** Sir, there is no doubt that acquisition of land falls under the Concurrent List and the hon. Minister has done well in bringing forward a measure which will be applicable to the whole of India and thus save a complicated position that might arise.

One of the provisions of this Bill relates to cooperative societies. The law as it stands at present provides for the acquisition of land by the cooperative societies which are registered under the Cooperative Societies Act of 1912. Since 1912, a number of Cooperative Societies Acts have been passed by various legislatures. It is, therefore, necessary that all the societies legally constituted under any of the laws enacted in the country should have the same right as the societies registered under the Act of 1912. That part of the Bill, therefore, is unobjectionable.

The other part of the Bill relates to its retrospective application. A number of persons would be agitated about it, but having been in the profession for a long time, I think that provision is amply justified. Whenever the legislature wants to fill up a lacuna arising from the interpretation of the law, that lacuna must be made up retrospectively. I for one have no objection to the retrospective applicability of the law.

But, Sir, the main provision of the Bill relates to acquisition of properties for the companies. In regard to this we must have a clear understanding of the provisions of the Constitution in order to appreciate how far this Parliament should go in enacting

a law of that nature. I would draw your attention, Sir, to article 31 of the Constitution. Part (1) of article 31 provides that acquisition of land must be done under a law. Part (2) provides that it must be for a public purpose and that the law must provide for compensation. Now, the present amendment relates to the Land Acquisition Act. A look at the preamble of the Land Acquisition Act of 1894 will make it clear that it provides for the acquisition of land needed for (a) public purposes, and (b) for companies. This law makes it clear that the land acquired for a company may not be necessarily for a public purpose. There may, however, be cases where the land is acquired for a company and yet it may be for a public purpose. Therefore, any reference by the Minister to the corporations owned by the Government or to companies in which the Government is a principal shareholder and whose objective is to serve the public purpose, it totally irrelevant. It is open to the Government to proceed under section 4 of the Land Acquisition Act, where it has to be shown that the land is needed for a public purpose, it is also open to the Government to proceed under Chapter VII when there is no such necessity to show. Therefore, it will not be proper for us to confuse the issues as appears to have been done, I hope inadvertently, by the speech of the Minister.

Now, Chapter VII deals with land acquisition for the companies—presently I will come to what a company means because special meanings have been attached to it. But I would first like to point out that this Chapter VII would have been *ultra vires* of the Constitution but for part (5) of article 31 which says:

“(5) Nothing in clause (2) shall affect—(a) the provisions of any existing law other than a law to which the provisions of clause (6) apply, or”

My submission is that acquisition of land for the companies would have

been invalid, would have been *ultra vires* of the Constitution but for this special provision. Therefore, any law that we now enact will not be protected by part (5) of article 31. The Parliament must, therefore, be very circumspect and it must very carefully examine whether the purpose for which land is being acquired is a public purpose. If that is not so, the amendment is likely to be declared *ultra vires* of the Constitution. That is a precaution we must take.

The first point that arises is as to the person for whose benefit the land is to be acquired. That is a company. “Company” has been defined in the Land Acquisition Act in a rather broad manner, and I am not going into it. There may be a company which is a public limited company. I and my brother can constitute a private limited company and it comes within the definition of “company” as contained in the Land Acquisition Act. Therefore, we two will be entitled to acquire land under the provisions of Chapter VII. The hon. Minister has said that the law has been in operation for the last 68 years and no difficulties have arisen. I am very sorry I cannot support that contention. This law has given rise to great corruption and to a large number of misapplications. I have known of a case in which a certain society, an association wanted to acquire land at the rate of two to three pies per square yard. The land adjacent to this has been brought by the Rehabilitation Department of the Government of India at the rate of Rs. 3 to Rs. 4 per square yard. How did it happen? It has not been explained by the two speakers who have preceded me and who have raised the question of compensation.

Now, compensation under the Land Acquisition Act is assessed in two ways. One is the market rate, that is the rate at which the adjoining land has been sold. The other is a certain multiple of the land revenue; for instance, 25 times or 30 times the land

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revenue is considered to be the price of the land. There are a large number of cases in which lands included inside the corporation, lands included inside the municipalities are assessed to land revenue. Therefore, the principle of assessing compensation at a certain multiple of the land revenue has been applied in the case which has been referred to—the case of *Aurora vs. the State of Uttar Pradesh*. This land is situated within the limits of the Corporation. Everybody knows what are the values of the lands within the limits of the Corporation. This is a land which adjoins our Ordnance Factory. The value may be Rs. 30,000 an acre, Rs. 40,000 an acre or even Rs. 50,000 an acre. How was the value of land assessed? It was done at a certain multiple of land revenue which worked out to Rs. 500 or Rs. 1000.

Therefore, we have to be very careful, because there has been a great misuse of this law. I have known cases where joint stock companies have acquired land for their own use and shortly after they have let it out to others on quite a heavy rent. Therefore, to say that there have been no difficulties, no misuse, is not a correct statement. There are a large number of cases on land acquired for public purpose and on land acquired for the companies. Anybody who looks into any commentary—he need not go into case law—will know that there have been difficulties.

There is another point. In its application to Chapter VII, the definition of "company" has been further extended. Section 38(a) says:

An industrial concern ordinarily employing not less than 100 workmen owned by an individual or by an association of individuals and not being a company.... (for certain purposes) shall be deemed to be a company."

This further extends the definition of "company". I do not know whether the Minister wants to give the right to an individual say a contractor who is employing more than 100 workmen or a group of contractors that is a partnership to acquire land under this clause. It is for him to make it clear because he did not make it clear in the beginning.

We have accepted mixed economy as the aim of our economic development. I am not one of those who will come in the way of the private entrepreneur building his factory quickly. We also know that sometimes difficulties do arise and suitable land is not available through negotiation. But the whole point is: who are the persons who should get that right? I am quite clear in my mind that none except a public limited company should have the right to acquire land under Chapter VII for the purposes mentioned in this amending law.

There is also another point. The amending law which the hon. Minister has brought before the House says:

"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;"

In this particular case of *R. L. Aurora vs. the State of U.P.*, Shri Aurora had bought this land for putting up a factory. Before this factory could be put up, the land has been acquired through the agency of the Government by a certain company which wants to extend its plant for the manufacture of some textile machinery. Which of the two undertakings will help the economic development—the undertaking which Shri Aurora wants to put up there or the undertaking which the textile machinery mill wants to put up?

**Shri Tyagi:** Shall I take it that this land was not acquired by the State Government for Shri Aurora?

**Shri A. P. Jain:** Shri Aurora had brought this land for the purpose of setting up a factory. It is given in the Supreme Court judgment. The State Government acquired this land for another private industrialist from Shri Aurora. I want to know which of the two will be conducive to economic development, the factory which Shri Aurora wanted to set up or the factory which this company wanted to set up. These are all complicated questions which need further consideration. How did this question arise? Though the Minister explained it, I would like to repeat it.

**Mr. Deputy-Speaker:** He should conclude now.

**Shri A. P. Jain:** If you want me, I can stop presently. But I want to bring out some very important points.

**Mr. Deputy-Speaker:** He can take another three minutes.

**Shri A. P. Jain:** I cannot finish it in three minutes. I will require at least ten minutes.

**Mr. Deputy-Speaker:** He should finish as soon as possible.

**Shri A. P. Jain:** The issue before the Supreme Court was whether the acquisition of land for the construction of a factory was a work which comes under sub-clause (b) of clause 1 of section 40. Sub-clause (b) reads as follows:

“that such acquisition is needed for the construction of some work, and that such work is likely to prove useful to the public.”

It has been laid down by the Supreme Court, and I submit with all respect, quite correctly, that the putting up of a construction or building work of an industrial concern does not fall within the scope of this clause. Now that lacuna is intended to be made up by

this amending law. I quite agree that it should be made up. But the Supreme Court has raised a very very big principle concerning public morality and the functions of the State. The Supreme Court has summed up the issue in the following manner:

“It seems to us that it could not be the intention of the Legislature that the Government could be made a general agent of the companies to acquire land for them in order that the owners of the companies may be able to carry on their activities for private profit.”

The Supreme Court has answered that question by saying:

“If we were to give the wide interpretation contended for on behalf of the respondent for the relevant sections 40 and 41, it would amount to holding that the Legislature intended the Government to be a sort of general agent for companies to acquire lands for them so that their owners may make profit.”

I am prepared to be an agent of the private companies for acquisition of land, but only in a limited sense, provided that the object with which the company acquires land is meant for public good, for a public purpose. If there is any other object, whether Parliament enacts this law or not, I am sure it will again be declared invalid by the Supreme Court. Therefore, I want it to be examined.

Under the original Land Acquisition Act the acquisition of land is provided for two purposes. One is that the construction or work is needed to maintain the life of the community. I have no objection if it is needed for the economic development of the country. But what is economic development? The intention of the law is that it must have a nexus, im-

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mediate connection with a public purpose. I agree that economic development is a public purpose. But it must be safeguarded. I have already referred to one of the safeguards, viz., that the acquisition must be only for the benefit of a public limited company. It must be clearly seen by a technical examination whether the land is actually needed either for the putting up of the work or for the expansion of the work. Now no such examination is done. The Collector makes a report. The Collector is not competent to judge whether the land is needed technically for the putting up for the factory or the expansion of the factory. There must be a clear examination because we are giving the right to a private company to compulsorily acquire the land of others. I am going to be an agent of it, but let me be an honest and conscientious agent; not, merely because a company wants it, I just acquire the land and give it to the company. There must be a clear and thorough examination from the technical point of view as to whether the land is actually needed.

After all, it is very difficult to examine what will be conducive to economic development. We work under a plan and we have got all the targets fixed under the Plan. We have laid down how much we have to produce in the fields of iron, cement, textile etc. So, I would like that to be hedged in by another proviso that only for works which are provided in the Plan and for which a licence has been issued by the Controller of Capital Issues would be given right to acquire land under this clause. There must be certain other safeguards also so that we may find a satisfactory solution whereby we help the genuine companies but, at the same time, the dishonest and bogus companies are not able to take advantage of law.

One more point and I am done. The hon. Minister has referred to his amendment. Here it is necessary for

me to read out the original clause in the Ordinance which says:

"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, it must be either a construction or a work. In the amendment which the hon. Minister has given notice of, he has very much enlarged the scope. His amendment runs as follows:

"any activity....."

—now, activity is much wider than a mere construction or a work—

"...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."

14 hrs.

The case which went before the Supreme Court was judged in terms of the expression 'useful to the public'. The term 'in the interests of the public' is a much wider expression than 'useful to the public'. 'Useful' means that I may go and enjoy the usufructuary right thereof. But the term 'interest' is a very much wider term. I am very unhappy that this amendment should have been tabled. If we accept this amendment, it will mean that land can be acquired for the purpose of putting up a cinema, a theatre, a dancing hall etc. I know that these are all useful activities, and a section of the public is interested in them. But, has the Land Acquisition Act ever been applied to acquire land for these purposes? I say 'No', and a definite 'No'.

Then, there are large trading concerns in India which have got their

branches all over the country, such as Lilarams, Chellarams and so on. Do we want to acquire land for building shops for them? That has never been the intention of the Land Acquisition Act. The Land Acquisition Act has been confined in its applicability only to industrial purposes. So, if this amendment of the hon. Minister is accepted I think that there will be no purpose left for which land cannot be acquired.

After all, it is a very serious thing that land should be compulsorily taken away from one person and handed over to another. I shall conclude my speech by just pointing out one more thing. Agriculture and industry both constitute part of our Plan. Agricultural development is being talked of every day, and particularly by the Minister of Food and Agriculture. There may be a good farmer, and there are good farmers, who may grow 400 to 500 maunds of potato, or 1500 to 2000 maunds of sugarcane, or 30 to 40 maunds of wheat. Are they rendering any less service to the country? Are their efforts not conducive to the economic development of the country? You are acquiring land, and most of the lands which are acquired for the industries, are situated in the vicinity of the big towns, many a time inside the limits of the corporation or the municipal area limits. Therefore, in all cases, when land is acquired for an industrial purpose, it is not necessarily more conducive to economic development than when it was being used for agricultural purposes.

These are all the issues, and I want these issues to be thrashed out. They have not been fully and thoroughly considered. It is not a simple Bill. Therefore, I submit that it is a very reasonable motion that this Bill should be referred to a Select Committee. We do not want to delay it. We know that it must be enacted before Parliament rises. But there is enough time, and we can sit and dis-

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cuss. We want to help the hon. Minister in ensuring that a reasonable and rational law is enacted which may not hinder the economic development of the country but at the same time which may not provide a paradise to speculators, to dishonest men and to men who want to thrive at the expense of others.

**Shri D. D. Puri (Kaithal):** The situation under the law since 1894 has been such that where the State Governments were satisfied they had the power to acquire land compulsorily, when it was required for the construction of labour quarters. There was not even the restriction there that those labour quarters were attaching to an industry which was doing any public or useful work. This right has always existed.

Then, there was also the right of compulsory acquisition of land for a purpose when the land was required for something which was to be of use to the public. Over the years, this expression 'use to the public' has been used to acquire land, where the State Governments were satisfied that a factory had to be put up, or where a public corporation needed the land; wherever it was necessary in their opinion, after making due inquiries that the land would be put to the use of the public, in Land Acquisition Act was resorted to.

But, now a new difficulty has been created by the judgment. I shall not go into the details of the case. I have read the judgment very carefully, and it seems to me that whereas section 40 of the Land Acquisition Act, 1894 provides for land to be acquired for these purposes, section 41 provides for an agreement giving the details of the terms on which the public will be allowed to make use of the particular object to be constructed on that land. Their Lordship have held that section 40 cannot be interpreted in isolation; and because of the existence of section 41, they have rolled

[Shri D. D. Puri]

the two together, and they have said that since there is a specific provision which provides for an agreement giving the details of the terms on which the public will be allowed to make use of the object on that land, therefore, it must obviously impose certain restrictions on section 40. The minority judgement has, however, stated that the two must be interpreted separately. But, anyhow, a difficulty has been created now on account of the majority judgement.

Over the years, the Land Acquisition Act has been used in a manner where not only the object itself but even the articles manufactured in that factory, for instance, were considered to be of use to the public. It is the new view which has now been imposed upon the interpretation that section 40 has to be read with section 41 and cannot be interpreted in isolation, and the work itself and not its products should be useable by the public. In that case, all the acquisitions made over the years, from the year 1894 up to-date would be called into question, and unless this amending Bill is passed, such acquisitions would be open to question, and it would be open to the owners of those lands, even where factories have been constructed, to ask for those lands to be restored to them on the ground that the acquisition was *ab initio* invalid.

I shall make a brief mention of the law regarding the holding of property. Article 19 (f) of our Constitution has created the right of acquiring, holding and disposing of property. But that right is curtailed by article 31, which says that no person shall be deprived of his property save by authority of law. That is to say, unless we pass a legislation, even for a perfectly valid purpose, land cannot be acquired; unless there is a due process of law provided, no person can be deprived of his property. Clause 2 of article 31 says:

"No property shall be compulsorily acquired or requisitioned save for a public purpose....".

That is the safeguard provided by the Constitution that it has to be for a public purpose. On this will hang all the other laws that we may pass, and every Act that the sovereign legislature may pass will have to conform to the over riding requirements of article 31 (2) before it can be enforced.

There are a number of rulings where it has been stated that the term 'public purpose' cannot be defined in a general away. In each case, the courts will be competent to go into the question whether it was a public purpose for which this right had been exercised or not. Therefore, this safeguard is always there, whatever this legislature may decide.

I want to make one other point, and that is that too much stress has been laid on who the owner is of a certain venture for which land is sought to be acquired. The only legal view where public purpose is called into question would be that the identity of the owner is not so important as the purpose to which the land is being put. There may be cases, not here but abroad, where there are governments running bars. A government may enter the business of selling liquor. There may be cases where an individual may operate a power supply company or a private limited or public limited company may operate a power house or electric supply company. The relevant thing is the purpose to which the land is being put after it has been compulsorily acquired. Therefore, all this stress about ownership and about what is and is not a company is not relevant. I would suggest that we give more attention to the purpose to which the land was being put rather than as to who was using it.

**Shri Bhagwat Jha Azad** (Bhagalpur): Ownership is also important.

**Shri D. D. Puri**: So far as the Constitution and the law go, they emphasise the purpose and not the ownership.



**Shri Bhagwat Jha Azad:** Law is for man and not man for law.

**Shri D. D. Puri:** It is not as if the law is creating a power in favour of an individual or a company to acquire certain lands. The law is enabling State Government, where they are satisfied after due inquiry that a certain land should be acquired, to acquire it for certain specified purposes. It is taking them out of their present state of helplessness. It is also correcting certain actions which, when they were taken, were taken under the belief that they had the power to acquire the land, because at that time the words 'of use to the public' were interpreted somewhat differently from what they are now.

I lay a lot of store by the overriding safeguard provided by article 31 (2). After all, the power with Government to acquire a land for the building of residential quarters came to it by the saving clause attached to article 31. No extension of that clause is going to save it from full exposure to article 31(2). Therefore, I would say that whatever we say in this legislature, nothing is going to override the provisions of article 31 (2). Any acquisition which is not for a public purpose will be struck down by courts of law irrespective of the laws that we may pass.

**Shri Man Singh P. Patel (Mehsana):** As far as the objectives of the Bill are concerned and as I have tried to listen to the explanation given by the hon. Minister, I personally do not differ much from him. But the fear as anticipated by hon. friends who preceded me is there that the Bill now brought forward widens further the scope of the Act and opens further the door to interference with the right to private property by mischievous interpretations put by the machinery enforcing the law. As the hon. Minister has explained, who is going to interpret the meaning of 'public purpose' or 'national interest' or 'development of the country as a whole'?

I have got experience of a mofussil area. The Act will be interpreted by State officials preferably for smaller purposes. Suppose an industrial magnate wants to have land for a cotton ginning mill for his area. Normally, the interpretation has to be done by the Collector, whether the Third Plan itself envisaged development of that part and whether he should be given this land in the name of development. He has purchased somewhere a particular plot and he wants to expand at the cost of highly industrialised or urbanised land at the cost of the landowners. That problem will be there. The question of the price to be paid will naturally come. I do not want to use a harsh word, but the Government may actually turn out to be the land agent of the industrialist or capitalist. With the scope thus widened, I am afraid this may be misused.

I can quote an instance of the area wherefrom I come. An industrial magnate has got 200 acres of land in the name of an industrial licence since 1947-48. I am talking of the Kalol area in Gujarat State. That land is even today lying fallow. The agricultural produce is being enjoyed by that magnate since 16 years. I want an explanation from the hon. Minister. There is scope in the original Act also to denotify and get such lands back to the original owners. Am I to understand that for this type of planning or for this type of people, the machinery of Government is likely to be used, which machinery has made no attempt to scrutinise what has happened in the past? After the land is acquired and compensation paid, what happens to the land? Who looks after what is done on the land? Do the revenue inspectors look into what happens to the land? Therefore, the words, as they are used, are also tried to be distinguished. Take clause 2, amending section 40, which reads as under—

“... work for a company engaged or to be engaged in an in-

[Shri Man Singh P. Patel].  
dustry which is essential to the  
life of the community”.

For this part at least we can find a judicial interpretation of the word ‘essential’ and it is not so risky to widen the scope. But then we read clause 3, amending section 41, the following words are there—

“ . . . and that such work is likely to prove useful to the public”.

And now, what is not useful? A big garden of 15 acres of land given to an industrialist in this country will naturally be useful to the public. Suppose he wants to have an industrial estate of his own, 15 acres more than what is required may be claimed, and then this mischievous interpretation will be there. What is not useful? A garden is a useful thing. I would say that an auditorium in a mill area is also useful to the public. My hon. friend, Shri Morarka, or others would naturally like that that there should be this amenity for workers in a socialist pattern of society.

So instead of replacing the existing Ordinance by the amending Bill as it is, we might have the Bill referred to a Select Committee, not the one proposed by Shri Daji but it may be another motion moved by another hon. Member or by the Minister himself. The heavens will not fall if we refer this Bill to the Select Committee. If by referring it to the Select Committee, it cannot be passed during the current session, I would, in the name of the agriculturists, in the name of private property not being mishandled by the official machinery, suggest that a special session of this House may be called, if necessary. The argument for sending the Bill to the Select Committee advanced by so many senior Members is a convincing one. In the present amending Bill, there is a mere jugglery of words which cannot be understood by others in this House. Besides us, there are others to

interpret this law, and senior lawyers who might be practising know that there is the Supreme Court, which interprets it otherwise. We have, therefore to see whether lands are likely to be mishandled. Therefore, if the scope of the law is likely to be misunderstood, if it is widened to such an extent that there is a fear created among the agriculturists, among the private property owners, we must see that it is removed. We are the custodians of the rights of those people, and Government should bring forward only such legislation that safeguards their rights, that is not likely to be misinterpreted or mishandled by the executive machinery.

The hon. Minister in charge of the Bill gives a very polished explanation, a very elaborate explanation, but will the explanation given by him be scrutinised by the Collector or the Commissioner who is likely to interpret the law and go ahead? In the name of planning, every man is going ahead with industrial licences and all other licences. Therefore, I appeal in the name of the agriculturists who produce 70 per cent of the consumer goods of this country that their rights are safe-guarded and we examine this more thoroughly.

I am sorry to cite another example. Land, three miles in length, was acquired by a small tramway company, but compensation was paid after 16 years. It is in my Mehsana district. If I am proved wrong, I shall withdraw what I say and seek the pardon of this House. Compensation was paid after 16 years for that small area of land taken for a private limited company. This happens, when once land is acquired.

Every one knows that people are not reluctant or against handing over their lands. At the intercession of social workers, they do hand over their lands for a public purpose, or for a governmental purpose, but thereafter

the whole procedure is such that compensation is fixed after three or four years. At what rate?—the then market rate. How is the market rate to be decided?—if there is no sale within three years, at the rate of the last sale.

Therefore, I would say that we are dealing with a special right, the right to private property, preserved by the Constitution. This Bill may therefore be referred to a Select Committee, so that it may be made tighter, so that there may not be a fear among the public and the agriculturists especially that this law is likely to act upon them very harshly or against their interest.

Therefore, accepting the objectives of the Bill, I would like to urge that it may be sent to a Select Committee.

**श्री काशी राम गुप्त (अलवर) :** उपाध्यक्ष महोदय, माननीय मन्त्री जी ने अपने भाषण में बताया है कि पिछले ६८ वर्ष से यह कार्रवाई चल रही है और इसको चैलेंज नहीं किया गया लेकिन अब चूकि सुप्रीम कोर्ट में यह मामला उठाया गया और वहां से एक फ़ैसला दिया गया इसलिये उनको यह कदम उठाना पड़ रहा है। मैं कहना चाहता हूँ कि पिछले ६८ वर्ष से इस मूल विधेयक में बहुत से संशोधन किए गए हैं किन्तु सरकार के सामने यह चीज नहीं आई और जब सुप्रीम कोर्ट ने एक मूल बात को पकड़ा, एक मूल अधिकार को पकड़ा है, तो बिना इस बात को सोचे हुए कि हमारा विधान बन चुका है जिस में प्राइवेट प्रापर्टी की रक्षा की बात को स्वीकार कर लिया गया है, वह इस बिल को यहां ले आए हैं। माननीय मन्त्री जी ने यह भी कहा है कि आर्डिनेंस लाने की आवश्यकता इसलिये महसूस हुई कि बहुत कुछ गड़बड़ी होने का अदेश था। मैं समझता हूँ कि यह अदेशा मालदारों के लिए हुआ—वे मालदार जो और भी मालदार बनते जा रहे हैं—और गरीबों के लिये कोई अदेशा नहीं पैदा हुआ।

अगर लिटिगेशन होता तो गरीब को तो लाभ ही होने वाला था। अब तो लिटिगेशन होता ही बहुत कम क्योंकि गरीब की हालत ऐसी नहीं है कि वह लिटिगेशन में पड़ सके और फिर उसको तो बहुत सी बातों का पता ही नहीं होता है और जो बात आज इस सदन में कही जा रही है, वह उस तक पहुंचती भी नहीं है।

एक बात इस बिल से साफ तौर से जाहिर हो गई है कि जो बड़े बड़े मैगनेट्स हैं, उनका किस तरह से दबाव पड़ता है, स्टेट गवर्नमेंट्स की जो मशीनरी चलती है वह किस तरह से चलती है, किस तरह से मूव करती है। यह साफ जाहिर हो गया है इस कार्रवाई से कि जो मिल मैगनेट्स हैं वे स्टेट गवर्नमेंट्स पर दबाव डालते हैं और स्टेट गवर्नमेंट्स की मशीनरी यहां तक कार्रवाई करती है।

**श्री त्यागी :** दबाव नहीं अपील करते हैं।

**श्री काशी राम गुप्त :** इस लिये यह कार्रवाई की गई है। मैं आपको एक मिसाल देना चाहता हूँ। जल्दी में कोई भी काम किया जाए वह अच्छा नहीं होता है। अगर कोई चोर चोरी करके जल्दी में भागेगा भी तो कोई न कोई चीज वह छोड़ जाएगा। इसी प्रकार से जल्दी में इन्होंने एक आर्डिनेंस बनाया, जल्दी में यह बिल पेश किया और उसके दस पन्द्रह दिन के बाद ही इनको यह सूझा कि इसके अन्दर और एमेंडमेंट्स पेश करो। यह सारी कार्रवाई यह जाहिर करती है कि इसके पीछे मंशा कुछ और है। पिछली चीज को रैग्युलराइज करने के लिये, उन्होंने कहा है कि यह कार्रवाई की जा रही है और उसके लिये भी मैं समझता हूँ कि हमें जल्दी नहीं करनी चाहिये थी। जब इसको सिलैक्ट कमेटी में भेजने का प्रस्ताव किया गया तो कहा गया कि तब तक हाउस खत्म हो जाएगा और इस बिल को पास नहीं किया जा सकेगा।

[श्री काशी राम गुप्त]

अभी माननीय सदस्य श्री पटेल ने कहा कि यह एक अहम मसला है और अगर जरूरी हो तो इसके लिये हम फिर सेशन बुला सकते हैं। मैं समझता हूँ कि ऐसा करना कोई मुश्किल नहीं है।

कांस्टीट्यूशन के आर्टिकल ३१ का हवाला दिया गया है। वह आर्टिकल बहुत अहम है। माननीय श्री जैन ने अभी कहा कि सैक्शन ३८ (ए) जो कि लैण्ड एक्वीजीशन एक्ट १८४४ का है, उसमें जो इंडिविजुअल को राइट दिया गया है, उसको भी हटाने की कोशिश नहीं की गई है और इंडिविजुअल या एसोसियेशन आफ इंडिविजुअल्स उसमें विद्यमान है। हमारे मन्त्री महोदय के यह ध्यान में नहीं आया कि कोप्रोप्रेटिव सोसाइटीज को जब जोड़ने लगे तो उसके साथ इंडिविजुअल का मेल कैसे बैठता है। उसको कम से कम सुरक्षा देने की बात को तो न रखें सुरक्षा की बात को यहां से तो हटा दें। जब आप एमेंडमेंट लाने जा रहे हैं तो कम से कम उन बातों को तो देख लो जो जरूरी हैं। लेकिन उनका ध्यान सैक्शन ४० और ४१ पर ही क्यों है, सैक्शन ३८(ए) पर क्यों नहीं गया है? सम्भवतः इसका कारण यह है कि उनको यह फिक्र हो रही है कि जो कुछ पीछे हो गया, उसको दबाया कैसे जाए। उसको दबाने के लिये चाहे कितना ही नुकसान हो जाए, चाहे प्लानिंग जो है वह उल्टा ही पड़े, इसकी उनको चिन्ता नहीं है।

आज के युग में जब हम प्लानिंग की तरफ जा रहे हैं।

**Shri Bade (Khargone):** The Minister of Agriculture is not there.

**Shri Daji:** The Minister in charge is not present.

**श्री काशी राम गुप्त :** कोई और तरीका होगा सुनने का।

**Mr. Deputy-Speaker:** Government is represented.

**Shri Daji:** He is not in charge of the Bill.

**Mr. Deputy-Speaker:** Cabinet responsibility, joint responsibility.

**श्री काशी राम गुप्त :** आप कह सकते हैं कि नियमों के अनुसार गवर्नमेंट यहां पर रिप्रेजेंटेटिव है। लेकिन उपाध्यक्ष महोदय, मैं कहना चाहता हूँ कि मुझे अफसोस है कि इतना अहम मसला विचाराधीन है और कोई भी इस डिपार्टमेंट का मिनिस्टर या डिप्टी मिनिस्टर नहीं है। उनमें से किसी एक को तो अवश्य यहां होना चाहिये था।

उपाध्यक्ष महोदय, मैं माननीय मन्त्री जी का विशेष तौर से ध्यान इस ओर दिलाना चाहता हूँ कि आज का युग प्लानिंग का युग है। आज के युग में व्यक्ति विशेष को या कम्पनियों को बीच में लाने की आवश्यकता हा नहीं पड़ती है। आज के युग में अगर हम सिटी का मास्टर प्लान बनाते हैं तो उसके अन्दर अपने आप इण्डस्ट्रियल एरिया बनेगा, छोटे शहर का बनाते हैं तो उसमें बनेगा, देहात में भी इण्डस्ट्रियल एरिया बनेगा। जब हम इण्डस्ट्रियल एरिया अलग रखते हैं तो फिर किसी कम्पनी के लिये एन्बायर करने का प्रश्न इस तादाद में आया कहां से और खास कर उस कम्पनी के लिये जो कि प्राइवेट कम्पनी है? इस के अतिरिक्त आप शब्द चाहे कितने ही लिख दें, लेकिन यदि "प्राइवेट कम्पनी" का मोटिव प्राफिट है तो उस लाभ की बात को "पब्लिक यूज" के साथ जोड़ने से वह मोटिव पूरा नहीं हो सकता। दो चीजें साथ साथ नहीं चल सकती हैं। अगर प्राइवेट कम्पनी जो है वे कम्पनियां हैं, तो उन्हें सब अधिकार दे दिए जाएं। यह लम्बे चौड़े शब्द जोड़ने की जरूरत नहीं पड़नी चाहिए। लेकिन वह तो आप इस डर से नहीं जोड़ रहे हैं कि कहीं कांस्टिट्यूशन लागू हो कर उसे

निरस्त्र न कर दे। इतना कहने के बाद भी अगर कांस्टिट्यूशन निरस्त्र कर देगा तो फिर आप कौन सी बात ले कर हमारे सामने आयेंगे? अभी अभी इस हाउस के मनानीय सदस्यों ने बार बार इस बात को सामने रक्खा कि यह विधेयक जो जल्दी में लाया गया है, वह गलत है।

एक बात, जिस की ओर में सदन का ध्यान दिलाना चाहता हूँ, यह है कि जो हमारे गरीब लोग हैं, खेतिहर किसान हैं, उन पर इस विधेयक का मोघा असर पड़ता है, या उस आदमी के ऊपर इस का असर पड़ता है जो कि शहर के नजदीक है या शहर के भीतर हैं, जिस के पास छोटे छोटे जमीन के टुकड़े हैं। उस की जमीन को एक मामूली कोमत पर, साफ्ट प्रइस कह कर, ल लेने से, उस की प्रइवर्ट प्रापर्टी की सुरक्षा कहां से होती है? असल बात यह है कि ऐग्रीकल्चर भी एक इंडस्ट्री है और बाकी इंडस्ट्रीज भी हैं।

श्री त्यागी : वह भी ले सकता है। अगर ऐग्रीकल्चरिस्ट चाहे तो वह भी फैक्ट्री के लिए जमीन एक्वायर कर सकता है।

श्री काशी राम गुप्त : यह हो नहीं रहा है। वह चाहे तो कर सकता है, लेकिन उस में भी आप न और बाधाएं डाल दी हैं। सोलिंग है, दूसरे तरीके हैं, जिन की वगह से छोटे छोटे लोग जो हैं वे फैक्टरी के लिए जमीन ले ही नहीं सकते। त्यागी जी स्वयम् जानते हैं कि यह व्यवहारिक नहीं है। इस लिए उस के लेन का सवाल ही कहां पैदा होता है ?

मेरा निवेदन है कि जो लोग छोटी छोटी जमीन रोजगार वाले हैं उन को एक तरफ तो कांस्टिट्यूशन गारैन्टी देती है कि उनको रोजगार देने की कोशिश होगी — रोजगार दे नहीं रहे हैं, देने की कोशिश होगी — जिसकी जमीन एक्वायर होती है, वह बे-

रोजगार हो जाता है। हमारे यहां भ्रमल में जमीन एक्वायर की गई है नगर को बढ़ाने के लिए, इस पर भी हमने कोशिश की कि जो लोग वहां से हटाए जा रहे हैं, उन्हें दूसरी जगह जमीन मिले। सब से बड़ी दिक्कत तो होती है जब जो किसान शहर के नजदीक होते हैं उन को हटाया जाता है। उन की जमीन जब उनके हाथ से जाती है तो उनको बड़ी दिक्कत होती है। आप देखिये कि जमीन ले लिए जाने के बाद उन की क्या दशा होती है। वे विलबिलाते हैं, उन के कुएं हाथ से जाते हैं, रोटी जाती है यह कोई तमाशा नहीं है कि नया कानून बना कर दे दी।

मैं अर्थ करना चाहता हूँ कि जो कलेक्टर वगैरह होते हैं, उन के न तो दिल होता है और न दया होती है।

श्री बड़े : दिमाग तो होता है।

श्री काशी राम गुप्त : दिमाग की तो कहूं क्या, तन्स्वाह बड़ी मिलती है, लेकिन दिल नहीं होता, दया नहीं होती। फिर इस तरह की बात तो एक तरफ, आज राजनीति भी चली गई है जो पहले नहीं थी। वे लोग दबाव डालकर जिस प्रकार चाहते हैं करा लेते हैं। आज दलबन्धियां होती हैं पार्टियों की। एक पार्टी तो इस बात में मिल जाती है कि इस को जरूर एक्वायर करना चाहिये और दूसरे लोग कहने लगते हैं कि इस की कैसे करोगे। यह एक नया झगड़ा पैदा हो गया है। इस पर वे जिस तरह से भ्रमल करने की कोशिश करते हैं वे ऐसे तरीके होते हैं जिनसे किसी का फायदा नहीं होता। मैं नहीं समझता कि जब आप मार्केट प्राइस की बात करते हैं तो इस के बजाय यह क्यों नहीं रक्खा जाता कि जो भी कम्पनीयां वगैरह हैं उन को पहले नेगोशिएशन करना चाहिये, और नेगोशिएशन से ही उन्हें लेना चाहिये, उन कम्पनियों को छोड़कर जो कि गवर्नमेंट की हैं। इस लिए यह कहना कि पहले वे बताए। गवर्नमेंट उनको देखेगी, यह सही नहीं है।

[श्री काशी राम गुप्त]

वह अष्टाचार बढ़ाने का तरीका है और कुछ नहीं। जिस का दांव लगेगा वह गवर्नमेंट की फाइल पर बहुत अच्छे अच्छे शब्द लिखवा लेगा और जिसका दांव नहीं लगेगा वह रह जायेगा। फिर इंडस्ट्रियजलिस्ट लड़ते फिरेंगे आपस में।

अभी लोक-सभा के सदस्यों के पास एक ऐसा लेटर आया कि कानपुर में कोई फर्म है, उस की जमीन कौड़ियों की कोमत में चली गई, और उस की जो मार्केट वैल्यू है वह उस से तीस गुनी या पचास गुनी या शायद सौ गुनी से भी ज्यादा है। यह स्थिति जहां पर हो वहां न्याय कहां से हो सकता है? इस लिए इस बात की तरफ ध्यान देना चाहिए कि जो एग्रीकलचरिस्ट आज है उस को पहले बनाये रखना है। जमीन हमारे पास पहले ही थोड़ी है, और उस जमीन में भी आबादी बढ़ती जाती है। उस को किसी नाम से लेने की कोशिश करना, बिना किसी प्लेन या योजना के, ठीक नहीं है। यह चीज आयोजना शब्द के विपरीत है। पहले यह बतलाया जाय किसी कम्पनी के लिये कि वह योजना के अन्दर शामिल है या नहीं। अगर योजना के अन्दर है तो उस के लिये लेने की जरूरत ही नहीं पड़ती। एक तरफ आप योजना के आधार पर चलना चाहते हैं, दूसरी तरफ उस योजना के आधार को तोड़ना चाहते हैं। फिर ऐसे ऐसे स्थान ले लिये जाते हैं जिन को नहीं लेना चाहिये। फरीदाबाद के पास जो मेंहदी के बाग है वह ऐक्वायर कर लिये गये। क्या वहां मेंहदी की इंडस्ट्री नहीं थी? कोई इस बात को सोचता नहीं है कि ऐक्वायर करना चाहिये या नहीं। अगर ऐक्वायर ही करना है तो किसी इंडस्ट्री का नाम ले लो, चाहे उस का उलटा ही असर पड़ता हो। ऐसी ऐसी इंडस्ट्रीज के बारे में कहा जाता है जिन का उल्टा असर पड़ता है।

श्री त्यागी : मेंहदी कोई इंडस्ट्री नहीं है, यह सिर्फ औरतों के काम की चीज है।

श्री काशी राम गुप्त : जब चोट लगती है तो वह हमारे काम की चीज भी हो जाती है। इस प्रकार से समस्याएँ एक दूसरे से जुड़ी हुई हैं कि किसी एक को देने में जनहित हो जायेगा और अगर किसी दूसरे के पास हो तो जनहित नहीं होगा, या यह कि अगर किसी प्राइवेट कम्पनी के लिये ली जायेगी तो विशेष जनहित में होगा। मैं कहूंगा कि प्राइवेट कम्पनी के मामले में तो एक स्पष्ट दृष्टिकोण होना चाहिये कि अगर यह सारे इलाके योजना में आने हैं तो गवर्नमेंट इन योजनाओं के अन्तर्गत देगी। प्राइवेट तौर पर इलाके ऐक्वायर करने का प्रश्न नहीं उठना चाहिये। गवर्नमेंट की भी अपनी योजना होती है। इस लिये जब योजना के आधार पर शहर बढ़ रहे हैं या गांवों की योजना लाई जा रही है उस को अलग रखने का जो प्रश्न है, वह केवल पिछली चीजों को ठीक करने के लिये है, आगे के लिये कोई बात नहीं है। चाहिये तो यह था कि गवर्नमेंट सब से, शान्ति से, इस बिल को नये सिरे से लाती। जिस प्रकार से इनकम टैक्स ऐक्ट हम को नये सिरे से बनाना पड़ा, उसी तरह से इस लैंड ऐक्विजिशन ऐक्ट को भी नये हालात को देख कर, नये रूप में लाना चाहिये।

सेलेक्ट कमेटी अगर आप बनाना चाहें तो वह भी कर सकते हैं, लेकिन मैं समझता हूं कि जितने बड़े परिवर्तन देश में हो रहे हैं उन के अनुकूल यह चीज नहीं आई है, किसी भी सूरत में वह उन के अनुकूल नहीं आती है। यह कहा जाता है कि अगर हम इस को पास नहीं करेंगे तो हमारी सारी स्कीम अपमेट हो जायेगी। इस की जांच कहां से कराई गई, कौन सा आधार दिया गया है? मिनिस्टर साहब ने कहीं पर भी आंकड़े दे कर नहीं बतलाया है कि क्या क्या नुकसान होने वाला है, अगर हम इस को रेगुलराइज नहीं करेंगे। और अगर नुकसान होने वाला है, और अगर

नुक्सान होता था और इस विधेयक को पास करने के बाद इस में अमेंडमेंट लाने की जरूरत पड़ी, तो शायद आगे इस में भी ज्यादा अमेंडमेंट लाने की जरूरत पड़ जाय। इस लिये मैं कहना चाहता हूँ कि पहले न्याय्या तो कीजिये कि किन का नुकसान होने वाला है। आठ साल पहले वालों का नुकसान होगा या आजादी के बाद वालों का नुकसान होगा, या गवर्नमेंट को होगा या किम को होगा ? बिना इस बात की जांच करवाये हुए कि इस से वास्तव में नुकसान कोई होने वाला है या नहीं, रिट्रास्पेक्टिव ऐफेक्ट की बात कर दी गई। क्या यह आप दो चार मिल वालों के लिये कर रहे हैं ? इस के लिये पहले आप को कुछ और एन्क्वायरी करनी चाहिये थी और एन्क्वायरी करने के बाद उस के आधार पर इस को रिट्रास्पेक्टिव ऐफेक्ट देने की बात होनी चाहिये थी। अन्यथा इस का मतलब यह होगा कि आज के पश्चात् जो लोग मुफ्रीम कोर्ट के फैसले से न्याय पा सकते हैं उन को न्याय से वंचित कर दिया जाय। जिन गरीबों को बड़ी मुश्किल से मौका मिला है कुछ न्याय पाने का, उन को वंचित कर दिया जाय। जो कुछ किया जा रहा है, उस का यही मतलब होगा।

अमल के सम्बन्ध में सब जानते हैं कि ऐक्वायर करने वाले जो लोग होते हैं वे कौन होते हैं। किस प्रकार से मशीनरी चलती है, पटवारी से लेकर ऊपर तक क्या होता है। किस प्रकार से जमीन ले ली जाती है और मआवजा नहीं मिलता। वर्षों तक लोग मारे मारे फिरते हैं। अब तो गांव के गांव उठा दिये जाते हैं मगर उन को फिर से बसाने की कोशिश नहीं की जाती। यह कोशिश तो दूर उन को बहुत सी और तकलोफ़ होती है। फिर भी पब्लिक इंटरैस्ट के नाम पर लोग उस को बरदाश्त करने के लिये तैयार रहते हैं। लेकिन जो पब्लिक इंटरैस्ट नहीं होता उसको पब्लिक इंटरैस्ट बना दिया जाता है। वहां इस का कोई प्रश्न नहीं होता कि हमें संविधान

को लागू करना है या हम संविधान के हामी हैं। इस से सोशललिस्टिक पटनं आफ सोसायटी की बात जो हम कहते हैं उस की कलई खुल जाती है।

एक माननीय सदस्य : वह सिर्फ वोट लेने के लिये है।

श्री काशी राम गुप्त : इस बात का सोशललिस्टिक पटनं आफ सोसायटी से क्या नाता है ? कोई नाता नहीं है।

अब रही वोट लेने की बात। वह लम्बी चौड़ी बात हो जायेगी, उस को यहां कहने से कोई लाभ नहीं है। एक बात मैं सिर्फ आप से निवेदन करना चाहता हूँ। इस हाउस में कल की तरह से आज भी हमारे बहुत से साथी, चाहे वे विरोधी पक्ष में हों या दूसरी तरफ हों, अन्तरात्मा से यह चाहते हैं कि यह विधेयक, जो बहुत गलत है, ठीक होना चाहिये। इस लिये मैं चाहूंगा कि गवर्नमेंट बहुमत का सवाल बना कर या पार्टी ह्विप दे कर वोट लेने की बात इस सम्बन्ध में न करे। अगर वह खुले वोट से इस अमेंडमेंट के बारे में यहां पर निश्चय करने की बात करे तो वास्तविक स्थिति सामने आ जायगी। इस लिये या तो वह सेलेक्ट कमेटी की बात को मान ले या फिर खुले वोट के आधार पर इस पर मत ले। यहां पर हमारे साथी भाषण तो बहुत अच्छे अच्छे देते हैं, लेकिन जब वोट देने का प्रश्न आता है तो उन को पक्ष में वोट देना पड़ता है। तो वह तरीका यह नहीं होना चाहिए। यह लाखों करोड़ों आदमियों की मूल जिन्दगी से सम्बन्ध रखने वाली चीज है। तो मैं यह निवेदन करूंगा कि प्रथम तो उनको सिलेक्ट कमेटी की बात मान लेनी चाहिए, और इस बात को नहीं मानते हैं तो राइट आफ वोट फ्री करवा देना चाहिए, ह्विप को हटा दीजिये और फिर देखिये कि उनका क्या रंग है, उस वक्त पता चल जायेगा कि जो लोग बोलते हैं वे कहां हैं।

यह नाजुक मामला है, इसे जल्दबाजी में पास नहीं करना चाहिए। उन्होंने दलीलें तो

[श्री काशी राम गुप्त]

अच्छी दी हैं, लेकिन इसको जल्दबाजी में पास करने से देश का नाश होगा, और उस नाश से बचाने के लिए ही मैं यह निवेदन करता हूँ कि इसको जल्दबाजी में पास न किया जाये बल्कि शान्तिपूर्वक सोच विचार करके पास किया जाये।

**Shri V. B. Gandhi** (Bombay Central South): Mr. Deputy Speaker, I did not expect that this Bill would give rise to such a controversy and generate so much heat. The Bill is simple. The present position in regard to land acquisition in this country is that land may be acquired for public purpose; land may also be acquired for purpose of companies. Now, the *raison d'être* of this Bill is that the Supreme Court has recently given a decision and in that decision the purposes for which land may be acquired for companies have been interpreted. The interpretation in this case in the view of some of us is rather narrow. The central problem therefore before this House is to decide whether we accept this interpretation of the Supreme Court or whether we reject it. If we reject it, what do we do?

So much has been heard in the House today about this decision of the Supreme Court. I have myself not read the decision; I confess to it. I do not know exactly what the context is in which the Supreme Court is reported to have said that the present machinery of land acquisition in this country leads to a position where the Government appears to be acting as a general agent of the companies. Now, I do not think that that statement could lead to a position which appears to be so on the face of it. Even supposing that our present machinery of land acquisition is such that it does lead to something which makes it appear that the Government is an agent of the companies seeking acquisition, what is the remedy? The remedy is to reform the Government procedures and to devise the right

type of machinery to handle acquisition. The remedy is not to give up our policy; or change our thinking or change the desire to help the industrialisation of this country and to help planning. To my mind a good deal of today's discussion has been devoted to the individual cases, to particular cases and I have a feeling that those who participated in this discussion have done themselves less than justice. This is not an occasion where we can go from individual cases to generalisations. Reasoning from particular to general is reserved for certain definite purposes. It seems to me that the tenor of the House and the present discussion had somewhat been vitiated by the fact that too much has been made of these particular instances. Too much attention has been given or perhaps too much magnification has been made. What can we really do as practical men? What is the course open to us? Can we just sit back and do nothing or can we withdraw this Bill? I hardly think that anybody in this House would suggest such a course. Actually what is the position today? Soon after the decision of the Supreme Court was given, States have all started examining their own position; State after State has started clamouring that the Central Government do take some action. Public institutions have become uneasy and have started searching their own cases . . .

**Shri Kashi Ram Gupta:** Have you got a statement of facts before you?

**Shri V. B. Gandhi:** I do not know if these were not facts which the hon. Minister himself stated a little while ago. Public institutions have also started searching whether their present position in respect of their properties acquired earlier is safe and many other people have started thinking on those lines. I say again that as practical men we should offer a suitable policy with a suitable machinery. We could not give up the policy because we find ourselves unable to



devise a suitable machinery. I suppose that is the gist of what I proposed to say. With these few observations, I unqualifiedly support this Bill.

**Shri Himatsingka** (Godda): Mr. Deputy-Speaker, Sir, I support the principles of the Bill as has been introduced today. The hon. Minister has explained in detail why this amending Bill has been necessary. This Act came into force in 1870 and the amendment came in 1894. Since then, so far as the interpretation of section 41 is concerned, the words in question do not appear to have created much difficulty in acquiring lands which were necessary for any industry or for the purposes contemplated by the Act. You will find that even in the last case which resulted in the judgment of the Supreme Court on the 15th December, 1961, the high court had interpreted it in a manner which would enable the State Governments to acquire the land. Most of the speeches that have been delivered in the House seem to have proceeded on the basis that the State Governments may not act properly. There are sufficient safeguards in the Act itself to allow the machinery to be utilised. The State Government has to be satisfied that the purpose is one for which it should proceed to acquire land.

I shall refer you to section 39 which says:

"The provisions of sections 6 to 37 shall not be put in force in order to acquire land for any Company, unless with the previous consent of the appropriate Government . . ."

Then, section 40 provides that—

"Such consent shall not be given unless the appropriate Government be satisfied, either on the report of the Collector under section 5A, sub-section (2), or by an enquiry held as hereinafter provided,—

(a) 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, or

(b) that such acquisition is needed for the construction of some work, and that such work is likely to prove useful to the public."

The words, "such work is likely to prove useful to the public" have now been interpreted to mean that the land that is being acquired and which is being used for putting up a factory or a building or a school or college must be available directly to the public. If you strictly analyze that interpretation even the working of section 40 sub-clause (a) will become difficult. The "purpose of acquisition" is mentioned in section 40(1)(a). The houses that are constructed for workmen cannot be used for the general public. Those houses are confined for the use of the workmen. If you really interpret the words "useful to the public", as they have been interpreted by the Supreme Court in their judgment, then, even section 40(1)(a) will become inoperative and cannot be utilised for any purpose."

**Shri S. M. Banerjee:** Please read the judgment of the Supreme Court which has discussed it.

**Shri Himatsingka:** I have got it and I have read it very carefully. You find that in the judgment there is a dissentient judgment also and that has tried to show how the sections have been interpreted throughout by the different courts in cases where such occasions have come up.

The main suspicion proceeds from the basis that the State Governments may be induced to acquire for the purposes which are not intended by this Act. That, of course, is not the fault of the Act but of the persons

[Shri Himat singka]

who may be called upon to execute it. The hon. Member, Shri Man Sinh P. Patel, mentioned a case where compensation is said to have been given 16 years after, but the Act provides that so far as the land or anything that is to be acquired is concerned, the person for whom the thing is required has to deposit the money before the acquisition proceedings start. The delay is not on the part of the person for whom the land was given, but on the Government in that they did not pay the amount. That is what I understand. The deposit has to be made before any proceeding can be taken up. Therefore, the defect is not in the Act but in its application, in execution. For that, the proper remedy must be taken by the Union Government or the State Governments concerned. Therefore, unless this amending Bill is passed, there will be difficulty.

Now, what happens? Supposing a company has a licence for setting up a power plant. The plant is set up on the proper property that is acquired but that power plant cannot be made available for direct use by the members of the public. That is what the interpretation comes to. That can be only possible when you put up a playground or a school or a park or a swimming pool.

**Shri Man Sinh P. Patel:** Make them the shareholders?

**Shri Himatsingka:** They cannot help because it must be useful to the public. "Public" means anybody who wants to go there. It is not confined to the shareholders. In a limited company, there are shareholders, but that does not take away the difficulty that has been created by this judgment. Therefore, what we have to provide for is that the provisions of the Act are not allowed to be misused. If any restrictions are intended to be suggested, I think the State Governments may be told that the Land Acquisition Act should not be utilised

for certain purposes, say, for cinemas and theatres and so on. The policy may be laid down, and that will be a safeguard. But if this Act is allowed to remain as has been interpreted, then, useful industries cannot be set up, for objections will be raised by individuals.

**Shri Tyagi:** Cannot they buy lands? They can also buy.

**Shri Himatsingka:** I am just coming to that. Supposing a man requires 50 acres of land, and people owning 40 to 45 acres of land agree to part with their lands at proper prices. The man owning two acres of land in between stands out. So, the whole purpose will be frustrated because unless those two acres of land are acquired, or are made available along with the 48 acres, the industry cannot be set up. Here also, so far as the price is concerned, the price that is payable to the owners is the market price which has to take into account, a number of factors mentioned in the Act in favour of the landowner plus 15 per cent for compulsory acquisition. You will find from section 23 how many items have to be taken into consideration for fixing the value. Therefore, so far as the provisions of the Act are concerned, the safeguards are there. If they are not being properly applied the remedy lies elsewhere but not in stopping the passage of this Bill.

Therefore, I support the principles of the Bill. If there be any minor amendments or suggestions that may be necessary, there should be no objection and the Minister should be prepared to accept any suggestion that might be made. But so far as the necessity for removing the difficulty that has been created by the latest judgment of the Supreme Court is concerned, I think there is no doubt, and the House will support this Bill.

15 hrs.

Shri S. M. Banerjee (Kanpur): Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th September, 1962."

My hon. friends Shri Daji and Shri A. P. Jain have thrown enough light on this particular amending Bill. As I come from a place called Kanpur where the dispute of land still exists, I would like to enlighten the House and the Members with more facts about this case. The Minister of Food and Agriculture, for whom I have the greatest respect, with his usual eloquence wanted to impress upon the House that there would have been chaos in this country had this ordinance not been brought. May I remind this House that this judgment of the Supreme Court was delivered, with a dissenting judgment by Justice Sarkar, on 15th December, 1961. I would like to know from the Minister why this amending Bill was not brought either in the lame duck session or in the previous session of the new Parliament which lasted for 90 days or more. What is the history behind this?

I would like to quote certain things with your permission. When this Land Acquisition (Amendment) Bill was being introduced in this House, I rose. The Speaker was in the Chair and said:

"Motion moved:

"That leave be granted to introduce a Bill further to amend the Land Acquisition Act, 1894."

I immediately rose and said:

"I have a submission to make in this regard. After the Supreme Court's judgment, the necessary ordinance was promulgated on the 20th July for a particular case. When it was already announced that this House will sit from the

6th August, what was the necessity for it? Was it not due to...."

I had not concluded, when the Speaker said:

"He will kindly resume his seat. I have followed him."

I persisted and said:

"I have not finished yet. This has been done because this case pertains to an industrialist of Kanpur and it is to protect the interests of the industrialist that even the Government of India came forward with an Ordinance."

Fortunately or unfortunately, this case pertains to Kanpur and this entire ordinance was brought to protect the interest of a particular industrialist, who is fortunately a Member of this House. Mr. Aurora had 25 acres of land in a place called Nau-raiya Khera which is covered within the Corporation limits of Kanpur. About half or three-fourth of the land was taken under the DIR Act for the construction of an ordnance factory known as the small Arms Factory and other ordnance factories. This was necessary because in 1943 or 1944, when this country was being bombarded by imperialist forces, it was necessary to have temporary projects. It was necessary to shift some of the factories from Hyderabad, Ishapore and other places in Bengal and these two projects were known as temporary projects No. 1 and No. 2. Naturally, I can understand that that particular land was needed in the larger interests of the security of the country.

Mr. Aurora, the appellant in this case, was left with only 8 acres. In 1956, a notification was issued and this land was acquired. At what price? Normally the price of that particular land would have been Rs. 25,000 per acre. But this gentleman was offered only Rs. 1,000 per acre in 1956. He went in appeal to the High Court of Allahabad. The High Court did not decide the case in his favour. So, an

[Shri S. M. Banerjee]

appeal was filed in the Supreme Court. The Supreme Court Judgment is before me. Parts of it have been quoted by Shri Jain and Shri Daji. I am reading from page 5 of the judgment, which clearly says:

"...it shall require the company to enter into an agreement with it, providing to the satisfaction of the appropriate government for the following matters, namely—

- (1) the payment to the appropriate Government of the cost of the acquisition;
- (2) the transfer, on such payment, of the land to the company;
- (3) the terms on which the land shall be held by the company;
- (4) where the acquisition is for the purpose of erecting dwelling houses or the provision of amenities connected therewith, the time within which, the conditions on which and the manner in which the dwelling houses or amenities shall be erected or provided; and
- (5) where the acquisition is for the construction of any other work, the time within which and the condition on which the work shall be executed and maintained, and the terms on which the public shall be entitled to use the work."

Then, the judgment says:

"...these words do not carry the meaning that if the product of the company which constructs the work is useful to the public, land can be acquired for it. It is urged that on this interpretation the Government will be turned into a sort of agent for acquiring lands for all companies which pro-

duce something which may be used by the public."

On this particular land, a particular factory which will produce textile machinery was to be constructed. I have no objection to that. I sincerely believe that our third Plan and our planning in general must prosper in this country. I know that until we are able to achieve a socialist economy, mixed economy is going to continue in this country.

After the judgment was delivered in December, 1961, Mr. Aurora wanted his land to be given to him. He made representations and the Chief Minister of U.P. was approached, in May, 1962. There was some correspondence going on between this particular company known as the Lakshmi Rattan Engineering Works Limited, Kanpur and Mr. Aurora. Both the parties agreed that they would repose full confidence in the Chief Minister and accept whatever arbitration award he gave. It was simply meant to gain ground. The Chief Minister of U.P. was asked by both parties, especially by Mr. Aurora, that he should devote only two hours and this land dispute would be over. It was impossible for him to devote 2 hours and he mentioned the names of two ex-Judges, Mr. Chaturvedi and one other gentleman. So, Mr. Aurora, who lost every inch of his land, was left in a lurch. But he still had hopes that he would get back the land.

**Mr. Deputy-Speaker:** We are not concerned with the individual.

**Shri S. M. Banerjee:** It is the case of this individual that has been mentioned in the Statement of Objects and Reasons.

**Mr. Deputy-Speaker:** It is only, incidentally relevant. He should come to the provisions of the Bill. This case has gone to the Supreme Court and the House knows about it.

**Shri S. M. Banerjee:** I am saying why this delay....

**Mr. Deputy-Speaker:** He need not go into the details of the case.

**Shri S. M. Banerjee:** Mr. Aurora had referred the matter to the District Land Acquisition Officer, Kanpur saying that his land should be given back to him. On 28th May, 1962, the officer gave notice to the other person, which said:

"Consequent upon the Supreme Court decision in C.vil Appeal No. ....etc. the land as per attached details is to be taken over from you. The possession of this land was handed over to you on 31-7-1956 and 3-1-1957. The date fixed for taking over possession is 8-6-1962. I am to request you kindly to hand over possession of the above land to the Tahsildar, Kanpur on this date positively."

Then the excuse given was that this gentleman was not in Kanpur and two months would be needed. This was done purely to see that the ordinance was passed. With your permission, I can lay the entire correspondence on the Table of this House. I am happy the Prime Minister is here. It is for the Prime Minister of this country to decide whether Government can bring ordinances or amending Bills only to suit the purposes of particular industrialists. Then I am sorry to say that the entire legislation will be reduced to nothing but personal likes and dislikes or personal benefits to some people and the entire function of legislation will be lost.

Now, Sir, I will come to the other point. The point here is what the Supreme Court has said. What is the intention? The question is whether the Government should act as an agent for those capitalists. What is meant by "utility of the public"? I want to know whether the product of that mill or factory is going to benefit the public. My hon. friend has said very ably that even a cinema house is meant for the use of the public. Even a coffee house is meant for public use. But should the Government go to

that extent of acquiring land for the benefit, for the profit motive of certain industrialists in this country? I hope that is not our goal. If we are sincerely moving towards socialism, if our goal is socialism, if we are said to be moving towards a socialist pattern of society, then I hope that is not the intention of the legislation which is being brought before us.

Then, certain amendments have been brought about compensation. Certain amendments have been brought for referring this matter to a select committee. The hon. mover of this Bill, Shri Patil, said that it cannot be done because this Bill has to be passed in this session. I will put him a straight question. What was he doing in January? What was he doing in February? What was he doing in March when we had the 'lame duck' session? What was he doing in April, May and June? Sir, we worked here up to 22nd June, 1962? Is it not that when all negotiations failed and when the Chief Minister of Uttar Pradesh acted as Princess Salome and wanted to have the head of Ioknan that, unfortunately, the Food Minister of this country acted as the loyal slave of Princess Salome and has brought the head of Ioknan on the Table in the form of this amending Bill? This is really shameful. I should not have used this expression, but I am compelled to do so. I want mixed economy to thrive. I want the private sector to thrive. Until we are able to nationalise everything, until we are able to attain that stage of self-sufficiency, both the sectors are necessary. But it has been done in a very shameless way. I would appeal to this House, I would appeal to the hon. Minister, to refer this Bill to a select committee. Let all those aggrieved persons come before that select committee and place their view points. Let there be no feeling in this House, and through the House in this country, that we are going to hustle with this Bill or muzzle the voice of those whose land is being taken away.

[Shri S. M. Banerjee]

Sir, land was procured for the refugees in many places. What happened to those lands? The refugees were rehabilitated. Ultimately they were all uprooted and the entire land was given to the industrialists in this country. The same thing happened in Tatanagar. The Zamindari Abolition Act was passed. In every State a Bill was passed. But the Tata zamindari was kept intact. I am sorry to say—I am speaking subject to correction—that a legislation was brought by which the Tata zamindari was not touched at all. Why? Are we to rehabilitate the Tatas? Are they refugees? Are they poor people? Is it not that they have absolutely bled our country white? Have they not been sucking our blood at the cost of the poor. I am only sorry that these things have been done.

This is a pernicious piece of legislation. I can read the entire correspondence. I have no grouse against the industrialists of Kanpur. But the way in which this has been brought is strange. From 16th December, 1961 to 19th July, 1962 that poor fellow was kept in the dark about all these things till the Ordinance was brought. For the Indian Institute of Technology there was no land available in Kanpur. There was a resistance movement going on. The U.P. Government did not suggest the bringing in of any ordinance. When the prices were soaring high in this country, when there was racketeering going on in this country, when blackmarketing was rampant, no ordinance was thought necessary. Ordinance was necessary in this country only to crush the voice of the Central Government employees and to protect the interests of the industrialists. This is something strange in this country.

I would again beg of you and this House to kindly refer this Bill to a Select Committee at least for a week. Let there be no feeling that the genuine voice of those people who are being gagged is not being heard and they are not allowed to speak out.

With these words, Sir, I support the amendment moved by my hon. friend Shri Daji, that this be referred to a select committee. I do not impute any motive to anybody. I have used this expression because I know what is happening in Kanpur and how the land has been taken there. I am sorry this has been done. Sir, you are the custodian of democracy.

**Shri Tyagi:** My hon. friend has admitted that Shri Aurora was prepared to negotiate for that land. He was prepared to give it to the other party.

**Shri S. M. Banerjee:** He was kept waiting.

Sir, I would request the hon. Minister, for whom I have the greatest regard, to kindly refer it to a select committee. Heavens are not going to fall by that. If one ordinance is passed for one industrialist in Kanpur, thousands can be passed in the country. So, I again request that this may be referred to a select committee.

**Shrimati Renuka Ray (Maida):** Mr. Deputy-Speaker, Sir, one of the hon. Members who spoke before us asked why there is so much controversy and so much heat in a simple amendment that has been brought in this Bill. From the day this amending Bill has been before us, from all sides and all sections of this House many of us have felt very perturbed. We are perturbed because we feel that this amendment, whatever might have been its intentions and serve the purpose for which it is intended, is not what we want in this country, and is not at all in line with the socialist pattern of society.

Sir, when article 31 of the Constitution was framed—the hon. Minister was a member of the Constituent Assembly also—he will remember that a majority of the members were in favour of attaching a certain sanctity to private property. In article 31, it is laid down that except for a pub-

lic purpose private land cannot be taken away without undergoing the due process of law. It was only because of the zamindari abolition that at that time this one condition was laid down that private property could be taken away for this purpose. That referred to zamindari property and no other property. In fact, that amendment came later in this House. Therefore, taking into consideration what was intended in the Constitution, I think the Supreme Court has very rightly come to this decision. It is quite certain that it was never intended by the Constitution makers and it is certainly not in line with the policy of our Government, that we should anyhow get land acquired for private companies without any conditions attached to it for their own profit.

As some hon. Members have put it, what kind of conditions can there be if the clause is so vague as in the amending Bill. In the amendment to section 40, it is said:

"in an industry which is essential to the life of the community or is likely to promote the economic development of the country."

Other hon. Members have spoken about this. But I must reiterate this point. How can we possibly keep any check upon the type of company that comes up? As Shri A. P. Jain has very ably pointed out, it is already in the Act, that any company, not even a public company is intended to be included in this Act. I would like to ask the hon. Minister as to why he has not brought an amendment to that, if it was meant that only public companies which were doing some work in pursuance of our planned development were to be covered. That is not there.

Then, it is said: "It is likely to promote the economic development of the country". It may or may not promote the economic development of the country. As some hon. Members have already pointed out, you may take the

land for a cinema hall or a park. A park is a very important thing in the life of a city. At the same time, are Government going to acquire some land from agriculturists and others and give it over to private companies to make some parks, not for a public purpose but because some individuals want it, because some business concerns want a park and not houses for their workers or anything which is important? Of course, the hon. Minister is looking at me and I am sure he will tell me in reply that the Governments of the States will decide each case on merits. That point has already been dealt with by some of the Members. Certainly, I do not say that the Governments of the States are less qualified than the Government at the centre. I do not dispute their competence. But when we go into details, who is going to decide finally? Some Collector or his deputy. So, there are all sorts of avenues for corruption especially when some big industrialists are interested in it. So, it would be very much against all the things that we stand for, particularly the Government stand for, if we allow this clause to go into the Bill as it is without any amendment.

Extracts from the judgment of the Supreme Court have been read out by several hon. Members. I want to read out only one line out of the extract that Shri A. P. Jain has quoted. It reads:

"If we are to give the interpretation contended for on behalf of the respondent for the relevant words in sections 40 and 41, it would amount to holding that the Legislature intended the Government to be a sort of general agent for companies to acquire lands for them so that their owners may make profit."

We cannot deny the fact that the owners will make profit for themselves. Any kind of company will make profit for individuals unless it is a Government company. Therefore, the question we have to consider is

[Shrimati Renuka Ray]

whether it will be in the interests of the public or not. So, there should be some kind of restriction. I do concede here that since we believe in a mixed economy; we have to allow certain companies which are not public sector companies, or even companies where Government may hold the majority share, to acquire some lands. But such cases should be very rare and it should be resorted to only where it is absolutely impossible to get land otherwise.

No conditions have been laid down in this clause. Shri A. P. Jain has already laid emphasis on this point. I agree with him completely that if you are to take certain powers which are not in the Act as it is, certain powers to allow private companies to acquire land because they may be acting in the public interest, or because the Government may think they are acting in the public interest, if the Government want them to do something, it must be something which is essential not only to the life of the community—everything is essential to the life of the community—but it must be essential for the safety of the country. Suppose the public sector cannot do everything and we want the private sector to do something. All right, let us have some kind of clause for allowing or empowering Government to acquire land for them. But I do not think this clause, as it stands, more especially with the amendment that has been brought in by the hon. Minister, is going to serve that purpose. So, I would appeal to him, considering the view of this House as a whole, to refer this matter to a Select Committee. As some hon. Members have stated, a Select Committee can go into it and report even within five days. Whether a Select Committee is agreed to or not, in any case, certain essential amendments must be brought. Otherwise, it cannot fulfil the purposes or objects which we want to achieve. We generally want most of essential works to be done by public sector companies. But we are not able to do everything ourselves in which

case we have to entrust them to private companies. But they should be very rare cases. So, this amending Bill requires radical changes.

One hon. Member referred to "purpose". But what is the "purpose" here? The purpose in the case of private companies can only be private profit. Suppose some private firm does some very important work; it cannot be a good purpose if it is only a private purpose. If it is doing something more than that, then it is different. Therefore, we should look to the purpose. We have to see whether the purpose is only private profit. Considering that we have a mixed economy, as I have said, certainly we may have to entrust some work to some private firms. But it is essential that there is some change in the Bill so that resort can be had to this provision only in very deserving cases which will really help the planned development of this country. And when we say "planned development" we are not to open the floodgates for everything. For instance, any company can come forward and say that we are helping the planned progress. So, a rider should be there that the Government should only acquire land in very restricted number of cases for a special purpose.

I do not say that any State Government has less authority or less understanding than the Central Government. I do not make any distinction at all. But I do say that since the State Governments have so many minions to carry out the purposes of the Act, they are liable to act wrongly, as pointed out by Shri A. P. Jain.

I will refer to one or two more points before I close. First of all, the scope of the work that is to be undertaken by private companies must be laid down. What is the scope? "Planned development" is a wide term. We must include in its scope only such things which are really necessary and which cannot be or is not being done by the public sec-



tor. Then, the purposes must be defined in a proper way and the categories must be laid down. If all that is done, we can allow this change.

Personally, I was thinking of bringing forward an amendment, which I have tabled, to section 40 because I felt that this clause, as it stands, could apply only to a company where the majority of shares are owned either by the Government or by the co-operative sector. But I am willing not to bring in my amendment if the hon. Minister will promise to look into this and make the necessary changes himself. If it is not possible, then I think it should be referred to a Select Committee. In any case, in view of the feelings expressed in this House, I am sure the hon. Minister will do something about this. Because, if the clause is left to stand as it is in the present Bill, and the floodgates are left open, whatever we may be striving to achieve by the establishment of a socialistic pattern of society will be set at naught and hundreds of companies will take advantage of this provision.

Then, for example, a State Government may consider it in the interests of development to have certain minor industries. Even if they are needed for planned development, I do not think it is one of the purposes of this enactment and we should not acquire agricultural land for that purpose under this enactment. It is surely the duty of the Food and Agriculture Minister to look after and protect the interests of the agriculturists and see to it that agricultural land is protected from being given over to minor industries which are run by private concerns for their own profit. Is it fair that these people who are also producing food and other crops which are essential to the needs of this country should be dispossessed of their lands? I know that the hon. Minister will tell me that this is an exaggeration and that he is there to see that most of those lands are not taken away. But I do feel that if this Bill is passed as it is, and it is carried out

to its full extent, and interpreted in a loose way, as it will inevitably be, then the result will be that a lot of agricultural land which would have given cash crops as well as food crops will be taken away by the industries.

Lastly, I would say that I come from a city which has almost been taken over by the business community. I hope that at least the little that remains in that city will not be made over by this provision to the business community.

With these words, I hope that the hon. Minister will do something to change this Bill in such a manner that any industrialist who comes forward, and whose proposal has been approved for just any type of development purpose, may not get the land which is owned by agriculturists who are also doing essential work for the country.

श्री बड़े : माननीय उपाध्यक्ष महोदय, जब मैं ने इस लैंड एक्वीजीशन बिल को देखा तो मैं ने समझा कि इस को लैंड रिक्वीजीशन बिल का नाम देना चाहिए था। जब नादिर-शाही, तानाशाही या मनमानी प्रजातंत्र का कपड़ा पहन कर आती है तो उसका स्वरूप लैंड एक्वीजीशन बिल होता है। यह प्रजातंत्र का खून है ऐसा मैं समझता हूँ। उसका कारण यह है कि सुप्रीम कोर्ट ने लिखा है :

"Government will become the agent of the capitalist or the industrialist to make the profit."

ये शब्द जो सुप्रीम कोर्ट ने अपने जजमेंट में लिये हैं वे बताते हैं कि

Coming events cast their shadows before.

इसका मतलब यह है कि गवर्नमेंट आज एजेंट बन गयी है नहीं तो इस तरह के कानून को जरूरत ही न होती।

[श्री बड़े]

इस सिलसिले में मुझे बेकन का एक वाक्य याद आता है। उसने लिखा है :

"Law is a great organ through which the sovereign power of society moves."

श्रीर बेकन अन्त में कहता है कि एक ऐसा क्लास उत्पन्न होगा जो बड़ा कर्निंग और होशियार होगा और वह क्लास अपनी स्थिति का फायदा उठाकर अपने मतलब के कानून बनवायेगा प्रजातंत्र के नाम पर। बेकन ने तो इतने साल पहले यह कहा था लेकिन आज इस पार्लियामेंट में यह प्रतीत हो रहा है कि हम प्रजातंत्र के नाम पर काश्तकारों की जमीन की आहुति देने जा रहे हैं।

इस बिल के कारण आज गांवों में बड़ा असंतोष है। जैसे जैसे उद्योग बढ़ते जाते हैं पूंजीपति बढ़ते जाते हैं और जैसे जैसे पूंजीपति बढ़ते जाते हैं वैसे वैसे लोग देखते हैं कि वे सत्ताधारियों के ऋण्डे पहन कर और दबाव डाल कर बड़े बड़े काश्तकारों की जमीनों को ले रहे हैं। गांवों में आज बड़ा असंतोष है कि कांग्रेस सरकार लोगों की जमीनों ले रही है और इस कारण जिनके बाल बच्चों ने पहले कभी मजदूरी नहीं की थी आज उन की जमीन चली जाने के कारण उन को दर दर की ठोकर खानी पड़ती है। हम ने इस कारण किसानों के आंसू देखे हैं और मैं इस बात को लेकर मिनिस्टर साहब के पास भोपाल गया था तो उन्होंने कहा था कि जैसा तुम्हारे अन्दर किसानों के लिए दूष है वैसा हमारे अन्दर भी है। मैं ने कहा था कि तुम्हारा दूष तो सूख गया है कि किसानों की जमीन को उद्योग के लिए और दूसरे कामों के लिए दूसरे लोगों को दिया जा रहा है। आज आप जमीन तो पूंजीपतियों को दे रहे हैं और श्री मोर फूड का नारा लगाते हैं। किसान अन्न कैसे उत्पन्न करेंगे अगर उनकी जमीन ले ली जायेगी।

मैं ने देखा है कि शुरूआत में जो ऐक्ट है उसके सेक्शन ४० और ४१ के पीछे सेक्शन ३८ ए की बैकग्राउन्ड है। सेक्शन ३८ ए में लिखा है :

"An industrial concern ordinarily employing not less than one hundred workmen, owned by an individual or by an association of individuals, and not being a Company, desiring to acquire land for the erection of dwelling houses for workmen employed by the concern or for the provision of amenities directly connected therewith, shall, as far as concerns the acquisition of such land, be deemed to be a Company for the purposes of this Part, and the references to Company in sections 5A, 6, 7, 17 and 50 shall be interpreted as references also to such concern."

सेक्शन ३८ ए को सन १९३३ में जोड़ा गया है। इसके लिए सिलेक्ट कमेटी बैठी थी। सिलेक्ट कमेटी ने भी खतरे की घंटी बजायी थी। उसने अपनी रिपोर्ट में कहा है :

'The Select Committee Report makes the following significant remarks:

"Considerable apprehension has been expressed that extension of the definition of company to include concerns owned by individuals might lead to the Act being used in favour of mushroom concerns. In order to provide a safeguard, we have limited application of the new section 38-A to industrial concerns employing at least one hundred workmen. We have also made it clearer that the land may be acquired for the purpose of providing, sanitation, sewage and other services at any time."

और उन्होंने सेक्शन ४० और ४१ का बन्धन डाल दिया है। यदि सेक्शन ४० और ४१ में

पबलिक परपज के वास्ते जरूरत हो तभी जमीन लेनी चाहिए। कम्पनीज के फायदे के लिए जमीन नहीं लेनी चाहिए।

माननीय उपाध्यक्ष महोदय, साथ साथ में सेक्शन ४० के बारे में यह दिया हुआ है :

"The words 'either on the report of the Collector under S. 5(1), sub-s. 5(a) or' have been added by the Amended Act of 1923. . . . . The old sub-clauses (a) and (b) ran thus :

(a) that such acquisition is needed for the compensation of some work, and

(b) that such work is likely to prove useful to the public'.

ये जो शब्द हैं उस के बाद अमेंडमेंट में ये शब्द डाल दिये गये :

"Such acquisition may be made for obtaining land (a) for the construction of dwelling houses for workmen or for the provision of amenities directly connected therewith".

सेक्शन ४० और ४१ में ये जो शब्द लिखे गये हैं इन के पीछे सेक्शन ३८ ए है और ये शब्द इसलिये डाले गये कि इस का नाम कोई प्रोडवेट इंडीविजुअल कम्पनी बना कर न उठा ले।

हमारे मंत्री जी पाटिल साहब हैं। हमारे यहां पाटिल बड़े काश्तकार को कहा जाता है। लेकिन इन्होंने जो अमेंडमेंट रखा है उस में शब्द रखे हैं "एनी एक्टिविटी"। यह देख कर मुझे बड़ा दुःख हुआ और सदन के अन्य सदस्यों को भी इस से धक्का लगा है। एक्टिविटी का अर्थ है "मूविंग आफ लिम्ब्स", ऐसा डिक्शनरी में दिया गया है। तो हम मूविंग आफ लिम्ब्स के लिये जमीन ले सकते हैं।

Shri S. K. Patil: May I interrupt for a minute? I defined 'actively'. If a co-operative society is not covered by 'industry', then alone that word

is to be used. I am prepared to take it. It is not actively by any dancing that was referred to.

श्री बड़े : माननीय उपाध्यक्ष महोदय, मिनिस्टर साहब हाउस में बैठ कर यह कह रहे हैं कि इस का यह मतलब नहीं है, लेकिन जब कोर्ट में मामला जाता है तो कोर्ट देखती है कि ये लूज शब्द रखे गये हैं। इस में आप ने इंडस्ट्री का शब्द डाला है और लिखा है कि यह कानून न बना तो प्लान फेल हो जायेगा। आज प्लान का तो एक महा मंत्र हो गया है। प्लान का शब्द देख कर हर कोई चौकन्ना हो जाता है। इसी लिये आप ने बड़ी चतुराई से लिखा है कि यदि यह बिल पास नहीं किया जायेगा तो प्लान फेल हो जायेगा। आप कहते हैं कि प्लान खतरे में है। लेकिन मैं कहता हूँ कि प्लान खतरे में नहीं। प्लान पूरी होगी। लेकिन वास्तव में गवर्नमेंट खतरे में है, पूंजीपति खतरे में हैं, मंत्री जी खतरे में हैं, और कांग्रेस पार्टी खतरे में है, ऐसी बात कहते तो मैं समझता हूँ कि सच्ची बात कही है। लेकिन मंत्री जी ने कहा है कि पंचवर्षीय योजना खतरे में है, प्लान खतरे में है। मैं कहता हूँ कि यह बात गलत है। ऐसी स्थिति है कि आज सारे सदस्य चाहे वे अपोजीशन के हों या कांग्रेस पार्टी के उन में काफी चर्चा है और काफी असन्तोष है।

इस के बाद मेरे पास सुप्रीम कोर्ट का एक जजमेंट है जो कि अरोड़ा के केस के बाद का जजमेंट है। यह सुप्रीम कोर्ट आफ इंडिया का पिटीशन नम्बर २४८ का जजमेंट है जो कि २ मई, १९६२ को दिया गया था। मैं मिनिस्टर साहब की जानकारी के लिये इस की कुछ लाइन्स पढ़ देना चाहता हूँ।

उन्होंने ने अपने डिस्सटिंग जजमेंट में यह लिखा है :—

"We think that the Legislature, when they passed the Land Acquisition Act, did not intend that owners should be deprived of their ownership by a mere device of

[श्री बड़े]

private persons employing the Act for private ends or for the gratification of private spite or malice."

इस तरह के शब्द उस में लिखे हैं। अरोड़ा के जजमेंट का भी जिक्र किया है। मैं यह कहना चाहता हूँ कि यह अमेंडमेंट बिल जो आप ला रहे हैं उस में इस्तेमाल हुए शब्द इतने लूज हैं कि कोई भी एडवोकेट या वकील जो कि वकालत करता है वह जिस तरह का चाहे इन का अर्थ लगा सकता है और वह ऐसे लूज शब्द हैं कि उन में कोई भी बात आ सकती है। क्लॉज २ इस प्रकार 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 or is likely to promote the economic development of the country".

आप के मन में आ गया अथवा कलक्टर साहब के मन में आ गया कि इस तरह के एक्वीजिशन से एकोनॉमिक डेवलपमेंट लाइकली टु बी प्रमोटेड है, और इस वास्ते बीच में कोई प्रीवेंटिव मॉडिसिन ले आये बीच में कोई अइचन आ गायी और वह सम्भव न हुआ तो भी जमीन तो ले ही ली जायेगी।

जहां तक मुआविजे का सवाल है उस का मिलना वड़ी टेढ़ी खीर है और हालत यह है कि १०, १० और १५, १५ साल तक वकीलों को फीस भरने के बाद भी उन बेचारों को कम्पेन्सेशन नहीं मिलता है। मैं इस सम्बन्ध में सदन में एक उदाहरण उपस्थित करना चाहता हूँ कि हमारे वहां एक बनजारिन थी। गवर्नमेंट ने उसकी जमीन ले ली थी। जब वह मुआविजे के वास्ते गई तो उसको यह कहा गया कि तेरी जमीन चूँकि तेरे पति के नाम है और इस वास्ते जब तक वारसा सर्टिफिकेट नहीं लाती तुझे मुआवजा नहीं मिल सकता। वह बेचारी अब इधर उधर रोती हुई फिरती है पैसे उस

के पास इतना कहां है जो कि वकीलों को फीस दे कर अदालत में जाये ? कम्पेन्सेशन लैंड रेवेन्यू का दस गुना या बीस गुना दिया जाता है। लैंड रेवेन्यू सैटलमेंट जो कि १९०६ या १९२६ में हुआ था केवल दस या पन्द्रह रुपये निश्चित किया गया था। उसकी कीमत उस वक्त १०,००० किया गया था। उसकी कीमत १०,००० रुपये हो गयी लेकिन उसको जो मुआविजा मिलेगा वह १०० रुपये या २०० रुपये ही मिलेगा। अब वह कहां का उचित मुआविजा हुआ ? वह मुआवजा सोशलिस्टिक पैटर्न के मिनिस्टर साहब दे रहे हैं और यह देख कर मुझे आश्चर्य होता है कि इस तरह का तरमीमी बिल और दूसरे कोई नहीं बल्कि हमारे फूड एंड एग्रीकल्चर मिनिस्टर ला रहे हैं। मैं सरकार को चेतावनी देना चाहता हूँ कि इस तरह का बिल यदि पार्लियामेंट में पास किया गया तो इस का बहुत बुरा नतीजा उसको भोगना पड़ेगा। सारे भारत में इससे असन्तोष उत्पन्न होगा और इसकी गम्भीर प्रतिक्रिया होगी।

यह तरमीमी बिल सुप्रीम कोर्ट का १९६२ में जो जजमेंट हुआ है उसकी वजह से गवर्नमेंट इसे लाई है। एक्वीजिशन की बलेडिटी के बारे में चूँकि शक और शुबहात जाहिर किये गये हैं इसलिये इस तरमीमी बिल को लाना जरूरी समझा गया। मिनिस्टर साहब ने बतलाया कि सात, आठ स्टेटों ने भी लिखा है कि इस किस्म का कानून पास होना चाहिये। अब मेरा कहना यह है कि इसके लिये ७, ८ स्टेटों ने इतनी जल्दी कैसे लिखा और अगर लिखा तो गवर्नमेंट ने इतनी जल्दी एक्शन कैसे लिया ? जो वकालत करते हैं उनको मालूम ही होगा कि एक दफे जमीन दूसरे व्यक्ति में वैस्ट हो गई तो फिर वापिस मिलने के लिये ला और लिमिटेशन आड़े आता है और परिणामस्वरूप वैस्ट का डिबैस्ट होना बड़ा मुश्किल हो जाता है। मिनिस्टर साहब एक भी ऐसा केस बतलायें जिसमें अरोड़ा के केस में सुप्रीम कोर्ट का जजमेंट

होने के बाद कोई भी शक्स कोर्ट में फिर जमीन वापिस लेने को गया हो ? दरहकीकत हुआ यह है कि सन् ६२ में भरोड़ा केस में सुप्रीम कोर्ट का जजमेंट हो जाने के बाद पूंजीपतियों ने गवर्नमेंट को लिखा है कि इस रूलिंग से हम यहां डूब रहे हैं और चूंकि यह सरकार पूंजीपतियों के हाथ में सदा से खेलती आई है इसलिये उन को सैटिसफाई करने के लिये वह यह कानून यहां पास करा रही है . . .

**Shri S. K. Patil:** One of the States is the hon. Member's State.

**श्री बड़े :** मैं मध्य प्रदेश का नाम नहीं लेना चाहता था और किसी स्टेट विशेष का नाम यहां पर ले कर नहीं चलना चाहिये, लेकिन चूंकि मिनिस्टर साहब ने मध्य प्रदेश का नाम ले दिया है तो मैं बतलाना चाहता हूं कि हमारे इंदौर में काफी क्लाय मिलें हैं; ७, ७ और ८, ८ कपड़ा मिलें वहां पर हैं और वहां की मिनिस्ट्री उन पूंजीपतियों के हाथ में खिलौना बन हुई है। अब भरोड़ा केस के जजमेंट के बाद यहां के पूंजीपति भाई लोगों ने वहां के पूंजीपतियों को लिखा होगा कि समय रहते सावधान हो जाओ अन्यथा हम यहां डूब रहे हैं तुम भी डूबोगे। यही कारण है कि भरोड़ा जजमेंट होने के बाद ही मंत्री महोदय एकदम जागरूक हो गये और पूंजीपतियों के इशारों पर स्टेट गवर्नमेंट ने भी इस तरह का तरमीमी कानून लाने की मांग की।

कोल की हमारे यहां कमो हो गई। चूंकि हमारे यहां कोयला आया नहीं इसलिये हमारे कारखाने बन्द हो गये, हमारी स्टेट गवर्नमेंट ने सेन्टर को उस के बारे में लिखा लेकिन उस का कोई जवाब नहीं आता है और मिनिस्टर साहब जागरूक नहीं हुए लेकिन पूंजीपतियों के इस तरह के कानून के लिये मांग करने पर कांग्रेस गवर्नमेंट जागरूक हो जाती है क्योंकि यह कांग्रेस सरकार पूंजीपतियों के हाथों की कठपुतली बनी हुई है। टाटा, बिड़ला और बाटा इन तीन टीज के हाथों में कांग्रेसी सरकारें खेल रही हैं। इन

पूंजीपतियों और मिल वालों के बलबूते पर यह यहां पर आते हैं। आप यह कानून महज इसलिये लाये हैं चूंकि उन्हो ने आप को इध के लिये लिखा होगा। चूंकि इस बारे में मेरे पास डाक्युमेंटरी एविडेंस नहीं है केवल उन के बारे में सुना है इसलिये कोई स्पैसिफिक इंस्टांस नहीं दे सकता कि फलां पूंजीपति ने मंत्री को लिखा कि इस प्रकार का कानून पास होना चाहिये। लेकिन यह हकीकत है जिस से कि इंकार नहीं किया जा सकता है। मुझे इस बात का पूरा विश्वास है कि यहां के पूंजीपतियों ने वहां के पूंजीपतियों को इस के लिये लिखा होगा कि ऐसा कानून पास करवाओ वरना तुम भी डूबोगे और चूंकि कांग्रेसी सरकारें सभी जगह पूंजीपतियों के हाथ में खेलती हैं इसलिये वहां की सरकारों ने आप को लिखा होगा कि ऐसा कानून पास करवाया जाये . . . .

**Shri S. K. Patil:** I do not want to interrupt the hon. Member but it may escape attention. It has been done for the Bhilai plant lands. No capitalist is involved in it.

**श्री बड़े :** भिलाई प्लांट के लिये जो आप कहते हैं तो वहां के इंडस्ट्रियलिस्ट्स ने आप को लिखा होगा . . . .

**श्री स० का० पाटिल :** इंडस्ट्रियलिस्ट्स ने नहीं वरन् मध्य प्रदेश गवर्नमेंट ने लिखा है।

**श्री बड़े :** अन्न में और अधिक न कहते हुए मुझे केवल मंत्री महोदय से यही निवेदन करना है कि मैं ने सच्चे दिल से इस बिल को ले कर जो मन में एक सात्विक गुस्ता था उस का इजहार मैं ने किया है। मैं पुनः उन से अपनी अपील करूंगा कि वह हाउस के रूल को देखते हुए इस बिल को वापिस ले लें और अगर यह मुमकिन न हो तो कम से कम इस को सेलेक्ट कमेटी के सिपुर्व तो कर ही दें। इस तरमीमी बिल के बगैर यह लैंड एक्वीजीशन एक्ट पिछले २०० साल से चल रहा है और मैं समझता हूं कि उसे उसी तरह

[श्री बड़े]

से चलने दें और उस में कोई गड़बड़ नहीं आनी है। लेकिन अगर गवर्नमेंट इसे पास करने पर ही तृप्ती है तो कम से कम इस को अभी सैलेक्ट कमेटी के सिपुर्द तो कर ही दिया जाय।

**श्रीमती सुभद्रा जोशी (बलरामपुर) :**  
उपाध्यक्ष महोदय, आज जब से यह बिल लोक सभा के सामने आया है बहुत कम सदस्य ऐसे हैं जिनसे इसको सपोर्ट मिली है यह बात ठीक है कि मिनिस्टर साहब ने कहा कि इस तरमीमी बिल को जल्दी पास करने की जरूरत है वरना बहुत नुकसान हो जाने का खतरा है। लेकिन जैसा कि बाकी मँम्बर साहबान ने कहा, मैं भी आप से यह निवेदन कर्हंगी कि अगर इस को पास करने की जल्दी भी हो तो भी इसको अभी आप सैलेक्ट कमेटी के सुपुर्द कर दें और सैलेक्ट कमेटी को आदेश दें कि वह इस पर विचार समाप्त करके हाउस में पुनः लाने की जल्दी से जल्दी कोशिश करें। सैलेक्ट कमेटी द्वारा विचार होने पर जल्दी से जल्दी हाउस में दुबारा यह बिल लाया जाये। मैं समझता हूँ कि इसको सरकार को मंजूर कर लेना चाहिये। अगर सैलेक्ट कमेटी द्वारा विचार किये जाने के बाद इस को हाउस में बहुत जल्द लाना मुमकिन न हो सके तो सेशन कुछ दिन के लिये और बढ़ा दिया जाये और यदि ऐसा किया जाता है तो मैं समझती हूँ कि सदस्यों को इसमें कोई ऐतराज नहीं होगा।

एक बात के लिए मैं आनरेबल मिनिस्टर को जरूर मुबारकबाद देती हूँ कि जब अरोड़ा का किस्सा आया तो उसके साथ कोआपरेटिव्स की याद भी आई। उपाध्यक्ष महोदय, मुझे याद है कि यहां पर पिछले दिनों जब कॉफी बोर्ड ने अपने कॉफी हाउसेज बंद कर दिये तो गवर्नमेंट की राय से और गवर्नमेंट के सजेशन से कॉफी हाउस के जो रिट्रैक्ट वर्कर्स थे उन्होने अपनी

एक कोआपरेटिव सोसाइटी बना ली और उस सोसाइटी ने सरकार को कहा कि हमारी कोआपरेटिव सोसाइटी के लिए यह जगह दे दीजिये। उन्होंने इसके लिये मिनिस्टर साहब का दर्वाजा खटखटाया तो उनसे जवाब यह मिला कि आपकी कोआपरेटिव सोसाइटी पब्लिक परपज में नहीं आती है। जो कॉफी बोर्ड कॉफी हाउसेज चलाता था जिसमें कॉफी भी कम विकती थी और एम्प्लाइज भी कम थे वह तो पब्लिक परपज में आता था लेकिन उसी कॉफी बोर्ड के कर्मचारियों ने अपनी नौकरी लगाने के लिये और कॉफी का काम चलाने का खुद बंदोबस्त किया और एक कोआपरेटिव सोसाइटी बना ली जिसमें खानसामा, बंदे, स्वीपर्स, कुक्स और मैनेजर वगैरह सब शामिल हैं तो वह पब्लिक परपज नहीं रहा और उनको वह जगह नहीं दी गई। अब जिस कारण से वह बिल आया है उस कारण में मैं नहीं जाना चाहती हूँ क्यों कि जो लोग इसको जमादा जात हैं इन्होंने इस बारे में कहा है।

श्रीमाननीय सदस्य, श्री जैन, ने एक सवाल रखा और पूछा कि श्री अरोड़ा जो कारखाना बनाना चाहते थे, वह पब्लिक परपज में क्यों नहीं आया और जिस कारखाने के लिये जमीन दी जा रही थी, वह पब्लिक परपज में क्यों नहीं आया। यह बहुत दुःख की बात है। अब क्या कहा जाये? जितनी चर्चा इस बिल के बारे में इस हाउस में और हाउस के बाहर हो रही है, उससे यह मालूम होता है कि अगर अरोड़ा साहब अगली बार लोक सभा के मेम्बर हो जायें, तो शायद उनकी फेक्ट्री भी पब्लिक परपज में आ सकेगी और शायद उनकी तरफ ज्यादा तवज्जह दी जा सकेगी।

इस लिए मैं बड़े दुःख के साथ मिनिस्टर साहब से निवेदन करना चाहती हूँ कि जिस

तरह की चर्चा इस बिल के लाने के कारणों पर और डिटेल्स के बारे में हो रही है, उस को दृष्टि में रखते हुए यह और भी ज्यादा मुनासिब और उचित है कि इस बिल को बहुत जल्दी से पास न किया जाये। इस सम्बन्ध में लोक सभा के मेम्बरों का नाम लिया जा रहा है, हमारी सरकार और हमारी पार्टी का नाम लिया जा रहा है। इस लिए मुनासिब यह हो कि सब को इस बात का मौका दिया जाये कि वे ज्यादा डिटेल्स में जा कर इस पर विचार करें।

जहां तक प्राइवेट सेक्टर का ताल्लुक है, मैं मंत्री महोदय से यह पूछना चाहता हूं कि प्राइवेट सेक्टर में किस को प्राटेक्शन चाहिए। क्या इस बिल में कोई ऐसी डेफिनिशन है कि कम्पनी कौन सी होनी चाहिये, छोटी होनी चाहिए या बड़ी होनी चाहिए? जिसकी जमीन ली जा रही क्या इस बात को स्पष्ट किया गया है कि वह थोड़ी जमीन वाला होना चाहिये या ज्यादा जमीन वाला होना चाहिये? अगर इस बात को साफ न किया गया, तो इस का मतलब तो यह होगा कि सरकार जमीन के छोटे से छोटे मालिक से जमीन लेकर, जिस के पास थोड़ी से थोड़ी जमीन है, उस को एक्वायर कर के, उसको बेरोजगार क सकती है।

जहां तक कम्पनी का ताल्लुक है, यह डिफाइन्ड किया गया है कि ऐसी कम्पनी हो, जो सी से ज्यादा आदमियों को एम्पलाय करती हो। जहां तक मेरा स्थान है, मैं मंत्री साहब से निवेदन करना चाहती हूं कि अगर सरकार को बीच में पड़ कर किसी की हिफाजत करनी है, तो उनकी नहीं करनी चाहिए, जो कि सी से ज्यादा आदमियों को एम्पलाय कर सकते हैं, बल्कि उसको उन लोगों की हिफाजत करनी चाहिए, जो सी आदमियों से कम एम्पलाय कर सकते हैं। जो बड़े बड़े

कारखानों के मालिक हैं, बड़े बड़े रंजीपति हैं, जो सी या हजार आदमियों को एम्पलायमेंट दे सकते हैं, वे हर कीमत पर बहुत अच्छी तरह नेगोशिएट कर के जमीन खरीद सकते हैं और खरीदते हैं। लेकिन जो छोटे आदमी हैं—चाहे वह एक हो—जिनको अपने रोजगार के लिए मारे मारे फिरना पड़ता है, चाहे वह एक दुकानदार हो, चाहे उसने एक कारखाना लगाना हो और चाहे उसने घर बैठ कर कोई काम-बंधा करना हो, उसके लिए ऐसा कोई कानून नहीं है कि उसके लिए जमाने एक्वायर कर के उसको दे दी जाये। इस के मुकाबले में सरकार उन धनी आदमियों के लिए कानून ला रही है, जो कि सी आदमियों को एम्पलाय कर सकते हैं और उस कानून के मुताबिक सस्ती जमीन एक्वायर करके उनको दी जायेगी।

मुझे याद है कि यहां दिल्ली में स्लम क्लीयरेंस के लिए एक कानून बनाया गया, जिसके मुताबिक यह फैसला हुआ कि उन लोगों के लिए सस्ती जमीन एक्वायर की जाये, जो कि झोंपड़ियों में रहते थे, मजदूर थे, फुटपाथ पर पड़े हुए थे, जिन को कांफिरेण्ड के लॉग दिन-रात तंग करते थे और जिनकी झोंपड़ियां गिरा गिरा कर फैंक देते थे। उन लोगों के लिए उसी फार्मूले के अन्तर्गत सस्ती जमीन एक्वायर करने का प्राविजन रखा गया था, जिस फार्मूले के मुताबिक इस बिल में जमीन एक्वायर करने की बात हो रही है। जब वह बिल पास हो गया, तो मालूम यह हुआ कि जिस जमीन पर पहले से झोंपड़ियां बनी हुई हैं, वह तो स्लम क्लीयरेंस के अन्तर्गत आ जाती है, लेकिन दिल्ली शहर में स्थित धनी लोगों की वह बीसियों, सैकड़ों और हजारों गज जमीन, जो कि खाली पड़ी है, किसी काम नहीं आ सकती है। वह उस तरह से सस्ती एक्वायर नहीं की जा सकती है—उस को गवर्नमेंट एक्वायर कर सकती है और न वह किसी को-ऑपरेटिव सोसायटी को दी जा सकती है। उसको किसी भी तरह

[श्रीमती सुमद्रा जोशी]

से सस्ता एक्वायर नहीं किया जा सकता है। मैं निवेदन करना चाहती हूँ कि जब छोटे लोगों के लिए सस्ती जमीन एक्वायर करने की कोई व्यवस्था नहीं है, तो बड़े बड़े लोगों के लिए सस्ती जमीन एक्वायर करने के लिए छोटे लोगों को बेरोजगार करके उन की जमीन लेना बहुत अन्याय की बात है।

एक अमेंडमेंट के द्वारा माननीय मंत्री ने जो शब्द "एक्टिविटी" जोड़ दिया है, वह भी मुझे एतराज की बात मालूम होती है। अगर वह यह समझ रहे हैं कि शब्द "एक्टिविटी" को को-ऑपरेटिव सोसायटीज को फवर करने के लिए डाला गया है, तो मैं निवेदन करूंगी कि जहाँ तक को-ऑपरेटिव सोसायटीज का ताल्लुक है, ऐसी खुली छूट उन को भी नहीं देनी चाहिए कि वे किसी भी परपज के लिए सस्ती जमीन खरीदें। जब यहाँ पर रीहैबिलिटेशन के कानून के मातहत बहुत सी जमीन छोटे आदमियों और छोटे किसानों से ली गई और कई हार्जिसिंग को-ऑपरेटिव्स को दे दी गई, तो वे उसका मनमाना दाम लेते हैं, बड़ी भारी कीमत चार्ज करते हैं, मनी-मेकिंग करते हैं और खूब मुनाफा कमाते हैं। उसकी कोई रोक-थाम नहीं है।

जैसा कि एक माननीय सदस्य ने कहा है, प्राईवेट सेक्टर के जो आदमी कारखाना खोल कर उसमें कपड़ा वगैरह जो भी चीज प्रोड्यूस करते हैं, जब उस की कीमत पर कोई कंट्रोल नहीं है, तब उसी तरह उनको जो जमीन देते हैं, बेचते हैं, उसकी कीमत पर कोई कंट्रोल नहीं हो सकता है। वे उसको जो चाहे करें, सरकार उसको काबू नहीं कर सकती है। इसलिए चाहे को-ऑपरेटिव हों, चाहे प्राईवेट लोग हों, उनको इस तरह की खुली छूट देना कि वे "एक्टिविटी" के लिए सरकार द्वारा एक्वायर की गई सस्ती जमीन हासिल कर सकें, ठीक नहीं है। मैं आपको

बताना चाहती हूँ कि आज "पब्लिक परपज" का बहुत मिसयूज होता है। मैंने एक स्कूल का कांस्टीट्यूशन देखा, जिसमें लिखा हुआ था कि "टू विल फार्म दि क्वोरम"। उस संविधान के मुताबिक दो आदमी क्वोरम पूरा करते थे और इसलिए वे पति-पत्नी घर बैठ कर रोज मीटिंग करके मिनट्स पर दस्तखत कर देते थे। कानसिलियेशन आफिसर ने उस स्कूल का एक डिस्पूट मेरे पास भेजा। चूंकि कायदे-कानून में लिखा था कि दो से क्वोरम होगा, इसलिए हर पेज पर पति-पत्नी ने मीटिंग के मिनट्स पर दस्तखत कर रखे थे।

मैं कहना चाहती हूँ कि कम्पनोज और सोसायटीज भी ऐसी ही हो सकती हैं और इस तरह का वेग कानून बना कर "पब्लिक परपज" का मिसयूज किया जा सकता है। अगर को-ऑपरेटिव्स की मदद करने के लिये "एक्टिविटी" को जेनरल छोड़ दिया जाये, तो मुनासिब नहीं होगा। यह डिफ़ाइन करना चाहिए कि किन लोगों को जमीन देनी चाहिए।

दिल्ली क्लाय मिल दिल्ली की सबसे बड़ी मिल है। इम्प्रूवमेंट ट्रस्ट ने कोड़ियों के मोल जमीन खरीद कर उनको दी, ताकि वे दिल्ली शहर के बाहर अपनी मिल ले जायें, क्योंकि शहर के अन्दर मिल कारखाने नहीं होने चाहिये। आज दिल्ली क्लाय मिल वहीं पर मौजूद है और आसपास के घरों में कोयला और धुआँ फेंक रही है और जो जमीन कोड़ियों के मोल उन को दी गई, वहाँ पर उन्होंने अपना दूसरा कारखाना बना लिया है। इससे साफ जाहिर हो जाता है कि जब एक बार किसी को जमीन दे दी जाती है, तो उस पर कोई काबू नहीं है। इसलिये "पब्लिक परपज" "पब्लिक इन्ट्रेस्ट" और को-ऑपरेटिव्स की मदद की बात करके ऐसा कानून पास करना मेरे विचार में बहुत अनुचित है।



इसलिये मैं निवेदन करूंगी कि, जैसा कि इस हाउस के ज्यादातर साथी मांग कर रहे हैं, इस बिल को सिलेक्ट कमेटी के पास भेज देना चाहिए।

**Shri Krishnapal Singh (Jalesar):** Sir, it is most surprising that a Minister who is in charge of Food and Agriculture should come forward with a Bill by which the land of agriculturists would be acquired, not purchased but acquired, by the Government for industrialists who have a capital of not lakhs but crores at their disposal; and the land which will be required, belongs to people who are left with a limited area, after the land ceilings have been fixed in practically every State. It is most astounding. I should have expected from a Minister who is in charge of Food and Agriculture that he should have preferred to resign from a Government, which entrusted him with the work of acquiring poor man's land for these fat people.

What is the situation about land in this country? Hon. Members probably know the figures. I will just read them out, in order that they may be able to judge whether a Bill of this nature is at all necessary. The position is like this. These figures relate to the year 1958-59. We have in this country about 300 million hectares of land of all types. Out of this we have 51.8 million hectares of forests. We have 46 million hectares which are not available for cultivation. We have 39.4 million hectares of uncultivated land. We have 24 million hectares of fallow land. The area sown is only 131 million hectares and irrigated area is only 23 million hectares. Now, with all these forests and uncultivated and unculturable land available in the country, why should the Government come forward with a Bill in order to deprive the poor agriculturists of their limited portion of land out of which they can hardly eke out a living. It is most astounding.

16 hrs.

When I talked about medieval history, some hon. Members did not approve of it. I would like, therefore, to read out one or two quotations from a book of an imaginary Republic. This is what it says:

"They hoodwink and cajole the poor, whose cause they ostensibly serve, arranging secret partnerships with the capitalist and the industrialist, who can always afford to pay for their co-operation."

The quotation is very appropriate. This is in relation to the Ministers of government. This is a very appropriate description of what is happening today.

It is most astounding, as I have said, that a Minister who is responsible for agriculture and food should take upon himself this task of depriving the poor of their land for the sake of industrialists. It is said sometimes that this worthy government does not want any intermediary. I wish to ask, how many of these industrialists work with their hands, how many of them work with spindles and other machines? Do they not sit in their cosy chairs with telephones round them? The only work they seem to do is to keep these ministers and Government satisfied, and that is why this measure is now being brought before this House to deprive the poor of their limited area of land.

I think, Sir, it would have been more proper if this Minister had brought another Bill declaring the possession of land and the cultivation of land as a crime in the country. That would have been more appropriate. It would have for ever settled this problem, and then he would not have to acquire land for anybody. Another amendment of the Indian Penal Code could easily have been inserted with their thumping majority in the House and agriculture and possession of land made a penal offence.

[Shri Krishnapal Singh.]

Well, Sir, so far as the merits of this legislation is concerned, I have said enough. I only now appeal to the House. I am very glad to see that this piece of legislation has not met with the approval of even the Members of the ruling party, Members who as a rule support every measure of this Government. Therefore, Sir, it is time that the Minister who has brought this Bill before us decides whether he should proceed with it or whether he should withdraw the measure. I think it will not do any credit to the present Government or to any Government to see that a measure of this type is passed.

Sir, I would not like to say very much more. Enough has been said by practically every section of this House and there will be no doubt that the opinion, if not of all the members, of a vast majority of members is in favour of its withdrawal.

**Dr. M. S. Aney** (Nagpur): The Bill before the House is a small one in appearance but, judged from the point of view of the consequences which are likely to follow, it is one of the most controversial measures that has come up before the House for consideration in this session. At the outset, I would like to say that I am not in favour of the motion for circulation of the Bill, as has been proposed by one of my friends over there, nor am I in favour of the Bill being considered immediately here without proper time being taken to consider the whole matter, because I want the House to understand what the Bill really means.

We are here to amend the Land Acquisition Act because of a judgment pronounced by the Supreme Court, and the idea is that by the amendment that is suggested here the effect of that judgment be negated. Everyone of us who is present in the House as a member of this House knows that Ministers as well as Members of this House have to take an oath, and that

oath is this that they shall be true to the Constitution and faithful to the Constitution. If the sanctity of the Constitution is to be preserved then one thing has to be very carefully borne in mind, and that is the supreme authority of the Supreme Court in the Indian Constitution. When we say that the supremacy of the judiciary is guaranteed by the Constitution and that we have taken an oath to properly and faithfully discharge or carry out or implement the provisions of the Constitution it means that we recognise that it is the tribunal which has the ultimate right to judge the validity or invalidity of the actions of the government which administer that Act. That is the greatest guarantee given under the written Constitution. Therefore, when the judgment of the Supreme Court is delivered on a particular issue, it must be in exceptional circumstances only that a legislation should be brought forward in this House with a view to counter the effect of the Supreme Court judgment.

The Supreme Court is appointed with a view to pronounce judgments. What is the real meaning of the law which is being administered here? We all acknowledge that our best legal advisers, the most eminent jurists are sitting there with all the authority to pronounce judgments. So, when an interpretation of law comes from such a body, by the very nature of things, it must become the law of the land. An interpretation of a particular provision of any Act by the Supreme Court becomes a law by itself and it becomes a precedent to be followed by other judicial courts in this country. If the judgment is such as to create a crisis, something entirely unthought of, or something entirely unthought of, if a situation like that arises, of course, it would be right for the sovereign Parliament to come forward to remedy the evil. Therefore, the one point which we have to consider in connection with this Bill is whether the Supreme Court judgment

is one which has created any crisis or not. That is not something which has to be accepted simply because some Minister on behalf of the Government says that a crisis has come, and it affects not only a particular class of people in a particular State but people in various States; and the hon. Minister has told us that even other persons, and even other State Governments have sent representations to the effect that if the law remains as it stands, a very serious situation will develop. I think that that is a point for examination. It is not a thing which has to be accepted because of the statement of this or that Minister. And who is to examine it, and how is it to be examined? The House is to examine it. But, though the House has got all the rights given to it, yet there are certain rights which the House cannot properly exercise when it sits as a House; it can only do it when it goes into a committee. Otherwise, it cannot exercise those rights. It is for that reason that we appoint several committees here even for ordinary work. Therefore, the suggestion or the motion moved by Shri Daji or some other Member, that a Select Committee should be appointed to go into this Bill is worth consideration. You may accept Shri Daji's motion, or the motion standing in the name of Shri A. P. Jain, but there must be a body of persons who are competent to understand the legal implications of the whole thing, who can devote sufficient time to this matter, give their time solely to the consideration of these issues, and then come forward before us with their report and give us the benefits of their considered opinion on the implications of this Bill, because, after all, the object of the amending Bill is to nullify the effect of the judgment of the Supreme Court which says that sections 40 and 41 of the L. A. Act must be read together. The Supreme Court has said that the powers under section 41 cannot be exercised unless it is read in line with section 40, or with what has been given in section 40 of the Land Acquisition Act.

It is alleged that this interlinking of the two sections has created a difficulty. The wide scope within which that particular section was being probably administered and understood by the people, in the matter of using the power or administering the Act in favour of private companies does not exist now, and the scope has now been narrowed down as a result of the judgment of the Supreme Court. But my point is this. Whether that has been the real object or not of the original Act itself is a point to be seen. When we read sections 38, 38A, 39, 40 and 41 together, we find that all these sections have to be read together. We find that sections 40 and 41 must also be read together, in order to understand the limited scope within which alone private companies can be given the benefit of the land acquisition power which Government possesses in matters of this kind. So, there must be somebody to examine the legal implications, to understand all these points, to properly discuss the real issues, and thrash them out and then give a considered opinion. That is my first point.

My second point is this. Another objectionable feature of this Bill is this. Generally, when laws are passed, they are meant to be applied from the date they come into force. But the object of the present Bill is not only to nullify the effect of the Supreme Court judgment, but to give retrospective effect to the law itself; it is sought to be applied even to those matters which have been decided long before. That is another objectionable feature of this Bill. It is only in exceptional matters that these things are done.

These points are all, in my opinion of such a nature, that a Bill containing provisions of this type must not be passed at one sitting where the Members do not get sufficient time to think over the matter coolly for themselves, and where the Members have not got the benefit of the considered

[Dr. M. S. Aney]

opinion of persons from among themselves, on whose judgment they can rely. The ordinary procedure for getting such an impartial opinion is by appointing a Select Committee. My hon. friend Shri A. P. Jain has elaborated upon this point at great length in his speech.

These are the points which I want to make, and I have just listed them here. Firstly, this Bill seeks to nullify the effect of the judgment of the Supreme Court. Secondly, it seeks to validate invalid acts. That is also another object of this Bill. Thirdly it widens the scope of 'public purpose' and makes it a vague expression. The words 'likely to be useful to the public' are so vague that anything can be brought within their scope. I believe a law which is going to be used in a way to compulsorily take away the land of private persons for the benefit of industry must be specific. The words used should be such as not to lend themselves to loose interpretation, but they should be precise and exact. Therefore, the wording, in my opinion also, is a very dangerous one.

There is another point to which I shall refer. The genesis of this law is also of a very peculiar nature. I think it is better even in the interests of Government that this law should be considered by a Committee of experts so that the Government will not be accused by some persons who have unnecessary suspicions because they are acting in the interests of some unknown body.

The thing is this. It is stated by eminent jurists that when a court gives a judgment, it is not enough that justice is done, but the persons concerned must feel that justice is done.

**Shri Hari Vishnu Kamath:** Must appear to be done.

**Dr. M. S. Aney:** That being the same, some such arrangement of allowing this Bill to be considered

colly by a Committee of expert and competent men will be, in my opinion, in the interest of Government themselves, so that Government can say that every opportunity was given for consideration of this matter and the Committee have come to certain conclusions and they are going to act upon them. That would make the position of Government very clear.

I understand the Government of India have got a big programme under the Third Five Year Plan. They may require acquisition of land in various places for various purposes. There is nobody who is against the economic development of the country or who wants that that programme should be held up. If we believe in the economic uplift of the country, we should support every effort that is being made to achieve that end. From that point of view, we can easily understand that there should be some facilities for acquisition of land etc.

We are on the horns of a dilemma. On the one side, there is the Supreme Court judgment. On the other, there is this difficulty that if things are left as they are, the programme of progress is likely to be held up. Under the circumstances, a situation is created when cool and impartial thinking is necessary and that too by persons whose judgment we can trust.

Therefore, I strongly support the idea of a motion for reference to a Select Committee. If the Select Committee already suggested is not acceptable for any reason, I do not mind if the Committee is constituted of some other persons. But do not rush this Bill through in this House at one and the same sitting.

**Shri Jeehe (Baramati):** I have given notice of an amendment regarding societies. I would like to say something in support of it.

Before starting the discussion, the hon. Minister explained the meaning

of 'company'. He also covered society in his statement. I would like to say one thing. When this Ordinance was issued, it was only because, as stated in the "Statement of Objects and Reasons" in this Bill, the Supreme Court judgment had referred that the work to be constructed on the land acquired should be directly useful to the public. That is, only a company which is useful to the general public can acquire the land, and so due to this the ordinance was issued that companies which are engaged in industries can also acquire lands. In this connection, I would like to refer to co-operative housing societies.

These societies are constituted only with a limited number of shareholders, and any person who is not a shareholder will not be eligible to get a share in the land acquired by these societies. Naturally, the meaning of 'public purpose' is not served at all, and hence I would request the hon. Minister to clarify and to explain the term "public purpose", and whether co-operative housing societies will be covered by this, particularly because the Supreme Court judgment has referred to this term 'public purpose.'

Secondly, in the Bill explanation is not given of the term "company". I would like the hon. Minister to explain whether co-operative housing societies will come under this term, and will also be covered by the expression "public purpose", so that they will be able to acquire lands.

**Shri A. S. Alva (Mangalore):** This amending Bill has been occasioned by the judgment of the Supreme Court, but it is not as if we are nullifying the judgment of the Supreme Court by this amendment; actually, it is in obedience to the judgment of the Supreme Court which has declared what the law of the land is, that we are making this amendment.

The Act was originally passed in 1894, and "Public purpose" which was defined at that time has undergone a

lot of change since then. Especially after Independence, we who are following a mixed economy want lands for factories and other purposes not only in the public sector but also in the private sector. That is the reason why this amendment has been brought in the light of the judgment of the Supreme Court.

There may be some doubt whether some companies or some people may not misuse the provisions of this Bill and whether the Government also will not sometimes come to blame. I particularly refer to the proposed addition to section 40(1):

"(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...."

Up to this it is a very healthy provision and it can stand. There cannot be any objection to this. But further on when it says:

".....or is likely to promote the economic development of the country;"

it is really very vague. It will differ from State to State, and from district to district. After all, it can be said, the object of any company is to promote the economic development of the country, and Government may have no control over such a company. These companies, instead of purchasing lands from people direct and paying them compensation, may seek the help of Government in acquiring lands. The argument was advanced that if a company requires 50 acres, and if people owning 48 acres of land are prepared to sell the land, and if somebody who owns 2 acres is not prepared to part with it then difficulties arise. But these companies will be making huge profits which are not spent for public benefit. Why should not they pay adequate or even fancy prices to that two acres of land? If land is required for a co-operative society or some other such organisation, that stands

[Shri A. S. Alva]

on a different footing. So, what is contained in the proposed provision of section 40(1) (aa) is covered by section 41(4A). It says:

"Where the acquisition is for the construction of any building or work for a Company engaged or to be engaged in any industry which is essential to the life of the community or is likely to promote the economic development of the country, the time within which, and the conditions on which, the building or work shall be constructed or executed; and"

All these things only require when the work will be done. Apart from this there is no clause which will impose any conditions on such companies so that this part of the clause has to be carefully categorised. As I said in the beginning, the category may vary from State to State or from district to district. Whenever land is acquired, records are sent to the Deputy Commissioner or Collector or to some other officer. At that level, it is not unlikely that great pressure is brought on those officers or at least allegations are made to that effect. Government will be laying itself open to these charges that things are done through political influence etc. I do not subscribe to the wild allegations made by some hon. Members of corruption, etc. Still the allegations will be made; there will be suspicion. So, if these things are categorised, it will be better for them and also from the point of view of the Government. We should examine which are the categories of companies that will require the provisions of the Act so that lands may be acquired for them. Though the Government must have consulted legal advisers and others, it is necessary that these provisions are examined by a committee so that they may give a report as immediately as possible. The passing of this Bill will be necessary because otherwise it may unsettle a lot of acquisitions that have been made and it will open the flood-gates of litigation. Several people

may require their lands to be given back. If for any reason they could not get back their lands, they can file suits either against Government or against the companies. This will result in a lot of litigation. Several industrial companies are essential to the life of the community and for improving the economic conditions of our country and they may be upset. So, it is necessary that this has to be passed at the earliest moment and all those acquisitions which have been really made by a company which is engaged in an industry which is essential to the life of the community should be protected.

So, while generally supporting this amending Bill, I would request the Minister and the Government to categorise the latter part of the section saying which are the industries or companies which promote the economic development of the country, I request that the Bill may be examined by a committee and a report be had within a week or earlier.

With these words, I resume my seat.

श्री सिंहासन सिंह (गोरखपुर) : उपाध्यक्ष महोदय, यह भूमि अधिग्रहण संशोधन बिल जिस मन्त्री के द्वारा उपस्थित किया गया है वह एक आश्चर्य का विषय है क्योंकि वह हमारे खाद्य और कृषि मन्त्री हैं और काश्तकारों की जमीन बचाने वाले हैं लेकिन आज शायद वह उन के कुछ विरुद्ध जान पड़ते हैं। खाद्य मन्त्री महोदय ने इण्डस्ट्रियलिस्ट्स की तरफ से किसानों की जमीन लेने के लिये सदन के सामने यह विधेयक उपस्थित किया है। बिल में उनके भले हो कुछ हो लेकिन इस विधेयक से नतीजा यही निकलने वाला है। वह समझते हैं कि एक तरफ तो खाद्य की वृद्धि हो और दूसरी तरफ इण्डस्ट्रीज की वृद्धि हो, दोनों में सन्तुलन होना चाहिये, इस विचार से उन्होंने यह संशोधन विधेयक उपस्थित किया है या किस विचार से किया है वह तो वही बेहतर जानते हैं लेकिन इसका जो असर

पड़ने वाला है उसकी तरफ मैं आपका कुछ ध्यान दिलाना चाहता हूँ ।

सुप्रीम कोर्ट का जजमेंट मैंने देखा है । यहां ३ महीने में लैण्ड ऐक्वायर हुए थे जो कि मैं समझता हूँ कि दुनिया में शायद आज तक कहीं भी ऐसा ऐक्वीजीशन नहीं हुआ होगा । मई महीने में दरखास्त पड़ती है और जुलाई में लैण्ड ऐक्वायर कर लिया जाता है । हाईकोर्ट में रिट पंटीशन करते हैं । ३१ जुलाई को हाईकोर्ट यह कहता है कि जमीन पर कब्जा हो गया और वह अपील खारिज हो जाती है फिर उसके बाद पार्ट ७ की जो कार्यवाही है वह गवर्नमेंट ने बेकार की है । जमीन पर कब्जा कर दिया था । जब हाईकोर्ट ने कहा कि यह कार्यवाही होनी चाहिए तो बाद में कार्यवाही होती है । कार्यवाही होने के बाद फिर दूसरी रिट पंटीशन करते हैं कि यह कार्यवाही गलत है क्योंकि यह बाद को हुई और पुनः वह रिट खारिज हो जाती है । हाईकोर्ट में प्रार्थी को सुप्रीम कोर्ट में अपील करने की आज्ञा प्रदान की और सुप्रीम कोर्ट में अपील हुई । सुप्रीम कोर्ट कहता है कि सब गलत है अनियमितता हुई है । अब आज हमारे मंत्री महोदय ने कहा कि सुप्रीम कोर्ट के इस फैसले के कारण बड़ी उथल पुथल की सम्भावना है इसलिये आर्डिनेंस की जरूरत पड़ी और इस कानून को तुरन्त तबदील करने की जरूरत पड़ी । मैं बहुत श्रद्धा से कहना चाहता हूँ कि सुप्रीम कोर्ट का जजमेंट हुआ १५ दिसम्बर सन् १९६१ को और यह आर्डिनेंस बना २० जुलाई सन् १९६२ को । सात महीने का अवकाश मिला । इस सात महीने के अन्दर आपके पास कितने आंकड़े हैं जिन आंकड़ों से आप यह साबित कर सकते हैं कि सुप्रीम कोर्ट के जजमेंट के आधार पर इतनी उथल पुथल हो गयी ?

16-32 hrs.

[SHRI MULCHAND DUBE in the Chair]

श्री सिंहासन सिंह : कितने लोगों ने इस बारे में दरखास्तें दीं ?

Shri S. K. Patil: More than half the States in India.

Shri Sinhasan Singh: How many people have applied.....

Shri S. K. Patil: People do not apply to me. It is to the State Governments that they apply.

Shri Sinhasan Singh: How many people whose lands had been acquired under the provisions of the Act, have applied for restoration of the lands?

Shri S. K. Patil: That question must be put to the State Governments.

Shri Sinhasan Singh: When you bring a Bill, you must have certain figures.

क्या उथल पुथल हो गयी वह तो कुछ बतलाया ही नहीं जाता है अब जैसा कि आप कहते हैं कि स्टेट्स के पास इसके फीगर्स होंगे तो आपका यह कह देना ही काफी नहीं है बल्कि आप जब कि यह विधेयक ला रहे हैं तो आपके पास वह सब आंकड़े रहने चाहियें, मेटेरियल रहना चाहिये ।

जिस तरह से यह कानपुर में लैण्ड ऐक्वायर हुआ उस जल्दबाजी की ओर आप जरा ध्यान दें कि तीन महीने में लैण्ड ऐक्वायर हो जाती है । सुप्रीम कोर्ट के आर्डर को कम्पलाई करना चाहिये था सात महीने तक उस को कम्पलाई नहीं किया जाता है । आप स्वयं देखें कि तीन महीने में लैण्ड ऐक्वायर हो जाये और कुल कार्यवाही हो जाय कानून के विरुद्ध और सात महीने तक सुप्रीम कोर्ट की आज्ञा का पालन न हो । अब यह सुप्रीम कोर्ट की आज्ञाओं का गवर्नमेंट द्वारा अवहेलना करना है या उसका पालन करना है ? उसकी आज्ञा का पालन नहीं हुआ । पालन किस रूप में हो रहा है ? आर्डिनेंस के रूप में पालन हो रहा है । अब आर्डिनेंस पास करने का भी जहां तक सम्बन्ध है संविधान की धारा १२३ में साफ दिया हुआ है कि ऐसे समय जब कि पार्लियामेंट का सेशन न हो रहा हो और देश में एक तरह के गैर मामूली

[श्री सिंहासन सिंह]

हालात पैदा हो जायें जिस से कि तात्कालिक कदम उठाने की जरूरत पड़ जाये तो प्रेसीडेंट उस दौरान में आर्डिनंस जारी कर सकता है। अब जहाँ तक सरकार द्वारा इस बारे में आर्डिनंस जारी करने का सवाल है मेरा कहना यह है कि ६, अगस्त को पार्लियामेंट बैठने वाली थी और पार्लियामेंट उस के पहले भी हुई। हमारी पार्लियामेंट बैठी थी। जहाँ तक मुझे याद है ६ मई से जून तक हम पार्लियामेंट की कार्यवाही करते रहे। जजमेंट सरकार के सामने मौजूद था। पार्लियामेंट का लम्बा सेशन भी हुआ और फिर भी होने वाला था फिर बीच में क्या चीज हो गई जिस की कि वजह से २० जुलाई को सरकार ने यह आर्डिनंस पास कर दिया। मालूम एसा पड़ता है जैसा कि बनर्जी साहब ने बतलाया बीच में बातचीत चल रही थी, चीफ मिनिस्टर से कार्सपोडेंस चल रही थी। वह मामला तय नहीं हुआ फिर दौड़ कर यहाँ आये। अब सौभाग्य से या दुर्भाग्य से वह सम्बन्धित व्यक्ति आज पार्लियामेंट के मेम्बर भी हैं, और उन को और हम को आप को, गौर करना चाहिये कि जहाँ हमारा आप का नाम घसीटा जाता हो और उस का सम्बन्ध मेम्बर से हो, तब तो हमें इस तरह की जल्दबाजी नहीं करनी चाहिये, इस तरह की कार्यवाही करने में थोड़ा बहुत विलम्ब करना चाहिये था, सोच विचार कर लेना चाहिये था क्योंकि इस तरह से तो हम पार्लियामेंट के मेम्बरस बदनाम हो सकते हैं कि पार्लियामेंट के मेम्बरस अपने मुआफिक कानून भी बनवा लेते हैं। अपने मुआफिक आर्डिनंस भी बनवा लेते हैं।

मंत्री महोदय ने अपनी स्पीच में बड़े जोरों से कहा कि गवर्नमेंट की जो कारपोरेशंस हैं उन में भी दिक्कत हो रही है और आगे भी हो सकती है। इस के सम्बन्ध में मैं सुप्रीम कोर्ट के जजमेंट का ही वह रेलेक्ट हिस्सा आप को पढ़ कर सुना देना चाहता हूँ जिस में कि सुप्रीम कोर्ट ने क्लियर और अनएम्बिगुएस

शब्दों में इस बात को कहा है कि गवर्नमेंट जो लैंड अपने परपज के लिये ले रही है उस के बारे में वह कोई राय नहीं दे रहे हैं। यह उन के शब्द हैं:—

“we may add that the works are not like Damodar Valley Corporation and that what we say in the present case may not necessarily be taken to apply to statutory corporations, like Damodar Valley Corporation, which is wholly owned by the State.”

इस तरह से आप देखेंगे कि उन्होंने ने स्टेट ऑड कारपोरेशन के बारे में साफ कह दिया है कि यह जजमेंट उन के लिये लागू नहीं है। यह केवल प्राइवेट कम्पनियों के लिये लागू है। यही नहीं बल्कि लैंड एक्वीजीशन एक्ट का सैक्शन ३६ भी यही कहता है। उस में दिया हुआ है कि सैक्शन ६ से ३७ एप्लाइ नहीं करेंगे आम तौर पर यह प्राइवेट कम्पनीज के लिये एप्लाइ नहीं होंगे। सैक्शन ३६ इस प्रकार है :—

“The provisions of sections 6 to 37 (both inclusive) shall not be put in force in order to acquire land for any company unless with the previous consent of the appropriate Government nor unless the company shall have executed the agreement hereinafter mentioned.”

इस तरह जो कुछ कार्यवाही है अथवा रोकथाम है वह प्राइवेट कम्पनियों के लिये है। आप के लिये इस एक्ट में कोई रोकथाम और बाधा नहीं है। सुप्रीम कोर्ट ने अपने जजमेंट में भी आप के बारे में कुछ नहीं कहा। दामोदर वैली कारपोरेशन का सैक्शन ५० रैफर हुआ था। उस के ऊपर भी उन्होंने ने कहा कि हम कोई राय देने को तैयार नहीं हैं। लेकिन जहाँ तक गवर्नमेंट की कुल कार्यवाही का सम्बन्ध है उस के बारे में जब उनकी राय आती है तब आप कहते हैं कि हमारे काम में



बाधा पड़ रही है। सुप्रीम कोर्ट के जजमेंट साफ जाहिर है कि स्टेट ग्रॉंड कारपोरेशन के बारे में उन्होंने कोई बाधा नहीं खड़ी की है और उनके काम के बारे में वह कोई दखल नहीं दे रहे हैं तो भी आप प्राइवेट कम्पनीज और लोगों को बचाने के लिये कूद पड़े। मैं नहीं समझ सकता कि इस तरह से गवर्नमेंट क्यों जल्दबाजी कर रही है और हर जगह जो जल्दी की जा रही है वह किस उद्देश्य से और किस परपज को ले कर की जा रही है ?

अब आप वर्तमान संशोधन विधेयक पर थोड़ा विचार करें। अगर यह अमेंडमेंट बिल इसी रूप में पास हो गया तो इस कानून का क्या स्वरूप होगा। इस के पास हो जाने के बाद लैंड एक्वीजिशन एक्ट का जो सैक्शन ४० है और उस की जो ४० (१) (ए) और ४० (१) (बी) की दो उपधारायें हैं उनके बीच में अर्थात् क्लॉज (ए) के बाद जो आप (एए) क्लॉज जोड़ रहे हैं तो मेरा कहना यह है कि इस (एए) जिसे आप जोड़ रहे हैं यह ऊपर और नीचे के दोनों क्लॉजों के बिकार हो जाते हैं। मैं आप की आज्ञा से सैक्शन ४०(१) के (ए) और (बी) क्लॉज पढ़े देता हूँ :—

#### Section 40(a):

“(a) 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, or

(b) that such acquisition is needed for the construction of some work and that such work is likely to prove useful to the public.”

(एए) क्लॉज इन दोनों को बेकाम कर देता है। उन के बीच में जो “और” बर्ड रखा गया है वह इन्हीं बातों की जांच करने को

रखा गया है। लेकिन यह बीच में आप क्या घुसेड़ रहे हैं? इस (एए) ने तो दोनों क्लॉजों को ही बेकाम कर दिया है। क्लॉज २(एए) जो आप नया जोड़ने जा रहे हैं वह इस प्रकार है :—

“(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....”

आप कहते हैं कि हम ने खाली कोआप-रेटिक्स के लिये किया है। लेकिन आप स्वयं गौर करें कि इस के रहते कौन सी कम्पनी ऐसी होगी जो कि पहले और दूसरे में ऐप्लाइ करेगी वह तो तीसरे में ऐप्लाइ करेगी और कहेगी कि हम डेवलपमेंट के लिये कर रहे हैं। नतीजा यह होगा कि सैक्शन ४० के ए और बी दोनों सैक्शनों को इनडायरेक्टली आप रिपील किये देते हैं। उन का कोई मतलब नहीं रह गया है।

सैक्शन ४१ को भी आप अमेंड कर रहे हैं। यह चीजें गवर्नमेंट देखेगी इस को आप कहते हैं कि गवर्नमेंट कुछ नहीं देखेगी। जो दरखास्त ए० और बी० में पड़ी है उसको ही देखा करेगी। अब (एए) में ही सारी दरखास्तें पढ़ेंगी कि मुझे जरूरत है जमीन पर हम फ़ैक्टरी बनायेंगे और गवर्नमेंट कहेगी कि जरूरी है तो वह पब्लिक परपज हो गया और जमीन एक्वायर कर ली जायेगी और कहीं पब्लिक परपज नहीं है।

यही नहीं, हमें दुख है कि सुप्रीम कोर्ट में हमारी गवर्नमेंट, उत्तर प्रदेश सरकार, की तरफ से अमरीका को वोट किया गया। हम तो एक सोशलिस्ट स्टेट बनते हैं, बज कि अमरीका कोई सोशलिस्ट स्टेट नहीं है, बल्कि वह पूरा कैपिटलिस्ट स्टेट है। अमरीका इंडिया को एड दे रहा है। उस की सेनेट ने कहा था कि हम इंडिया को पब्लिक सैक्टर की किसी योजना के लिये एड नहीं देंगे,

[श्री सिंहासन सिंह]

हम एंड देंगे प्राइवेट सैक्टर के लिये । आज अमरीका पब्लिक सैक्टर को एंड दे रहा है ।

जो स्टेट पब्लिक सैक्टर के बिल्कुल खिलाफ है, वहां भी पब्लिक सैक्टर है । हमारी सुप्रीम कोर्ट की इसी जजमेंट में कहा गया है कि वहां के कांस्टीट्यूशन में लिखा है :

"No private land is to be acquired unless it be for a public purpose."

इस का मतलब है कि वहां भी पब्लिक परपज का ध्यान रखा जाता है और हमारे कांस्टीट्यूशन में भी पब्लिक परपज की बात कही गई है कि बिना पब्लिक परपज के कोई प्राइवेट लैंड एक्वायर नहीं होंगी । जब वहां यह मामला पेश हुआ, तो वहां की कोर्ट ने भी आबजर्व किया कि अगर इस तरह से पब्लिक परपज के नाम पर सब जमीन एक्वायर कर लिया करें, तो सब कैपिटलिस्ट्स सब जमीनें ले लेंगे । हमारी सुप्रीम कोर्ट ने कहा कि इसी को हम एंडाउट करते हैं ।

इस सम्बन्ध में यह कहा गया कि सरकार को कम्पनियों का एजेंट नहीं होना चाहिये । लेकिन दुर्भाग्य है कि हम देखते हैं कि यह पार्लियामेंट ही इन कैपिटलिस्ट्स की एजेंट होने जा रही है । मैं निवेदन करना चाहता हूँ कि माननीय मंत्री, श्री पाटिल, काश्तकारों को रिप्रेजेंट करते हैं और हम भी काश्तकारों को रिप्रेजेंट करते हैं । हम में से अधिकतर यहां पर उन काश्तकारों के वोट्स से बैठे हुए हैं, शहर वाले पूंजीपतियों के वोट्स से नहीं । चुनाव के काम में भले ही हमें उन का पैसा मिला हो, लेकिन हम उन के वोट्स से यहां नहीं बैठे हैं, बल्कि हम काश्तकारों के वोट्स से यहां बैठे हैं, जिन की जमीन आज इस बिल के द्वारा छीनने का विचार किया जा रहा है ।

अगर हम ने इस विधेयक को पास कर दिया और इस रूप में उन काश्तकारों की जमीन ली जायेगी, तो पता नहीं, वे क्या सोचेंगे, क्या नहीं सोचेंगे, लेकिन एक बार वे यह जरूर सोचेंगे कि शायद यह गवर्नमेंट हम गरीब काश्तकारों का कम ध्यान रखती है और इंडस्ट्रीज के नाम पर पूंजीपतियों का अधिक ध्यान रखती है ।

सरकार मूल कानून, लैंड एक्वीजीशन एक्ट, के सैक्शन ४०(१) में (ए ए) जोड़ कर उस एक्ट को एनडायरेक्ली एकदम से रीपील कर रही है । उस एक्ट में कम्पनियों के लिये जमीन लेने का कहीं पर कोई प्राविजन नहीं है, सिवा सैक्शन ४० के, जिस में वर्कर्स के लिये डर्वीलिंग हाउसेज बनाने और पब्लिक यूटिलिटी के काम के लिये लैंड को एक्वायर करने की व्यवस्था की गई है । अब सरकार उस सैक्शन में ऐसा संशोधन कर रही है कि अब कम्पनी वाले कम्पनी के बनने पर शुरू में ही जमीन ले लगे, जब चाहे तब ले लेंगे और प्राइवेट नेगोशिएशंस की जरूरत नहीं पड़ेगी । पहले कम्पनी वालों को यह प्रूव करना पड़ता था कि वे प्राइवेट नेगोशिएशंस में जमीन लेने में फेल हुए हैं और उन को जमीन नहीं मिल रही है, तब गवर्नमेंट मदद को आती थी । अब यह होगा कि कोई प्राइवेट नेगोशिएशंस को जरूरत नहीं है । इस अमेंडमेंट के बाद विला किसी प्राइवेट नेगोशिएशंस के कम्पनी वाला सीधे लैंड एक्वीजीशन आफिसर को दरख्वास्त देगा कि मुझे जमीन चाहिये, मुझे जमीन नहीं मिल रही है और मुझे अमुक काम करना है, जिस से जन-समूह का लाभ होने वाला है । इस तरह जन-समूह के लाभ के अन्तर्गत आ कर सब जमीन चली जायेगी । वह किस भाव और दाम पर चली जायेगी, इस का एक उदाहरण दे कर मैं अपनी बात खत्म करूंगा ।

इसी दिल्ली शहर का मामला है । इस शहर के अग्रल बगल के काश्तकारों की जमीन

डेढ़ आना स्कवेयर फुट के हिसाब से यहां की कॉर्पोरेशन ने डेवेलपमेंट करने के लिए ली थी। वही जमीन उस ने दे दी यहां के पूंजी-पतियों को और वह जमीन सात आठ रुपये गज, कई रुपये गज, के हिसाब से बिकने लगी। प्रधान मंत्री ने पिछले होम मिनिस्टर स्वर्गीय पन्त जी, से इस के बारे में इस लोक सभा में मेरे द्वारा इस प्रश्न को उठाने पर कहा था कि यह बहुत अनुचित है और हमें इस की जांच करेंगे। जांच हुई और काश्तकारों को कुछ और दाम मिल गये होंगे, लेकिन वह जमीन उन के हाथ से निकल गई। इसी तरह सब जमीनें निकल जायेंगी।

इस बिल में यह भी कहा गया है कि यह जरूरी नहीं है कि कोई कंपनी इस प्रकार का काम कर रही हो, चाहे वह काम न करती हो, वह केवल सोचती हो कि आईन्दा काम करेंगे—इस बिल में ये शब्द हैं: “टु वि एन्योज्ड”—, तो उस के लिए भी जमीन ले ली जायेगी। हम तो नहीं समझते कि यह बिल किसी उचित कानून या ला की परिधि या क्षेत्र से आता है, या न्याय की दृष्टि से इस योग्य है कि हम इसका समर्थन कर सकें।

उन काश्तकारों के नाम पर, जिन के हितों की रक्षा का माननीय मंत्री जी दम भरते हैं, जिन की कमाई और अन्न की उपज के बल पर वह कहते हैं कि हम ने देश में अन्न की पूर्ति करने का बीड़ा उठाया है और शायद दो चार बरस के बाद हम को इस सम्बन्ध में अमरीका की शरण नहीं लेनी पड़ेगी, हम माननीय मंत्रीजी से अपील करेंगे कि वह इस बिल के बारे में पुनर्विचार करें। वह इण्डस्ट्रीज कायम करें, लेकिन हमारी कास्ट पर नहीं, मुल्क के अन्न की कास्ट पर नहीं, इस तरह के कानून के द्वारा काश्तकारों के साथ अन्याय कर के नहीं।

मैं फिर अर्ज कर्हंगा कि हालांकि यह मूल कानून ब्रिटिश टाइम का है और ब्रिटिश सरकार हमारा कम ख्याल करती थी, लेकिन

उस ने भी प्राईवट ओनर्ज और काश्तकारों के हितों का ख्याल कर के यह कानून बनाया। हम ने अपना संविधान बनाया, लेकिन उस के आधार पर आज हम सब कुछ मिलियामेंट कर के उस कानून में ऐसा संशोधन करने जा रहे हैं, जिस से सिवा पूंजीपतियों के किसी को कोई लाभ नहीं होगा। इस संशोधन के बाद पूंजीपति जब चाहेंगे, तब कोई जमीन ले लेंगे। जहां तक दाम का प्रश्न है, पन्द्रह परसेंट क्या होता है? उस का मिलना या न मिलना एक ही बात है और उस से कुछ बनने बिगड़ने का मामला नहीं है।

माननीय मंत्री जी यह भी सोच समझ लें कि उन के पक्ष और उन की पार्टी के आदमी ये विचार प्रकट कर रहे हैं। वे वह देखें कि कितने माननीय सदस्य बोले हैं और उन में से कितनों ने उन को सपोर्ट किया है। वह विरोधी दलों को छोड़ दें। हम तो उनके ही साथी हैं हम उन के विरोधी नहीं हैं। जब हम इस बिल के बारे में ऐसा अनुभव करते हैं, तो हम अनुरोध करेंगे कि वह भी हमारे साथ ऐसा ही अनुभव करें। इस बिल से न देश का कल्याण होने वाला है और न किसी और का कल्याण होने वाला है। हो सकता है कि पूंजीपतियों के एक वर्ग-विशेष का इस से कल्याण हो, लेकिन केवल उन के लिए ही यह पार्लियामेंट नहीं बनी हुई है। यह पार्लियामेंट सब के लिये बनी हुई है।

मैं माननीय मंत्री जी से फिर अर्ज कर्हंगा कि वह इस बिल को वापस ले लें। जहां तक आर्डिनंस के लैप्स होने का सवाल है, उस से दुनियां मिटन वाली नहीं है। जब पिछले सात महीनों में कुछ नहीं हुआ है, तो वह इस पर और विचार कर लें। वह इस को सिलेक्ट कमेटी को रेफर कर दें। अगर बहुत जल्दी है, तो चूकि यह सेशन ७ सितम्बर तक चल रहा है, इसलिये और बिजिनस को मुलतवी कर दिया जाये। सिलेक्ट कमेटी पांच दिन बैठ कर इस पर विचार करे और

[श्री सिंहासन सिंह]

सितम्बर के पहले हफ्ते में इस बिल को ले लिया जाये। इस बिल का रूप बदल कर इस को इस सदन में पास किया जाये, ताकि हम समझ सकें कि पूरा गौर करने के बाद हम ने इस को पास किया है।

श्री भू० ना० मंडल (सहरसा) : सभापति जी, अभी जो विधेयक हम लोगों के सामने आया है, उस के सम्बन्ध में कुछ बातें ध्यान देने लायक हैं।

16:47 hrs.

[MR. SPEAKER in the Chair]

अभी हाल में सुप्रीम कोर्ट में एक केस का फ़ैसला हुआ है, जिस का असर यह हुआ है कि इस देश के जो पूंजीपति सरकार के अस्थि किसी बहाने से ज़मीन एक्वायर करवाते थे, वे अब उस ढंग से नहीं करवा सकेंगे। इस का परिणाम यह हुआ कि उन लोगों ने सरकार के बड़े बड़े लोगों के बीच में आन्दोलन किया, जिस का नतीजा यह हुआ है कि सरकार की ओर से यह बिल इस हाउस में लाया गया है।

यह बिल जिस बजह से लाया गया है, उस सिलसिले में ध्यान देने की बात यह है कि सुप्रीम कोर्ट ने जिस बात की ओर इशारा किया था, वह बात सिर्फ़ प्रोसीड्यर की थी कि किस ढंग से काम होना चाहिये। सुप्रीम कोर्ट का कहना था कि ज़मीन एक्वायर करने से पहले यह बात निश्चित तरीके से साबित हो जाये कि जो ज़मीन ली जा रही है, वह पब्लिक परपज़ के लिये ली जा रही है और ज़मीन एक्वायर करने के बाद उस पर जो कुछ निर्माण किया जायगा, पब्लिक को उसे अपने हित के लिए उपयोग करने का राइट होगा।

मैं नहीं समझता हूँ कि वह सुप्रीम कोर्ट का जजमेंट किसी के खिलाफ़ था। लेकिन

सरकार ने उस बात को उस ढंग से न ले कर एक भिन्न प्रकार से कार्यवाही की, जिस के परिणामस्वरूप यह संशोधक विधेयक इस सदन के सामने लाया गया है। अगर सरकार यह समझती थी कि मूल ला के सैक्शन ४० और ४१ के साथ कुछ एक्सप्लेनेशन देने की ज़रूरत थी, तो वह एक्सप्लेनेशन भर दे देती, लेकिन ऐसा न कर के जो ला वह ला रही है, उस का यह नतीजा हो रहा है कि अब अगर पूंजीपति सरकार से कोई ज़मीन एक्वायर करवाना चाहेंगे, तो उन को इस बात को साबित करने की ज़रूरत नहीं पड़ेगी कि उन को उस ज़मीन की किसी पब्लिक परपज़ के लिये ज़रूरत है। अब वे सिर्फ़ यह एलान कर देंगे, अपने मूँह से सिर्फ़ यह कह देंगे कि जो कुछ हमारा कारोबार होगा, वह इस ढंग से होगा, जिस से देश की आर्थिक उन्नति होगी और देश के लिए जो ऐसॅशल काम है, उस में हमारा योग होगा। जो कम्पनी इस ढंग से एलान कर दे, उस के लिए ज़मीन एक्वायर हो सकती है। जो राइट पहले उन को नहीं था वह राइट अब उन को दिया जा रहा है। जिस ढंग से यह कानून बन रहा है, उस का सिर्फ़ एक ही मतलब हो सकता है कि आज देश का पूंजीपति वर्ग इतना प्रबल हो चुका है और उस का प्रभाव देश की केन्द्रीय सरकार तथा देश की राज्य सरकारों पर इतना जम चुका है कि वह जो कुछ भी चाहे, उन से करवा सकता है, अपने स्वार्थ के लिये कानून बनवा सकता है। इस में मुझे कोई आश्चर्य नहीं है कि आज की सरकार उन के इशारे पर चल रही है। आज की सरकार जो है वह पार्टी की सरकार है और पार्टी के ऊपर ही निर्भर करती है। जिस ढंग से वह कार्य कर रही है, उस से स्पष्ट है कि वह पूंजीपतियों की सरकार हो गई है, और इस में कोई सन्देह की बात नहीं है।

यह विधेयक जो हमारे सामने आया है, यह उस का एक उदाहरण है। मैं समझता

हूँ कि जिस देश में गिरोहबन्दी रहती है, अलग अलग तथा परस्पर गिरोह-स्वार्थ रहते हैं, और वे टक्कर खाते हैं तो देश की जो राजनीतिक पार्टियाँ होती हैं, उन को किसी न किसी एक गिरोह के स्वार्थ का साधन बन कर रहना पड़ता है। कांग्रेस पार्टी ने इस बात को कबूल किया है, अपने दिल से और अपने कार्य से और इस को हम देख भी रहे हैं, कि हिन्दुस्तान के पूँजीपतियों के स्वार्थ का साधन वह बनी हुई है और इसी-लिए उस ने इस बिल को इस हाउस के सामने रखा है। मैं समझता हूँ कि इस बिल से इस देश का अहित होने वाला है, देश की जनता का अहित होने वाला है, किसान का अहित होने वाला है। इस वास्ते यह जरूरी है कि इस बिल को वापिस लिया जाय। अगर सरकार इस बिल को वापिस नहीं लेगी तो मैं यही समझूँगा और देश की जनता यही समझेगी कि इस सरकार का कोई भी खयाल देश की बहुसंख्यक जनता की तरफ नहीं है और जो अल्पसंख्यक पूँजीपति वर्ग है, उस की ही यह सरकार है और उसी की खातिर इस की सारी की सारी कार्रवाई चलती है। इसलिये मैं समझता हूँ कि सरकार को इन सब बातों पर विचार कर के इस बिल को विदग्ध कर लेना चाहिये।

**Mr. Speaker:** Now, Shrimati Sarojini Mahishi.

**Shri S. K. Patil:** I thought that we were concluding the debate today. You, Sir, were kind enough to suggest this morning that this debate should go on for six hours instead of four hours. At 5 p.m. possibly about 41 hours would have been taken

I am not intervening in the debate, but I am making a suggestion to you, if the House accepts it. So far as the amendments are concerned, of course, they will come in their due course and will be considered. But before that, there were two suggestions. One was that this Bill should be circulated for eliciting opinion

thereon. Another was that it should be sent to a Select Committee. I have made some mention of that in my speech. So far as circulation of the Bill for public opinion is concerned, that is out of the question, because it has got to be done before the session ends. As for reference of the Bill to a Select Committee, I was myself very anxious, and if there had been time to have a Select Committee or a Joint Committee, I would do that, and that would be easier for me also. But, unfortunately, looking to the limited time at our disposal and the schedule of work which we have got it is not possible. In fact, I have asked the Minister of Parliamentary Affairs also as to whether it is possible to have any extension of the session etc. but that is not possible.

But there is a *via media*, which, with your permission, we can adopt. Most of the hon. Members who have spoken have suggested certain things. That means that we have the hang of the situation, if I may say so. Therefore, if the discussion on this particular Bill could be held over for three or four days, then it would be helpful, because that would give me enough opportunity to meet people etc. As for those who are opposed to it, they can oppose it when it is put to the vote. But as regards those who have got any constructive suggestions to make, if their misgivings or their fears could be removed by introducing any amendments which are acceptable to Government, Government would be prepared to do so.

Therefore, with your co-operation, I request that this Bill should be adjourned to some other day which you could fix, in accordance with the desire of the House.

**Shri Daji:** My submission is this. Why not accept the amendment standing in my name, for reference of this Bill to a Select Committee?

**Mr. Speaker:** The hon. Minister has already explained the position that there is not enough time.

**Shri S. K. Patil:** I am accepting nothing; I am merely making a suggestion.

**Mr. Speaker:** If we have to constitute a Joint Committee, that will take some time, because the other House also will have to discuss it, and when the Bill is sent there with the motion for concurrence, that will also take some time.

I think the House would agree that we might postpone this for four or five days.

Several **Hon. Members:** Yes, yes.

**Mr. Speaker:** Meanwhile, Government might consider all the suggestions made and criticisms levelled.

**Shri S. M. Banerjee:** I accept the suggestion. I have only to say that the postponement should be for at least a week so that that much time may be given for considering all these things.

**Mr. Speaker:** After the Bill is passed here, the Government have to take it to the other House and get it passed before the session ends. That is the difficulty.

**Shri S. K. Patil:** I leave it to you to decide and looking to the time at our disposal, fix any date.

**Shri Surendranath Dwivedy (Kendrapara):** I will only suggest this. Not only the opinion of those who have spoken or given notice of amendments but the opinion of all those who are interested in this might be ascertained by consultation.

**Shri S. K. Patil:** Leave it to me. I want to know the mind of all, apart from those whose mind is already known I would do that.

**Mr. Speaker:** May we take it up next Monday?

Some **Hon. Members:** Yes.

**Shri S. K. Patil:** Tuesday will be better.

**Mr. Speaker:** All right.

**Shri R. S. Pandey (Guna):** Before you adjourn discussion, I would like to make a request. Apart from those who have already spoken, there are a few Members—I am one of them—who have expressed a desire to speak. I shall be extremely grateful if you would give opportunity to them to speak before the discussion is adjourned.

**Mr. Speaker:** I would not conclude the discussion today then. That would be better, because when the proposals come probably a little discussion might be required. This would be continued the next day. Then we will see what the proposals are.

There are four or five minutes left. I will call upon Shrimati Sarojini Mahishi.

**Shri Sonavane (Pandharpur):** There are two hours still remaining out of the time allotted. We can continue discussion tomorrow.

**Mr. Speaker:** That is for clause by clause.

**Shri S. M. Banerjee:** We should not take up the clauses now.

**Mr. Speaker:** We are not.

**Shri Daji:** I very much welcome the suggestion for consultations. I do not insist upon a Select Committee. We are going to have consultations together to bring about something. So far so good. But my suggestion to you—submission almost—is that in case a new amendment is brought about, we should be allowed to discuss it in general discussion also.

**Mr. Speaker:** That we will see when it comes.

**Shri Daji:** It should not be limited to clause by clause discussion, but there should be general discussion also.

**Mr. Speaker:** Order, order. Unless something comes up before us, how can we in advance decide upon the course of action we would take?

✓ **Shrimati Sarojini Mahishi (Dharwar North):** Admitting the broad outlook

and the laudable object contained in this particular Bill that has been brought forward to amend the Land Acquisition Act of 1894, I must say that it would be better if it is submitted to a special committee for the opinion of experts.

Realising the significance of a developing economy and also acknowledging the importance of a socialistic pattern of society, I would say that acquisition of land for 'public purpose' is quite essential. At the same time, we should study the *pros and cons* of this also and see how far the Bill which has been introduced to amend the existing Act will be of help.

The cure for the disease must be above suspicion. If we think that the existing sections of the Act are creating complications and the decisions given by different High Courts and even by the Supreme Court are contradictory or express different opinions, we must have such a substitution of those sections as would be above suspicion. But is this particular clause which has been introduced in the amending Bill above suspicion? Or will it be in a position to give greater scope for a greater variety of interpretations by the different High Courts and the Supreme Court? That is the thing we have to consider.

17 hrs.

Article 19 of the Constitution gives an assurance of the fundamental rights of acquiring, possessing and disposing of property. That is an assurance given to every citizen by way of

fundamental rights. Article 31 says that no person shall be deprived of his property save by the authority of law. I do not think that it is necessary to read it in a positive way and say that every person may be deprived of his right to property with the authority of law. Here we find an assurance given in a negative way to the citizen. At the same time article 31(2) says that no property may be acquired or requisitioned save for a public purpose. If the property is to be acquired for a public purpose, and if the property is to be utilised for a purpose which has been recognised as public either by law or by usage or custom, then there may be no objection for the acquisition of that particular property.

What exactly the meaning of public purpose is has been a matter of great controversy. The courts have defined it in different ways, and the meaning of the expression may differ from State to State, from place to place.

**Mr. Speaker:** Would she like to continue next time, or would she like to conclude today?

**Shrimati Sarojini Mahishi:** I would like to continue next time.

**Mr. Speaker:** She may continue next Tuesday.

17.01 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday August 22, 1962/Sravana 31, 1884 (Saka).*

[Tuesday, August 21, 1962/Sravana 30, 1884 (Saka)]

		COLUMNS			COLUMNS
<b>ORAL ANSWERS TO QUESTIONS</b>		3011—47	<b>WRITTEN ANSWERS TO QUESTIONS—contd.</b>		
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477	Drilling operations by E.N.I.	3013—15	505	Appointment of High Court Judges	3057
480	Murders and other crimes in Delhi	3015—21	506	Exploration of oil in Cauvery Basin	3057—58
481	Coal prices	3021—24	507	Fertilizer Factory at Gorakhpur	3058
482	Violation of air space by China	3024—29	508	Census figures vis-a-vis Electoral Rolls	3058—59
483	Alloy and Special Steel Plant at Durgapur	3029—31	509	President's Orders on Official language	3059
484	Central Board of Secondary Education	3031—36	510	Central Zonal Council	3059
485	Chinese	3036—39	511	Production of trucks by TELCO	3060
486	Aircraft collision	3039—41	512	Comptroller and Auditor General	3060—61
487	Training of Indian engineers	3041—45	513	Imports and exports	3061
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478	Aid for needy technical students	3047—48	<b>U.S.Q. No.</b>		
479	Central Board for Child Welfare	3048	1254	Pensions to ex-servicemen	3063
489	Requirements of steel in Fourth Plan period	3048—49	1255	Manufacture of ancillary equipment	3064
490	Crude oil for Nummati Refinery	3049	1256	Stock markets	3064—65
491	Traffic Offences in Delhi	3049	1257	Sindri Fertilizer Factory	3065—66
492	Inter-Departmental Committee on Conditions of Government employees	3050—51	1258	Geological Survey of Kulu and Spiti	3066
493	Hindustan Machine Tools Ltd.	3051	1259	Educational tours	3066—67
494	Agreement with E.N.I.	3051—52	1260	Territorial Army	3067—68
495	Singareni collieries	3052	1261	Ex-servicemen in industries	3068—69
496	Floods in Tripura	3052—53	1262	Census in Tripura	3069
497	Commonwealth Scientists	3053	1263	Mahajans in Tripura	3069—70
498	Steel Plant in Goa	3053	1264	Encyclopaedia in Malayalam	3070
499	Avro-748	3053—54	1265	Multilingual Dictionary	3070
500	Common police force for Southern States	3054	1266	Coal in Jammu	3070—71
501	Coal quotas to States	3054—55	1267	Cement industry in Kashmir	3071—72
502	Naga hostiles	3055	1268	Tribal reserve areas in Tripura	3072
503	Curbs on air travel	3056			



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1270	Terracing loan to D.Ps. in Tripura . . . . .	3073-74
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1273	Territorial Army . . . . .	3074
1274	Territorial Army Directorate in Army Headquarters . . . . .	3075
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1277	Annual awards of the Sangeet Natak Akademi . . . . .	3076-77
1278	Taxes on sulphuric acid . . . . .	3077-78
1279	Foreign scholarships . . . . .	3078
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1281	Andaman Special Pay . . . . .	3079-80
1282	Scavenging Conditions Enquiry Committee . . . . .	3080-81
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1424	Applications to Reserve Bank for clearance certificates . . .	3172-73
1425	Cement factory in Pondicherry . . .	3173-74
1426	Cement factory at Pamban, Rameswaram . . .	3174

PAPERS LAID ON THE  
TABLE

- (1) A copy each of the following papers:—
- (i) Annual Report of the Singareni Collieries Company Limited, Hyderabad, for the year 1961

3175-77

PAPERS LAID ON THE  
TABLE—contd.

- along with Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (ii) Review by the Government on the working of the above Company.
- (2) A copy each of the following Reports:—
- (i) Annual Report of the Indian Institute of Science, Bangalore, for the year 1960-61.
- (ii) Annual Report of the Indian Institute of Technology, Kharagpur, for the year 1960-61.
- (iii) Annual Report of the Indian Institute of Technology, Bombay, for the year 1960-61.
- (iv) Annual Report of the Indian Institute of Technology, Madras, for the year, 1960-61.
- (v) Annual Report of the Indian Institute of Technology, Kanpur, for the year, 1960-61.
- (3) A copy of the Ali-India Services (Death-cum-Retirement Benefits) Amendment Rules, 1962 published in Notification No. G.S.R. 966 dated the 21st July, 1962, under sub-section (2) of section 3 of the All India Services Act, 1951.
- (4) A copy of Notification No. G.S.R. 1001 dated the 28th July, 1962 making certain further amendment to the Central Sales Tax (Registration and Turnover) Rules, 1957, under sub-section (2) of section 13 of the Central Sales Tax Act, 1956.

REPORT OF COMMITTEE  
ON PRIVATE MEMBERS'  
BILLS AND RESOLUTIONS  
PRESENTED

Sixth Report was presented.

COLUMNS

3177

	COLUMNS		COLUMNS
<b>BILLS INTRODUCED . . .</b>	<b>3177—83</b>	<b>MOTION, RE—INCREASE IN ALLOCATION OF TIME TO BILL . . . . .</b>	<b>3185—92</b>
(1) The Constitution (Thirteenth Amendment) Bill, 1962.		Shri Hari Vishnu Kamath moved for extension of time allocated for consideration of the Land Acquisition (Amendment) Bill, from 4 hours to 6 hours. The motion was adopted.	
(2) The State of Nagaland Bill, 1962.			
(3) The Appropriation (No. 4) Bill, 1962.			
(4) The Appropriation (Railways) No. 4 Bill, 1962.		<b>BILL UNDER CONSIDERATION . . . . .</b>	<b>3192—3316</b>
<b>BILLS PASSED: . . . . .</b>	<b>3183—85</b>	The Minister of Food and Agriculture (Shri S.K. Patil) moved that the Land Acquisition (Amendment) Bill be taken into consideration. Two amendments, one for circulation of the Bill for purpose of eliciting opinion thereon, and the other for reference of the Bill to a Select Committee were moved by Sarvashri R. Barua and Daji, respectively. The discussion was not concluded.	
(i) The Deputy Minister in the Ministry of Finance (Shri B.R. Bhagat) moved for consideration of the Appropriation (No. 4) Bill, 1962. The motion was adopted. After clause-by-clause consideration the Bill was passed.		<b>AGENDA FOR WEDNESDAY, AUGUST 22, 1962/SRAVANA 31, 1884 (SAKA)</b>	
(ii) The Minister of Railways (Shri Swaran Singh) moved for consideration of the Appropriation (Railways) No. 4 Bill, 1962. The motion was adopted. After clause-by-clause consideration the Bill was passed.		<b>Discussion on the motion re: Reports of Commissioner for Linguistic Minorities.</b>	